

Los Angeles County Sheriff's Department

Audit and Accountability Bureau



**DETENTIONS OF INDIVIDUALS
AND DATA COLLECTION AUDIT**
PATROL OPERATIONS –
NORTH PATROL DIVISION –
PALMDALE SHERIFF'S STATION
Project No. 2020-9-A



Alex Villanueva, Sheriff

February 2, 2021

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau**

**DETENTIONS OF INDIVIDUALS AND DATA COLLECTION AUDIT
PATROL OPERATIONS – NORTH PATROL DIVISION
PALMDALE SHERIFF'S STATION
Project No. 2020-9-A
AUDIT REPORT**

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Detentions of Individuals and Data Collection Audit – Patrol Operations – North Patrol Division – Palmdale Sheriff's Station (Palmdale Station) under the authority of the Sheriff of Los Angeles County. The audit was performed to determine how the Los Angeles County Sheriff's Department (Department) Palmdale Station adhered to the Manual of Policy and Procedures (MPP), Palmdale Station Unit Orders, Field Operations Support Services (FOSS) Newsletters, and the provisions of the United States Department of Justice (DOJ) Antelope Valley Settlement Agreement (AV Agreement)¹ regarding detentions of individuals and data collection.

The AAB conducted this audit under the guidance of the Generally Accepted Government Auditing Standards.² The AAB determined the evidence obtained was sufficient and appropriate to provide reasonable assurance for the results based on the audit objectives.

BACKGROUND

In August 2011, the DOJ Civil Rights Division, investigated the Palmdale and Lancaster Sheriff's Stations due to allegations of unconstitutional conduct by deputies in the Antelope Valley area. In June 2013, the DOJ Civil Rights Division issued a Findings Letter³ which indicated that the Palmdale and Lancaster Sheriff's Station personnel engaged in a pattern or practice of discriminatory behavior and otherwise unlawful stops, searches, and seizures. Subsequent to the DOJ findings letter, the Department entered into the AV Agreement on April 28, 2015.

PRIOR AUDITS

This is the fourth Detentions of Individuals and Data Collection audit for Palmdale Sheriff's Station conducted by the AAB.

¹ *United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department*, Case Number CV 15-03174, Section III. "STOP, SEIZURES, AND SEARCHES," April 2015.

² United States Government Accountability Office, Government Auditing Standards, July 2018.

³ United States Department of Justice Civil Rights Division Findings Letter, addressed to then Sheriff Leroy D. Baca, RE: Investigation of Los Angeles County Sheriff's Department Stations in Antelope Valley, June 28, 2013.

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METHODOLOGY

Scope

This audit encompassed eight main objectives to ensure compliance with the MPP, Palmdale Station Unit Orders, FOSS Newsletters, and the provisions of the AV Agreement regarding detentions of individuals and data collection:

- Objective No.1 – Backseat Detentions (BSD)⁴ – To determine if the deputies documented in their Mobile Digital Computer (MDC)⁵ patrol logs the reason for the BSD.
- Objective No. 2 – MDC Patrol Log Required Information – To determine if the deputies documented in their MDC patrol logs required information about the contact with the individual (e.g., physical location address of the stop, race/ethnicity, etc.).
- Objective No. 3 – Consent Searches⁶ – To determine if the deputies documented in their MDC patrol logs the reason for seeking consent to search an individual or vehicle.
- Objective No. 4 – Reasonable Suspicion⁷ – To determine if the deputies documented in their MDC patrol logs the specific facts and circumstances that support the reasonable suspicion for conducting the stops and detentions.
- Objective No. 5 – Statistical Clearance Codes⁸ – To determine if the deputies used the appropriate statistical clearance codes for the detentions.

⁴ A backseat detention is when an individual is being securely detained by deputy personnel in the backseat of a patrol vehicle.

⁵ The Mobile Digital Computer is the computer system found in patrol vehicles to provide a complete operating system in a mobile environment.

⁶ A consent search occurs when an individual voluntarily submits to a detention and search by deputy personnel.

⁷ A Reasonable Suspicion detention under *Terry v. Ohio* case law occurs when police temporarily detain an individual in a public place without a valid arrest warrant having a "reasonable suspicion" that the individual has been involved in criminal activity.

⁸ The Department's three digit numerical coding system, which is identified in the Statistical Code Guide, used to identify the primary crime category for an incident.

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- Objective No. 6 – Sergeant Weekly Audits of the Deputy Daily Work Sheet (DDWS)⁹ Logs – To determine if the sergeants audited at least one DDWS log involving stop, search, and seizure activity (if conducted) for each deputy under their weekly supervision.
- Objective No. 7 – DDWS Log Compliance Check Forms¹⁰ – To determine if the sergeants documented on the DDWS Log Compliance Check Forms any errors identified in the audited DDWS logs and the corrective action taken.
- Objective No. 8 – Watch Commander/Lieutenant Review of Sergeant DDWS Log Weekly Audits – To determine if the Watch Commander/Lieutenant reviewed the sergeant DDWS log weekly audits to ensure the sergeants accurately audited the logs.

Audit Time Period

The audit time period was from January 1, 2020 through June 30, 2020.

Audit Population

Auditors identified varying populations in order to examine the different aspects of the eight main objectives, which are described in the Audit Objectives and Results section for each objective of this audit.

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⁹ The Deputy Daily Work Sheet is a permanent electronic detailed report of a patrol unit's activity during a shift. The report is generated by the Computer-Aided Dispatch system based on incidents assigned to or created by the deputy.

¹⁰ The Deputy Daily Work Sheet Log Compliance Check Form is used by sergeants at Palmdale Sheriff's Station to document their weekly audits of the Deputy Daily Work Sheet logs of the deputies under their supervision.

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AUDIT OBJECTIVES AND RESULTS

Objective No. 1 – Backseat Detentions

Objective No. 1(a) – Backseat Detentions: Vehicle, Pedestrian, or Bike Stops

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item h, p. 8 (April 2015), states:

44. *LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:*
- h. where a backseat detention was conducted, a narrative articulating a reason, consistent with LASD policy and the law, as to why each backseat detention was necessary, as well as the reasonable suspicion for the investigation;*

Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions (July 2018), states:

Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat...

In instances where an individual is provided the option of sitting in the backseat due to weather conditions or the individual's desire for privacy, the deputy will make clear this placement is a courtesy, and that the individual is free to exit the patrol car at any time...

The backseat detention contact type codes shall be used as the primary code in the Contact Type field to document all backseat detentions on the Deputy's Daily Work Sheet...

The factual justification for the backseat detention "seizure" shall be articulated in the narrative portion of the deputy's log.

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Field Operations Support Services Newsletter, Volume 13, Number 12, New MDC Codes for Logging Field Activity (December 2016), states:

Contact Type:

B = Backseat Detention: Vehicle, Pedestrian, and Bicycle Stops...

The new backseat detention (BSD) codes shall be used as the primary code in the Contact Type field to document all BSDs...

The "B" code shall be used when the BSD is due to a vehicle, pedestrian, or bicycle stop...

Procedures

Auditors identified a population of 678 entries in the Computer-Aided Dispatch (CAD)¹¹ system with Contact Type "BSD – Vehicle, Pedestrian, or Bike Stop" for observation initiated stops.¹² Auditors evaluated a random statistically valid sample¹³ of 84 entries to determine if the deputies documented the reason for the BSDs in the clearance narrative section of their MDC patrol logs.

Results

Of the 84 entries, 83 (99%) met the criteria for this objective. One entry did not meet the criteria for this objective because the entry did not indicate the reason for the BSD.

¹¹ The Computer Aided Dispatch system is a multi-faceted computer system used by the Los Angeles Sheriff's Department to log/document patrol-related incidents and maintains electronic records of patrol activity including "Call for Service" and deputy-initiated "Observations."

¹² The Department traditionally refers to an observation initiated stop when deputy personnel independently detain an individual based on reasonable suspicion or probable cause.

¹³ Auditors obtained a random statistically valid sample using a statistical one-tail test with a 95% confidence level and a 4% error rate.

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Objective No. 1(b) – Backseat Detentions: Call for Service¹⁴

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item h, p. 8 (April 2015), states:

44. *LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:*

- h. *where a backseat detention was conducted, a narrative articulating a reason, consistent with LASD policy and the law, as to why each backseat detention was necessary, as well as the reasonable suspicion for the investigation;*

Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions (July 2018), states:

Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat...

In instances where an individual is provided the option of sitting in the backseat due to weather conditions or the individual's desire for privacy, the deputy will make clear this placement is a courtesy, and that the individual is free to exit the patrol car at any time...

The backseat detention contact type codes shall be used as the primary code in the Contact Type field to document all backseat detentions on the Deputy's Daily Work Sheet...

The factual justification for the backseat detention "seizure" shall be articulated in the narrative portion of the deputy's log.

¹⁴ A "Call for Service" is a request for law enforcement services and is sent to the patrol deputy by the station dispatcher.

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Field Operations Support Services Newsletter, Volume 13, Number 12, New MDC Codes for Logging Field Activity (December 2016), states:

Contact Type:

C = Backseat Detention: Call For Service

The new backseat detention (BSD) codes shall be used as the primary code in the Contact Type field to document all BSDs...

The "C" code shall be used when the BSD is due to a call for service.

Procedures

Auditors identified a population of 68 entries in the CAD system with Contact Type "BSD – Call for Service." Auditors evaluated a random statistically valid sample of 40 entries to determine if the deputies documented the reason for the BSD in the clearance narrative section of the MDC patrol logs.

Eight of the 40 entries were excluded for evaluation. The Contact Type for the entries was incorrect as the entries were not "BSD – Call for Service." The miscategorization of the Contact Type is further discussed in the Other Related Matters section of this report.

Results

Of the 32 entries, 17 (53%) met the criteria for this objective. Fifteen entries did not meet the criteria for this objective because the entries did not indicate the reason for the BSDs.

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Objective No. 2 – Mobile Digital Computer Patrol Log Required Information

Objective No. 2(a) – Physical Location Address of the Stop

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item c, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

c. the location of the stop;

Procedures

For Objectives No. 2(a) through 2(e), auditors used the same population sample used for Objective No. 1(a) "BSD – Vehicle, Pedestrian, or Bike Stops" (84 sample entries) and Objective No. 1(b) "BSD - Call for Service" (32 sample entries) for a combined total of 116 sample entries. Auditors evaluated the 116 entries to determine if the deputies documented in their MDC patrol logs the physical location address of the stops.

Results

All 116 (100%) entries met the criteria for this objective.

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Objective No. 2(b) – Race/Ethnicity

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item d, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

d. the race/ethnicity of each individual stopped, detained, or searched;

Procedures

Auditors evaluated the 116 entries to determine if the deputies documented in their MDC patrol logs the race/ethnicity of the stopped, detained, or searched individual.

Results

All 116 (100%) entries met the criteria for this objective.

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Objective No. 2(c) – Disposition of the Stop

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item e, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

- e. the disposition of the stop, including whether a citation was issued or an arrest was made;*

Procedures

Auditors evaluated the 116 entries to determine if the deputies documented in their MDC patrol logs the disposition of the stop.

Results

Of the 116 entries, 113 (97%) met the criteria for this objective. Three entries did not meet the criteria for this objective because the entries did not indicate the disposition of the stop.

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Objective No. 2(d) – Probation or Parole Status

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item g, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

g. whether they asked an individual about his/her probation or parole status, and what the answer was;

Procedures

Auditors evaluated the 116 entries to determine if the deputies documented in their MDC patrol logs if they asked the individual about his/her probation or parole status, and what the answer was.

Results

Of the 116 entries, 115 (99%) met the criteria for this objective. One entry did not meet the criteria for this objective because the entry did not indicate that the deputy asked the individual about his/her probation or parole status, and what the answer was.

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Objective No. 2(e) – Length of Backseat Detentions

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item i, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

i. the length of any backseat detention;

Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions (July 2018), states:

The length of time, in approximate minutes of the backseat detention, shall be documented in the "BSDLEN" field of the Mobile Digital Computer (MDC)...

Procedures

Auditors evaluated 116 entries to determine if the deputies documented in their MDC patrol logs the length of time for the backseat detention.

Results

Of the 116 entries, 107 (92%) met the criteria for this objective. Nine entries did not meet the criteria for this objective because the entries did not indicate the length of time for the backseat detentions.

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Objective No. 2(f) – Vehicle Impoundment

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item k, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

k. whether a vehicle was impounded and the justification for the impoundment.

Procedures

Auditors used the same population used for Objective No. 1(a) "BSD – Vehicle, Pedestrian, or Bike Stops" (678 entries) and Objective No. 1(b) "BSD - Call for Service" (68 entries) for a combined total of 746 entries. Of the 746 BSD entries, auditors identified 20 vehicle impounds and evaluated the entries to determine if the deputies documented the justification for each impound.

Results

All 20 (100%) vehicle impound entries met the criteria for this objective.

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Objective No. 3 – Consent Searches

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item j, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

- j. whether a consent search of an individual was conducted, and if so, the reason for seeking consent...*

Palmdale Unit Order #14-05, Supplemental Patrol Procedures (August 2019), states:

MDC PATROL LOG PROCEDURES

In addition to procedures covered under the Department's Constitutional Policing and Stops Policy (5-09/520.00 – 5-09/520.30), Field Operations Directives, Newsletters, and Unit Orders, Palmdale Station deputies shall document the following additional information about patrol activity in their MDC patrol log narrative:

When a consent search of an individual or vehicle is conducted and "Authority to Conduct Search" box is cleared with a "C" (consent), the reason for seeking consent shall be documented in the MDC narrative. Example:

- CONSENT SCH RE: LATE HRS, NERVOUS, HIGH CRIME AREA*

Every stop with a "Consent" search will contain the reason for seeking consent verbiage.

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Procedures

Auditors identified a population of 205 entries in the CAD system with Contact Type "BSD – Vehicle, Pedestrian, or Bike Stop" and "BSD – Call for Service" where the "C – Consent Search" Authority Code was used. Auditors evaluated a statistically valid sample of 66 entries to determine if the deputies documented the reason for seeking the consent to search in the clearance narrative section of their MDC patrol logs.

Results

Of the 66 entries, 61 (92%) met the criteria for this objective. Five entries did not meet the criteria for this objective because the entries did not indicate the reason for seeking the consent to search.

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Objective No. 4 – Reasonable Suspicion

Criteria

Antelope Valley Settlement Agreement, Paragraph 44, Item f, p. 8 (April 2015), states:

44. LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

f. a concise narrative articulating specific facts and circumstances that support reasonable suspicion or probable cause for investigative stops and detentions consistent with the radio clearance code (Noting a radio clearance code, or the code for the resulting citation or other result, will not be deemed sufficient articulation of legal support for the stop or search).

Manual of Policy and Procedures, Section 5-09/520.30, Statistical Codes for Traffic, Pedestrian, and Bicycle Stops (March 2015), states:

The Mobile Digital Computer “Reasonable Suspicion” and “Pat Down” Contact Information Codes require justification for the stop or search and shall be noted in the narrative portion of the deputy’s log.

Field Operations Support Services Newsletter, Volume 13, Number 12, New MDC Codes for Logging Field Activity (December 2016), states:

PC Stop – Reason for Contact:

R= Reasonable Suspicion

The “PC Stop – Reason for Contact code “R” (previously entitled “Reasonable Cause”) has been changed to “Reasonable Suspicion” to better conform to *Terry v. Ohio* case law. The “Reasonable Suspicion” justification for the stop shall be noted in the narrative portion of the deputy’s log.

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Palmdale Station Unit Order #14-05, Supplemental Patrol Procedures (August 2019), states:

MDC PATROL LOG PROCEDURES

In addition to procedures covered under the Department's Constitutional Policing and Stops Policy (5-09/520.00 – 5-09/520.30), Field Operations Directives, Newsletters, and Unit Orders, Palmdale deputies shall document the following additional information about patrol activity in their MDC patrol log narrative:

A concise narrative articulating specific facts and circumstances for conducting "reasonable suspicion" or "probable cause for investigative" stops and detentions consistent with the radio clearance code (Noting that a radio clearance code, or the code for the resulting citation or other result will not be deemed sufficient articulation of legal support for the stop or search). Example:

- *A 925 OBS cleared with 841 code: "CONT'D DETAINEE RE: LATE AT NIGHT IN AREA OF RECENT 459'S WEARING DARK CLOTHING, LOOKING INTO VEH'S"*

Every "reasonable suspicion" or "probable cause for investigative" stop will be articulated the basis for the stop.

Procedures

Auditors identified a population of 157 entries in the CAD system where the "R – Reasonable Suspicion" P – Cause Code was used. Auditors evaluated a statistically valid sample of 60 entries to determine if deputies documented the specific facts and circumstances that support the reasonable suspicion for conducting the stops and detentions in the clearance narrative section of their MDC patrol logs.

Results

Of the 60 entries, 46 (77%) met the criteria for this objective. Fourteen entries did not meet the criteria for this objective because the entries did not indicate the specific facts and circumstances that support the reasonable suspicion for conducting the stops and detentions.

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Objective No. 5 – Statistical Clearance Codes

Criteria

Antelope Valley Settlement Agreement, Section III, Stops, Seizures, and Searches, p. 7 (April 2015), states:

LASD shall ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to the counter-productive divisions between LASD and the community, and are adequately documented for tracking and supervision purposes...

Antelope Valley Settlement Agreement, Section VI, Data Collection and Analysis, Paragraph 81, p. 18 (April 2015), states:

81. LASD will continue to collect data currently required by the Statistical Code Guide, Radio Code Book, and related policies...

Manual of Policy and Procedures, Section 5-09/520.25, Logging Field Activities (May 2017), states:

The Mobile Digital Computer's DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop...

Manual of Policy and Procedures, Section 5-09/520.30, Statistical Codes for Traffic, Pedestrian, and Bicycle Stops (March 2015), states:

The statistical codes 840 (Traffic Stop), 841 (Pedestrian Stop), and 842 (Bicycle Stop) shall be used when field personnel conduct vehicle, pedestrian, or bicycle stops based on probable cause, reasonable suspicion, or for other investigative purposes or to follow up on leads from prior incidents. The codes shall be used when logging vehicle, pedestrian, or bicycle stops which are associated with:

- *Calls for Service;*
- *Self-initiated activity that results in arrest or citation; and/or*
- *Self-initiated activity which is enforcement or investigative in nature but does not result in arrest or citation...*

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Field Operations Support Services Newsletter, Volume 16, Number 16, New Clearance Requirements for Logging Field Activity (September 2016), states:

Clearance codes 779 (OBS Assist) and 780 (Assigned Assist) have both been reprogrammed to allow entry of information into the Contact Information Fields, which were previously only allowed on 840/841/842 clearance codes...

When more than two people are detained related to the same incident, additional observation (OBS) tags must be created to capture complete contact information on all remaining detained persons not logged in the original tag by linking them with the new Reference Call (REFCALL) feature. The additional OBS tag will be cleared using the REFCALL field, along with the new stat code 843: Logging Additional Detained Persons on OBS or CALL.

Stat code 843 cannot be used in conjunction with other clearance/stat codes. If stat code 843 is used, at least one set of contact information for one individual must be entered...

Statistical Code Guide and Radio Code Book, p. 38 (November 2019 – April 2020), states:

Family Abuse Related Incidents

831: Secondary statistical code and cannot be used alone. When 831 is used you must complete contact fields 01 through 07. When the victim is a child, you must list the child as contact 1 and use code "A" for the contact type.

Statistical Code Guide and Radio Code Book, p. 40 (November 2019 – April 2020), states:

840, 841, 842 & 843:

MAY be used as a supplemental to any (all) other statistical codes: (However, you must complete the required contact information).

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Auditors randomly selected the month of March 2020 to determine if the statistical clearance codes, below, were appropriately used for the detention related entries for this month:

- 779 (Assist Station Unit)
- 780 (Assigned Assist)
- 831 (Family Abuse Related Incidents)
- 840 (Traffic Stop)
- 841 (Pedestrian Stop)
- 842 (Bicycle Stop)
- 843 (Logging Additional Detained Persons on OBS or CALL)

Auditors identified a population of 11,494 entries in the CAD system for March 2020, of which 1,216 entries were determined to be detentions. Auditors evaluated a statistically valid sample of 89 entries to determine if the appropriate statistical clearance codes were used for the detentions.

Results

Of the 89 entries, 87 (98%) met the criteria for this objective. Two entries did not meet the criteria for this objective because the entries did not indicate the appropriate statistical clearance codes. For one entry, the statistical clearance code for a bicycle stop (842) was used. However, the clearance narrative in the MDC patrol log stated it was a pedestrian stop (841). For the remaining entry, the statistical clearance code for a pedestrian stop (841) and for a suspicious person in vehicle (717) were used for the stop of the same individual, resulting in conflicting statistical clearance codes.

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Objective No. 6 – Sergeant Weekly Audits of Deputy's Daily Work Sheet Logs

Criteria

Antelope Valley Settlement Agreement, Paragraph 59, p. 12 (April 2015), states:

59. Sergeants shall audit at least one CAD log for each deputy under their supervision each week...

Palmdale Station Unit Order #14-06, Supplemental Supervisory Procedures (August 2019), states:

DDWS REVIEW

*Sergeants shall audit at least one DDWS log **involving stop, search, and seizure activity (if any is conducted)** for each deputy under their supervision each week...*

Procedures

Auditors evaluated 18 DDWS Log Compliance Check Forms created by 18 reviewing sergeants for the sample week of February 9, 2020 through February 15, 2020, to determine if the reviewing sergeants conducted an audit of at least one weekly DDWS log involving stop, search, and seizure activity (if any was conducted) for each deputy assigned to them. Auditors identified 86 DDWS logs that were required to be audited by the reviewing sergeants.

Results

Of the 86 DDWS logs, 66 (77%) met the criteria for this objective. Twenty DDWS logs did not meet the criteria for this objective because the reviewing sergeants either did not audit the DDWS logs of the assigned deputies for the sample week, or the reviewing sergeants audited DDWS logs with no activity. Sergeants could have selected other DDWS logs involving stop, search, and seizure activity to audit.

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Objective No. 7 – Deputy's Daily Work Sheet Log Compliance Check Forms

Objective No. 7(a) – Stop, Search, and Seizure Documentation Errors

Criteria

Antelope Valley Settlement Agreement, Paragraph 59, p. 12 (April 2015), states:

59. *Sergeants assigned as raters shall regularly audit their assigned deputies' stop, search, and seizure documentation in addition to arrest reports and citations for completeness, accuracy, and legal sufficiency...*

Palmdale Station Unit Order #14-06, Supplemental Supervisory Responsibilities (August 2019), states:

DDWS REVIEW

*Sergeants shall audit at least one DDWS log **involving stop, search, and seizure activity (if any is conducted)** for each deputy under their supervision each week...*

If a deputy's stop, search, or seizure documentation (DDWS, arrest report, Probable Cause Declaration) does not provide sufficient detail or articulate sufficient legal and policy justification for the action, the supervisor shall review the action with the deputy to determine whether there was sufficient legal and LASD policy justification...

Procedures

Auditors evaluated 86 DDWS logs completed by the deputies for the week of February 9, 2020 through February 15, 2020, to determine if all detention related errors were identified by the reviewing sergeants and documented on the corresponding DDWS Log Compliance Check Forms. Of the 86 DDWS logs, auditors identified 36 DDWS logs containing errors.

Results

Of the 36 DDWS logs, 18 (50%) met the criteria for this objective. The remaining eighteen DDWS logs did not meet the criteria for this objective because the reviewing sergeants did not identify or document the detention related errors on the corresponding DDWS Log Compliance Check Forms.

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Objective No. 7(b) – Documentation of Corrective Actions for Deputy's Daily Work Sheet Log Errors

Criteria

Antelope Valley Settlement Agreement, Paragraph 61, p. 12 (April 2015), states:

61. *Antelope Valley supervisors and commanders shall take appropriate action to address all violations or deficiencies in stops, searches, and seizures including non-disciplinary corrective action for the involved deputy, and/or referring the incident for disciplinary action.*

Palmdale Station Unit Order #14-06, Supplemental Supervisory Procedures (August 2019), states:

DDWS REVIEW

Supervisors shall take appropriate action to address all violations or deficiencies in stops, searches, and seizures including non-disciplinary corrective action for the involved deputy, and/or referring the incident for disciplinary action...

Procedures

Auditors evaluated 18 DDWS logs with detention related errors identified by the reviewing sergeants to determine if the reviewing sergeants documented appropriate corrective action for the errors on the corresponding DDWS Log Compliance Check Forms.

Results

All 18 (100%) DDWS logs met the criteria for this objective.

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Objective No. 8 – Watch Commander/Lieutenant Review of Sergeant Deputy's Daily Work Sheet Log Weekly Audits

Criteria

Antelope Valley Settlement Agreement, Paragraph 61, p. 12 (April 2015), states:

61. *Antelope Valley supervisors and commanders shall take appropriate action to address all violations or deficiencies in stops, searches, and seizures including non-disciplinary corrective action for the involved deputy, and/or referring the incident for disciplinary action.*

Palmdale Station Unit Order #14-06, Supplemental Supervisory Responsibilities (August 2019), states:

DDWS REVIEW

Watch Commanders/Lieutenants shall thoroughly review the log audits to ensure the sergeants are accurately auditing the deputy DDWS logs and note any issues in the Watch Commander signature line area of the form...

Procedures

Auditors evaluated 18 DDWS Log Compliance Check Forms to determine if the Watch Commander/Lieutenant thoroughly reviewed the sergeant audits of the DDWS logs for detention related errors.

Results

Of the 18 DDWS Log Compliance Check Forms, 6 (33%) met the criteria for this objective. The remaining twelve DDWS Log Compliance Check Forms did not meet this objective because the DDWS Log Compliance Check Forms contained errors, noted by the auditors, that should have been identified by the Watch Commander/Lieutenant and reviewing sergeants.

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SUMMARY OF AUDIT RESULTS

The audit yielded the following results:

Table No. 1 - Summary of Audit Results

Objective No.	Audit Objectives	Met the Criteria
1	BACKSEAT DETENTIONS	
1(a)	<i>Backseat Detentions: Vehicle, Pedestrian, or Bicycle Stops</i>	99%
1(b)	<i>Backseat Detentions: Call for Service</i>	53%
2	MOBILE DIGITAL COMPUTER PATROL LOG REQUIRED INFORMATION	
2(a)	<i>Physical Location Address of the Stop</i>	100%
2(b)	<i>Race/Ethnicity</i>	100%
2(c)	<i>Disposition of the Stop</i>	97%
2(d)	<i>Probation or Parole Status</i>	99%
2(e)	<i>Length of Backseat Detentions</i>	92%
2(f)	<i>Vehicle Impoundment</i>	100%
3	CONSENT SEARCHES	
	<i>Determine if the deputies documented the reason for seeking the consent to search in the clearance narrative section of their Mobile Digital Computer patrol logs.</i>	92%
4	REASONABLE SUSPICION	
	<i>Determine if deputies documented the specific facts and circumstances that support the reasonable suspicion for conducting the stops and detentions in the clearance narrative section of their Mobile Digital Computer patrol logs.</i>	77%
5	STATISTICAL CLEARANCE CODES	
	<i>Determine if the appropriate statistical clearance codes were used.</i>	98%
6	SERGEANT WEEKLY AUDITS OF DEPUTY'S DAILY WORK SHEET LOGS	
	<i>Determine if the reviewing sergeants conducted an audit of at least one weekly Deputy's Daily Work Sheet log involving stop, search, and seizure activity (if any was conducted) for each deputy assigned to them.</i>	77%
7	DEPUTY'S DAILY WORK SHEET LOG COMPLIANCE CHECK FORMS	
7(a)	<i>Stop, Search, and Seizure Documentation Errors</i>	50%
7(b)	<i>Documentation of Corrective Action Taken for Deputy's Daily Work Sheet Log Errors</i>	100%
8	WATCH COMMANDER/LIEUTENANT REVIEW OF SERGEANT DEPUTY'S DAILY WORK SHEET LOG WEEKLY AUDITS	
	<i>Determine if the Watch Commander/Lieutenant thoroughly reviewed the sergeant audits of the Deputy's Daily Work Sheet logs for each deputy assigned to them.</i>	33%

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OTHER RELATED MATTERS

Other related matters are pertinent issues discovered during the audit, but were not objectives which were measureable against Department policies and procedures.

Incorrect Contact Type Entered in the MDC Patrol Log

For eight of the 40 entries with Contact Type "BSD – Call for Service" evaluated for Objective No. 1(b) – Backseat Detentions: Call for Service, the deputies selected the incorrect Contact Type as the entries were observation initiated stops. Data entered incorrectly into the MDC patrol log will result in inaccurate information and statistics when evaluating data regarding BSDs.

Inconsistencies between DDWS Log Entries and corresponding Arrest/Incident Reports

Auditors reviewed the DDWS logs evaluated for Objective No. 6 – Sergeant Weekly Audits of Deputy's Daily Work Sheet Logs to determine if there were any inconsistencies between the 27 DDWS log entries that resulted in arrests and the corresponding arrest/incident reports. Two of the 27 DDWS log entries had inconsistencies between the documents reviewed. For the two DDWS log entries, either the year of birth for the individual stopped or the physical location address of the stop was different from the information on the arrest/incident reports. It was noted that the data was incorrectly entered into the DDWS logs. Data entered incorrectly into the DDWS logs will result in inaccurate information and statistics when evaluating data regarding stops.

CONCLUSION

Auditors performed analyses and made assessments to identify areas in need of improvement. The evidence presented provides reasonable assurance that Department personnel are not fully adhering to the MPP, Palmdale Station Unit Orders, FOSS Newsletters, and the provisions of the AV Agreement regarding detentions of individuals and data collection.

RECOMMENDATIONS

When Department policies and procedures are not adhered to, it may result in an increased risk to the Department. Department management should disseminate the results of this audit to its personnel. Additionally, as best practice, Department management is encouraged to conduct recurring and ongoing briefing of policies and procedures.

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Views of Responsible Officials

On January 26, 2021, North Patrol Division command staff submitted a formal response to the AAB concurring with the audit results. A copy of the audit report was provided to the Office of Inspector General for their review.

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This audit was submitted on this 2nd day of February 2021, by the Audit and Accountability Bureau.

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