



ROBERT G. LUNA, SHERIFF

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Stops and Detentions Audit West Hollywood Station North Patrol Division Project No. 2025-22-A

Prepared By:

Audit and Accountability Bureau



2025

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

**Stops and Detentions Audit:
North Patrol Division
West Hollywood Station
Project No. 2025-22-A**

AUDIT REPORT

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Stops and Detentions Audit under the authority of the Sheriff of Los Angeles County. The purpose of the audit was to evaluate the extent to which the Los Angeles County Sheriff's Department (LASD or the Department) patrol personnel at the West Hollywood Sheriff's Station (WHD) adhered to the Department's Manual of Policy and Procedures (MPP), and the Field Operations Support Services Newsletters associated with the stops and detentions of individuals within the WHD community.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objective of this audit was to determine whether WHD was in compliance with Department policies as they relate to Body Worn Camera (BWC)¹ procedures, California Assembly Bill (CA-AB) 2773², consent searches, probation or parole searches, and the treatment of individuals detained in the back seat of patrol vehicles.

The Department recognizes the importance of evaluating Department members' actions when engaging with members of the public. These interactions are essential to developing and maintaining community trust within WHD. This audit provided an opportunity to identify areas for process improvement and implement corrective actions where necessary. The audit work plan was submitted to the Office of Inspector General for input prior to the start of the audit.

The AAB conducted this audit under the guidance of Generally Accepted Government Auditing Standards (GAGAS)³. The AAB determined the evidence obtained is sufficient and appropriate to provide a reasonable basis for the findings based on the audit objectives.

¹ A BWC is a video and audio recording device worn by a Department member which allows an event to be recorded and saved as a digital file.

² CA-AB 2773 - This bill began on January 1, 2024, and requires a peace officer making a traffic or pedestrian stop, before engaging in questioning related to a criminal investigation or traffic violation, to state the reason for the stop, unless the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat.

³ The GAGAS, also known as the Yellow Book, is issued by the Comptroller General of the United States through the U.S. Government Accountability Office and refers to Government Auditing Standards, July 2018 Revision, Technical Update April 2021.

Audit Scope

The scope of this audit focused on stops and detentions⁴ (vehicle, pedestrian, and bicycle) conducted by WHD Department members.

The auditors evaluated the legality of consent searches, probation or parole searches, and backseat detentions (BSDs)⁵, as well as the accuracy of documenting contacts and subjects in the Mobile Digital Computer (MDC)⁶ and the Sheriff Automated Contact Reporting (SACR)⁷ system. The auditors also reviewed whether WHD practices aligned with relevant Department policies as well as compliance with CA-AB 2773. Furthermore, patterns of legal or policy errors were identified and documented.

The table below outlines the audit objectives.

AUDIT OBJECTIVES

Obj. No.	Audit Objectives
1	INITIATING STOPS AND DETENTIONS
1(a)	<i>Proper Activation of Body-Worn Camera</i>
1(b)	<i>Stating the Reason for the Stop (CA-AB 2773)</i>
1(c)	<i>Completeness of BWC Recordings</i>
2	CONSENT SEARCHES
2(a)	<i>Consent Search Reasonableness (Person Searches)</i>
2(b)	<i>Consent Search MDC-Documentation (Person Searches)</i>
2(c)	<i>Consent Search Reasonableness (Vehicle Searches)</i>
2(d)	<i>Consent Search MDC-Documentation (Vehicle Searches)</i>
3	PROBATION OR PAROLE SEARCHES
3(a)	<i>Knowledge of Probation or Parole Search Conditions</i>
3(b)	<i>Probation or Parole Search MDC Documentation</i>
4	BACKSEAT DETENTIONS
4(a)	<i>Explanation of Backseat Detentions to Subjects</i>
4(b)	<i>MDC Documentation of Backseat Detentions</i>
5	MOBILE DIGITAL COMPUTER and SHERIFF AUTOMATIC CONTACT REPORTING
5(a)	<i>Documentation of Reason for Contact in the MDC narrative</i>
5(b)	<i>Accuracy of Stop and Detentions Data</i>

⁴ The data request involved all "Stops" clearance codes (840, 841, and 842) retrieved from the Regional Allocation of Police Services application.

⁵ A BSD occurs when an individual's freedom is restrained by placing that individual in the back seat of a patrol car for investigative purposes for any period of time.

⁶ A computer system installed in patrol vehicles, enabling Department members to access Department databases, communicate with dispatch, and perform operational tasks in the field.

⁷ The SACR is a stand-alone system and will run independently of the Computer-Aided Dispatch CAD) system. The SACR is a data entry system designed to collect any detention by a peace officer of a person or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, or arrest.

Audit Population and Sampling

The selected audit period was November 1, 2024, to December 31, 2024, focusing on a single population from which samples were extracted. This population included:

- Stops and Detentions data related to consent searches, probation or parole searches, and BSDs.

A data request for WHD Stops and Detentions was obtained from the Data Systems Bureau for the audit period, resulting in a total of 1,443 stops and detentions.

The following search or detention codes were selected to identify the population for this audit: MDC Contact Type code of "B" (Backseat Detention: Vehicle, Pedestrian, Bicycle Stops) and MDC Search Authority codes of "C" (Consent Searches), and "R" (Condition of Probation or Parole).

Additionally, auditors reviewed each MDC clearance narrative to identify any BSDs, consent searches, and probation or parole searches that may have been improperly coded in the MDC clearance field but should have been included in the audit population. This process resulted in a population of 98 stops and detentions. Using a one-tailed statistical test with a 95% confidence level and a 4% error rate, for the BSDs, auditors selected a statistically valid random sample of 49 stops and detentions for the audit period.

Given the minimal sizes of the resulting populations, for consent searches and probation or parole searches, auditors evaluated the entire audit population pertaining to these two specific MDC Search Authority codes.

The table below summarizes the audit population of stops and detentions for WHD and the total population sample to be evaluated for this audit.

Audit Population and Sample

Category	"B"- Backseat Detentions	"C"- Consent Searches ⁸	"R"- Probation or Parole Searches ⁹	Total
Audit Population	98	28	10	130
Audit Sample	49	28	10	87

⁸ The population and sample totals for consent searches include person and vehicle searches.

⁹ The population and sample totals for probation and parole searches include person and vehicle searches.

Audit Procedures

The auditors reviewed the relevant BWC recordings of the primary Department members involved in each stop and detention within the audit sample, focusing on those who engaged in enforcement or investigative actions involving contact with a subject. The auditors evaluated the Department members' actions as captured on the BWC recordings to determine whether they complied with applicable MPP policies.

The BWC recordings were compared to the MDC log entries and specific data from the SACR system associated with the stops and detentions to ensure proper documentation and consistency with what was observed in the BWC recordings. The auditors conducted additional audit procedures, which are described in greater detail under each audit objective.

Summary of Findings

This audit consisted of five main objectives, with a total of 13 sub-objectives. The table below outlines each audit objective and its corresponding compliance percentage for WHD.

Summary of Compliance Findings

Obj. No.	Audit Objectives	Compliance Percentage
1	INITIATING STOPS AND DETENTIONS	
1(a)	<i>Proper Activation of Body-Worn Camera</i>	80%
1(b)	<i>Stating the Reason for the Stop (CA-AB 2773)</i>	67%
1(c)	<i>Completeness of Body-Worn Camera Recordings</i>	93%
2	CONSENT SEARCHES	
2(a)	<i>Consent Search Reasonableness (Person Searches)</i>	94%
2(b)	<i>Consent Search MDC Documentation (Person Searches)</i>	52%
2(c)	<i>Consent Search Reasonableness (Vehicle Searches)</i>	100%
2(d)	<i>Consent Search MDC Documentation (Vehicle Searches)</i>	38%
3	PROBATION OR PAROLE SEARCHES	
3(a)	<i>Knowledge of Probation or Parole Search Conditions</i>	95%
3(b)	<i>Probation or Parole Search MDC Documentation</i>	74%
4	BACKSEAT DETENTIONS	
4(a)	<i>Explanation of Backseat Detentions to Subjects</i>	9%
4(b)	<i>MDC Documentation of Backseat Detentions</i>	0%
5	MOBILE DIGITAL COMPUTER and SHERIFF AUTOMATIC CONTACT REPORTING	
5(a)	<i>Documentation of Reason for Contact in the MDC Narrative</i>	52%
5(b)	<i>Accuracy of Stop and Detentions Data</i>	41%

Detailed Findings

This report provides a detailed summary of the audit findings.

Objective No. 1 – Initiating Stops and Detentions

This objective included an evaluation of the initiation of stops and detentions by WHD Department members as it related to the proper activation of the BWC, required advisement provided to detained persons, and the completeness of BWC recordings as specified in the Department policy, and CA-AB 2773.

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...*

Manual of Policy and Procedures, Section 3-06/200.58 - Guidelines for Administrative Reviews of Body Worn Camera Recordings, (August 2020), states:

90-Day Transition Period

During the first 90 days a member is assigned a BWC, following completion of training, unintentional deviations in policy and procedure in the use and deployment of a BWC will be considered training issues. During the transition period, Department employees should receive non-documented counseling and training only. Performance log entries should not be generated.

Procedures

The auditors evaluated 87 stops and detentions for WHD and identified 154 BWC recordings of Department members who interacted with a member of the public. Each BWC recording was reviewed to determine whether the BWC was activated prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public.

A Department member who was within the first 90 days of completing the BWC training had 22 late BWC activations. All 22 were excluded from this objective, because the Department member was exempt from any deviation from Department policy regarding their use during the 90-day transition period, as stated above in *MPP 3-06/200.58*

Based on the above, auditors evaluated the activation of 132 of 154 BWC recordings.

Findings

One hundred six (80%) of the 132 BWC activations met the criteria because Department members activated their BWC prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public. The remaining 26 (20%) BWC activations did not meet the criteria for this objective. In Twenty-five BWC activations the Department members did not activate their BWC prior to initiating, or upon arrival at the enforcement or investigative contact involving a member of the public.

One Department member activated their BWC, after the stop had concluded. The BWC was activated as he returned to the patrol vehicle, resulting in the Department member not recording the stop and detention.

The table below demonstrates the 25 late activations by Department members in 10 second increments.

BWC Late Activations – Time Duration Breakdown

Time Duration (Seconds)	Number of Activations
1-10	5
11-20	4
21-30	1
31-40	3
41-50	3
51-60	0
61 and above	9
Total	25

Recommendations

It is recommended the Department revise the current BWC policy (*MPP 3-06/200.08, Body Worn Cameras – Activation*), enabling patrol station supervisors to conduct routine audits of BWC recordings. This revision is proposed to ensure Department members comply with Department policy requirements. It is imperative for Department members to activate their BWCs, prior to initiating, or upon arrival at, any enforcement or investigative contact, to capture the entirety of the contact with the public as defined in the Department policy. Furthermore, WHD supervisors should consider implementing corrective action plans to address Department members who frequently fail to comply with the BWC policy. Such measures may include documenting these violations in a Performance Log Entry (PLE) or initiating an Administrative investigation, when applicable.

Objective No. 1(b) – Stating the Reason for the Stop (CA-AB 2773)

Criteria

Field Operations Support Services Newsletter 23-06, Stating and Documenting the Reason for the Stop (December 2023), states:

Assembly Bill 2773 requires that an officer(s) conducting a traffic or pedestrian stop advise the detainee of the reason for the stop prior to engaging them in questioning related to a criminal investigation or a traffic violation. This requirement does not apply when the officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, including, but not limited to, cases of terrorism or kidnapping.

Procedures

The auditors evaluated 87 stops and detentions for WHD. The auditors reviewed each Department member's BWC recording to determine whether Department members conducting a traffic or pedestrian stop advised the subject of the reason for the stop and detention prior to engaging in questioning related to a criminal investigation or a traffic violation.

Findings

Fifty-eight (67%) of the 87 stops and detentions reviewed for WHD met the criteria because the Department members advised the subjects of the reason for the stop and detention prior to engaging in questioning related to a criminal investigation or a traffic violation.

The remaining 29 (33%) did not meet the criteria for this objective. In 15 of these instances, the Department members engaged in questioning the subjects before providing the reason for the stop and detention. In six instances, the Department members did not advise the subjects of the reason for the contact at all. For the remaining eight stops and detentions, the auditors were unable to determine whether the Department members advised the subject of the reason for contact because the BWC was activated late, which prevented a complete assessment of the interactions.

Specifically:

WHD-3¹⁰: The stop consisted of a two-person unit conducting a vehicle stop for a license plate lamp violation. The Department member contacted the subject but did not initially state the reason for the stop before asking questions related to a criminal investigation or traffic violation. The Department member requested the subject's driver's license and vehicle registration. When the subject asked why he had been stopped, the Department member informed him it was for failing to maintain a functioning license plate lamp.

WHD-4: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation. The Department member asked the subject for the vehicle's registration and then informed him that he was being stopped for the expired registration.

WHD-19: The stop consisted of a two-person unit conducting a vehicle stop. According to the SACR entry and MDC clearance narrative, the stop was for a defective front windshield and making an unsafe turn. As the Department member approached the vehicle, the subject immediately began apologizing for an unknown reason. The Department member asked the subject for his driver's license and inquired about his probation or parole status. At no point was the subject advised of the reason for the stop.

WHD-20: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation. The Department member asked the subject for his driver's license and vehicle registration before he informed him that he was stopped for expired registration.

WHD-23: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation. The Department member asked the subject for his driver's license and vehicle registration before he informed him that he was stopped for expired registration.

¹⁰ WHD refers to West Hollywood Station and the number corresponds to the selected sample within the audit population.

WHD-26: The stop consisted of a two-person unit conducting a stop of a subject on a bicycle. According to the MDC log clearance narrative, the Department members stopped the subject for riding a bicycle without proper lighting equipment, during hours of darkness. Auditors were unable to determine if the Department members advised the subject of the reason for the stop due to late activation of BWC. The BWC recordings depicted the subject standing near the patrol vehicle while both Department members are seated inside the patrol vehicle. The Department members spoke with the subject for approximately one minute before they exited the vehicle and activated their BWC.

WHD-27: The stop consisted of a two-person unit conducting a vehicle stop. According to the SACR entry and MDC clearance narrative, the stop was for tinted windows. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation.

WHD-31: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed and tinted windows. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation. The Department member asked the subject for his driver's license and vehicles registration before he advised him that he was stopped for unsafe speed and tinted windows.

WHD-32: The stop consisted of a two-person unit conducting a vehicle stop. According to the SACR entry and MDC clearance narrative, the stop was for tinted windows. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation. The Department members did not advise the subject of the reason for the stop.

WHD-40: The stop consisted of a two-person unit conducting a stop on a vehicle with tinted windows. The Department members did not inform the subject of the reason for the stop before initiating questions related to a criminal investigation or traffic violation. The Department member asked the subject for his driver's license and vehicle registration before he advised him that he was stopped for tinted windows.

WHD-50: The stop consisted of a one-person unit conducting a vehicle stop for expired registration and failure to operate headlights, during hours of darkness. As observed on the BWC recording, the Department member spoke with the subject for approximately 35 seconds before activating the BWC. Although the Department member stated the reason for the stop upon activating his BWC, auditors could not determine whether any questioning related to a criminal investigation, or the traffic violation occurred prior to informing the subject of the reason for contact.

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle. According to the SACR entry, the Department members contacted the subject for riding a bicycle without proper lighting equipment, during hours of darkness. The Department member engaged the subject with questions regarding the violation and did not inform him of the specific reason for the contact.

WHD-52: The stop consisted of a two-person unit conducting a stop of a subject on a bicycle. Based on the SACR entry and MDC clearance narrative, the subject was stopped for riding a bicycle without proper lighting equipment, during hours of darkness. The Department member engaged the subject with questions regarding the violation and did not inform him of the specific reason for the contact.

WHD-57: The stop consisted of a two-person unit conducting a pedestrian stop for loitering after business hours. The Department members detained the subject near the patrol vehicle and began to conduct a search of his person before he was advised of the reason for contact.

WHD-61: The stop consisted of a two-person unit conducting a pedestrian stop based on suspicious activity, specifically the subject was looking inside a parked vehicle at night. The Department member contacted the subject and proceeded to question the subject about a potential criminal investigation without first providing a reason for the stop.

WHD-62: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The Department members initiated questions related to a criminal investigation or traffic violation. The Department members asked the subject about his employment and requested his driver's license before advising him that he was stopped for expired registration.

WHD-63: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The Department members contacted the subjects and did not give a reason for the stop prior to engaging them in questioning related to a criminal investigation or traffic violation. The Department members asked the subjects for their identification cards and if they were on active probation or parole, before advising them of the traffic violation.

WHD-65: The stop consisted of a two-person unit conducting a stop of a vehicle for unsafe speed. The subject did not follow basic instructions to lower the rear windows. Due to this limited compliance and unclear communication, the Department member directed the subject to exit the vehicle which was reasonable under officer safety considerations. The subject was handcuffed and escorted to the patrol vehicle and asked whether he was on probation or parole. While the initial delay in providing the reason may have been justified, the Department member had an opportunity to state the reason of the stop prior to initiating questioning related to a criminal investigation. After the subject was searched, he was told he was stopped for unsafe speed.

WHD-66: The stop consisted of a two-person unit conducting a pedestrian stop. Based on the SACR entry and MDC clearance narrative, the subject was stopped for an arson investigation. The Department member detained the subject near the patrol vehicle and engaged him with questions regarding a criminal investigation and did not inform him of the specific reason for the contact.

WHD-67: The stop consisted of a two-person unit conducting a consensual encounter with a pedestrian, that resulted in a detention of the subject. The MDC clearance narrative and the SACR entry indicated the contact with the subject was a consensual encounter. Since both Department members had late BWC activations auditors were unable to verify if they stated the reason for contact.

WHD-68: The stop consisted of a two-person unit conducting a stop of a pedestrian. According to the MDC log clearance narrative and SACR entry, the Department members stopped the subject for loitering. Auditors were unable to determine if the Department members advised the subject of the reason for the contact prior to engaging him in questioning related to a criminal investigation due to late BWC activation.

WHD-69: The stop consisted of a two-person unit conducting a stop of a pedestrian. According to the MDC log clearance narrative the subject was contacted regarding an under the influence investigation. The SACR entry indicated the contact was a consensual encounter. Auditors were unable to determine if the Department members advised the subject of the reason for contact prior to engaging him in questioning related to a criminal investigation due to late BWC activation.

WHD-70: The stop consisted of a two-person unit conducting a stop of a pedestrian on a bicycle with no lights on during the hours of darkness. The Department members contacted the subject, and as they escorted him to the patrol vehicle, one Department member asked him if he had any identification and then stated, "you already know you need to have lights on the bike when riding it at night," without explicitly advising him the reason for contact.

WHD-78: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the subject was contacted based on prior knowledge the subject was on active probation or parole. Auditors were unable to determine if the Department member advised the subject of the reason for contact prior to engaging him in questioning related to a criminal investigation due to late BWC activation.

WHD-82: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the contact was a consensual encounter. Since the Department member had a late BWC activation, auditors were not able to verify if the Department member stated the reason for contact.

WHD-83: The stop consisted of a two-person unit conducting a pedestrian stop. The SACR entry indicated the contact was a consensual encounter. Since the Department members had late BWC activations, auditors were not able to verify if the Department member stated the reason for the contact.

WHD-85: The stop consisted of a two-person unit conducting a pedestrian stop for possession of an open container. Auditors were unable to determine if the Department members advised the subject of the reason for contact prior to engaging him in questioning related to a criminal investigation due to late BWC activation. As soon as the Department member activated his BWC, approximately 45 seconds after making contact, he advised the subject he was contacted for an open container.

Recommendations

It is recommended WHD supervisors regularly brief Department members on *CA-AB 2773 (effective January 1, 2024,)* and document these briefings in the Stations' Watch Commander's Log. During the Daily Stop Audits¹¹, WHD supervisors must ensure Department members are stating the reason for the stop. If a stop and detention is dynamic at the initiation of a stop, it is important to provide the subject with the reason for the stop once the situation has de-escalated. Department members must be reminded the reason for the stop must be clearly stated prior to engaging in questioning related to a criminal investigation or traffic violation. Department members who repeatedly fail to comply should be held accountable through verbal counseling and/or appropriate written documentation, when applicable.

WHD must develop and implement a record log to ensure the Watch Commanders and Watch Sergeants conduct the Daily Stops Audit as directed by the Assistant Sheriff of Patrol Operations. The record log will serve as a tool for supervisors to reference if written corrective action is needed. Maintaining a detailed record log will ensure audits are conducted to promptly address corrective actions. Additionally, the log will provide a record for review and analysis over time.

¹¹ The Daily Stops Audit is a directive from the Assistant Sheriff of Patrol Operations. It requires the Watch Commander and the Watch Sergeant to each conduct an audit of one stop per day by reviewing BWC recordings to ensure Department members are stating the reason for the stop prior to engaging the detained subject(s) in questioning related to a criminal investigation or a traffic violation, as required per CA-AB 2773.

Objective No. 1(c) – Completeness of Body-Worn Camera 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.

Manual of Policy and Procedures, Section 3-06/200.58 - Guidelines for Administrative Reviews of Body Worn Camera Recordings, (August 2020), states:

90-Day Transition Period

During the first 90 days a member is assigned a BWC, following completion of training, unintentional deviations in policy and procedure in the use and deployment of a BWC will be considered training issues. During the transition period, Department employees should receive non-documented counseling and training only. Performance log entries should not be generated.

Procedures

The auditors evaluated 87 stops and detentions for WHD and identified 154 BWC recordings of Department members who interacted with a member of the public. Each Department member's BWC recording was reviewed to determine whether the BWC recording continued until the enforcement or investigative contact involving a member of the public had ended. Additionally, if the enforcement or investigative contact resumed after the BWC recording had stopped, the auditors assessed whether the Department member reactivated the BWC as required by policy and continued recording.

Three early deactivations pertained to one individual Department member who was in the first phase of patrol training. All 3 early deactivations were excluded from this objective, because the Department member was on patrol training and within the 90-day transition period, as stated in *MPP 3-06/200.58*. Additionally, One Department member activated his BWC while returning to the patrol vehicle, after the stop and detention had concluded ended, and did not capture the any interaction with a member of the public.

Based on the information above, the auditors only evaluated 150 BWC activations.

Findings

One hundred forty-one (94%) of the 150 BWC recordings met the criteria because the Department members continuously recorded their interaction until the enforcement or investigative contact involving a member of the public had ended, if the enforcement or investigative contact resumed after the BWC recording had stopped, the Department member reactivated the BWC as required by policy and continued recording.

The remaining nine (6%) BWC recordings did not meet the criteria for this objective because the Department members deactivated their BWC while the subjects were still detained and the stop had not ended. One Department member activated his BWC while returning to the patrol vehicle, after the stop and detention had ended, and did not capture the incident.

Specifically:

WHD-2: The stop consisted of a two-person unit conducting a stop of a vehicle for tinted windows. One Department member deactivated his BWC while the subject was still detained in the back seat of the patrol vehicle. Based on the other Department member's, BWC recording, the detention continued for approximately 14 minutes. This resulted in an incomplete recording of the entire contact for one Department member.

WHD-50: The stop consisted of a one-person unit conducting a stop of a vehicle for expired registration and failure to operate headlights, during hours of darkness as required. The Department member deactivated his BWC after searching the subject's vehicle. Since the subject was still detained in the back seat of the patrol vehicle, the BWC was deactivated before the investigative stop had ended. This resulted in an incomplete recording of the entire contact.

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle. According to the SACR entry, the Department members contacted the subject for riding a bicycle without proper lighting equipment, during hours of darkness. The Department member deactivated his BWC before the subject was released from the patrol vehicle.

WHD-64: The stop consisted of a two-person unit conducting a stop of a vehicle for expired registration. Both Department members deactivated their BWCs before the investigation concluded. One Department member deactivated his BWC eight minutes into the detention, and the other Department member deactivated his BWC 10 minutes into the detention. The subject was still detained in the back seat of the patrol vehicle during both deactivations. This resulted in an incomplete recording of the entire contact for both Department members.

WHD-66: The stop consisted of a two-person unit conducting a stop of a pedestrian regarding an arson investigation. Both Department members deactivated their BWCs before the investigation concluded, while the subject was still detained in the back seat of the patrol vehicle. This resulted in an incomplete recording of the entire contact for both Department members.

WHD-76: The stop consisted of a two-person unit conducting a stop of a vehicle with a warrant return on the license plate. One Department member deactivated his BWC after removing the subject's handcuffs, while the subject was still speaking with the other Department member regarding the detention. The BWC was deactivated before the investigative stop had ended. This resulted in an incomplete recording of the entire contact for one Department member.

WHD-85: The stop consisted of a two-person unit conducting a pedestrian stop for possession of an open container. One Department member deactivated his BWC, while the subject's property was being searched. The BWC was deactivated before the investigative stop had ended. This resulted in an incomplete recording of the entire contact for one Department member.

Recommendations

It is recommended Department members make a concerted effort to consistently keep their BWC activated during a stop and detention, from beginning to end. WHD Department members must be reminded to narrate the reason for any BWC deactivations during the stop and detention. WHD supervisors should continue to conduct practical application exercises to ensure Department members understand the proper procedures for activating and deactivating their BWCs. Supervisors must also include training on the guidelines for BWC deactivation. The *MPP 3-06/200.18 – Body Worn Camera Recording Exceptions* clearly outlines the three exceptions when Department members are allowed to deactivate their cameras. Supervisors must instill in the Department members the importance of transparency and emphasize how the completeness of BWC recordings can mitigate risk for both the Department and its members.

During the Daily Stop Audits, station supervisors must check to ensure the completeness of Department members' BWC recordings. Department members who demonstrate a pattern of noncompliance must be held accountable through verbal counseling and/or appropriate written documentation, as applicable.

Objective No. 2 – Consent Searches

This objective included the evaluation of consent searches (person and vehicle searches) conducted by WHD Department members as specified in the MPP. A consent search is a search conducted by a law enforcement officer after obtaining voluntary and informed consent from an individual to search their person, property and/or belongings without a warrant.

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

Criteria

Manual of Policy and Procedures, Section 5-09/520.05 - Stops, Seizures, and Searches (May 2017), states:

The request to conduct a consent search must be reasonable, and a deputy must be able to articulate a valid reason under law and policy for initially having stopped the individual.

Procedures

The auditors examined 87 stops and detentions for WHD that occurred during the audit period and identified 15 stops and detentions in which a consent search of a person(s) had occurred. Auditors obtained this data by analyzing MDC data entered by Department members during their conducted stops and detentions and verified the information by viewing all BWC recordings pertaining to each individual incident, to identify all consent searches that occurred during the audit period classified as "Consent."

Out of the 15 stops and detentions, auditors determined a total of 16 consent searches occurred. Auditors reviewed each BWC recording for the 15 stops and detentions to determine whether the request to conduct the search was reasonable.

The auditors determined a request to conduct a search to be reasonable if the search was conducted under sound judgment¹², contained a valid reason(s)¹³ under the law or policy for the stop, was consensual, remained within the boundaries of what was consented to, and did not involve any misconduct or persuasion by the Department member.

¹² Sound judgment is the ability to assess situations and circumstances objectively, using relevant information to make decisions or draw conclusions.

¹³ A valid reason is reasonable suspicion to believe that the search will produce evidence of a crime.

Findings

Fifteen (94%) of the 16 consent searches that occurred met the criteria because the request to conduct the search was determined to be reasonable. The remaining one (6%) consent search did not meet the criteria for this objective, because the Department member began to remove items from the subject's person before obtaining consent

Specifically:

WHD-71: The stop consisted of a two-person unit conducting a stop of a vehicle for expired registration. After the subject attempted to discard a screwdriver in the passenger compartment of the vehicle, he was ordered to exit the vehicle. The subject was escorted to the patrol vehicle, where the Department member conducted a weapons pat-down search of the subject. While his partner was asking for consent to search the subject, the Department member began removing items from the subject's pockets before the subject gave consent. Seconds later, the subject gave them consent to search his person.

Recommendations

It is recommended WHD conduct recurrent, documented briefings to reinforce the importance of requesting consent for searches when necessary. The briefings should also emphasize that requests must not be phrased in a leading manner where the subjects might feel coerced into consenting to the request. Furthermore, Department members should be reminded to phrase consent requests in a simple and clear manner to ensure the subject fully understands the request. These briefings shall be documented in an Automated Personnel In-Service (APIS) roster.

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

Criteria

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

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer's Deputy's Daily Work Sheet (DDWS). The Mobile Digital Computer's DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop. For the purposes of this policy, "significant public contacts and activity" are defined as:

- *Calls for service;*
- *Self-initiated activity that results in arrest or citation;*
- *Self-initiated activity that is enforcement/investigative in nature but does not result in arrest or citation; and/or*
- *Self-initiated activity which is not enforcement/investigative in nature but results in Department personnel taking some form of constructive action, e.g., requesting a tow truck for a stranded motorist.*

Procedures

The auditors examined the 87 stops and detentions for WHD that occurred during the audit period and based on the auditor's review of BWC recordings, auditors identified 15 stops and detentions in which 16 consent searches occurred. Additionally, auditors analyzed MDC data entered by Department members during their conducted stops and detentions and identified 12 MDC log entries in which a consent search was documented with the search authority code "C" (Consent Search).

In one stop and detention, the Department members requested and obtained consent to search the subject. The subject was arrested approximately 10 minutes after the consent search occurred. The subject's backpack was searched after he was arrested for an outstanding warrant. The search was documented using search authority code "A" (Incident to Arrest). Since the MDC clearance only allows one search to be documented, the consent search will be excluded from the findings.

Based on the above, the auditors evaluated the 27 consent searches that were identified by the auditors to determine whether the Department members identified each subject on whom a consent search was conducted and whether they documented the appropriate search authority code.

Findings

Fourteen (52%) of the 27 consent searches met the criteria because Department members accurately identified each subject on whom a consent search was conducted, articulated the reason for the consent search for each subject, and documented the appropriate Search Authority code. The remaining 13 (48%) did not meet the criteria for this objective. Based on the auditor's review of BWC recordings, auditors determined 12 documented consent searches did not occur, and, in these cases, Department members did not use the appropriate search authority code to document the search. Additionally, the remaining one consent search was not documented in the MDC clearance.

Specifically:

WHD-18: The stop consisted of a two-person unit conducting a stop of a vehicle for tinted windows. After confirming the subject was driving a vehicle without a driver's license, the Department members had the subject exit the vehicle. The Department members requested and obtained consent to search the subject. The consent search was not documented in the MDC clearance, and the appropriate search authority code "C" (Consent Search) should have been used to document the search in the MDC clearance.

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle without proper lighting equipment during hours of darkness. During the detention, the subject advised the Department members that he possessed narcotics paraphernalia (pipe) in his pocket. The Department member removed the contraband without obtaining consent and continued with a pat-down search of the subject. The search authority code used was "C" (Consent Search), since a consent search did not occur the correct search authority code should have been "X" (Other – See Narrative) or "E" (Evidence of a Criminal Activity).

WHD-54: The stop consisted of a one-person unit conducting a stop of a vehicle for expired registration. The Department member documented the contact with the search authority code used for "C" (Consent Search). The subject was asked to step out of the vehicle and sit on the curb. At no point did the Department member conduct a search of the subject. The Department member should have documented this contact using search authority code "N" (Not Searched).

WHD-55: The stop consisted of a one-person unit conducting a stop of a vehicle for failure to come to a complete stop. After the Department member confirmed the subject's driver's license was suspended, he asked the subject to exit the vehicle and conducted a weapons pat-down search. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-down).

WHD-56: The stop consisted of a one-person unit conducting a stop of a vehicle with expired registration. After the Department member conducted a records check on the subject via the MDC, he asked the subject to exit the vehicle and conducted a weapons pat-down search. The search was documented in the MDC clearance as a consent search. Since a consent search did not occur, the search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-down).

WHD-58: The stop consisted of a one-person unit conducting a stop of a vehicle with expired registration. After the Department member conducted a records check on the subject via the MDC, she asked the subject to exit the vehicle and conducted a weapons pat-down search. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-down).

WHD-60: The stop consisted of a one-person unit conducting a stop of a vehicle for speeding. After the subject advised the Department member, he possessed two firearms in the vehicle, the Department member had him exit the vehicle and conducted a weapons pat-down search of his person. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search with the search authority code "W" (Weapons Pat-down).

WHD-62: The stop consisted of a two-person unit conducting a stop of a vehicle for expired registration. After the subject advised the Department member, he possessed a firearm in the vehicle, the Department member had him exit the vehicle and conducted a weapons pat-down search of his person. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-down).

WHD-63: The stop consisted of a two-person unit conducting a stop on a vehicle for tinted windows. After the Department member conducted a records check of all the occupants in the vehicle, he asked the subject to exit the vehicle and conducted a weapons pat-down search. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-down).

WHD-64: The stop consisted of a two-person unit conducting a stop of a vehicle for expired registration. After the Department member conducted a records check on the subject via the MDC, he asked the subject to exit the vehicle and conducted a weapons pat-down search. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-down).

WHD-65: The stop consisted of a two-person unit conducting a stop of a vehicle for unsafe speed. Based on the subject's behavior (not following basic instructions to lower windows) he was asked to exit the vehicle and escorted to the patrol vehicle. The Department members conducted a weapons pat-down search of the subject. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using the search authority code "W" (Weapons Pat-down).

WHD-66: The stop consisted of a two-person unit conducting a stop of a pedestrian regarding an arson investigation. The Department member conducted a weapons pat-down search of the subject and began to remove items from the subject's pockets. As observed on the BWC recording, consent was neither requested nor obtained. The search of subject and property should have been documented as either search authority "X" (Other – See Narrative) or "E" (Evidence of a Criminal Activity).

WHD-68: The stop consisted of a two-person unit conducting a loitering investigation of a pedestrian. The Department members conducted a weapons pat-down search of the subject. The search was documented in the MDC clearance as a consent search. The search should have been documented as a weapons pat-down search using the search authority code "W" (Weapons Pat-down).

Recommendations

It is recommended WHD implement a training program which emphasizes the importance of accurate documentation of searches. The training should focus on articulating clear and consistent documentation in the MDC log clearance and SACR entries. Specifically, it should include providing detailed reasons in the narrative section for seeking consent, utilizing the correct search authority codes, and ensuring documentation is consistent with corresponding BWC recordings. Additionally, Department members need to be aware of the differences between a weapons pat-down search and a consensual search. This training should be documented in either an APIS roster or an acknowledgment of training form.

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

Criteria

Manual of Policy and Procedures, Section 5-09/520.05 - Stops, Seizures, and Searches (May 2017), states:

The request to conduct a consent search must be reasonable, and a deputy must be able to articulate a valid reason under law and policy for initially having stopped the individual.

Procedures

The auditors examined 87 stops and detentions for WHD that occurred during the audit period. Of these, the auditors identified 14 stops and detentions in which a consent search of a vehicle had occurred. Auditors obtained this data by analyzing MDC data entries made by Department members during their conducted stops and detentions. To verify the accuracy of the information, auditors reviewed all BWC recordings that pertained to each incident, to identify all consent searches that occurred during the audit period and were classified as "Consent."

All 14 vehicle consent searches were reviewed. Auditors examined each BWC recording to determine whether the request to conduct the search was reasonable.

The auditors applied the same methodology used for Objective No. 2(a) – Consent Search Reasonableness (Person Searches) to evaluate the reasonableness of the vehicle search requests. A request to conduct a vehicle search was deemed reasonable if the search was conducted under sound judgment, contained valid reasons under the law or policy for the stop, was consensual, remained within the boundaries of what was consented to, and did not involve any misconduct or persuasion by the Department member.

Findings

All 14 (100%) of the vehicle consent searches that occurred met the criteria for this objective.

Recommendations

There are no recommendations because the auditors determined all 14 of the vehicle consent searches were reasonable.

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

Criteria

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

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer's Deputy's Daily Work Sheet (DDWS). The Mobile Digital Computer's DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop. For the purposes of this policy, "significant public contacts and activity" are defined as:

- *Calls for service;*
- *Self-initiated activity that results in arrest or citation;*
- *Self-initiated activity that is enforcement/investigative in nature but does not result in arrest or citation; and/or*
- *Self-initiated activity which is not enforcement/investigative in nature but results in Departmental personnel taking some form of constructive action, e.g. requesting a tow truck for a stranded motorist.*

Procedures

The auditors examined the 87 stops and detentions for WHD that occurred during the audit period and based on the auditor's review of BWC recordings, auditors identified 14 stops and detentions in which 14 vehicle consent searches occurred.

The auditors examined the 87 stops and detentions for WHD that occurred during the audit period. Based on the auditor's review of BWC recordings and MDC Data entered by Department members during their conducted stops and detentions, the auditors identified 14 vehicle consent searches.

Of these 14 vehicle consent searches, the auditors evaluated 13. One search was excluded because the Department member conducted both a probation search and a consent search of the vehicle. In this instance, a probation search of the passenger compartment was conducted based on the front passenger's probation status, limiting its scope to the interior passenger compartment. Subsequently, the Department member obtained consent from the driver to search the trunk of the vehicle. However, the MDC clearance allows for only one search authority code when documenting a vehicle search. As a result, this incident was classified as a probation search and was evaluated under Objectives 3(a) and 3(b).

The remaining 13 vehicle consent searches were evaluated to determine whether Department members properly identified each vehicle search conducted and documented the appropriate Search Authority code.

Findings

Five (38%) of the 13 vehicle consent searches met the established criteria, as the Department member properly documented the vehicle consent search and used the appropriate search authority code. The remaining eight (62%) vehicle consent searches did not meet the criteria due to lack of documentation in the MDC clearance.

Specifically:

WHD-18: The stop consisted of a two-person unit conducting a stop of a vehicle for tinted windows. After confirming the subject was driving a vehicle without a license, the Department members had the subject exit the vehicle. The Department member requested and obtained consent to search the vehicle. However, the vehicle search was not documented in the MDC clearance.

WHD-22: The stop consisted of a two-person unit conducting a stop of a vehicle for making an unsafe turn and expired registration. Upon contact, the subject advised the Department members that his driver's license was suspended. The Department member requested and obtained consent to search the vehicle; however, the vehicle search was not documented in the MDC clearance.

WHD-50: The stop consisted of a one-person unit conducting a stop of a vehicle for expired registration and failure to operate headlights as required. After the subject advised the Department member that he did not possess a driver's license, he was escorted out of the vehicle. The Department member requested and obtained consent to search the vehicle. However, the vehicle search was not documented in the MDC clearance.

WHD-54: The stop consisted of a one-person unit conducting a stop of a vehicle for expired registration. The Department member asked the subject to step out of the vehicle and sit on the curb. The Department member requested and obtained consent from the subject to search the vehicle. However, the vehicle search was not documented in the MDC clearance.

WHD-55: The stop consisted of a one-person unit conducting a stop of a vehicle for failure to come to a complete stop. After the Department member confirmed the subject driver's license was suspended, he asked the subject to exit the vehicle. The Department member requested and obtained consent from the subject to search the vehicle; however, the vehicle search was not documented in the MDC clearance.

WHD-56: The stop consisted of a one-person unit conducting a stop of a vehicle for expired registration. After the Department member conducted a records check of the subject via the MDC, he asked the subject if he had anything illegal in the vehicle. The subject said no and gave the Department member unsolicited consent to search vehicle, by telling the Department member he could search the vehicle, without being asked. The Department member did not document the vehicle search in the MDC clearance.

WHD-65: The stop consisted of a two-person unit conducting a stop of a vehicle for unsafe speed. While the subject was detained in the back seat of the patrol vehicle, he was asked if he had anything illegal in the vehicle. The subject said no and gave the Department member unsolicited consent to search vehicle; by telling the Department member he could search the vehicle, without being asked the Department member did not document the vehicle search in the MDC clearance.

WHD-71: The stop consisted of a two-person unit conducting a stop of a vehicle with expired registration. While the subject was detained in the back seat of the patrol vehicle, Department member obtained consent from the subject to search the vehicle. The Department member did not document the vehicle search in the MDC clearance.

Recommendations

It is recommended WHD implement a training program emphasizing the importance of accurate documentation of consent searches. The training should focus on articulating clear and consistent documentation in the MDC log clearance and SACR entries, including providing detailed reasons in the narrative section for seeking consent, utilizing the correct search codes, and ensuring documentation is consistent with BWC recordings. This training should be documented in either an Automated Personnel In-Service (APIS) roster or an acknowledgment of training form.

Objective No. 3 – Probation or Parole Searches

This objective will include the evaluation of probation or parole searches conducted by WHD Department members as specified in the MPP.

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

Criteria

Manual of Policy and Procedures, Section 5-09/520.05- Stops, Seizures, and Searches (May 2017), states:

Department members shall only conduct searches of individuals based on probation or parole status when knowledge of a probation or parole search condition has been established.

Procedures

The auditors examined 87 stops and detentions for WHD that occurred during the audit period. Based on the auditor's review of BWC recordings, the auditors identified 13 stops and detentions in which a probation or parole search had occurred.

Out of the 13 stops and detentions, auditors determined a total of 19 probation or parole searches occurred, consisting of 13 searches of a person and 6 vehicle searches. Auditors reviewed each BWC recording for the 13 stops and detentions to determine whether, in instances when a search of a subject was conducted pursuant to probation or parole conditions, Department members had knowledge of the subjects' search conditions prior to conducting the search.

Prior knowledge of the subject's probation or parole status may be established through the MDC, radio communication with Dispatch, the Department member's prior knowledge or contact with the subject, the subject's statement regarding their probation or parole search conditions, documents, or communication from a probation or parole official.

Findings

Eighteen (95%) of the 19 probation or parole searches met the criteria because the Department members had established knowledge of the subjects' search conditions prior to conducting the search. The remaining one (5%), did not meet the criteria because auditors were unable to determine if the Department member had established prior knowledge due to late BWC activation or confirmation of the subject's probation or parole status prior to making contact.

Specifically:

WHD-78: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the subject was contacted based on prior knowledge the subject was on active probation or parole. However, due to the late BWC activation, auditors were unable to determine whether the Department member had prior knowledge of the subject's probation or parole status. Additionally, the Department member conducted a records check of the subject only after completing the search and did not confirm the subject's probation or parole status prior to making contact.

Recommendations

It is recommended WHD supervisors re-brief Department members on the MPP policies regarding search procedures for probationers and parolees. These briefings should specifically address the requirement to verify probation or parole search conditions prior to conducting a search, and the proper articulation of the Department members methods used to obtain that knowledge in the required documentation.

Objective No. 3(b) – Probation or Parole Search MDC Documentation

Criteria

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

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer's Deputy's Daily Work Sheet (DDWS). The Mobile Digital Computer's DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop. For the purposes of this policy, "significant public contacts and activity" are defined as:

- *Calls for service;*
- *Self-initiated activity that results in arrest or citation;*
- *Self-initiated activity that is enforcement/investigative in nature but does not result in arrest or citation; and/or*
- *Self-initiated activity which is not enforcement/investigative in nature but results in Department personnel taking some form of constructive action, e.g., requesting a tow truck for a stranded motorist.*

Procedures

The auditors examined 87 stops and detentions for WHD that occurred during the audit period. Based on the auditor's review of BWC recordings and MDC data entered by Department members during their conducted stops and detentions, the auditors identified 19 probation or parole searches. Of these, 13 were probation or parole searches of a subject(s) and 6 were probation or parole searches of a vehicle.

The auditors evaluated 19 probation or parole searches. The purpose of this evaluation was to determine whether Department members accurately identified each subject for whom a probation or parole search was conducted and documented the appropriate Search Authority code.

Findings

Fourteen (74%) of the 19 probation or parole searches met the criteria because the Department members identified each subject and/or vehicle for whom a probation or parole search was conducted and documented the appropriate search authority code. The remaining five (26%) did not meet the criteria for this objective. In the remaining five of the probation or parole searches the Department members did not use the appropriate search authority code.

Specifically:

WHD-19: (Person) The stop consisted of a two-person unit conducting a vehicle stop for having a defective windshield and making an unsafe turn. The subject advised the Department member he was on probation. The Department member ran a query via the MDC, confirmed the subjects' probation status, and had the subject exit vehicle to conduct a probation compliance search of his person.

The Department member did not use the appropriate search authority code "R" (Condition of Probation or Parole) to document the probation or parole search. Instead, the search was inaccurately documented with authority code "X" (Other - See Narrative).

WHD-63: (Person/Vehicle) The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. After the Department member conducted a records check of all the occupants in the vehicle, and confirmed the subject (front passenger) was on active probation for burglary with search conditions. The Department member had the subject exit the vehicle to conduct a probation compliance search of his person.

The Department member did not use the appropriate search authority code "R" (Condition of Probation or Parole) to document the probation or parole search. Instead, the search was inaccurately documented with authority code "C" (Consent Search). Additionally, the probation search of the vehicle was not documented in the MDC clearance.

WHD-79: (Vehicle) The stop consisted of a one-person unit conducting a vehicle stop for failure to come to a complete stop. After confirming the subject was on active probation the Department member conducted a search of the vehicle. The probation search of the vehicle was not documented in the MDC clearance. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used.

WHD-80: (Person) The stop consisted of a two-person unit conducting a vehicle stop for a felony warrant/want for robbery. The Department member escorted the subject to the patrol vehicle and conducted a weapons pat-down search of the subject.

The search was incorrectly documented in the MDC clearance with search authority code "R" (Condition of Probation or Parole). The search should have been documented as a weapons pat-down search with the search authority code "W" (Weapons Pat-down).

Recommendations

It is recommended WHD implement a training program which emphasizes the importance of accurate and consistent documentation of probation or parole searches. The training should focus on correct use of search authority codes in the MDC log clearances, accurate documentation in the SACR entries, alignment between documentation and BWC recording, and reinforcing verification of search conditions prior to conducting searches. This training should be documented in either an APIS training roster or an acknowledgment of training form.

Objective No. 4 – Backseat Detentions

This objective evaluated the BSDs conducted by WHD Department members as specified in the MPP.

Objective No. 4(a) – Explanation of Backseat Detentions to Subjects

Criteria

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

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

Deputies shall not conduct backseat detentions as a matter of course, during routine traffic stops or domestic violence situations.

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

Deputies shall explain to the individual, in a professional and courteous manner, why they are being detained in the backseat of a patrol car.

Per the criteria for this objective, BSDs shall only be used when:

- The detained person may pose a threat of physical harm.
- The detained person is an escape risk.
- There is a risk of the officer's safety.
- An individual is provided the option of sitting in the back seat due to weather conditions or the individual's desire for privacy.

Procedures

The auditors examined 87 stops and detentions for WHD that occurred during the audit period. Based on the auditor's review of BWC recordings, the auditors identified 30 stops and detentions in which 34 BSDs occurred.

Auditors reviewed each BWC recording to determine whether the Department member explained to the subject(s), in a professional and courteous manner, the reason for their detention in the back seat of the patrol vehicle.

In consideration of identifying the term, "matter of course"¹⁴, the auditors ensured actions related to BSD were not conducted or explained to subjects as a standard method of operation without any justification provided to the subject.

Findings

Three (9%) of the 34 BSDs met the criteria because the Department member explained to the subject(s), in a professional and courteous manner, the reason for being detained in the back seat of the patrol vehicle. The remaining 31 (91%) BSDs did not meet the criteria for this objective. In 21 BSDs the Department members did not give the subject(s) a reason for the BSD. The remaining 10 BSDs, the Department member(s) gave the subject(s) a reason, however, the reason given did not articulate a reasonable belief that the subject(s) may pose a threat of physical harm or is an escape risk unless detained in the back seat.

Specifically:

WHD-1: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. After the subject advised the Department member he was on active probation, he was escorted out of the vehicle, and a weapons pat-down search was conducted of his person. The subject was placed in the back seat of the patrol vehicle and advised to have a seat. The Department member did not provide the subject with a reason for the BSD.

WHD-2: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. After the subject advised the Department members he was on probation and did not have any form of identification on his person, he was escorted to the patrol vehicle and placed in the back seat. The Department member did not give the subject a reason for being placed in the back seat of the patrol vehicle. During the detention the Department member advised the subject he was being detained because he did not have any form of identification along with his evasive answers when it came to questions regarding the subject's identification.

¹⁴ In identifying the term "*matter of course*", the auditors assessed whether the actions related to BSDs were neither conducted, explained, nor documented as a standard method of operation without legitimate justification. The auditors also evaluated whether any such actions were presented to subjects as routine without providing an explanation or basis

WHD-13: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle without proper lighting equipment, during hours of darkness. The subject was told to have a seat in the back of the patrol vehicle so the Department member could identify him due to his common name. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-15: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle without proper lighting equipment, during hours of darkness. Upon contact, the subject advised the Department members he was on active probation. He was then searched and placed in the back seat of the patrol vehicle. The subject was not given a reason for the BSD.

WHD-17: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed and expired registration. After the subject advised the Department members, he did not possess a valid driver's license, he was asked to step out of the vehicle and was escorted to the patrol vehicle. The subject was searched and then placed in the back seat of the patrol vehicle. The subject was advised that they were going to check for any active warrants. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-18: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. After the Department members confirmed the subject did not possess a valid driver's license, he was asked to step out of the vehicle and was escorted to the patrol vehicle. The subject was searched and then placed in the back seat of the patrol vehicle. Prior to being placed in the back seat, he was advised that he was being detained for an unlicensed driver investigation. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-19: The stop consisted of a one-person unit conducting a vehicle stop for a defective windshield and making an unsafe turn. Upon contact the subject advised the Department member he was on probation. The Department member returned to the patrol vehicle and confirmed the subject's probation status. The Department member advised the subject he was being detained for a probation compliance check. The subject was then escorted out of the vehicle, searched and placed in the back seat of the patrol vehicle. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-22: The stop consisted of a two-person unit conducting a vehicle stop for making an unsafe turn and with expired registration. Upon contact the subject advised the Department members that his driver's license was currently suspended. The subject exited his vehicle and was escorted to the patrol vehicle. The subject was, searched, and placed in the back seat of the patrol vehicle. The subject was not given a reason for the BSD.

WHD-29: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The Department member observed a weapon (knife) in the vehicle's passenger compartment. The subject was asked to exit the vehicle, so they could search for additional weapons. The subject was escorted to the patrol vehicle, where he was searched and placed in the back seat. The Department member advised the subject; he was going to be placed in the back seat of the patrol vehicle. The subject was not given a reason for the BSD.

WHD-45: The stop consisted of a one-person unit conducting a vehicle stop for a license plate violation. The subject (driver) was asked to exit the vehicle after the Department member conducted a records check via the MDC, which indicated the subject had a warrant from San Bernardino County. The subject was placed in the back seat of the patrol vehicle. The subject was not given a reason for the BSD.

WHD-50: The stop consisted of a one-person unit conducting a vehicle stop for expired registration and failure to operate headlights as required. After the subject advised the Department member he was driving a vehicle without a driver's license, the Department member asked the subject to exit the vehicle. The subject was escorted to the patrol vehicle and placed in the back seat. The Department member advised the subject he was being detained for an unlicensed driver investigation. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle. According to the SACR entry, the Department members contacted the subject for riding a bicycle without proper lighting equipment, during hours of darkness. The subject was placed in the back seat of the patrol vehicle. The subject was not given a reason for the BSD.

WHD-52: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle without proper lighting equipment, during hours of darkness. The subject was asked to have a seat in the back of the patrol vehicle so she would not have to stand out in the street. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-53: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The subject was placed in the back seat of the patrol vehicle and was told by Department members "you are not under arrest, just being detained". The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-57: The stop consisted of a two-person unit conducting a stop of a pedestrian for loitering after business hours. After a weapons pat-down search of the subject, he was placed in the back seat of the patrol vehicle. The subject was not given a reason for the BSD.

Additionally, auditors were unable to hear the interaction between another Department member and the subject due to late BWC activation.

WHD-58: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The subject was placed in the back seat of a patrol vehicle and was told by Department members "you are not under arrest, just being detained". The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-62: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. After the subject advised the Department member he possessed a firearm in the vehicle, a Department member had him exit his vehicle and the subject was placed in the back seat of a patrol vehicle. The subject was not given a reason for the BSD.

WHD-63: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. After the Department member conducted a records check of all the occupants in the vehicle, the subject (driver) was asked to exit his vehicle and was placed in the back seat of the patrol vehicle. The Department member advised the subject he was being detained for identification purposes. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

After the Department members confirmed one of the subjects (front passenger) was on active probation for burglary with search conditions. The remaining three subjects were escorted out of the vehicle and subsequently BSD by Department members. The subjects were not given a reason for the BSD.

WHD-64: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The subject was placed in the back seat of the patrol vehicle by Department members who told the subject he was going to be issued a citation for unlicensed driver. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-65: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. Based on the subject's behavior (not following basic instructions to lower windows) he was asked to exit the vehicle and escorted to the patrol vehicle. The subject was subsequently placed in the back seat of the patrol vehicle by Department members. The subject was not given a reason for the BSD.

WHD-66: The stop consisted of a two-person unit conducting a stop of a pedestrian regarding an arson investigation. The subject was placed in the back seat of the patrol vehicle by Department members. The subject was not given a reason for the BSD.

WHD-70: The stop consisted of a two-person unit conducting a vehicle stop for no lights on during the hours of darkness. The subject was placed in the back seat of the patrol vehicle by Department members who advised the subject he was being detained to confirm the status of a warrant. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-71: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The subject was placed in the back seat of the patrol vehicle by Department members who advised the subject he was being detained. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-78: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the subject was contacted based on prior knowledge the subject was on active probation or parole. The Department member told the subject to have a seat in the patrol vehicle while he conducted a records check for warrants. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-79: The stop consisted of a one-person unit conducting a vehicle stop for failing to come to a complete stop. After confirming the subject was on active probation, the subject was placed in the back seat of the patrol vehicle by Department members who advised the subject he was being detained. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

WHD-81: The stop consisted of a one-person unit conducting a pedestrian stop for possible possession of a firearm. The subject was subsequently placed in the back seat of the patrol vehicle by Department members. The subject was not given a reason for the BSD.

WHD-86: The stop consisted of a one-person unit conducting a vehicle stop for tinted windows. After confirming the subject was on active parole, the subject was placed in the back seat of the patrol vehicle by Department members who did not give the driver a reason for the BSD. Subsequently, the front passenger was escorted out of the vehicle and placed in the back seat of the patrol vehicle. The Department member advised him that he was going to be placed in the back seat since he was a one-man unit. The explanation and lack thereof, for both subjects did not meet the criteria for appropriate use of the BSD.

WHD-87: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. After confirming the subject was on active probation, the subject was subsequently placed in the back seat of the patrol vehicle by Department members. The subject was advised to sit in the back of the patrol vehicle while the Department member conducted a search of the vehicle. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

Recommendations

WHD management must conduct formal briefings to reinforce BSDs should only be used when necessary and fully justified. The briefings should include scenarios in which the use of BSDs would be appropriate, such as flight risk, officer safety, weather conditions, or the subject's desire for privacy or personal safety. Alternatively, scenarios when BSDs would be inappropriate should also be briefed such as instances where the detention is used as a routine investigative practice, based solely on probation/parole status or lack of identification.

In addition, it is recommended the Department implement an MDC/CAD and Sheriff's Automated Contact Report system (SACR) function requiring Department members to digitally attest that they have clearly explained to subjects the reason for being placed in the back seat of a patrol vehicle. This procedure is also stipulated in the *Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions*.

Objective No. 4(b) – MDC Documentation of Backseat Detentions

Criteria

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

Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat. Backseat detentions are not permitted when based on unreasonable or factually unsupported assertions of deputy safety. Deputies shall not conduct backseat detentions as a matter of course during routine traffic stops or domestic violence situations.

The factual justification for the backseat detention “seizure” shall be articulated in the narrative portion of the deputy’s log.

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

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer’s Deputy’s Daily Work Sheet (DDWS). The Mobile Digital Computer’s DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop. For the purposes of this policy, “significant public contacts and activity” are defined as:

- *Calls for service;*
- *Self-initiated activity that results in arrest or citation;*
- *Self-initiated activity that is enforcement/investigative in nature but does not result in arrest or citation; and/or*
- *Self-initiated activity which is not enforcement/investigative in nature but results in Department personnel taking some form of constructive action, e.g., requesting a tow truck for a stranded motorist.*

Per the criteria for this objective, BSDs shall only be used when:

- The detained person may pose a threat of physical harm.
- The detained person is an escape risk.
- There is a risk of the officer’s safety.
- An individual is provided the option of sitting in the back seat due to weather conditions or the individual’s desire for privacy.

Procedures

The auditors examined 87 stops and detentions for WHD that occurred during the audit period. Based on the auditor's review of BWC recordings, the auditors identified 30 stops and detentions in which 34 BSDs occurred. Additionally, the auditors analyzed MDC data entered by Department members during 87 stops and detentions, identifying 42 MDC log entries where a BSD was documented using contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops).

The auditors evaluated the 76 BSDs identified to determine whether the Department member appropriately identified each subject placed in a BSD and documented the correct contact type code.

Additionally, the auditors determined whether the Department member articulated a factual justification for placing the subject in the back seat of the patrol vehicle. The auditors also evaluated whether the justification was based on reasonable or factually supported assertions that the subject posed a threat of physical harm or was considered an escape risk.

Findings

None (0%) of the 76 BSDs met the criteria for this objective. Sixteen of the BSDs were documented with the correct contact type code; however, the factual justification for the backseat detention was not articulated in the narrative portion of the deputy's log. Fifteen of the BSDs' were not documented with the appropriate contact type code and did not include a factual justification for the BSD in the narrative portion of the deputy's log. Two BSDs were not documented in the MDC clearance. The remaining one, the incorrect contact type code was used; however, a factual justification for the BSD was included in the narrative portion of the deputy's log

Based on the auditor's review of BWC recordings, auditors determined that 42 documented BSDs were documented with the contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) in the MDC clearance, but did not actually occur. In these cases, Department members used an incorrect contact type code to document the incident.

Specifically:

WHD-1: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code, "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-2: The stop consisted of a two-person unit conducting a stop of a vehicle for tinted windows. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for BSD was not documented in the MDC clearance narrative.

WHD-3: The stop consisted of a two-person unit conducting a vehicle stop for a license plate violation. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-4: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-5: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-6: The stop consisted of a two-person unit conducting a vehicle stop for speeding and making an unsafe turn. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-7: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-8: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and failure to come to a complete stop. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-9: The stop consisted of a two-person unit conducting a vehicle stop for no front license plate and failure to come to a complete stop. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-11: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-12: The stop consisted of a two-person unit conducting a vehicle stop for operating a vehicle without lights during the hours of darkness. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-13: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-14: The stop consisted of a one-person unit conducting a vehicle stop for a license plate violation. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-15: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-16: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-17: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed and expired registration. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-18: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-19: The stop consisted of a one-person unit conducting a vehicle stop for having a defective windshield and making an unsafe turn. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used to document the contact.

WHD-20: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-21: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-22: The stop consisted of a two-person unit conducting a vehicle stop for making an unsafe turn and with expired registration. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-23: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. As observed on BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-24: The stop consisted of a two-person unit conducting a vehicle stop for an obstructed license plate. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-25: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-26: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. The MDC clearance indicated the subject was BSD. However, the subject was placed in the back seat of the patrol vehicle after Department members recovered a weapon (knife) from the subject's pocket. The Department member informed his partner they had a felony arrest, and the subject was arrested for possession of a dirk/dagger. Since the Department member had confirmed the subject was under arrest prior to the BSD, the BSD documentation was not needed. The Department member should have used contact type code "D" (Detainee – Driver) or "S" (Suspect – Subject).

WHD-27: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-28: The stop consisted of a two-person unit conducting a vehicle stop for driving without lights, during the hours of darkness. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-29: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-30: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver)

WHD-31: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed and tinted windows. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-32: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-33: The stop consisted of a two-person unit conducting a vehicle stop for no license plates on the vehicle. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-34: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. Per As observed on BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-35: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-36: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-38: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-39: The stop consisted of a two-person unit conducting a vehicle stop for expired registration along with a license plate violation. The MDC clearance indicated the subject was BSD. Based on the auditor's review of BWC recordings the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-40: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-41: The stop consisted of a two-person unit conducting a vehicle stop for failure to come to a complete stop. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-42: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated both subjects were BSD. As observed on BWC recordings, the subjects were not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-43: The stop consisted of a two-person unit conducting a vehicle stop for driving without lights, during the hours of darkness. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-44: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-45: The stop consisted of a one-person unit conducting a vehicle stop for a license plate violation. Department members placed the subject (driver) in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used to document the contact. However, the BSD reason documented in the MDC clearance narrative did include factually supported assertions that the subject was an escape risk based on an out of county warrant.

WHD-46: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated both subjects were BSD. As observed on BWC recordings, the subjects were not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-47: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-48: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-49: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, the subject was not taken out of the vehicle and a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-50: The stop consisted of a one-person unit conducting a vehicle stop for expired registration and failure to operate headlights as required. The Department member placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle. According to the SACR entry, the Department members contacted the subject for riding a bicycle without proper lighting equipment, during hours of darkness. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-52: The stop consisted of a two-person unit conducting a vehicle stop for riding a bicycle without proper lighting equipment, during hours of darkness. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-53: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-57: The stop consisted of a two-person unit conducting a stop of a pedestrian loitering after business hours. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-58: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-60: The stop consisted of a one-person unit conducting a vehicle stop for speeding. After the subject advised the Department member, he possessed two firearms in the vehicle, the Department member had him exit the vehicle. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-62: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The subject advised the Department member; he possessed a firearm in the vehicle. The Department member had the subject exit the vehicle and placed him in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-63: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. All four of the subjects inside of the vehicle were escorted out of the vehicle and placed in the back seat of additional patrol vehicles by Department members. For two of the subjects (driver and front passenger) the correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subjects in the back seat of the vehicle was not documented in the MDC clearance narrative. The remaining two subjects (rear passengers) who were also BSD, based on the auditor's review of BWC recordings, were not documented in the MDC clearance.

WHD-64: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-65: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. Based on the subject's behavior (not following basic instructions to lower windows) the subject was asked to exit the vehicle and Department members subsequently placed the subject in the back seat of the patrol vehicle. However, he was not given a reason for the BSD. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-66: The stop consisted of a two-person unit conducting a stop of a pedestrian regarding an arson investigation. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-67: The stop consisted of a two-person unit conducting a consensual encounter of a pedestrian. The MDC clearance indicated the subject was BSD. As observed on BWC recordings, a BSD did not occur. The incorrect contact type code was used. The Department member should have used contact type code "D" (Detainee – Driver).

WHD-70: The stop consisted of a two-person unit conducting a vehicle stop for no lights on, during hours of darkness. Department members placed the subject in the back seat of the patrol vehicle. The correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was used to document the contact. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-71: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for BSD was not documented in the MDC clearance narrative.

WHD-78: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the subject was contacted based on prior knowledge the subject is on active probation or parole. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for placing the subject in the back seat of the vehicle was not documented in the MDC clearance narrative.

WHD-79: The stop consisted of a one-person unit conducting a vehicle stop for failing to come to a complete stop. After confirming the subject was on active probation, the Department member placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for BSD was not documented in the MDC clearance narrative.

WHD-80: The stop consisted of a two-person unit conducting a vehicle stop for felony warrant/want for robbery. Department members placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used, and a factual justification for BSD was not documented in the MDC clearance narrative.

WHD-81: The stop consisted of a one-person unit conducting a pedestrian stop for possible possession of a firearm. The Department member placed the subject in the back seat of the patrol vehicle. The incorrect contact type code "S" (Suspect - Subject) was used, and a factual justification for the BSD was not documented in the MDC clearance narrative.

WHD-86: The stop consisted of a one-person unit conducting a vehicle stop for tinted windows. The Department member placed both subjects in the back seat of the patrol vehicle. The driver's BSD was documented with the correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops). The MDC clearance narrative indicated the driver was BSD for parole compliance check. The reason given does not articulate a factual justification for the BSD per the MPP. Additionally, the front passenger's BSD was not documented in the MDC clearance.

WHD-87: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. After confirming the subject was on active probation, the Department member placed the subject in the back seat of the patrol vehicle. The driver's BSD was documented with the correct contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops). The MDC clearance narrative indicated the subject was BSD for parole compliance check. The reason given does not articulate a factual justification for the BSD per the MPP.

Recommendations

It is recommended WHD supervisors frequently and thoroughly brief Department members on the BSD policy to reinforce the MPP requirements. Supervisors must emphasize the need to document the factual justification for BSDs in the MDC narrative and SACR entries, the justification must include, either the detained person may pose a threat of physical harm, the detained person is an escape risk, there is a risk of the officer's safety, or the individual was provided the option of sitting in the back seat due to weather conditions or the individual's desire for privacy.

Objective No. 5 – Mobile Digital Computer and Sheriff Automatic Contact Reporting

This objective included the evaluation of the MDC and SACR stop, and detention data entered by WHD Department members as specified in the MPP.

Objective No. 5(a) Documentation of Reason for Contact in the MDC Narrative

Criteria

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

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer's Deputy's Daily Work Sheet (DDWS). The Mobile Digital Computer's DDWS logs shall contain only accurate information...

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

The narrative portion of the logged incident shall also include the reason for the contact and a brief description of the action taken by deputies.

Procedures

The auditors evaluated the MDC clearance narratives of the 87 stops and detentions to determine whether the reason for the contact was included, and a brief description of the action taken by the Department member was documented. In addition, auditors determined if the reason for the contact stated by the Department member in the BWC recording and the action taken by the Department member depicted on the BWC recording aligned with what was documented in the MDC narrative.

Findings

Forty-five (52%) of the 87 stops and detentions met the criteria because the Department member documented the reason for the contact and a brief description of the action taken by the Department member. In addition, the reason for the contact stated by the Department member in the BWC recording and the action taken by the Department member depicted on the BWC recording, aligned with what was documented in the MDC narrative. The remaining 32 (48%) did not meet the criteria for this objective.

In 21 of the stops and detentions, a brief description of the action taken by the Department member was not documented in the MDC clearance narrative. In eight of the stops and detentions the reason for the contact, along with a brief description of the action taken by the Department member, was not documented in the MDC clearance narrative. In six of the stops and detentions, the reason for the stop documented in the MDC narrative did not correspond with the BWC recordings. In four of the stops and detentions the reason for the contact was not documented in the MDC clearance narrative. For the remaining three, the auditors were not able to confirm the reason for the stop or actions taken by the Department members due to late activations or early deactivations of the BWC.

Specifically:

WHD-1: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-6: The stop consisted of a two-person unit conducting a stop of a vehicle for speeding and making an unsafe turn. The MDC clearance indicated the reason for the contact was expired license plate tabs, violation *5204 California Vehicle Code (CVC)*. Additionally, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-7: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-8: The stop consisted of a two-person unit conducting a vehicle stop for expired registration along with failure to come to a complete stop. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-9: The stop consisted of a two-person unit conducting a vehicle stop for no front license plate and failure to come to a complete stop. The MDC clearance indicated the reason for the contact was speeding, violation *22350 CVC*. Additionally, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-11: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-13: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. The reason for the contact, along with the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-14: The stop consisted of a one-person unit conducting a vehicle stop for a license plate violation. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative

WHD-15: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. The reason for the contact, along with the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-16: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative

WHD-17: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed and expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative

WHD-21: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The Department members documented a brief description of their actions taken. The reason for the contact on the MDC clearance narrative and BWC recordings did not correspond. The MDC clearance narrative indicated the reason for the contact was expired registration, violation 4000(A)(1) CVC. However, the BWC recordings depicted the Department member advising the subject he was stopped for tinted windows.

WHD-22: The stop consisted of a two-person unit conducting a vehicle stop for making an unsafe turn and with expired registration. The Department members documented a brief description of their actions taken. However, the reason for the contact was not included in the MDC clearance narrative.

WHD-26: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-28: The stop consisted of a two-person unit conducting a vehicle stop for driving without lights, during hours of darkness. The Department members documented a brief description of their actions taken. The reason for the contact on the MDC clearance narrative and BWC recordings did not correspond. The MDC clearance narrative indicated the reason for the contact was tinted windows. However, the BWC recordings depicted the Department member advising the subject he was stopped for driving a vehicle without lights, during hours of darkness

WHD-30: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The Department members documented a brief description of their actions taken. However, the reason for the contact was not included in the MDC clearance narrative.

WHD-32: The stop consisted of a two-person unit conducting a stop on a vehicle. The Department members documented a brief description of their actions taken. The MDC clearance narrative indicated the reason for contact was tinted windows. However, the BWC recordings depicted that the Department member did not inform the subject of the reason for the contact. The auditors were not able to verify the reason for contact.

WHD-33: The stop consisted of a two-person unit conducting a stop of a vehicle with no license plates on the vehicle. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-37: The stop consisted of a two-person unit conducting a vehicle stop for a missing license plate light. The Department members documented a brief description of their actions taken. The reason for the contact on the MDC clearance narrative and BWC recordings did not correspond. The MDC clearance narrative indicated the reason for contact was tinted windows. However, as observed on the BWC recordings the Department member advised the subject he was stopped for the vehicle missing a license plate.

WHD-44: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-46: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-47: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-48: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact, along with the brief description of the action taken by the Department members, was not included in the MDC clearance narrative.

WHD-49: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The reason for the contact, along with the brief description of the action taken by the Department members, was not included in the MDC clearance narrative.

WHD-50: The stop consisted of a one-person unit conducting a vehicle stop for expired registration and failure to operate headlights as required. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle without proper lighting, during hours of darkness. While the SACR entry documented the reason for the contact, the MDC clearance narrative did not include this reason, or a brief description of the actions taken by the Department members.

WHD-52: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting during hours of darkness. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-53: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-54: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-55: The stop consisted of a one-person unit conducting a vehicle stop for failure to come to a complete stop. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-56: The stop consisted of a one-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-57: The stop consisted of a two-person unit conducting a pedestrian stop for loitering after business hours. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member was not included in the MDC clearance narrative.

WHD-59: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member regarding the traffic violation was not included in the MDC clearance narrative.

WHD-61: The stop consisted of a two-person unit conducting a pedestrian stop for looking inside a parked vehicle at night. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member regarding the traffic violation was not included in the MDC clearance narrative.

WHD-64: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for contact corresponded with the BWC recordings. However, since both Department members' BWC were deactivated before the subject was released from the back seat of the patrol vehicle, auditors were unable to determine the correct disposition of the detention. The MDC clearance indicated subject was warned and advised for the expired registration. As observed on BWC recordings, the subject was advised he was going to be cited for unlicensed driver.

WHD-69: The stop consisted of a two-person unit conducting a pedestrian stop. Due to the late BWC activation by the Department members, the auditors were unable to determine the reason for contact. The MDC clearance indicated the subject was contacted regarding an under the influence of a controlled substance (narcotics) investigation, violation 11550 Health and Safety Code (H&S), while the SACR entry indicated the encounter as consensual. The Department members documented a brief description of their actions taken.

WHD-75: The stop consisted of a one-person unit conducting a stop of a vehicle with an obstructed license plate. The reason for the stop was not documented in the MDC clearance narrative. However, the Department member documented a brief description of his actions taken.

WHD-78: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the subject was contacted based on prior knowledge the subject is on active probation or parole. The MDC clearance narrative did not include the reason for contact along with the brief description of the action taken by the Department member regarding the stop.

WHD-79: The stop consisted of a one-person unit conducting a vehicle stop for failure to come to a complete stop. The reason for the contact corresponded with the BWC recording. However, the brief description of the action taken by the Department member regarding the traffic violation was not included in the MDC clearance narrative.

WHD-82: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the contact was a consensual encounter. The MDC clearance narrative did not include the reason for contact. However, The Department members documented a brief description of their actions taken.

WHD-83: The stop consisted of a two-person unit conducting a pedestrian stop. Since the Department members activated the BWC after initiating contact with the subject, auditors were not able to verify the reason for contact. The MDC clearance narrative indicated probation search and the SACR entry indicated the contact was a consensual encounter. However, The Department members documented a brief description of their actions taken.

WHD-84: The stop consisted of a one-person unit conducting a vehicle stop that was blocking traffic. The MDC clearance narrative did not include the reason for contact, nor a brief description of the action taken by the Department member regarding the stop.

Recommendations

It is recommended Department supervisors regularly brief the MPP stipulation directing the Department members to properly document the reason for the stop along with a brief description of the action taken by the Department member in the MDC clearance narrative

Objective No. 5(b) Accuracy of Stops and Detentions Data

Criteria

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

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer's Deputy's Daily Work Sheet (DDWS). The Mobile Digital Computer's DDWS logs shall contain only accurate information...

The auditors noted there is currently no written policy or directive requiring SACR entry data to be accurate. However, it is essential for the Department to prioritize accuracy to ensure the information collected and reported, as mandated under *California Assembly Bill 953*¹⁵ (CA AB 953), is reliable. As of June 26, 2025, the Department implemented a new policy, Manual of Policy and Procedures, Section 3-01/140.00, Deputy Stops – Government Code Section 12525.5, which explicitly requires sworn personnel to “ensure the data input into the CAD and SACR system are consistent and accurate.” This new policy requirement will be used in future audits.

Procedures

The auditors evaluated 87 stops and detentions to determine the type of stop, length of time of all BSDs documented in the MDC clearance and compared it to the corresponding BWC recording to ensure accuracy.

In addition, for the 87 stops and detentions, the auditors evaluated all SACR entry data including, but not limited to, the type of stops, the number of subjects detained, and the length of time of all BSDs. The SACR entry data was compared with the corresponding BWC recording to ensure accuracy.

Findings

Thirty-six (41%) of the 87 stops and detentions met the criteria because auditors determined the MDC clearance and SACR entry data reviewed for this objective corresponded with the BWC recordings. The remaining 41(59%) stops and detentions did not meet the criteria for this objective, because the Department members did not accurately document the stop and detention in the MDC clearance and/or SACR entry.

¹⁵ CA - AB 953 mandates each state and local agency employing peace officers to submit specific information, referred to as “stop data,” to the California State Attorney General regarding policing practices pertaining to racial and identity profiling.

Specifically:

WHD-1: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The BSD of the subject was not documented in the SACR entry. The reason for the stop on the BWC recording and the MDC clearance was expired registration, violation 4000(a)(1) CVC. The reason for the stop in the SACR entry was, inconsistently listed as expiration of license plate tabs, violation 5204(a) CVC.

WHD-2: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The front passenger, who was detained as indicated in the BWC recording, was not documented in either the MDC clearance or the SACR entry. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD duration was 15 minutes, however, the BSD duration based on the auditor's review of BWC recordings was 44 minutes.

WHD-4: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the stop on the BWC recording was expired registration, violation 4000(a)(1) CVC. The reason for the stop in MDC clearance and SACR entry was failure to display license plate, violation 5200(a) CVC.

WHD-6: The stop consisted of a two-person unit conducting a vehicle stop for speeding and making an unsafe turn. The reason for the stop, per the BWC recordings, was speeding, violation 23152 CVC and unsafe turn, violation 22107 CVC. The reason for the stop on MDC clearance and SACR entry was expiration of license plate tabs, violation 5204(a) CVC.

WHD-9: The stop consisted of a two-person unit conducting a vehicle stop for no front license plate and failure to come to a complete stop. The reason for the stop in the MDC clearance was speeding, violation 22350 CVC. The reason listed on SACR entry was failure to display license plate, violation 5200(a) CVC which was not consistent with the BWC recording.

WHD-10: The stop consisted of a one-person unit conducting a vehicle stop for failure to maintain vehicle lighting equipment. The MDC clearance indicated the subject was not searched. However, the BWC recording and the SACR entry indicated the subject was searched incident to arrest.

WHD-11: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The SACR entry had the "No Action" box checked, regarding the result of contact. Per the BWC recordings the subject was warned and advised regarding the tinted windows violation.

WHD-12: The stop consisted of a two-person unit conducting a vehicle stop for driving without lights during hours of darkness. The BWC recordings depicted the Department member searching the subject's property, this search was not documented in either MDC clearance or SACR entry.

WHD-13: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting, during hours of darkness. The SACR entry did not include the reason for searching the subject, contraband seized and the correct arrest section. The MDC clearance narrative and the BWC recordings indicated the subject was arrested for possession of narcotics. The SACR entry indicated the subject was arrested for a warrant. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD duration was 30 minutes, however, the BSD duration based on the auditor's review of BWC recordings was 10 minutes.

WHD-15: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. The SACR entry did not include the search of the subject or his property, along with the BSD of the subject. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD duration was five minutes, however, the BSD duration based on the auditor's review of BWC recordings was 22 minutes.

WHD-16: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the stop on the BWC recordings and MDC clearance was expired registration, violation 4000(a)(1) CVC. The reason for the stop in the SACR entry was expiration of license plate tabs, violation 5204(a) CVC.

WHD-17: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed and expired registration. The SACR entry did not include the search of the subject.

WHD-18: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The SACR entry indicated unlicensed driver, violation 12500 CVC, was the reason for the stop. The BWC recordings and MDC clearance indicated tinted windows, violation, 26708 CVC as the reason for the stop. The SACR entry did not include the search of the subject.

WHD-19: The stop consisted of a one-person unit conducting a vehicle stop for having a defective windshield and making an unsafe turn. The SACR entry did not include the search of the subject's vehicle.

WHD-22: The stop consisted of a two-person unit conducting a vehicle stop for making an unsafe turn and with expired registration. The SACR entry did not include the search of the subject or the subject's vehicle. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD duration was one minute, however, the BSD duration based on the auditor's review of BWC recordings was 19 minutes.

WHD-26: The stop consisted of a two-person unit conducting a stop of a subject on a bicycle without proper lighting equipment, during hours of darkness. The reasons for contact in the SACR entry and MDC clearance narrative did not match. The SACR entry indicated possession of a concealed dirk or dagger, violation 21310 PC. The MDC clearance documented riding a bicycle without proper lighting equipment, during hours of darkness, violation 21201(d) CVC.

WHD-28: The stop consisted of a two-person unit conducting a vehicle stop for driving without lights during hours of darkness. The reason for the stop did not match. The BWC recordings indicated that the reason for the stop was driving without lights during hours of darkness, violation 24250 CVC. The SACR entry and MDC clearance indicated tinted windows, violation 26708 CVC, as the reason for the stop.

WHD-29: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. The SACR entry did not include the search of the subject or the subject's vehicle.

WHD-30: Auditors were not able to locate a SACR entry for this incident

WHD-32: The stop consisted of a two-person unit conducting a stop on a vehicle. The Department members did not advise the subject of the reason for the stop; therefore auditors were not able to confirm the reason for the stop. Based on the SACR entry and MDC clearance narrative, the subject was stopped for tinted windows.

WHD-42: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The BWC recordings indicated the subject was stopped for expired registration, violation 4000(a)(1) CVC. The MDC clearance narrative along with the SACR entry indicated subject was stopped for expired license plate tabs, violation 5204(A) CVC.

WHD-44: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the stop on the BWC recordings and MDC clearance narrative was expired registration, violation 4000(a)(1) CVC. The reason for the stop in the SACR entry was expiration of license plate tabs, violation 5204(a) CVC.

WHD-45: The stop consisted of a two-person unit conducting a vehicle stop for an altered license plate, violation 5201.1(c) CVC. The SACR entry did not include the search of one of the subjects (female passenger) along with the search of the vehicle. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD was 30 minutes, however, the BSD duration based on the auditor's review of BWC recordings was 11 minutes.

WHD-46: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the stop on the BWC recordings was expired registration, violation 4000(a)(1) CVC. The reason for the stop in the SACR entry and MDC clearance narrative was expiration of license plate tabs, violation 5204(a) CVC.

WHD-47: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the stop on the BWC recordings was expired registration, violation 4000(a)(1) CVC. The reason for the stop in the SACR entry was expiration of license plate tabs, violation 5204(a) CVC.

WHD-48: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for the stop on BWC recordings was expired registration, violation 4000(a)(1) CVC. The reason for the stop in the SACR entry was expiration of license plate tabs, violation 5204(a) CVC.

WHD-50: The stop consisted of a one-person unit conducting a vehicle stop for expired registration and failure to operate headlights as required. The SACR entry did not include the search of the subject's property (vehicle).

WHD-51: The stop consisted of a two-person unit conducting a stop of a subject riding a bicycle. According to the SACR entry, the Department members contacted the subject for riding a bicycle without proper lighting equipment, during hours of darkness. The reason for the search in the MDC clearance along with SACR entry did not correspond with the BWC recordings. The MDC clearance narrative and SACR entry indicated a consent search of the subject, however the BWC recordings depicted a contraband search.

WHD-52: The stop consisted of a two-person unit conducting a stop of a subject for riding a bicycle without proper lighting equipment, during hours of darkness. The SACR entry did not include the search of the subject along with the BSD of the subject.

WHD-53: The stop consisted of a two-person unit conducting a stop of a vehicle with expired registration. The SACR entry did not include the search of the subject along with the BSD of the subject.

WHD-57: The stop consisted of a two-person unit conducting a pedestrian stop, for a subject loitering after business hours. The reason for contact (consensual encounter) in the SACR entry did not correspond to the BWC recordings, which indicated the reason for contact was loitering after business hours. Additionally, the search of the subject's property (backpack) was not documented in the SACR entry.

WHD-58: The Stop consisted of a one-person unit conducting a stop of a vehicle with expired registration. The SACR entry did not include the search of the subject along with the search of the subject's vehicle. Additionally, the BSD of the subject and time was not included as well. The BSD time in the MDC did not correspond with the time in the BWC recordings. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD duration was 25 minutes, however, based on the auditor's review of BWC recordings the BSD duration was 50 minutes.

WHD-59: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for contact documented in the SACR entry did not correspond with the BWC recordings. While the SACR entry indicated a consensual encounter, the BWC recording depicted the subject was detained based on an out-of-county warrant.

WHD-60: The stop consisted of a one-person unit conducting a vehicle stop for speeding. The SACR entry indicated the search of the vehicle was based on consent. The Department member did not obtain consent to search the vehicle. The BWC recording depicted the search was based on the subject's statement that he possessed two firearms in the vehicle.

WHD-61: The stop consisted of a two-person unit conducting a pedestrian stop, for a subject looking inside a parked vehicle at night. The reason for contact (consensual encounter) in the SACR entry did not correspond to the BWC recordings. Per the BWC recordings the reason for contact was possible vehicle burglary investigation. The MDC clearance narrative indicated the subject was seen looking into a parked vehicle. Additionally, the result of contact in SACR entry (no action) does not correspond with the BWC recording (warned and advised).

WHD-62: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The SACR entry did not include the search of the subject or the search of the subject's vehicle.

WHD-63: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. Only two of the four subjects detained, as seen in the BWC recordings, were documented in the SACR entry and MDC clearance. Additionally, the probation search of one of the subjects was not documented correctly, the SACR entry listed it as a weapons pat down search. The duration of contact documented in the SACR entry also did not correspond with the BWC recordings.

WHD-64: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The reason for contact corresponded with the BWC recordings. However, both Department members deactivated their BWCs before the subject was released from the back seat of the patrol vehicle, which prevented the auditors from determining the correct disposition of the detention. The MDC clearance narrative and SACR entry indicated the subject was warned and advised for the expired registration, but the BWC recordings indicated the subject was informed he would be cited for being an unlicensed driver. Additionally, the auditors were unable to accurately determine the duration of the BSD.

WHD-65: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. The SACR entry did not include the search of the subject or the search of the subject's vehicle.

WHD-66: The stop consisted of a two-person unit conducting a pedestrian stop related to an arson investigation. While the reason for contact was consistent with the BWC recordings, both Department members deactivated their BWC before the subject was released from the back seat of the patrol vehicle. As a result, the auditors were unable to determine the correct disposition of the detention. The SACR entry indicates the subject along with his property were search based on consent field. However, the BWC recordings did not confirm that consent was obtained. Additionally, the auditors were not able to determine the duration of the BSD.

WHD-69: The stop consisted of a two-person unit conducting a pedestrian stop. As both Department members activated their BWCs late, the auditors were unable to determine the reason for the initial contact. The MDC clearance indicated the subject was contacted for an under the influence investigation (11550 HS), while the SACR entry indicated the encounter was consensual. Additionally, the SACR entry did not include the weapons pat down search of the subject.

WHD-70: The stop consisted of a two-person unit conducting a vehicle stop with no lights on, during hours of darkness. The SACR entry did not include the consent search of the subject. Additionally, the BSD time documented in the SACR entry and MDC clearance did not correspond with the BWC recordings. The documented BSD duration in the MDC clearance did not correspond with BWC recordings. The MDC clearance indicated the BSD duration was 30 minutes, however, based on the auditor's review of BWC recordings the BSD duration was six minutes.

WHD-72: The stop consisted of a two-person unit conducting a traffic stop on a vehicle with a broken taillight. The SACR entry did not include the consent search of the subject.

WHD-74: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The female passenger was not documented in either the SACR entry or the MDC clearance. Additionally, the consent search of the driver and the weapons pat down search of the female passenger were not documented in the SACR entry.

WHD-76: The stop consisted of a two-person unit conducting a vehicle stop based on a warrant return associated with the vehicle's license plate. The SACR entry did not include the consent search of the subject's vehicle.

WHD-77: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The driver, front male passenger, and rear female passenger were not documented in the SCAR entry. Additionally, the SACR entry did not include the weapons pat down searches of the two male occupants.

WHD-78: The stop consisted of a one-person unit conducting a pedestrian stop. The SACR entry indicated the subject was contacted based on prior knowledge of active probation or parole status. However, due to late BWC activation, the auditors were unable to verify the reason for contact.

WHD-83: The stop consisted of a two-person unit conducting a pedestrian stop. Since the Department members had late BWC activations, the auditors were not able to verify the reason for contact. The MDC narrative indicated the reason for contact was for a probation search and the SACR entry indicated the contact was a consensual encounter.

WHD-84: The stop consisted of a one-person unit conducting a traffic stop on a vehicle obstructing traffic. The SACR entry indicated the search of subject was a weapons pat down. However, the BWC recording and MDC clearance indicated the subject was searched after disclosing active parole status. Therefore, the search should have been classified as a probation or parole search.

WHD-85: The stop consisted of a two-person unit conducting a pedestrian stop for an open container violation. There were inconsistencies between the SACR entry, BWC recording, and MDC clearance. The SACR entry indicated the subject was contacted for drinking in public, violation 647f PC. While the MDC clearance and BWC recordings indicated the reason was an open container violation 25620A B&P.

WHD-86: The stop consisted of a one-person unit conducting a vehicle stop for tinted windows. The SACR entry and MDC clearance did not include the front passenger, who was also detained during the traffic stop.

Recommendations

It is recommended Department supervisors regularly brief the MPP stipulation directing the Department members to ensure the stop data that is documented in the MDC clearance and SACR entry is accurate and corresponds with what was depicted in the BWC recordings. The accuracy of the stop date in SACR is paramount given the legal obligation the Department has for accurate recording of all stops activity.

CONCLUSION

Auditors evaluated several Stops and Detentions from WHD, when Department members demonstrated positive interactions with community members even though the subjects were detained as a part of a pedestrian or traffic stop. The Department members were courteous and professional in their actions with the subjects.

However, Department members must be mindful and properly activate and deactivate their BWCs. Late activation and early deactivation of the BWC during enforcement or investigative contacts, limits oversight and hinders the ability to assess the legality of stops. This may also increase the risk of allegations, unlawful activities, and loss of valuable evidence. In addition, Department members should always advise the subject(s) of the reason for the stop prior to engaging them in questioning related to a criminal investigation or a traffic violation unless the Department member reasonably believes withholding the reason for the stop is necessary to protect life or property from imminent threat.

Auditors noted stops and detentions in which Department members documented relevant detention information, but in several cases, critical details were missing from their MDC clearance narratives along with the SACR entries. These instances of incomplete or inaccurate documentation increase the risk that Department members' records may be unreliable. The evidence collected during this audit strongly suggests WHD must be mindful of areas for improvement in compliance with Department policies. When Department policies and procedures are not adhered to, it results in increased risk or an inability to be compliant.

SUMMARY OF RECOMMENDATIONS

The purpose of this report is to evaluate the progress of the WHD Department members as it relates to the objectives. It also provides recommendations aimed at reducing risk for the Department and most importantly, improving communication and trust within the community.

Objective No. 1 – Initiating Stops and Detentions

- (a) **Proper Activation of Body-Worn Camera:** It is recommended the Department amend the current BWC policy (MPP 3-06/200.08, Body Worn Cameras – Activation), enabling patrol station supervisors to conduct routine audits of BWC recordings. This revision is proposed to ensure Department members are following Department policy. It is imperative for Department members 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, WHD supervisors should consider creating corrective action plans to address Department members 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) **Stating the Reason for the Stop (AB2773):** It is recommended WHD supervisors regularly brief Department members on CA-AB 2773 (effective January 1, 2024) and document it in the Stations' Watch Commander's Log. During the Daily Stop Audits, WHD supervisors must check to ensure the Department members are stating the reason for the stop. If a stop and detention is dynamic at the initiation of a stop, it is important to provide the subjects with the reason for the stop when the situation has de-escalated. Department members must be reminded that the reason for the stop needs to be stated prior to engaging in questioning related to a criminal investigation or traffic violation. Department members who repeatedly fail to comply should be held accountable through verbal counseling and/or appropriate written documentation as applicable.

WHD must develop and implement a log to ensure the Watch Commander and Watch Sergeants conduct the Daily Stops Audit as directed by the Assistant Sheriff of Patrol Operations. The log will provide a tool for supervisors to reference if written corrective action is needed. This will ensure their audits are conducted consistently by maintaining a detailed log and promptly addressing any issues. Additionally, the log provides a record for review and analysis over time.

- (c) **Completeness of BWC Recordings:** It is recommended Department members make a concerted effort to consistently keep their BWC activated during a stop and detention from beginning to end. WHD Department members must be reminded to narrate the reason why they need to deactivate their BWC at any point during the stop and detention. WHD supervisors should continue to conduct practical application exercises to ensure Department members understand the proper procedures for activating and deactivating their BWCs. Supervisors must include training on the guidelines for deactivating BWCs as well. The MPP 3-06/200.18 – Body Worn Camera Recording Exceptions clearly outlines the three exceptions when Department members are allowed to deactivate their cameras. Supervisors must instill in the Department members the importance of transparency and how the completeness of BWC recordings can mitigate risk for both the Department and its members.

During the Daily Stop Audits, station supervisors must check to ensure the completeness of Department members' BWC recordings. Department members who demonstrate a pattern of noncompliance must be held accountable through verbal counseling and/or appropriate written documentation as applicable.

Objective No. 2 – Consent Searches

- (a) **Consent Search Reasonableness (Person Searches):** It is recommended WHD conduct recurrent documented briefings to reinforce the importance requesting consent of searches if needed. The briefings should also emphasize that requests must not be phrased in a leading manner where the subjects might feel coerced into consenting with the request. Furthermore, Department members should be reminded of phrasing consent requests in a simple and clear manner to ensure the subject fully understands the request. These briefings shall be documented in an APIS roster.
- (b) **Consent Search MDC Documentation (Person Searches):** It is recommended WHD implement a training program which emphasizes the importance of accurate documentation of consent searches. The training should focus on articulating clear and consistent documentation in the MDC log clearance, to include providing detailed reasons in the narrative section for seeking consent, utilizing the correct search codes, and ensuring documentation is consistent with their BWC recording. This training should be documented in either an APIS roster or acknowledgment of training form.

- (d) **Consent Search MDC Documentation (Person Searches):** It is recommended WHD implement a training program which emphasizes the importance of accurate documentation of consent searches. The training should focus on articulating clear and consistent documentation in the MDC log clearance, to include providing detailed reasons in the narrative section for seeking consent, utilizing the correct search codes, and ensuring documentation is consistent with their BWC recording. This training should be documented in either an APIS roster or acknowledgment of training form.

Objective No. 3 – Probation or Parole Searches

- (a) **Knowledge of Probation or Parole Search Conditions:** It is recommended WHD supervisors brief Department members on the MPP policies regarding search procedures for probationers and parolees. These briefings should specifically address the verification of probation or parole search conditions prior to conducting a search and the proper articulation of the Department members procedures for obtaining that knowledge in the required documentation.
- (b) **Probation or Parole Search MDC Documentation:** It is recommended WHD implement a training program which emphasizes the importance of accurate documentation of probation or parole searches. The training should focus on consistent documentation in the MDC log clearance, to include utilizing the correct search codes, and ensuring documentation is consistent with their BWC recording. This training should be documented in either an APIS roster or acknowledgment of training form.

Objective No. 4 – Backseat Detentions

- (a) **Explanation of Backseat Detentions to Subjects:** It is recommended the Department implement an MDC/CAD and Sheriff's Automated Contact Report system (SACR) function requiring Department members to digitally attest that they have explained to subjects the reason for placing them in the back seat of the patrol vehicle. This procedure is also stipulated in the Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions.

Furthermore, WHD management must brief Department members that backseat detentions should only be used when necessary and fully justified, not as a matter of course. The briefings should include scenarios in which the use of BSDs would be appropriate, such as flight risk, officer safety, weather conditions, or the subject's desire for privacy or personal safety. Alternatively, scenarios when BSDs would be inappropriate, such as routine investigative practice, should also be addressed.

- (b) **MDC Documentation of Backseat Detentions:** During the review, auditors found the compliance percentages for this objective to be extremely low. This indicates a significant lack of awareness among Department members at WHD regarding the MPP stipulation requiring them to document a clear and factual reason for BSDs in the MDC narrative, consistent with officer safety concerns, or escape risk.

It is recommended WHD supervisors frequently and thoroughly brief Department members on the BSD policy. These briefings should reinforce the MPP requirements, emphasizing the need to document the factual justification for BSDs in the MDC narrative. This justification must align with officer safety concerns or the subject's perceived escape risk, as mandated by policy.

Objective No. 5 – Mobile Digital Computer and Sheriff Automatic Contact Reporting

- (a) **Documentation of Reason for Contact in the MDC Narrative:** It is recommended Department supervisors regularly brief the MPP stipulation directing the Department members to properly document the reason for the stop along with a brief description of the action taken by the Department member in the MDC clearance narrative
- (b) **Accuracy of Stops and Detentions Data:** It is recommended Department supervisors regularly brief the MPP stipulation directing the Department members to ensure the stop data documented in the MDC clearance and SACR entry is accurate and corresponds with what was depicted in the BWC recordings. The accuracy of the stop date in SACR is paramount given the legal obligation the Department has for accurate recording of all stops activity.

DEPARTMENT APPLICATIONS

- Computer Aided Dispatch (CAD) System Services
- Department's Digital Evidence Management System
- Mobile Digital Computer (MDC)
- Regional Allocation of Police Services (RAPSNET)
- Sheriff's Automated Contact Reporting (SACR) System

REFERENCES

- Manual of Policy and Procedures Sections
 - 3-06/200.08 – Body Worn Cameras – Activation (August 2020)
 - 3-06/200.13 – Recording of the Entire Contact (August 2020)
 - 3-06/200.18 – Body-Worn Camera Recording Exceptions (August 2020)
 - 5-09/520.05 – Stops, Seizures, and Searches (May 2017)
 - 5-09/520.10 – Backseat Detentions (July 2018)
 - 5-09/520.25 – Logging Field Activities (May 2017)
 - 5-09/520.30 – Statistical Codes for Traffic, Pedestrian, and Bicycle Stops (March 2015)
- Field Operations Support Services Newsletter:
 - 23-06 – Stating and Documenting the Reason for the Stop (December 2023)

Views of Responsible Officials

On July 8, 2025, the AAB presented the findings to the WHD command staff. The AAB presented the final audit report to the Division Director, Office of Constitutional Policing.



10/03/2025

GEOFFREY N. CHADWICK

DATE

Captain

Audit and Accountability Bureau

Los Angeles County Sheriff's Department