

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

AUDIT AND ACCOUNTABILITY BUREAU



Stops and Detentions Interim Audit

Antelope Valley Stations

Project No. 2023-7-A



**Los Angeles County Sheriff's Department
Audit and Accountability Bureau**

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North Patrol Division
Antelope Valley Stations
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EXECUTIVE SUMMARY

Under the authority of the Los Angeles County Sheriff's Department (LASD or the Department) Executives and by the United States Department of Justice (DOJ) Antelope Valley (AV) Settlement Agreement (Agreement), the Audit and Accountability Bureau (AAB) conducted a Stops and Detentions Interim Audit for the AV Stations, specifically Lancaster and Palmdale Stations. The following information will provide a comprehensive overview of key findings directly relevant to the Agreement.

Outlined within the Agreement are imperative stipulations mandating that stops, detentions, and searches conducted within the AV jurisdiction must adhere to the highest standards of professionalism, reasonableness, lawfulness, and thorough documentation.

This interim audit was conducted based on a previously approved work plan, outlining the scope, objectives, and methodology. By collaborating with the AV Monitoring Team (MT), we initiated this preliminary assessment, which created the groundwork for a streamlined audit process to facilitate a more efficient and comprehensive audit in the near future.

The scope portion of the interim audit examined the handling and documentation of routine stops, detentions, and searches, including parole/probation searches and backseat detentions (BSD). The focus of these critical elements was to provide an understanding of the Department's practices in encounters with the public, compliance with established policies, and the Agreement.

SUMMARY OF COMPLIANCE METRIC FINDINGS

Auditors evaluated 50 stops or detentions conducted by AV Station personnel from April 15, 2023, through May 15, 2023. This audit encompassed four main objectives: Initiating Stops and Detentions, Consent Searches, Probation/Parole Searches, and Back Seat Detentions, along with 13 sub-objectives.

Table No. 1 indicates the findings for all four objectives. The audit objective for "Initiating Stops and Detentions" did not pertain to the AV Agreement Compliance Metrics (compliance metrics); however, objective 1(b) is addressed in paragraph 42 of the Agreement. The findings for this objective are detailed in this report.

Auditors evaluated Lancaster (LAN) and Palmdale (PLM) Stations separately for each objective (2,3 and 4) and combined the results to determine if the Department was in compliance with the compliance metrics. As a result, the AV Stations failed to meet seven of the nine sub-objectives applicable to the compliance metrics. The stations are mandated to meet or exceed those agreed upon metrics.

Table No. 1 – Summary of Compliance Metric Findings

Objective No.	Audit Objectives	LAN	PLM	AV Total	Compliance Finding	Compliance Metric
1	INITIATING STOPS AND DETENTIONS					
1(a)	<i>Proper Activation of Body Worn Camera</i>	56%	79%	65%	N/A	N/A
1(b)	<i>Introduction and Stating Reason for Stop</i>	12%	32%	22%	N/A	N/A
1(c)	<i>Completeness of Video Recording</i>	62%	73%	66%	N/A	N/A
2	CONSENT SEARCHES					
2(a)	<i>Consent Search Request and Response (Person Searches)</i>	88%	75%	83%	Not in Compliance	95%
2(b)	<i>Consent Search Reasonableness (Person Searches)</i>	88%	75%	83%	Not in Compliance	90%
2(c)	<i>Consent Search Request and Response (Vehicle Searches)</i>	100%	75%	92%	Not in Compliance	95%
2(d)	<i>Consent Search Reasonableness (Vehicle Searches)</i>	100%	75%	92%	In Compliance	90%
2(e)	<i>Consent Search of Individuals-Articulation and Documentation</i>	50%	50%	50%	Not in Compliance	95%
3	PROBATION OR PAROLE SEARCHES					
3(a)	<i>Knowledge of Probation or Parole Search Conditions</i>	100%	100%	100%	N/A	N/A
3(b)	<i>Articulation of Probation or Parole Searches</i>	100%	88%	93%	In Compliance	90%
3(c)	<i>Documentation Probation or Parole Status Verification</i>	0%	0%	0%	Not in Compliance	90%
4	BACK SEAT DETENTIONS					
4(a)	<i>Explanation of Back Seat Detentions to Civilians</i>	32%	15%	24%	Not in Compliance	90%
4(b)	<i>Back Seat Detention Documentation and Articulation</i>	68%	73%	71%	Not in Compliance	95%

AUDIT REPORT

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Stops and Detentions Interim Audit under the authority of the Los Angeles County Sheriff's Department (LASD or the Department), pursuant to the United States Department of Justice (DOJ) Antelope Valley (AV) Settlement Agreement (Agreement) Paragraph 149, which states:

The Monitor shall... determine whether LASD has implemented and continues to comply with the material requirements of this Agreement... Where appropriate, the monitor will make use of audits conducted by the [Audit and Accountability Bureau] taking into account the importance of internal auditing capacity and independent assessment of this agreement.

The interim audit acts as a precursor to the upcoming comprehensive audit of Stops and Detentions for the AV Stations. This preliminary assessment was designed to promptly determine, through a comprehensive examination of Body-Worn Camera (BWC) footage, whether previously identified issues with stops and detentions in the AV Monitoring Team's (MT) audit and analysis continue to persist.

The AAB carried out this interim audit in accordance with Generally Accepted Government Auditing Standards¹, focusing on obtaining sufficient and pertinent evidence to offer reasonable assurance regarding the outcomes based on the audit objectives.

BACKGROUND

On April 28, 2015, the Department entered into the Agreement to ensure law enforcement services are delivered to the residents of Lancaster, Palmdale, and the surrounding unincorporated areas of Los Angeles County served by Lancaster and Palmdale Stations in strict adherence to the Constitution and laws of the United States.

The Agreement encompasses stipulations that mandate stops, detentions, and searches to be conducted professionally, reasonably, and lawfully with thorough documentation.

¹ United States Government Accountability Office, Government Auditing Standards, July 2018.

PRIOR AUDITS

The AAB has conducted ten previous audits on the detention of individuals in the AV areas since 2017. The previous audits assessed both stations independently, with four audits conducted for Lancaster Station and six for Palmdale Station. The AAB has revised this audit to evaluate both stations and will measure if it meets the requirements of the compliance metrics. In addition, the AAB will provide reliable, objective, and meaningful results to the Department, Lancaster, and Palmdale Stations.

OBJECTIVE, SCOPE, AND METHODOLOGY

The AAB developed an audit work plan as a general strategy and approach for conducting the Antelope Valley Stops and Detentions Interim Audit for the Agreement. The plan was designed to appropriately focus on operational concerns and adherence to the Agreement and ensure the audit reflects the auditor's independence and objectivity, substantiating the results. As part of the audit process, the AAB conducted an entrance meeting on May 25, 2023, with the North Patrol Division Chief and Commander and the Lancaster and Palmdale Station (AV Stations) Captains. No additional concerns pertaining to this audit were expressed outside of the issues defined in the Agreement.

The Agreement did not mandate this interim audit; however, the Department recognized the importance of evaluating deputy personnel's actions when contacting members of the public. The interactions of patrol deputies with the AV community are essential to developing community trust. Therefore, this interim audit allows for identifying process improvement and corrective actions where necessary.

In collaboration with the MT, the audit work plan was submitted for review and approval by the MT and DOJ prior to the start of the audit.

Audit Scope

This audit's scope was centered on assessing stops and detentions, encompassing the examination of practices such as consent searches, parole/probation searches, and (BSD) conducted by deputies in the AV areas. Moreover, the audit scrutinizes issues related to BWC activation, the thoroughness of video recording, documentation of stops and searches, and the proper advisements provided to the detained person(s) during the interaction.

Audit Criteria

Since the initiation of the Agreement, the Department, DOJ, and the MT have collaborated to establish a mutual agreement on metrics for evaluating compliance with the provisions outlined in the Agreement. The agreed-upon compliance metrics for Stops, Seizures, and Searches were supplied to the AAB by the MT.

While specific objectives will offer the Department an initial perspective on the AV Stations' adherence to the Stops, Seizures, and Searches compliance metrics, the primary purpose of this interim audit is to assess the persistence of previously identified issues with stops and detentions in the AV area and to what degree they persist.

Additional objectives have been established to evaluate the Department's compliance with BWC activation policies.

Audit Population and Sampling

The selected audit period was April 15, 2023, through May 15, 2023.

A data request for all AV stops and detentions² was obtained from Data Systems Bureau (DSB) for the audit period, resulting in a population of 2,016 stops and detentions. The following three search or detention codes were then selected, as they met the testing criteria for this interim audit:

Search or Detention Code and Definition	Total Number of Stops in Audit Population Per Category (Resulting Populations)
C – Consent Search	63
R – Condition of Parole/Probation	44
B – Backseat Detention (Vehicle, Pedestrian and Bicycle Stops)	66

To achieve a sample size of 25 stops per station, as advised by the MT, the auditors utilized a randomizer for each of the three resulting populations.

² The data request involved all "Stops" clearance codes (840, 841, 842, and 843) retrieved from the Regional Allocation of Police Services (RAPSNET) application.

This process yielded nine stops categorized as consent searches, eight as parole/probation searches, and eight as BSD for each station. Consequently, a total population of 50 stops were generated for a comprehensive review.

Search or Detention Code and Definition	Palmdale Stops	Lancaster Stops
C – Consent Search	9	9
R – Condition of Parole/Probation	8	8
B – Backseat Detention (Vehicle, Pedestrian and Bicycle Stops)	8	8
Total: 50		

The interim audit population was selected to ensure at least one objective was captured in each BWC video; however, each video will be reviewed for all objectives in order to determine if the stops, searches and detentions met the standard for all audit objectives.

Validation of Population

A data reliability assessment was not conducted.

The Department has received concerns about the reliability of Mobile Digital Computer (MDC) data from both the MT and the DOJ. Among those concerns is the data entered by Department personnel into the MDC may not accurately reflect the incident they either self-generated or were dispatched to. Auditors will exclusively employ MDC data to establish a data pool for reported stops, searches, and detentions for the interim audit. In instances where deputies have inaccurately input data relevant to audit objectives, the AAB will document such instances as findings.

Population Summary

Auditors reviewed a total of 50 stops and detentions during the interim audit period.

Audit Procedures

Auditors reviewed the compliance metrics related to Stops, Seizures, and Searches.

Auditors obtained all associated BWC videos from the audit population.

Auditors meticulously reviewed BWC footage for every stop and detention within the audit population, encompassing all videos of deputies and supervisors that were on scene of an active investigatory stop or detention. Independent auditors conducted multiple reviews of each objective.

During the examination, auditors observed and documented deputy personnel actions related to the specified objectives using audit tools tailored to test different audit criteria. The information analyzed by auditors and their findings were methodically recorded on work paper materials.

To verify the accuracy of the deputies' MDC log entries, BWC videos were cross-referenced with MDC logs associated with consent searches, parole/probation searches, and backseat detentions conducted by AV deputies.

Detailed Findings

Objective No. 1 – Initiating Stops and Detentions

This objective included an evaluation of the initiation of stops by AV personnel as it related to the proper activation of the BWC, the completeness of BWC recordings, and required introductory information provided to detained persons as specified in the Agreement, compliance metrics, and Department policy.

Objective No.	Audit Objectives	LAN	PLM	AV Total	Compliance Finding	Compliance Metric
1	INITIATING STOPS AND DETENTIONS					
1(a)	<i>Proper Activation of Body-Worn Camera</i>	56%	79%	65%	N/A	N/A
1(b)	<i>Introduction and Stating Reason for stop</i>	12%	32%	22%	N/A	N/A
1(c)	<i>Completeness of Video Recording</i>	62%	73%	66%	N/A	N/A

Objective No. 1(a) – Proper Activation of Body-Worn Camera

Criteria

Manual of Policy and Procedures, Section 3-06/200.08, Body Worn Cameras – Activation, (August 2020), states:

Department personnel shall activate their body worn camera (BWC) prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public, including all:

- *Vehicle stops*
- *Pedestrian stops (including self-initiated consensual encounters);*
- *Searches;*
- *Arrests;*
- *Any encounter with a member of the public who is or becomes uncooperative, belligerent, or otherwise hostile...*

Procedures

Auditors examined 50 investigatory stops or detentions for the AV Stations, identified 77 deputies from Lancaster Station and 48 deputies from Palmdale Station who interacted with the public. Each BWC video assigned to these deputies was scrutinized to ascertain whether they activated their BWC before initiating or upon arrival at any enforcement or investigative contact involving a member of the public.

Deputies from AV met the criteria for this objective if they activated their BWC before initiating or upon arrival at any enforcement or investigative contact involving a member of the public.

Findings

Forty-three (56%) of the 77 Lancaster Station deputies activated their BWC prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public. The remaining 34 Lancaster Station deputies did not meet the criteria for this objective. Thirty-one deputies failed to activate their BWC upon arrival at any enforcement or investigative contact with a member of the public. Three deputies with visible BWC on their person arrived on scene to an active investigation and failed to activate their BWC.

Thirty-eight (79%) of the 48 Palmdale Station deputies activated their BWC prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public. The remaining 10 Palmdale Station deputies did not meet the criteria for this objective. Eight deputies failed to activate their BWC upon arrival at any enforcement or investigative contact with a member of the public. Two additional deputies with visible BWC on their person arrived on scene to an active investigation and failed to activate their BWC.

Recommendations

It is recommended the Department amend the current BWC policy, enabling patrol station supervisors to conduct routine audits of BWC video recordings. This revision is proposed to ensure the AV Stations are in compliance with the various provisions outlined in the Agreement. It is imperative Department personnel activate their body-worn cameras, prior to or upon arrival at, to capture the entirety of the contact with the public as defined in the Department policy. Furthermore, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently fail to comply with the BWC policy which may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

Objective No. 1(b) – Introduction and Stating Reason for Stop

Criteria

There are no applicable Compliance Metrics for this objective, however the Agreement states in paragraph 42:

LASD agrees to incorporate the following elements in its training of Antelope Valley deputies: (1) introducing themselves at the initiation of contact with a civilian when reasonable and practical; (2) stating the reason for an investigatory stop or detention as soon as practicable...

Additional Agreement provisions include requirements for AV deputies to act professional and courteous throughout interactions (§42).

Procedures

Auditors reviewed BWC video for each deputy that initiated an investigatory stop or detention to determine if deputies introduced themselves at the initiation of contact with a civilian and stated the reason for the investigatory stop or detention as soon as practicable.

AV deputies met the criteria for this objective if:

1. Deputies introduced themselves at the initiation of contact with a civilian.
2. Deputies advised the detained subject the reason for the investigatory stop or detention as soon as practicable.

Findings

Three (12%) of the 25 investigatory stops or detentions conducted by Lancaster Station had deputies who introduced themselves upon contacting a civilian and advised the subject(s) the reason for the investigatory stop or detention. The remaining 22 investigatory stops or detentions did not meet the criteria for this objective. Lancaster Station deputies did not introduce themselves at the initiation of contact with a civilian; however, in 18 incidents they did advise them of the reason for the investigatory stop or detention.

Eight (32%) of the 25 investigatory stops or detentions conducted by Palmdale Station had deputies who introduced themselves upon contacting a member of the public and advised the subject(s) the reason for the investigatory stop or detention. The remaining 17 investigatory stops or detentions did not meet the criteria for this objective. Palmdale Station deputies failed to introduce themselves at the initiation of contact with a civilian; however, in 14 incidents they did advise them of the reason for the investigatory stop or detention. While reviewing these incidents, auditors identified some demonstrations of

unprofessionalism. Among these were a total of six instances, five by Palmdale Station personnel and one by Lancaster Station personnel, in which AV deputies were observed using profanity during the detention. Additionally, there was another incident when a deputy from Lancaster Station displayed a lapse in professionalism regarding his choice of words while trying to gain cooperation from a verbally and physically resistant suspect.

Recommendations

It is recommended the Department conduct recurrent briefings with the AV Stations regarding paragraph 42 of the provisions outlined in the Agreement. Specifically, as it relates to the initial contact with the civilian(s) during the stop or detention. During the recommended briefings, Department personnel should be engaged in dialogue to assist them in understanding how unprofessional behavior could erode public trust, which would be detrimental to the tenets of 21st Century Policing. Furthermore, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently partake in unprofessional behavior with the public, which may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

Objective No. 1(c) – Completeness of Video Recordings

Criteria

Manual of Policy and Procedures, Section 3-06/200.13, Recording of the Entire Contact, (August 2020), states:

The body worn camera (BWC) shall continue recording until the enforcement or investigative contact involving a member of the public has ended. If an investigative or enforcement contact involving a member of the public resumes after the video has stopped, the Department member shall reactivate the BWC device and continue recording.

Procedures

Auditors examined 50 investigatory stops or detentions for the AV Stations and identified 77 Lancaster Station and 48 Palmdale Station deputies who had contact with a member of the public. Auditors reviewed each BWC video assigned to the above-mentioned deputies to determine if the BWC recording continued until the enforcement or investigative contact involving a member of the public had ended.

AV Stations met the criteria for this objective if deputies recorded their entire contact during an investigatory stop or detention.

Findings

Forty-eight (62%) of the 77 Lancaster Station deputies recorded their entire contact during an investigatory stop or detention. The remaining 29 Lancaster Station deputies did not meet the criteria for this objective. Twenty-six Lancaster Station deputies failed to record their entire contact during an investigatory stop or detention. Three additional deputies, with visible BWC on their person, arrived on scene to an active investigation and failed to activate their BWC.

Thirty-five (73%) of the 48 Palmdale Station deputies recorded their entire contact during an investigatory stop or detention. The remaining 13 Palmdale Station deputies did not meet the criteria for this objective. Eleven Palmdale Station deputies failed to record their entire contact during an investigatory stop or detention. Two additional deputies, with visible BWC on their person, arrived on scene to an active investigation and failed to activate their BWC.

Recommendations

It is recommended the Department amend the current BWC policy, enabling patrol station supervisors to conduct routine audits of BWC video recordings. This revision is proposed to ensure AV Station personnel adhere to the BWC policy and record the entirety of interactions with the public. Additionally, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently fail to comply with the BWC policy which may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

Objective No. 2 – Consent Searches

This objective included the evaluation of consent searches conducted by AV deputies as specified in the compliance metrics.

Objective No.	Audit Objectives	LAN	PLM	AV Total	Compliance Finding	Compliance Metric
2	CONSENT SEARCHES					
2(a)	<i>Consent Search Request and Response (Person Searches)</i>	88%	75%	83%	Not in Compliance	95%
2(b)	<i>Consent Search Reasonableness (Person Searches)</i>	88%	75%	83%	Not in Compliance	90%
2(c)	<i>Consent Search Request and Response (Vehicle Searches)</i>	100%	75%	92%	Not in Compliance	95%
2(d)	<i>Consent Search Reasonableness (Vehicle Searches)</i>	100%	75%	92%	In Compliance	90%
2(e)	<i>Consent Search of Individuals- Articulation and Documentation</i>	50%	50%	50%	Not in Compliance	95%

Objective No. 2(a) – Consent Search Request and Response (Person Searches)

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

Criteria

The Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigative, Stops, Searches, Paragraph 52.1 states:

LASD will be deemed in compliance with this provision when:

At least 95% of the time LASD-AV deputies equipped with body worn audio or video recorders record their requests for a consent search and the individual's response.

Procedures

Auditors examined 50 investigatory stops or detentions for the AV Stations and identified 13 investigatory stops or detentions conducted by Lancaster Station along with eight conducted by Palmdale Station in which a consent search of a person(s) had occurred. Auditors obtained this data by analyzing MDC data entered by the deputies during their conducted stops or detentions and verified the information by viewing all BWC video that pertained to each individual incident, in order to identify all consent searches that occurred during the audit period classified as "Consent."

Out of the 21 investigatory stops or detentions, auditors determined a total of 24 consent searches occurred. Sixteen consent searches were conducted by Lancaster Station deputies and eight were conducted by Palmdale Station deputies.

Auditors reviewed each BWC video for the above-mentioned investigatory stops or detentions to determine if, in instances where consent searches of a person (driver or passenger) are requested, deputies recorded their request for a consent search and the individual's response.

AV Stations met the criteria for this objective if deputies recorded their request for a consent search and the individual's response.

Findings

Fourteen (88%) of the 16 consent searches conducted by Lancaster Station deputies recorded their request for a consent search and the individual's response. The remaining two did not meet the criteria for this objective.

In one of the consent searches, the deputy did not ask for consent prior to conducting a search of the person. The search was classified as a "Consent Search" per the extracted MDC data. During the search, the deputy properly activated their BWC. However, there was no evidence captured on video which depicted the deputy asking for explicit permission to search, prior to placing their hands into the subjects' pockets.

In the second consent search, the deputy failed to activate their BWC in a timely manner, which did not allow any dialogue to be captured on video regarding a request to be searched.

Six (75%) of the eight consent searches met the criteria for this objective. Five conducted by Palmdale Station recorded their request for a consent search and the individual's response. In one additional consent search, the subject consented to a search prior to the deputy asking for consent which was recorded on the deputy's BWC. The remaining two consent searches did not meet the criteria. Palmdale Station deputies did not ask for consent prior to conducting a search of their person.

The compliance metrics requirement is 95%.

Twenty (83%) of the 24 consent searches conducted by AV Stations consisted of deputies recording their request for a consent search and the individual's response.

Recommendations

To address the identified issues and enhance compliance with the consent search protocol, it is recommended a training program is initiated to reinforce the importance of properly activating the BWC to obtain the consent. It is also recommended to research and develop a Department policy to require the recording of all consent searches either on BWC or by some other means of capturing the consent. Additionally, as previously stated, it is recommended the Department develop a BWC video review process, of documented consent searches, wherein supervisors regularly inspect the video footage with the deputies to ensure adherence to search protocols, document constructive feedback and provide additional training details for cases of non-compliance.

Objective No. 2(b) – Consent Search Reasonableness (Person Searches)

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigative, Stops, Searches, Paragraph 51 states:

LASD will be deemed in compliance with this provision when:

For at least 90% of consent searches, the request to conduct the search is reasonable and the deputy articulated a valid reason under the law and/or LASD policy for initially having stopped the individual.

Procedures

Auditors reviewed each BWC video for the above-mentioned investigatory stops or detentions to determine if, in instances where consent searches of a person (driver or passenger) occurred, was the conducted search request clearly stated, truly voluntary, and reasonable.

AV deputies met the criteria for this objective if:

1. Deputies clearly requested consent for a search.
2. In incidents when a consent search of a person was conducted, consent was clearly stated and voluntarily provided.
3. In incidents when a consent search of a person was conducted, the request to conduct the search was reasonable.
4. The reason for the stop is valid under the law and/or LASD policy.
5. The reason for the stop articulated in the MDC clearance is consistent with the BWC video.

Findings

The following results are based on the procedures mentioned above.

Fourteen (82%) of the 16 consent searches conducted by Lancaster Station were reasonable. The remaining two did not meet the criteria for this objective. One consent search did not meet the criteria because the deputy failed to ask the subject for consent prior to conducting the search. One consent search did not meet the criteria because the deputy activated their BWC after contacting the subject, therefore, auditors were not able to determine if consent was given.

Six (75%) of the eight consent searches conducted by Palmdale Station met the criteria for this objective. During five of the searches, Palmdale Station recorded their request for a consent search and the individual's response. During one additional consent search, the subject consented to a search prior to the deputy asking for consent which was recorded on the deputy's BWC. The remaining two did not meet the criteria because deputies failed to ask the subjects for consent prior to conducting their search.

The compliance metrics requirement is 90%. Twenty (83%) of the 24 consent searches conducted by AV Stations were reasonable.

Recommendations

Based on the evaluation of the consent searches conducted by AV Stations, it is recommended supervisors reinforce the Department policies on consent searches. This includes emphasizing the importance of activating BWC to capture explicit and voluntary consent from individuals. It is crucial to ensure that searches are conducted reasonably, and deputies must articulate valid reasons in the MDC Log clearance as part of the process. Furthermore, it is recommended AV Stations develop a corrective action plan based on the findings of this audit to ensure AV Station personnel are in compliance with the Agreement.

Objective No. 2(c) – Consent Search Request and Response (Vehicle Searches)

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigative, Stops, Searches, Paragraph 52.1 states:

LASD will be deemed in compliance with this provision when:

At least 95% of the time LASD-AV deputies equipped with body worn audio or video recorders record their requests for a consent search and the individual's response.

Procedures

Auditors reviewed 50 investigatory stops or detentions for the AV Stations and identified nine by Lancaster Station, along with four by Palmdale Station, in which a consent search of a vehicle had occurred. Auditors obtained this data by analyzing MDC data entered by operating deputies during their conducted stops and detentions and identified all searches classified as "Consent."

Auditors reviewed each BWC video for the above-mentioned investigatory stops or detentions to determine if, in instances where consent searches of a vehicles occurred, deputies recorded their request for a consent search and the individual's response. AV Stations met the criteria for this objective if deputies recorded their request for a consent search and the individual's response.

Findings

All nine (100%) of the vehicle consent searches in Lancaster met the criteria for this objective. Eight conducted by Lancaster Station recorded their request for a consent search and the individual's response. In one additional consent search, the subject consented to a search prior to the deputy asking for consent which was recorded on the deputy's BWC.

Three (75%) of the four vehicle consent searches in Palmdale met the criteria for this objective. One consent search conducted by Palmdale Station recorded their request for a consent search and the individual's response. In two additional consent searches, the subjects consented to a search prior to the deputy asking for consent which was recorded on the deputy's BWC.

The remaining consent search did not meet the criteria because Palmdale Station deputies did not ask for consent prior to conducting a search of the vehicle. The search was classified as a "Consent Search" per the extracted MDC data.

The compliance metrics requirement is 95%.

Twelve (92%) of the 13 vehicle consent searches conducted by AV Stations had deputies that recorded their request for a consent search and the individual's response or the subject's unsolicited consent.

Recommendations

To address the shortcomings of the vehicle consent searches, it is recommended Palmdale Station reinforce the requirement with routine training. This training should include active discussions regarding the requirement of explicit consent before conducting any search and ensure the BWC is activated to capture this consent in compliance with the Agreement. Additionally, the training should also reinforce the need for accurate data input into the MDC log clearance to prevent erroneous documentation. Furthermore, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently fail to comply with the Agreement requirements regarding consent searches and document these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

Objective No. 2(d) – Consent Search Reasonableness (Vehicle Searches)

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigative, Stops, Searches, Paragraph 51 states:

LASD will be deemed in compliance with this provision when:

For at least 90% of consent searches, the request to conduct the search is reasonable and the deputy articulated a valid reason under the law and/or LASD policy for initially having stopped the individual.

Procedures

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

Auditors reviewed each BWC video for the above-mentioned investigatory stops or detentions to determine if, in instances where consent searches of a vehicle occurred, was the search request clearly stated, truly voluntary, and reasonable.

AV deputies met the criteria for this objective if all of the following were present:

1. Deputies clearly requested consent for a search.
2. In incidents when a consent search of a vehicle was conducted, consent was clearly stated and voluntarily provided.
3. In incidents when a consent search of a vehicle was conducted, the request to conduct the search was reasonable.
4. The reason for the stop is valid under the law and/or LASD policy.
5. The reason for the stop articulated in the MDC clearance and is consistent with the BWC video.

Findings

All nine (100%) of the vehicle consent searches conducted by Lancaster Station were reasonable.

Three (75%) of the four vehicle consent searches conducted by Palmdale Station were reasonable. The remaining consent search did not meet the criteria because, prior to searching the vehicle, the deputy asked the subject if there was anything illegal in the vehicle, however, did not specifically seek consent to search the vehicle.

The compliance metrics requirement is 90%.

Twelve (92%) of the thirteen vehicle consent searches conducted by AV Stations were reasonable.

Recommendations

Given the success rates in vehicle consent searches for AV Stations, it is crucial to reinforce positive behaviors and leverage these successes for continuous improvement. It is recommended to incorporate these results in routine briefings by recognizing and sharing the outcomes which can foster a positive culture within the Department. Sustaining ongoing monitoring practices not only prolongs the positive outcomes but also serves as a source of insights for other patrol stations seeking to improve their practices. Auditors noted the limited sample of vehicle consent searches evaluated may not be truly indicative of Palmdale Station's overall compliance with this objective. The AAB will continue to monitor outcomes for this objective and expand audit sample sizes for future audits if necessary.

Objective No. 2(e) – Consent Search of Individuals-Articulation and Documentation

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigative, Stops, Searches, Paragraph 44, Section 1, states;

LASD will be deemed in compliance with this provision when:

At least 95% of the time for each item below (measured independently), deputies document the following information about patrol activity in their MDC patrol logs:

44j) whether a consent search of an individual was conducted, and if so, the reason for seeking consent...

Procedures

Auditors thoroughly examined MDC data and logs for each subject to a consent search as identified in the BWC videos. The focus is to assess whether deputies documented the occurrence of a consent search for both drivers and passengers and if so, whether they provided an apparent reason for seeking consent. Furthermore, auditors evaluated the consistency between the stated reason for seeking consent in the MDC log and the corresponding BWC footage.

AV Stations met the criteria for this objective if:

1. Deputies documented in their MDC log whether a consent search of a person was conducted and the reason for seeking consent.
2. The stated reason for seeking a consent search of a vehicle documented in the MDC log was consistent with the BWC footage.

Findings

Eight (50%) of the 16 consent searches conducted by Lancaster Station contained documentation that a consent search occurred, reason for seeking consent and the documentation in the MDC log was consistent with the BWC footage. The remaining eight did not meet the criteria for this objective. Three of the consent searches were documented in the MDC log but did not have a reason for seeking consent. Three consent searches were depicted on BWC video but not documented in the MDC log. Two consent searches were misclassified as parole or pat down searches in the MDC log when BWC video depicted consent searches.

Four (50%) of the eight consent searches conducted by Palmdale Station contained documentation that a consent search occurred, reason for seeking consent and contained documentation in the MDC log that was consistent with the BWC footage. The remaining four did not meet the criteria. Two consent searches were documented in the MDC log but did not have a reason for seeking consent. Two additional consent searches that were documented in the MDC, were not consistent with BWC footage because deputies did not obtain consent to search the detained subject.

The compliance metrics requirement is 95%.

Twelve (50%) of the 24 consent searches conducted by AV Stations contained documentation that a consent search occurred, reason for seeking consent and contained documentation in the MDC log that was consistent with the BWC footage.

Recommendations

To improve compliance, it is recommended to implement a training program that emphasizes the critical role of accurate documentation in consent searches. Prioritize clear and consistent documentation in the MDC log clearance, including providing detailed reasons for seeking consent while also recording this interaction on the employee’s BWC. Additionally, as previously stated, it is recommended the Department develop a BWC video review process of documented consent searches, wherein supervisors regularly inspect the video footage with the deputies to ensure adherence to search protocols, document constructive feedback and provide additional training details for cases of non-compliance.

Objective No. 3 – Probation or Parole Searches

This objective included the evaluation of probation or parole searches conducted by AV deputies as specified in the compliance metrics.

Objective No.	Audit Objectives	LAN	PLM	AV Total	Compliance Finding	Compliance Metric
3	PROBATION OR PAROLE SEARCHES					
3(a)	<i>Knowledge of Probation or Parole Search Conditions</i>	100%	100%	100%	N/A	N/A
3(b)	<i>Articulation of Probation or Parole Searches</i>	100%	88%	93%	In Compliance	90%
3(c)	<i>Documentation of Probation or Parole Status Verification</i>	0%	0%	0%	Not in Compliance	90%

Objective No. 3(a) – Knowledge of Probation or Parole Search Conditions

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigatory Stops, Searches, Paragraph 56 states:

LASD-AV deputies shall only conduct searches of individuals on probation or parole in accordance with the provisions of this section and when knowledge of probation or parole search condition has been established.

Procedures

Auditors examined 50 investigatory stops or detentions for the AV Stations and identified seven by Lancaster Station along with eight by Palmdale Station, in which a probation or parole search of a person(s) and or vehicle had occurred. Out of the 15 investigatory stops or detentions, auditors determined a total of 14 probation or parole searches of persons occurred, six by Lancaster Station and eight by Palmdale Station. Additionally, auditors determined a total of 13 probation or parole searches of vehicles occurred, five by Lancaster Station and eight by Palmdale Station.

Auditors reviewed each BWC video for the above-mentioned investigatory stops or detentions to determine if in instances where a search was conducted pursuant to probation or parole conditions (driver or passenger), deputies had knowledge of the individuals' search conditions prior to conducting the search.

Auditors used the below criteria when determining prior knowledge:

The detainee's probation or parole status can be established by either MDC, radio traffic, subject's statements, documents, communication from a probation or parole official, from prior contact with subject, or from other law enforcement personnel with specific knowledge of the subject's search conditions.

AV Stations met the criteria for this objective if deputies had knowledge of the subjects' search conditions prior to conducting the search.

Findings

All seven (100%) of the investigatory stops or detentions with a probation or parole search conducted by Lancaster Station consisted of deputies having knowledge of the subjects' search conditions prior to conducting the search of the person and or vehicle.

All eight (100%) of the investigatory stops or detentions with a probation or parole search conducted by Palmdale Station consisted of deputies having knowledge of the subjects' search conditions prior to conducting the search of the person and or vehicle.

There are no existing compliance metrics for this sub-objective.

All 15 (100%) of the investigatory stops or detentions conducted by AV Stations with a probation or parole search consisted of deputies having knowledge of the subjects' search conditions prior to conducting the search of the person and or vehicle. Deputies obtained knowledge of the subject's status by either an MDC query, subject stating probation or parole status, communication from parole officer, or from prior contact with the subject. Auditors verified this knowledge through observations of the subject's probation or parole status during the review of the associated BWC videos.

Recommendations

Based on the positive outcomes observed in investigatory stops or detentions with probation/parole searches at AV Stations, it is recommended to reinforce the positive practice of deputies knowing subjects' search conditions beforehand. The Department can maintain high compliance with this objective by including these ideas in training, oversight, documentation practices, and knowledge-sharing.

Objective No. 3(b) – Articulation of Probation or Parole Searches

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigatory Stops, Searches, Paragraph 56 states:

LASD will be deemed in compliance with this provision when:

In conducting a search, when the reason for the initiation of the search was based on an individual's probation or parole status, at least 90% of the time:

- a. Deputies provide an MDC narrative addressing the basis for the search which sufficiently articulates a proper justification for the search...*

Procedures

Auditors reviewed each BWC video, and MDC log, for the 14 investigatory stops or detentions to determine if, in instances where a search was conducted pursuant to probation or parole conditions (driver or passenger), deputies documented in the MDC narrative the basis for the search which sufficiently articulated proper justification.

AV Stations met the criteria for this objective if:

1. Deputies provided an MDC narrative addressing the basis for the search which sufficiently articulated a proper justification.
2. Deputies stated the basis for the parole or probation search documented in the MDC log was consistent with the BWC footage.

Findings

All six (100%) investigatory stops or detentions with a probation or parole search conducted by Lancaster Station, contained an MDC narrative addressing the basis for the search which sufficiently articulated a proper justification which was consistent with the BWC footage.

Seven (88%) of the eight investigatory stops or detentions with a probation or parole search, conducted by Palmdale Station, contained an MDC narrative addressing the basis for the search which sufficiently articulated a proper justification which was consistent with the BWC footage. The remaining one did not meet the criteria for this objective because deputies did not document the probation or parole search in the MDC narrative.

Thirteen (93%) of the 14 investigatory stops or detentions conducted by AV Stations with a probation or parole search contained an MDC narrative addressing the basis for the search, which sufficiently articulated a proper justification for the search that was consistent with the BWC footage. The remaining one did not meet the criteria for this objective because deputies did not document the probation or parole search in the MDC narrative.

The compliance metrics requirement for this requirement is 90%.

Recommendations

While the Department meets compliance metrics, AV supervisors must prioritize continuous training during briefings, focusing on positive practice and capitalizing on successes for constant improvement. The training should be documented on APIS rosters and the Watch Commander's Log. Monitoring and sharing these practices allow other patrol stations to improve their practices while acknowledging the successful outcomes in articulating probation or parole searches at AV Stations.

Objective No. 3(c) – Documentation of Probation or Parole Status Verification

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigatory Stops, Searches, Paragraph 56 states:

LASD will be deemed in compliance with this provision when:

In conducting a search, when the reason for the initiation of the search was based on an individual's probation or parole status, at least 90% of the time:

- b. Deputies verified that the subject of the search was subject to a probation or parole search condition via MDC or by contacting the applicable supervision agency (Los Angeles County Probation or the California Department of Corrections and Rehabilitation) and articulate this verification in the MDC narrative relevant to the search.*

Procedures

Auditors examined each BWC video, and MDC log for the 14 investigatory stops or detentions to determine if, in instances where a search was conducted pursuant to probation or parole conditions (driver or passenger), deputies verified the subject of the search was subject to a probation or parole search condition via MDC or by contacting the applicable supervision agency (Los Angeles County Probation or the California Department of Corrections and Rehabilitation) and articulate this verification in the MDC narrative relevant to the search.

Auditors also evaluated whether the articulation of probation or parole status verification, documented in the MDC log, was consistent with the BWC footage.

AV Stations met the criteria for this objective if:

1. Deputies documented the probation or parole verification in the MDC narrative.
2. If the documented probation or parole verification in the MDC narrative was consistent with the BWC footage.

Findings

None (0%) of the investigatory stops or detentions with a probation or parole search conducted by Lancaster Station meet the criteria for this objective because deputies did not document the probation or parole verification in the MDC narrative.

None (0%) of the investigatory stops or detentions with a probation or parole search conducted by Lancaster Station meet the criteria for this objective because deputies did not document the probation or parole verification in the MDC narrative.

None (0%) of the 14 investigatory stops or detentions conducted by AV Stations with a probation or parole search meet the criteria for this objective because deputies did not document the probation or parole verification in the MDC narrative.

The compliance metrics for this requirement is 90%.

Recommendations

To improve compliance, AV Stations should introduce recurrent briefings or focused training programs for deputies to consistently document probation or parole verification in the MDC narrative. Additionally, supervisors should regularly inspect MDC narratives to ensure deputies are documenting the probation or parole verifications. Furthermore, the Department should update its policy (MPP 5-09/520.05 – Stops, Seizures, and Searches) as it pertains to probation or parole searches, to specifically clarify how Department members established knowledge and document the probation or parole status of an individual.

Objective No. 4 – Back Seat Detentions

This objective included the evaluation of back seat detentions (BSD) ³ conducted by AV deputies as specified in the compliance metrics.

Objective No.	Audit Objectives	LAN	PLM	AV Total	Compliance Finding	Compliance Metric
4	BACK SEAT DETENTIONS					
4(a)	<i>Explanation of Back Seat Detentions to Civilians</i>	32%	15%	24%	Not in Compliance	90%
4(b)	<i>Back Seat Detention Documentation and Articulation</i>	68%	73%	71%	Not in Compliance	95%

³ A backseat detention is when an individual is being securely detained by deputy personnel in the backseat of a patrol vehicle.

Objective No. 4(a) – Explanation of Back Seat Detentions to Civilians

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigatory Stops, Searches, Paragraph 48, Section 2, states;

LASD-AV deputies may not conduct backseat detentions as a matter of course during routine traffic stops or domestic violence situations. When LASD-AV deputies do conduct backseat detentions, LASD shall continue to require deputies to explain to civilians in a professional and courteous manner why they are being detained in the backseat of patrol cars...

LASD will be deemed in compliance with this provision when:

2. As shown through semi-annual or annual AAB audits that are verified by the Monitors, 90% of the time, Backseat Detentions conducted by LASD-AV deputies are conducted consistently with Paragraph 48...

Procedures

Auditors examined 50 investigatory stops or detentions for the AV Stations and identified 14 by Lancaster Station, along with 12 by Palmdale Station, which consisted of a back seat detention. Out of the 26 investigatory stops or detentions, auditors determined a total of 41 back seat detentions occurred, 22 by Lancaster Station and 19 by Palmdale Station.

Auditors reviewed each BWC video for the above-mentioned investigatory stops or detentions to determine if deputies explained to subject(s), in a professional and courteous manner, why they were being detained in the backseat of a patrol vehicle.

AV Stations met the criteria for this objective if deputies explained to civilians in a professional and courteous manner why they were being detained in the backseat of patrol vehicles.

Findings

Seven (32%) of the 22 backseat detentions conducted by Lancaster Station had deputies, who explained to the subject(s) in a professional and courteous manner, why they were being detained in the backseat of the patrol vehicle. The remaining 15 backseat detentions did not meet the criteria for this objective, because deputies did not inform the subject of the reason for the backseat detention.

Three (15%) of the 19 backseats detentions conducted by Palmdale Station had deputies, who explained to the subject(s) in a professional and courteous manner why they were being detained in the backseat of the patrol vehicle. The remaining 16 backseat detentions did not meet the criteria for this objective, because deputies did not inform the subject of the reason for the backseat detention.

Ten (24%) of the 41 back seat detentions conducted by AV Stations had deputies, who explained to the subjects(s) in a professional and courteous manner, why they were being detained in the backseat of the patrol vehicle.

The compliance metrics for this requirement is 90%.

Recommendations

It is recommended AV Stations' training sergeant implement scenario-based training sessions which offer practical experience in conveying reasons for a BSD courteously. This will provide an understanding of the impact of BSDs on the community and recognition of the necessary conditions required for such a detention. Emphasis should also be placed on activating the BWC to capture the contact and to assist personnel with maintaining a professional courteous demeanor.

Objective No. 4(b) – Back Seat Detention Documentation and Articulation

Criteria

Antelope Valley Settlement Agreement Compliance Metrics, Stops, Seizures, and Searches, Investigatory Stops, Searches, Paragraph 44, Section 2, states;

LASD will be deemed in compliance with this provision when:

At least 95% of the time for each item below (measured independently), deputies document the following information about patrol activity in their MDC patrol logs: 44h) why any backseat detention that was conducted was necessary as well as the reasonable suspicion for the investigation;

Procedures

Auditors reviewed each BWC video and MDC log for the above-mentioned investigatory stops or detentions to determine if, in instances where a backseat detention was conducted, deputies documented why the backseat detention was necessary and the reasonable suspicion for the investigation in the MDC narrative.

Additionally, auditors determined whether the backseat detention was necessary, and if the reason articulated by the deputy, was supported by BWC video.

AV Stations met the criteria for this objective if:

1. Deputies documented why the backseat detention was necessary in the MDC narrative.
2. The necessity for BSD, as articulated in the MDC, was supported by the BWC video.

Findings

Fifteen (68%) of the 22 backset detentions, conducted by Lancaster Station, had documented the necessity of the backseat detentions, which was supported by BWC video. The remaining seven did not meet the criteria for this objective because Lancaster Station deputies did not document the reason for the backseat detention.

Fourteen (73%) of the 19 backset detentions conducted by Palmdale Station had documented the necessity of the backseat detentions, which was supported by BWC video. The remaining five did not meet the criteria for this objective because Palmdale Station deputies did not document the reason for the backseat detention.

Twenty-nine (71%) of the 41 back seat detentions, conducted by AV Stations, had documentation of why the backseat detentions were necessary that were also supported by BWC video.

The compliance metrics for this requirement is 95%.

Recommendations

To improve compliance with documentation requirements for BSD, it is recommended AV Stations' management incorporate scenarios related to BSD detentions in training exercises, while encouraging deputies to practice proper documentation protocols. Additionally, implement a recurring briefing to reinforce the habit of documenting the reasons in the MDC narrative.

CONCLUSION

The AAB considers the findings of this audit to be consistent with the findings in the Antelope Valley Monitoring Team First Stops and Bias-Free Policing Audit report and believes it will be a helpful management tool for all Department personnel. However, the results of this audit indicate the procedural justice training, along with the recurrent Department directives, have not improved the Department's overall compliance with the Agreement. The AAB recommends the Department re-evaluate training and implement new procedures to promote accountability at all levels and to ensure supervisors are properly and accurately documenting instances in which Department personnel are both adhering or failing to adhere to the requirements of the Agreement.

Auditors performed analyses and assessments of the objectives. The appropriate areas of concern were identified as in need of improvement. The evidence collected strongly suggests the Department failed to comply with Department policy, Stations' Unit Orders, Field Operations Directives, and the stipulations set forth in the Agreement concerning Stops, Seizures, and Searches. This underscores the importance of addressing and rectifying these compliance gaps to ensure a more effective and aligned operational framework within the Department.

RECOMMENDATIONS

The purpose of this section is to provide a detailed summary of the recommendations aimed at improving compliance with the Agreement within the AV Stations. The proposed revisions focus on enhancing the policies and procedures related to BWC usage, consent searches, vehicle consent searches, probation/parole searches, and BSD.

When Department policies and procedures are not adhered to, it may result in an increased risk or an inability to be compliant. The AAB considers the results of this audit to be a helpful management tool and therefore, makes the following recommendations:

Objective No. 1 – Initiating Stops and Detentions

- a) **Proper Activation of Body Worn Camera:** It is recommended the Department amend the current BWC policy, enabling patrol station supervisors to conduct routine audits of BWC video recordings. This revision is proposed to ensure the AV Stations are in compliance with the various provisions outlined in the Agreement. It is imperative Department personnel activate their body-worn cameras, prior to or upon arrival at, to capture the entirety of the contact with the public as defined in the Department policy. Furthermore, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently fail to comply with the BWC policy which may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

- b) **Introduction and Stating Reason for Stop:** It is recommended the Department conduct recurrent briefings with the AV Stations regarding paragraph 42 of the provisions outlined in the Agreement. Specifically, as it relates to the initial contact with the civilian(s) during the stop or detention. During the recommended briefings, Department personnel should be engaged in dialogue to assist them in understanding how unprofessional behavior could erode public trust, which would be detrimental to the tenets of 21st Century Policing. Furthermore, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently partake in unprofessional behavior with the public, which may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

- c) **Completeness of Video Recordings:** It is recommended the Department amend the current BWC policy, enabling patrol station supervisors to conduct routine audits of BWC video recordings. This revision is proposed to ensure AV Station personnel adhere to the BWC policy and record the entirety of interactions with the public. Additionally, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently fail to comply with the BWC policy which may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

Objective No. 2 – Consent Searches

- a) **Consent Search Request and Response (Person Searches):** To address the identified issues and enhance compliance with the consent search protocol, it is recommended a training program is initiated to reinforce the importance of properly activating the BWC to obtain the consent. It is also recommended to research and develop a Department policy to require the recording of all consent searches either on BWC or by some other means of capturing the consent. Additionally, as previously stated, it is recommended the Department develop a BWC video review process, of documented consent searches, wherein supervisors regularly inspect the video footage with the deputies to ensure adherence to search protocols, document constructive feedback and provide additional training details for cases of non-compliance.
- b) **Consent Search Reasonableness (Person Searches):** Based on the evaluation of the consent searches conducted by AV Stations, it is recommended supervisors reinforce the Department policies on consent searches. This includes emphasizing the importance of activating BWC to capture explicit and voluntary consent from individuals. It is crucial to ensure that searches are conducted reasonably, and deputies must articulate valid reasons in the MDC log clearance as part of the process. Furthermore, it is recommended AV Stations develop a corrective action plan based on the findings of this audit to ensure AV Station personnel are in compliance with the Agreement.
- c) **Consent Search Request and Response (Vehicle Searches):** To address the shortcomings of the vehicle consent searches, it is recommended Palmdale Station reinforce the requirement with routine training. This training should include active discussions regarding the requirement of explicit consent before conducting any search and ensure the BWC is activated to capture this consent in compliance with the Agreement. Additionally, the training should also reinforce the need for accurate data input into the MDC log clearance to prevent erroneous documentation. Furthermore, AV Station supervisors should consider creating corrective action plans to address station personnel who frequently fail to comply with the Agreement requirements regarding consent searches and document these violations in a Performance Log Entry (PLE) or Administrative Investigation, if applicable.

- d) **Consent Search Reasonableness (Vehicle Searches):** Given the success rates in vehicle consent searches for AV Stations, it is crucial to reinforce positive behaviors and leverage these successes for continuous improvement. It is recommended to incorporate these results in routine briefings by recognizing and sharing the outcomes which can foster a positive culture within the Department. Sustaining ongoing monitoring practices not only prolongs the positive outcomes but also serves as a source of insights for other patrol stations seeking to improve their practices. Auditors noted the limited sample of vehicle consent searches evaluated may not be truly indicative of Palmdale Station's overall compliance with this objective. The AAB will continue to monitor outcomes for this objective and expand audit sample sizes for future audits if necessary.
- e) **Consent Search of Individuals-Articulation and Documentation:** To improve compliance, it is recommended to implement a training program that emphasizes the critical role of accurate documentation in consent searches. Prioritize clear and consistent documentation in the MDC log clearance, including providing detailed reasons for seeking consent while also recording this interaction on the employee's BWC. Additionally, as previously stated, it is recommended the Department develop a BWC video review process of documented consent searches, wherein supervisors regularly inspect the video footage with the deputies to ensure adherence to search protocols, document constructive feedback and provide additional training details for cases of non-compliance.

Objective No. 3 – Probation or Parole Searches

- a) **Knowledge of Probation or Parole Search Conditions:** Based on the positive outcomes observed in investigatory stops or detentions with probation/parole searches at AV Stations, it is recommended to reinforce the positive practice of deputies knowing subjects' search conditions beforehand. The Department can maintain high compliance with this objective by including these ideas in training, oversight, documentation practices, and knowledge-sharing.
- b) **Articulation of Probation or Parole Searches:** While the Department meets compliance metrics, AV supervisors must prioritize continuous training during briefings, focusing on positive practice and capitalize on successes for constant improvement. The training should be documented on APIS rosters and the Watch Commander Log. Monitoring and sharing these practices allow other patrol stations to improve their practices while acknowledging the successful outcomes in articulating probation or parole searches at AV Stations.

- c) **Documentation of Probation or Parole Status Verification:** To improve compliance, AV Stations should introduce recurrent briefings or focused training programs for deputies to consistently document probation or parole verification in the MDC narrative. Additionally, supervisors should regularly inspect MDC narratives to ensure deputies are documenting the probation or parole verifications. Furthermore, the Department should update its policy (MPP 5-09/520.05 – Stops, Seizures, and Searches) as it pertains to probation or parole searches, to specifically clarify how Department members established knowledge and document the probation or parole status of an individual.

Objective No. 4 – Back Seat Detentions

- a) **Explanation of Back Seat Detentions to Civilians:** It is recommended AV Stations' training sergeant implement scenario-based training sessions which offer practical experience in conveying reasons for a BSD courteously. This will provide an understanding of the impact of BSDs on the community and recognition of the necessary conditions required for such a detention. Emphasis should also be placed on activating the BWC to capture the contact and to assist personnel with maintaining a professional courteous demeanor.
- b) **Back Seat Detention Documentation and Articulation:** To improve compliance with documentation requirements for BSD, it is recommended AV Stations' management incorporate scenarios related to BSD detentions in training exercises, while encouraging deputies to practice proper documentation protocols. Additionally, implement a recurring briefing to reinforce the habit of documenting the reasons in the MDC narrative.

In addition to the weekly audits of Deputy Daily Work Sheet (DDWS) logs, as stated in the Agreement paragraph 59, It is recommended that AV supervisors review DDWS logs of field units that are comprise of a field training officer and deputy on patrol training. This will ensure field training officers are practicing and properly instructing newly assigned personnel on the requirements of the Agreement.

DEPARTMENT APPLICATIONS

- Computer Aided Dispatch system (CAD)
- RAPSNET
- Mobile Digital Computer (MDC)
- Department's Digital Evidence Management System

REFERENCES

- United States Department of Justice – Los Angeles County Sheriff's Department Antelope Valley Settlement Agreement, Case Number CV 15-03174 (April 2015)
- Antelope Valley Settlement Agreement it is recommended the Department Metrics
- Manual of Policy and Procedures Section:
 - Section 3-06/200.08, Body Worn Cameras – Activation, (August 2020)

Views of Responsible Officials

The AAB completed the Stops and Detentions Interim Audit, and the Compliance Unit provided a copy of the draft report to the AV Stations' Unit Commanders, MT, DOJ, and all related parties via email on January 5, 2024, to allow them an opportunity to respond. AV Stations' Unit Commanders concurred with the audit findings, conclusions, and recommendations via email. In addition, the MT and DOJ provided valuable feedback to the AAB, which was incorporated into the final audit report. The MT and the DOJ reviewed and approved the final version of this report on March 15, 2024.

The AAB presented the final audit report to the Division Director, Office of Constitutional Policing.



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