LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

AUDIT AND ACCOUNTABILITY BUREAU

Public Complaints Audit

Initiating and Classifying Public Complaints
Antelope Valley Stations
Project No. 2024-24-A

Robert G. Luna, Sheriff

2024

Los Angeles County Sheriff's Department
Audit and Accountability Bureau

Part II of Public Complaints Audit: Initiating and Classifying Public Complaints Antelope Valley Stations Project No. 2024-24-A

AUDIT REPORT

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Public Complaints Audit under the authority of the Los Angeles County Sheriff's Department (LASD or the Department), pursuant to the United States Department of Justice[1] (DOJ) Antelope Valley (AV) Settlement Agreement (Agreement).

The Public Complaints Audit was conducted in three separate audits (Part I, II, and III) to provide timely feedback to Lancaster and Palmdale Stations (AV Stations). Each of the three audits addressed different requirements of the Agreement.

OBJECTIVE, SCOPE, AND METHODOLOGY

Audit Scope and Criteria

This audit (Project No. 2024-24-A), designated as Part II, focused on assessing the initiation and classification of public complaints by the AV Stations. Parts I and III assessed other critical Agreement requirements.

The AAB evaluated all the objectives in each audit, which were conducted as indicated in Table No. 1 below.

Table No. 1 – Part II Projected Due Dates and Audit Population Time Period

Project No.	Projected Due Date	Population Time Period
Project No. 2024 – 1 – A	March 8, 2024	October 1, 2023, to December 31, 2023
Project No. 2024 – 16 – A	May 9, 2024	October 1, 2023, to April 6, 2024
Project No. 2024 – 24 – A	July 9, 2024	January 1, 2024, to June 1, 2024

The Department's compliance was measured against the Compliance Metrics (compliance metrics) provided by the AV DOJ Compliance Unit (Compliance Unit), along with additional direction provided by the AV Monitoring Team (MT).

[1] United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department. Case Number CV 15-03174, April 28, 2015.

Audit Population and Sampling

In order to ensure auditors were reviewing the most recent and completed Watch Commander's Service Comment Report (WCSCR) investigations for this Public Complaints Audit, the auditors evaluated a time period from January 1, 2024, to March 31, 2024. The population consisted of all WCSCR investigations for complaints received by the AV Stations during the audit period. For this audit, the auditors reviewed all the completed WCSCR investigations. The WCSCR investigations were considered completed upon review and approval by the North Patrol Division (Division).

For the audit period, a total of 63 WCSCR investigations pertaining to the AV Stations were identified through the Performance Recording and Monitoring System (PRMS), Service Comment Module. Thirty-eight investigations pertained to Palmdale Station and 25 investigations pertained to Lancaster Station. Per the proposed draft Service Comment Report (SCR) Handbook[2], the Division has 90 days to approve a WCSCR investigation and submit it to the Discovery Unit. Based on this SCR Handbook provision, only 29 of the 63 investigations were required to have been completed by the audit start date of May 15, 2024. Of the 29 WCSCR investigations, 18 investigations pertained to Palmdale Station and 11 pertained to Lancaster Station.

As of May 15, 2024, four (22%) of the 18 WCSCR investigations for complaints investigated by Palmdale Station during the audit period were completed. These four investigations were reviewed for this audit. However, the remaining 14 investigations were not completed. The 14 WCSCR investigations should have been completed between April 2024, to May 2024. As of July 1, 2024, two of the 14 WCSCR investigations were completed. The remaining 12 WCSCR investigations were with the Division pending approval.

As of May 15, 2024, the 11 WCSCR investigations for complaints investigated by Lancaster Station during the audit period were not completed. As a result, Lancaster Station did not comply with the Agreement. The 11 WCSCR investigations should have been completed between April 2024, to May 2024. As of July 16, 2024, one of the 11 WCSCR investigations was completed. However, the remaining ten investigations were not completed. Five of the ten WCSCR investigations were with the investigator, two investigations were with Operations, and three investigations were with the Unit Commander.

[2] Proposed draft SCR Handbook, revised 08/01/2022.

In addition, auditors requested a record of civil claims and lawsuits received by AV Stations. The task was to determine the presence of complaints and whether they resulted in a WCSCR. To avoid reviewing the same civil claims and lawsuit samples from Project No. 2024-16-A, the auditors reviewed civil claims and lawsuits received by the AV Stations from January 1, 2024, to March 31, 2024. Four civil claims were filed against the AV Stations during this audit period. However, no lawsuits were noted.

To ensure auditors were reviewing the most recent interactions between AV Stations supervisors and the members of the public, auditors reviewed a total of 193 calls from the watch commander lines recorded on NICE Inform[3] and 172 entries in the Watch Commander's Log in the Station/Bureau Administration Portal (SBAP)[4] which occurred between May 26, 2024, to June 1, 2024.

AUDIT OBJECTIVES

This audit consisted of one main objective with a total of eight sub-objectives.

The AV Stations were evaluated separately for each objective for the Public Complaints Audit. The results are combined to determine if they complied with the compliance metrics. Lancaster Station could not be evaluated for five sub-objectives[5] because they did not complete any WCSCR investigations in the audit period. As a result, Lancaster Station received a 0% compliance rate for these sub-objectives. Lancaster Station was evaluated for the remaining three sub-objectives which did not require completed WCSCR investigations.

The combined compliance rate for the AV Stations was calculated as if a total of eight WCSCR investigations were reviewed. Four WCSCR investigations were reviewed for Palmdale Station and, for consistency, four were also considered reviewed for Lancaster Station.

Table No. 2 on the next page, indicates the audit findings based on the AV Stations' compliance and the compliance metrics. The combined AV Total indicates the AV Stations did not meet the compliance metrics for any of the applicable sub-objectives.

[3] The NICE Inform is an online audio storage system used to archive incoming and outgoing calls (with additional capabilities).
[4] The SBAP is a data entry system designed to collect and track data related to risk management incidents, which are primarily used at a station level. The system includes data on Uses of Force, Traffic Collisions, Public Comments, Pursuits, Administrative Investigations, Shots Fired, Employee Injuries, and Lawsuits & Civil Claims.
[5] Sub-objectives [1(a), 1(b), 1(e), 1(g), and 1(h)] could not be evaluated.

Table No. 2 – Summary of Compliance Metrics Findings

Objective No.	Audit Objectives	Lancaster %	Palmdale %	AV Total	Compliance Metrics %
1	**INITIATING AND CLASSIFYING PUBLIC COMPLAINTS**				
1(a)	*Prompt Initiation of Complaint*	0%	100%	50%	100%
1(b)	*Discouraging or Inhibiting a Complaint*	0%	75%	38%	95%
1(c)	*Watch Commander Initiate a WCSCR or Provide Justification in Watch Commander's Log*	0%	100%	50%	100%
1(d)	*Field Supervisor's Documentation of Contacts That Did Not Constitute a Complaint*	N/A[6]	N/A	N/A	100%
1(e)	*Identify all Significant Allegations in a Complaint*	0%	75%	38%	95%
1(f)	*Misconduct Alleged in* Civil Claims and Lawsuits	N/A	N/A[7]	N/A	100%
1(g)	*Service Versus Personnel Complaints*	0%	100%	50%	95%
1(h)	*WCSCR Versus Administrative Investigation*	0%	100%	50%	95%

[6] The criteria for this sub-objective were not applicable because two of the three incidents reviewed did not contain any elements of a complaint. In addition, the remaining incident was reviewed in the prior Public Complaints Audit (2024-7-A).
[7] The criteria for this sub-objective were not applicable to Palmdale Station because no civil claims or lawsuits were filed during this audit period.

Detailed Findings

This report will provide detailed information on the findings for each objective.

Objective No. 1 – Initiating and Classifying Public Complaints

This objective evaluated four specified investigatory requirements for public complaint investigations, which are detailed in the compliance metrics.

Objective No. 1(a) – Prompt Initiation of Complaint

Criteria

There are no applicable compliance metrics for this sub-objective, however in the MT's 2020 Audit of Community Complaints (Sub-Objective 2.5), the MT analyzed all 52 complaints in their population to ensure AV supervisors were promptly initiating a WCSCR investigation.

Procedures

The auditors evaluated the four WCSCR investigative packets which were obtained from Palmdale Station. Auditors specifically reviewed the intake interviews (audio and/or video) for three of the WCSCR investigations and email complaint form for the remaining WCSCR investigation along with, body-worn camera (BWC) video recordings and recorded telephonic conversations obtained from LASD.Evidence.com to determine if there was any evidence the initiation of the complaint was delayed due to Department actions.

Auditors compared the information, specifically the date and time the complainant made the allegation, which was obtained from the intake interviews (audio and/or video) and an email complaint form to the date and time that was documented on the WCSCR form.

The AV Stations met the criteria for this objective if auditors determined AV Station supervisors initiated the WCSCR investigation in a timely manner and without delay.

Findings

For the combined AV Stations, four (50%) of the eight WCSCR investigations met the criteria for this objective because a WCSCR investigation was initiated in a timely manner without delay.

For Lancaster Station, none of the four WCSCR investigations met the criteria for this objective because Lancaster Station did not complete any WCSCR investigations during the audit period. As a result, Lancaster Station received a 0% compliance rate for this sub-objective for the four WCSCR investigations.

For Palmdale Station, all four (100%) WCSCR investigations reviewed met the criteria for this objective because a WCSCR was initiated in a timely manner, without delay.
Recommendations

There are no recommendations as it pertains to Palmdale Station as they met the compliance requirements for this objective. However, Lancaster Station was unable to be rated for this objective as there were no WCSCR investigations completed during the audit period.

Objective No. 1(b) – Discouraging or Inhibiting a Complaint

Criteria

Antelope Valley Compliance Metrics, Public Complaints, Complaint Intake, Paragraphs 125 and 126 (October 2019), Section 3F state:

> ***In 95% of cases*** *when an employee is found to have refused to accept a personnel complaint, discouraged the filing of a complaint, or provided false or misleading information about filing a complaint, appropriate corrective action is taken, to potentially include discipline up to and including termination.*

Procedures

The auditors evaluated the four WCSCR investigative packets obtained from Palmdale Station, along with BWC recordings, and recorded telephonic conversations obtained from LASD.Evidence.com. to determine whether there were cases in which an employee was found to have refused to accept a complaint, discouraged the complainant from filing a complaint, or provided false or misleading information about filing a complaint.

Auditors specifically reviewed the intake interviews (audio and/or video) for three of the WCSCR investigations and email complaint form for the remaining WCSCR investigation for any evidence which a Department member had refused to accept a complaint, discouraged the complainant from filing a complaint, or provided false or misleading information about filing a complaint.

The AV Stations met the criteria for this objective if auditors determined AV Station personnel did not refuse or discourage the complainant from filing a complaint.

Findings

For the combined AV Stations, three (38%) of the eight WCSCR investigations met the criteria for this objective because Station personnel did not refuse or discourage the complainant from filing a complaint.

For Lancaster Station, none of the four WCSCR investigations met the criteria for this objective because Lancaster Station did not complete any WCSCR investigations during the audit period. As a result, Lancaster Station received a 0% compliance rate for this sub-objective for the four WCSCR investigations.

For Palmdale Station, three (75%) of the four WCSCR investigations reviewed met the criteria for this objective because Palmdale Station personnel did not refuse or discourage the complainant from filing a complaint. The remaining one (25%) investigation did not meet the criteria for this objective because the complainant alleged a deputy discouraged her from filing a complainant.

Specifically:

P-1[8]: During an assault with a deadly weapon call for service, the complainant alleged the deputy was rude, used profanity, and arrested her without being read her Miranda Rights or given the opportunity to present her side of the story. She also alleged the deputy denied her request to speak to a supervisor. The incident occurred in February 2020. However, the complainant called Palmdale Station to make the complaint in January 2024. The complainant stated she waited a long time to make the complaint because the incident did not sit well with her. She hoped the complaint would bring attention to the deputy's unprofessionalism and aid in his termination.

During the telephone call intake interview, the investigating lieutenant questioned if any member of the Department attempted to discourage her from bringing this matter to the attention of the Department. Per the complainant, she felt discouraged from making a complaint because the involved deputy stated they did not have body-worn cameras and he denied her request to speak to a supervisor.

Auditors determined the investigator conducted a thorough interview and gathered all the required information to complete the WCSCR. The investigating lieutenant properly marked the section in the WCSCR, indicating the complainant had been discouraged from filing a complaint.

Auditors found there were three separate occasions in which a member of the public called Lancaster Station to file a complaint and a WCSCR was not generated. Auditors believe this could be perceived by the public as a Department member discouraging or refusing to take a complaint. However, there was no active method or attempt by the Station Watch Commander to dissuade the complainant from filing a complaint, rather a complaint was not generated as is required. These findings are documented in detail under Objective 1(c).

Recommendations

It is recommended the AV Stations' command staff conduct briefings along with documented training to ensure their personnel are aware of the provisions in the Agreement, Department policy and WCSCR Handbook as it relates to the intake of public complaints. Furthermore, a corrective action plan must be created to address station personnel who have discouraged members of the public from filing a complaint. These plans may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation, if deemed appropriate.

Objective No. 1(c) – Watch Commander Initiate a WCSCR or Provide Justification in the Watch Commander's Log

[8] P refers to Palmdale Station. The number represents the sample being referred to of those reviewed by Palmdale Station.

Criteria

There is no applicable AV Compliance Metric for this objective. However, the Antelope Valley Settlement Agreement, Personnel Complaints, Complaint Intake, Paragraph 126 (October 2019), Section E states:

> E. *A supervisor who determines a public complaint does not constitute a personnel or service complaint records the complaint and rationale for that decision either in a supervisor's report or entry in the Watch Commander's log.*

Procedures

The auditors reviewed a total of 193 calls from the watch commander lines recorded on NICE Inform and 172 entries in the Watch Commander's Log in the Station/Bureau Administration Portal (SBAP)[9] to determine whether a supervisor should have initiated a complaint or provided suitable justification in the Watch Commander's Log as to why a WCSCR investigation was not necessary. Five of the 193 phone calls and one of the 172 Watch Commander's Log entries required a WCSCR or an entry in the Watch Commander's Log. As a result, these six incidents were evaluated for this objective.

Auditors reviewed the watch commander line phone calls, and in instances in which auditors determined an allegation of a complaint was made, auditors conducted a query in the PRMS and the Watch Commander Log to determine if AV Station supervisors initiated a WCSCR investigation or if a suitable justification as to why a WCSCR investigation was not necessary was documented.

The auditors reviewed entries made in the Watch Commander Log labeled as a Non-Compliant Incident (NCI) and attempted to verify the documented entry information with its corresponding phone call/BWC video.

AV Stations met the criteria for this objective if auditors determined AV Station supervisors initiated a WCSCR investigation when they were made aware of each allegation or documented a suitable justification in the Watch Commander Log for not initiating a complaint.

[9] The SBAP is a data entry system designed to collect and track data related to risk management incidents, which are primarily used at a station level. The system includes data on Use of Force, Traffic Collisions, Public Comments, Pursuits, Administrative Investigations, Shots Fired, Employee Injuries, and Lawsuits & Civil Claims.

Findings

For the combined AV Stations, three (50%) of the six incidents met the criteria for this objective because station supervisors initiated a WCSCR investigation when they were made aware of each allegation.

For Lancaster Station, the three (0%) incidents did not meet the criteria for this objective because the supervisors failed to initiate a WCSCR investigation when they were made aware of each allegation.

Specifically:

L-1[10]: The complainant alleged the deputy was discourteous during a petty theft call for service, stating the deputy "snapped" at him when he questioned why the deputy needed his date of birth, to which the deputy responded, "Do you want me to take the report or not?"

During the telephone call intake interview, the watch commander questioned if the complainant wanted to file a formal complaint. Although the complainant declined to file a formal complaint, the watch commander should have initiated a WCSCR investigation. A query on the Performance Recording and Monitoring System (PRMS)[11] disclosed a WCSCR investigation was not initiated for this complaint. In addition, there was no Watch Commander's Log entry justifying why a WCSCR investigation was not initiated.

L-2: The complainant alleged during a vandalism investigation, the deputy stated he was going to write a report and issued her a report number. However, the number she was issued was an incident number. She further claimed the deputy lied to her since no report was written.

During the telephone call intake interview, the complainant stated she wanted to make a complaint. The watch commander stated complaint was already on file. However, upon further review, the auditors noted the complaint the watch commander was referring to did not address the allegations mentioned above. As a result, a WCSCR investigation should have been initiated regarding these allegations. A query on the PRMS disclosed a WCSCR investigation was not initiated for this complaint. In addition, there was no Watch Commander's Log entry justifying why a WCSCR investigation was not initiated.

[10] L refers to Lancaster Station. The number represents the sample being referred to of those reviewed by Lancaster Station.
[11] The PRMS is a web-based application that systematically records data relevant to incidents involving Uses of Force, Shootings, and Commendations/Complaints regarding Sheriff's Department personnel. In addition, PRMS tracks the progress of Administrative Investigations, Civil Claims & Lawsuits, Discovery Motions, Employee Commendations, Preventable Traffic Collisions, Custody Complaints, and Special Conditions that the Department handles.

L-3: The complainant alleged when she called Lancaster Station to inquire about retrieving property (duty belt and gun holster) removed from her residence because of a parole search of her brother-in-law, the deputy insulted her by stating she should not associate with people who are on parole.

During the telephone call intake interview, the watch commander stated he would speak with the deputy. However, based on the allegation, WCSCR investigation should have been initiated. A query on the PRMS disclosed a WCSCR investigation was not initiated for this complaint. In addition, there was no Watch Commander's Log entry justifying why a WCSCR investigation was not initiated.

Based on the findings above, the AAB authored an Interim Audit memorandum and submitted it to North Patrol Division for their consideration and disposition.

For Palmdale Station, all three (100%) incidents reviewed met the criteria for this objective because a supervisor either initiated a WCSCR investigation or documented in the Watch Commander's Log the rationale as to why a WCSCR was not necessary.

Recommendations

There are no recommendations because Palmdale Station met the compliance requirements for this objective.

Objective No. 1(d) – Field Supervisor's Documentation of Contacts That Did Not

Constitute a Complaint

Criteria

There is no applicable AV Compliance Metric for this objective. However, the Antelope Valley Settlement Agreement, Personnel Complaint Intake, Paragraphs 125 and 126 (October 2019), Section 3C and 3E states:

> *C. Absent reasonable justification, when a civilian seeks to make a personnel complaint in person, LASD personnel make themselves available in person at the station or in the field.*
>
> *E. A supervisor who determines a public complaint does not constitute a personnel or service complaint records the complaint and rationale for that decision either in a supervisor's report or entry in the Watch Commander's log.*

Palmdale Station Unit Order, 14-06, Supplemental Supervisory Responsibilities, Section – Non-Complaint Incidents, states:

> *If a supervisor is requested in the field (or is otherwise contacted via phone or in person) by a community member regarding a potential complaint and it is determined a Service Comment Form will not be generated, the supervisor who responded shall ensure an entry is made in the CAD system. The responding supervisor shall create an "obs" in the CAD (MDC or Station Dispatch). The entry shall be coded as 924 with the location of the incident or station address. The log clearance should be coded 777" with a narrative starting with - "Non-Complaint Incident," and shall describe the incident details, associated Incident Tag/URN, and outcome. Supervisors shall refer to the SCR Handbook and the appropriate MPP sections for guidance on handling community complaints.*
>
> *All allegations of potential misconduct shall be documented on a SCR form.*

Procedures

The auditors evaluated the AV Stations' supervisor's entries in the Mobile Digital Computer (MDC)[12] with clearance code 777 (assist citizen) which may be used to document a contact with a member of the public regarding any allegation that was determined not to be a complaint. The entries were evaluated to determine whether supervisors provided suitable justifications in their entries when a member of the public initiated a complaint, and it was concluded that no WCSCR investigation was necessary. The auditors also reviewed the on-scene sergeant or lieutenant's BWC recordings to evaluate this criterion.

Auditors reviewed the MDC entry along with its corresponding BWC video to verify the information documented in the MDC entry accurately describes what is depicted in the BWC video.

Additionally, the auditors evaluated the four WCSCR investigative packets which were obtained from Palmdale Station. Auditors specifically reviewed the intake interviews (audio and/or video) for three of the WCSCR investigations and email complaint form for the remaining WCSCR investigation along with, body-worn camera (BWC) video recordings and recorded telephonic conversations obtained from LASD.Evidence.com to determine if there was any evidence that a field supervisor was on scene and made aware of the allegation.

Findings

During the audit period of January 1, 2024, through May 31, 2024, there were a total of three incidents in which a field supervisor used the clearance code 777. The auditors determined two of these incidents were not complaints. For one of the incidents, the Lancaster Station field supervisor went to a residence and knocked on the door attempting to contact the resident, however there was no answer. For the second incident, a Palmdale Station field supervisor assisted a civilian with transporting her to a homeless shelter. The remaining one pertained to Palmdale Station and had already been reviewed by the auditors in the previous Public Complaints Audit (Project 2024-16-A).

For the four WCSCR investigative packets obtained from Palmdale Station, auditors found no evidence indicating that a field supervisor was present at the scene or that they were made aware of the allegation at the time of the incident.

Recommendations

There are no recommendations because the criteria was not applicable to the population for this objective.

[12] The MDC is a mobile laptop computer equipped in each patrol vehicle to provide a complete Computer-Aided Dispatch (CAD) package in a mobile environment. The CAD system is a multi-faceted computer system the Department uses to log or document patrol-related incidents. It maintains electronic records of patrol activities, which include Dispatch-generated 911 and general "Calls for Services" and patrol deputy-initiated "Observation" stop records in the field.

Objective No. 1(e) – Identify all Significant Allegations in a Complaint

Criteria

Antelope Valley Compliance Metrics, Paragraphs 128, 130, 131 (partial) & 140 (partial) (October 2019), Section 3C states:

> C. *For a**t least 95%** of public complaints, each significant allegation of misconduct is identified, investigated and appropriately adjudicated, or the error is corrected during the management review.*

Procedures

The auditors evaluated the four WCSCR investigative packets obtained from Palmdale Station, as well as related audio/video files obtained from LASD.Evidence.com to determine whether each significant allegation was identified, investigated, adjudicated, and, if errors were noted, corrected during the management review.

Auditors specifically reviewed the intake interviews (audio and or video) for three of the WCSCR investigations and email complaint form for the remaining WCSCR investigation to identify the allegations made by the complainant. Auditors additionally reviewed BWC video that depicted the interaction between the deputies and complainant to confirm there were no additional allegations of misconduct that should have been identified. Auditors compared the video/audio evidence to the WCSCR investigation to ensure every allegation of misconduct was identified, investigated, and appropriately adjudicated.

The AV Stations met the criteria for this objective if auditors determined AV Station supervisors identified, investigated, adjudicated every allegation.

Findings

For the AV Stations combined, three (38%) of the eight WCSCR investigations reviewed met the criteria for this objective because all significant allegations were identified and adjudicated.

For Lancaster Station, none of the four WCSCR investigations met the criteria for this objective because Lancaster Station did not complete any WCSCR investigations during the audit period. As a result, Lancaster Station received a 0% compliance rate for this sub-objective for the four WCSCR investigations.

For Palmdale Station, three (75%) of the four investigations reviewed met the criteria for this objective because Palmdale Station appropriately identified and adjudicated all allegations. The remaining one (25%) investigation did not meet the criteria for this objective because the investigation was not appropriately adjudicated.

Specifically:

P-2: Deputy personnel responded to a public intoxication call for service. Per the body-worn camera (BWC) video recordings, a deputy contacted the complainant who was intoxicated and had blood around her mouth. The deputy asked the complainant about the blood around her mouth and if she needed medical assistance. The complainant declined medical treatment and was unable to articulate what happened or why she was at the location. Ultimately, the deputies arrested her for public intoxication and transferred her to Palmdale Station.

While at Palmdale Station, the complainant alleged deputies punched her in the face. During the watch commander interview, the complainant stated the deputies punched her in the face and injured her wrists. The watch commander noted "injuries beneath her lips and loose teeth" but the complainant could not recall the details of her arrest. The watch commander conducted an investigation and determined there was no evidence the deputies used force on the complainant. The BWC video recordings confirmed the complainant sustained her injuries prior to the deputies contacting the complainant.

The allegation the deputies punched the complainant in the face was addressed in the WCSCR and the Service Comment Review. However, injuries to the complainant's wrists, depicted in the BWC recording, were not addressed in the WCSCR or the Service Comment Review. The necessary evidence should have been collected to thoroughly investigate this allegation and reach a reliable conclusion.

Recommendations

The AAB recommends the AV Stations command staff thoroughly review all pertinent evidence regarding the intake of complaints. This process will ensure the investigating supervisors accurately identified, document, investigate, and adjudicated each significant allegation made by the complainant in the WCSCR investigation.

Objective No. 1(f) – Misconduct Alleged in Civil Claims and Lawsuits

Criteria

There is no applicable AV Compliance Metric for this objective. However, the Antelope Valley Settlement Agreement, Personnel Complaints, Complaint Classification, Paragraph 130 (October 2019), states:

> *LASD shall investigate every allegation of misconduct that arises during an investigation even if an allegation is not specifically articulated as such by the complainant.*

Public complaints can be discovered in different Department investigations or documentation. Those areas include UOF investigations, civil claims, and lawsuits. When the Department becomes aware of a significant allegation of misconduct by the public, a WCSCR investigation should be initiated to investigate and adjudicate the allegation. However, not all allegations of misconduct result in initiating a WCSCR investigation.

Procedures

The auditors identified and reviewed all the AV Stations' civil claims and lawsuits filed during the audit period to determine whether allegations of misconduct were made and, if so, a WCSCR investigation was initiated. The auditors noted there were no lawsuits filed during the audit period. However, there were a total of four civil claims. All four civil claims pertained to Lancaster Station.

Findings

All four civil claims were excluded from this objective because three did not contain an allegation of misconduct and the third was previously reviewed in Project No. 2024-16-A.

Recommendations

There are no recommendations because the criteria was not applicable to the population for this objective.

Objective No. 1(g) – Service Versus Personnel Complaints

Criteria

Antelope Valley Compliance Metrics, Paragraphs 128, 130, 131 (partial) & 140 (partial) (October 2019), Section 3B states:

> B. ***At least 95%*** *of public complaints are classified properly as a service and/or personnel complaint at intake, resolution, and adjudication, or corrected during the management review.*

Procedures

The auditors evaluated the four WCSCR investigative packets obtained from Palmdale Station, as well as related audio/video files obtained from LASD.Evidence.com to determine whether these investigations were correctly categorized as personnel and/or service complaints during intake, resolution, and adjudication or if any corrections were made during the management review process. The SCR Handbook classifies complaints in the following way:

- Personnel Complaint: an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department.
- Service Complaint: an external communication of dissatisfaction with Department service, procedure, or practice, not involving employee misconduct.

Auditors compared the information, specifically the allegation of misconduct alleged by the complainant, which was obtained from the intake interviews (audio and or video) for three of the WCSCR investigations and an email complaint form for the remaining WCSCR investigation, to the allegation of misconduct that was documented on the WCSCR form.

AV Stations met the criteria for this objective if auditors determined AV Station supervisors correctly categorized each allegation.

Findings

For AV Stations combined, four (50%) of the eight WCSCR investigations met the criteria for this objective because these investigations were correctly categorized as personnel and/or service complaints.

For Lancaster Station, none of the four WCSCR investigations met the criteria for this objective because Lancaster Station did not complete any WCSCR investigations during the audit period. As a result, Lancaster Station received a 0% compliance rate for this sub-objective for the four WCSCR investigations.

For Palmdale Station, all four (100%) of the WCSCR investigations reviewed met the criteria for this objective because AV station supervisors correctly categorized the WCSCR investigations as personnel and/or service complaints.

Recommendations

There are no recommendations as it pertains to Palmdale Station as they met the compliance requirements for this objective. However, Lancaster Station was unable to be rated for this objective as there were no WCSCR investigations completed during the audit period.

Objective No. 1(h) – WCSCR Versus Administrative Investigation

Criteria

Antelope Valley Compliance Metrics, Personnel Complaints, IAB Referral, Paragraph 132 (October 2019), Section 2A states:

> *[LASD agrees to continue to require station commanders in the Antelope Valley to refer alleged incidents of misconduct to the IAB or ICIB for further investigation or review consistent with the Administrative Investigations Handbook…]*
>
> a) *At least **95%** of the complaints in an audit sample are handled in accordance with this SA provision.*

Procedures

The Unit Commander is responsible for determining whether a public complaint should remain a WCSCR investigation, which excludes the imposition of discipline, or whether it should be investigated administratively or criminally, both of which can result in discipline.

The auditors reviewed the WCSCR investigations in the population, including related source documentation and audio/video files, to determine whether alleged incidents of misconduct were appropriately referred to the Internal Affairs Bureau (IAB) or the Internal Criminal Investigations Bureau (ICIB) for further investigation.

The AV Stations met the criteria for this objective if auditors determined AV Stations commanders appropriately determined whether the WCSCR investigation needed to be referred to IAB or ICIB.

Findings

None of the WCSCR investigations reviewed escalated to the level of an administrative or criminal investigation.

For Lancaster Station, none of the four WCSCR investigations met the criteria for this objective because Lancaster Station did not complete any WCSCR investigations during the audit period. As a result, Lancaster Station received a 0% compliance rate for this sub-objective for the four WCSCR investigations.

For Palmdale Station, all four (100%) of the WCSCR investigations were not referred to IAB or ICIB and were determined by the Unit Commander to remain as WCSCR investigations. Based on the totality of the evidence available and reviewed by the auditors, the AAB concurs with Palmdale Station unit commander that the allegations remained a WCSCR investigations, and they were properly adjudicated. Therefore, Palmdale Station met the criteria for this objective.

Recommendations

There are no recommendations as it pertains to Palmdale Station as they met the compliance requirements for this objective. However, Lancaster Station was unable to be rated for this objective as there were no WCSCR investigations completed during the audit period.

CONCLUSION

The AV Stations did not meet the compliance metrics for any of the applicable sub-objectives mainly because Lancaster Station did not complete any WCSCR investigations during the audit time period. As a result, Lancaster Station received a 0% compliance rate for most sub-objectives, which caused a 50% decrease in the AV Station's compliance rates.

The AAB recognized that based on the amount of completed WCSCR investigations by the AV Stations, auditors had a limited population to review.

Based on the four completed WCSCR investigations, Palmdale Station was compliant in four of the eight applicable sub-objectives for the compliance metrics. The AAB acknowledges Palmdale Station's collaborative efforts in applying the practices required by the Agreement, which resulted in Palmdale Station being compliant with these sub-objectives. Furthermore, the results of this audit indicate areas for improvement for Palmdale Station as it pertains to supervisors adhering to and implementing the provisions in the Agreement during their WCSCR investigations. Specifically, complaints are being delayed due to Department members' actions.

SUMMARY OF RECOMMENDATIONS

The purpose of this section is to provide a concise reference for all recommendations aimed at improving compliance with the AV Agreement and Department policies and procedures. The recommendations listed below are the same as those detailed in the above report.

Objective No. 1 – Initiating and Classifying Public Complaints

b) **Discouraging or Inhibiting a Complaint:** It is recommended the AV Stations' command staff conduct briefings along with documented training to ensure their personnel are aware of the provisions in the Agreement as it relates to the intake of public complaints. Furthermore, a corrective action plan should be created to address station personnel who have discouraged members of the public from filing a complaint. These plans may include documenting these violations in a Performance Log Entry (PLE) or Administrative Investigation.

e) **Identify all Significant Allegations in a Complaint:** The AAB recommends the AV Stations command staff thoroughly review all pertinent evidence regarding the intake of complaints. This process will ensure the investigating supervisors accurately identified, document, investigate, and adjudicated each significant allegation made by the complainant in the WCSCR investigation.

COMPREHENSIVE REVIEW

The AAB will conduct a comprehensive review of the findings noted during the three individual audits (Project No. 2024-1-A, 2024-16-A, and 2024-24-A) conducted for the Public Complaints Audit Part II. The comprehensive review will provide an analysis of the AV Stations performance for each sub-objective over the course of the three audits. The review will demonstrate the areas where the AV Stations met the compliance metrics and displayed continuous progression, as well as the areas requiring further enhancement. Data patterns, trends, and observations will also be identified.

This review will assist the AV Stations in optimizing Operations, mitigating risks, and progress toward fulfilling the requirements of the Agreement. The comprehensive review will be issued immediately following this Public Complaints Audit (Project No. 2024-24-A).

FOLLOW-UP PROCEDURES

Within 60 days of distributing the comprehensive review to the Division and AV Stations, the AAB will conduct a follow-up of the recommendations and verify if the auditee has made necessary improvements. Verification of corrective action will be assessed by examining new directives, amended unit orders, and/or relevant documentation. The AAB will work with the auditee in understanding the implementation of audit recommendations, as it may be a lengthy process and require a collaborative effort with other Department resources.

DEPARTMENT APPLICATIONS

- Performance Recording and Monitoring System (PRMS)
- Mobile Digital Computer (MDC)
- Station/Bureau Administration Portal (SBAP)
- NICE Inform
- LASD.Evidence.com

REFERENCES

- Antelope Valley Monitoring Team Monitor's Second Audit of Community Complaints (December 2020)
- Antelope Valley Compliance Metrics (October 2019)
- Manual of Policy and Procedures, Sections 3-04/010.25, Personnel Complaints (October 2014)
- Service Comment Report Handbook (June 2011)
- United States Department of Justice – Los Angeles County Sheriff's Department Antelope Valley Settlement Agreement, Case Number CV 15- 03174 (April 2015)

Views of Responsible Officials

On June 27, 2024, the Palmdale Station command staff submitted a response to the AAB concurring with some of the audit findings. On August 7, 2024, Lancaster Station command staff submitted a response to the AAB concurring with the audit findings. The AAB presented the final audit report to the Division Director, Office of Constitutional Policing.

09/03/24

GEOFFREY N. CHADWICK DATE
Captain
Audit and Accountability Bureau
Los Angeles County Sheriff's Department