



ROBERT G. LUNA, SHERIFF

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Stops and Detentions Audit

Malibu/Lost Hills Station

North Patrol Division

Project No. 2025-23-A

Prepared By:

Audit and Accountability Bureau



2025

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

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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 Malibu/Lost Hills Sheriff's Station (LHS) 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 LHS community.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objective of this audit was to determine whether LHS 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 LHS. 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 LHS 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 LHS 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 Sample

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 LHS Stops and Detentions was obtained from the Data Systems Bureau for the audit period, resulting in a total of 3,057 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 51 stops and detentions. Given the minimal size of the resulting population, auditors evaluated the entire audit population.

The table below summarizes the audit population of stops and detentions for LHS 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	12	32	7	51 ¹⁰
Audit Sample	12	32	7	51

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.

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.

¹⁰ The population consisted of 58 stops and detentions but seven were duplicates as they were categorized under more than one search or detention code. As a result, 51 stops and detentions were reviewed.

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 LHS.

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>	87%
1(b)	<i>Stating the Reason for the Stop (CA-AB 2773)</i>	82%
1(c)	<i>Completeness of Body-Worn Camera Recordings</i>	99%
2	CONSENT SEARCHES	
2(a)	<i>Consent Search Reasonableness (Person Searches)</i>	100%
2(b)	<i>Consent Search MDC-Documentation (Person Searches)</i>	50%
2(c)	<i>Consent Search Reasonableness (Vehicle Searches)</i>	100%
2(d)	<i>Consent Search MDC-Documentation (Vehicle Searches)</i>	53%
3	PROBATION OR PAROLE SEARCHES	
3(a)	<i>Knowledge of Probation or Parole Search Conditions</i>	56%
3(b)	<i>Probation or Parole Search MDC-Documentation</i>	42%
4	BACKSEAT DETENTIONS	
4(a)	<i>Explanation of Backseat Detentions to Subjects</i>	5%
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>	71%
5(b)	<i>Accuracy of Stop and Detentions Data</i>	8%

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 LHS 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 51 stops and detentions for LHS and identified 94 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.

Four Department members who were within the first 90-days of completing the BWC training each had a late BWC activation. All four were excluded from this objective because the Department members were 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 90 of the 94 BWC recordings.

Findings

Seventy-eight (87%) of the 90 BWC activations reviewed 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 12 (13%) BWC activations did not meet the criteria for this objective, because the Department members did not activate their BWCs prior to initiating, or upon arrival at the enforcement or investigative contact involving a member of the public.

The table below demonstrates the 12 late activations by Department members in 10 second increments.

BWC Late Activations – Time Duration Breakdown

Time Duration (Seconds)	Number of Activations
1-10	8
11-20	0
21-30	1
31-40	0
41-50	0
51-60	1
61 and above	2
Total	12

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, LHS 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 51 stops and detentions for LHS. 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

Forty-two (82%) of the 51 stops and detentions reviewed for LHS 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 nine (18%) did not meet the criteria for this objective. In six of these instances, the Department members engaged in questioning the subjects before providing the reason for the stop and detention. For the remaining three stops and detentions, the Department members did not advise the subjects of the reason for the contact at all.

Specifically:

LHS-1¹¹: The stop consisted of a two-person unit conducting a vehicle stop for open alcoholic beverage containers. For three of the four subjects detained, the Department member did not advise the subjects of the reason for the stop until after the subjects questioned the Department member as to why they were being detained. The remaining subject was not advised of the reason for the stop until after being placed in the back seat of the patrol vehicle.

¹¹ LHS refers to Lost Hills Station and the number corresponds to the selected sample within the audit population.

LHS-4: The stop consisted of a two-person unit conducting a pedestrian stop for a welfare check of the subject walking on the roadway at night. Upon contact with the subject, the Department member questioned the subject as to why he was walking on the roadway. 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.

LHS-5: The stop consisted of a two-person unit conducting a pedestrian stop for possession of an open alcoholic container in public. The Department member advised the subject of the reason for the stop after conducting a pat-down search and questioning the subject about the open alcoholic container.

LHS-6: The stop consisted of a two-person unit conducting a pedestrian stop for unlawful lodging or squatting. The Department members did not advise the subject of the reason for the stop.

LHS-14: The stop consisted of a two-person unit conducting a pedestrian stop for a subject jaywalking on the road at night. Upon approaching the subject, the Department member questioned the subject about whether he was walking in the middle of the street. 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.

LHS-17: The stop consisted of a two-person unit conducting a vehicle stop for illegal parking. Upon contact, the Department member requested the driver's license from the subject driving the vehicle. The subject stated he did not have the physical driver's license on him but stated he could provide the driver's license number. The Department member informed the subject he was required to provide a form of identification and then stated the reason for the stop.

LHS-29: The stop consisted of a one-person unit conducting a pedestrian stop for a subject matching the description of a burglary suspect. The Department member activated his BWC recording after contact with the detained subject. The BWC recordings of the assisting Department members from a two-person unit, present at the scene, were also activated shortly after the initial contact with the subject. As a result, the auditors could not determine if the subject was initially provided the reason for the stop. However, based on the auditors' review of BWC recordings, one of the assisting Department members advised the subject of the reason for the stop after conducting a pat-down of the subject and being shown a picture of the subject's driver's license.

LHS-30: The stop consisted of a one-person unit conducting a vehicle stop for a burglary investigation. Shortly after approaching the subject, the Department member questioned the subject regarding the missing license plates, weapons, vehicle occupants, prior arrests, and probation or parole status. Subsequently, a pat-down of the subject was conducted, he was placed in the back seat of the patrol vehicle, and a query was run via the MDC. The reason for the stop was provided to the subject approximately one minute prior to the end of the stop. The subject was cooperative during the entire contact.

LHS-43: The stop consisted of a one-person unit conducting a pedestrian stop for suspicious activity. Upon contact, the subject informed the Department member he worked in close proximity to the location of the stop in an effort to justify his presence at the location. Subsequently, the Department member obtained the subject's backpack, conducted a pat-down of the subject, detained the subject curbside, searched the backpack, and obtained a form of identification prior to advising the subject of the reason for the stop. The reason was provided to the subject approximately two minutes prior to the end of the stop. The subject was cooperative during the entire contact.

Recommendations

It is recommended LHS 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 Audits¹², LHS 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.

LHS 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.

¹² 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 51 stops and detentions for LHS and identified 94 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.

Findings

Ninety-three (99%) of the 94 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 or, 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 one (1%) BWC recording did not meet the criteria for this objective because the Department member deactivated his BWC prior to the end of the stop and did not reactivate the BWC as required by policy and continue recording. Specifically:

LHS-34: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and no lights on the license plate. A Department member deactivated his BWC prior to the end of the stop while the subjects were still detained. Based on the auditors' review of BWC recordings, the Department member deactivated his BWC approximately 40 minutes prior to the end of the stop and failed to reactivate to continue recording.

Recommendations

While there was a non-compliance issue noted for one stop regarding the Department member reactivating his BWC after deactivating his BWC prior to the end of the stop, the overall assessment of LHS' performance regarding this objective was positive, and no specific recommendation is required.

Objective No. 2 – Consent Searches

This objective included the evaluation of consent searches (person and vehicle searches) conducted by LHS 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 51 stops and detentions for LHS that occurred during the audit period and identified 25 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 25 stops and detentions, auditors determined a total of 33 consent searches occurred. Auditors reviewed each BWC recording for the 25 stops and detentions to determine whether the request to conduct the search was reasonable. For two of the 33 consent searches, consent was granted by the subjects prior to the Department member's request. As a result, they were excluded from this objective. A total of 31 consent searches were reviewed for this objective.

The auditors determined a request to conduct a search to be reasonable if the search was conducted under sound judgement¹³, contained a valid reason(s)¹⁴ 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 Department member.

¹³ Sound judgment is the ability to assess situations and circumstances objectively, using relevant information to make decisions or draw conclusions.

¹⁴ A valid reason is reasonable suspicion to believe the search will produce evidence of a crime.

Findings

All 31 (100%) consent searches that occurred met the criteria because the request to conduct the search was determined to be reasonable.

Recommendations

There are no recommendations because the auditors determined all 31 of the consent search requests were reasonable.

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 51 stops and detentions for LHS that occurred during the audit period and based on the auditors' review of BWC recordings, auditors identified 25 stops and detentions in which 33 consent searches occurred. Additionally, auditors analyzed MDC data entered by Department members during their conducted stops and detentions and identified 33 MDC log entries in which a consent search was documented with the search authority code "C" (Consent Search). The auditors noted 11 additional consent searches identified in the MDC data. Based on the auditors' review of BWC recordings and MDC data entered by Department members during their conducted stops and detentions, the auditors identified a total of 44 consent searches.

Findings

Twenty-two (50%) of the 44 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 22 (50%) did not meet the criteria for this objective.

Auditors reviewed BWC recordings and determined 11 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, for seven consent searches that occurred, an incorrect search authority code was documented in the MDC clearance. In the four remaining consent searches that occurred, no MDC log entry was completed for the corresponding subject searched.

Specifically:

LHS-1: The stop consisted of a two-person unit conducting a vehicle stop for open alcohol beverage containers. All four subjects detained were searched. The Department member conducted a pat-down search of one subject however, the Department members documented the contact with the search authority code "C" (Consent Search). The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-Down).

The Department member requested and obtained consent to search two additional subjects however, the two subjects were not included in the MDC clearance. As a result, the corresponding consent search data for each subject was not documented in the MDC clearance.

LHS-5: The stop consisted of a two-person unit conducting a pedestrian stop for possession of an open alcohol container in public. The detained subject was searched. The Department members documented the contact with the search authority code "C" (Consent Search). Review of BWC recordings indicated the Department member requested consent to search the subject but the subject did not provide a response to the Department member. However, the Department member proceeded to pull out the subject's wallet from his pant pocket.

LHS-6: The stop consisted of a two-person unit conducting a pedestrian stop for unlawful lodging or squatting. The Department member conducted a pat-down search of the detained subject. However, the Department members documented the contact with the search authority code "C" (Consent Search). The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-Down).

LHS-10: The stop consisted of a one-person unit conducting a pedestrian stop for an open alcohol container. Two of the five detained subjects were searched. A weapons pat-down was appropriately conducted for one subject and a consent search was conducted of the remaining subject.

The Department member requested and obtained consent to search the subject. The Department members documented the contact with the search authority code "X" (Other – See Narrative) but did not include any information regarding the consent search in the MDC clearance narrative. The search should have been documented as a consent search using search authority code "C" (Consent Search).

LHS-17: The stop consisted of a two-person unit conducting a vehicle stop for illegal parking. Two subjects were detained. One of the two subjects detained was searched. The Department members documented the contact with the search authority code "C" (Consent Search). However, the Department members did not request or obtain consent from the subject to conduct the search.

LHS-18: The stop consisted of a two-person unit conducting a vehicle stop for no license plates on the vehicle. A consent search was conducted of one of the two subjects detained. The Department members documented the contact with the search authority code "X" (Other – See Narrative). The MDC clearance narrative stated a pat-down search was conducted. However, review of BWC recordings indicated the Department member requested and obtained consent to search the subject. The search should have been documented as a consent search using search authority code "C" (Consent Search).

LHS-24: The stop consisted of a two-person unit conducting a vehicle stop for unsafe lane changes. A consent search was conducted of one of the two subjects detained. The Department member requested and obtained consent from the subject. The subject was not included in the MDC clearance. As a result, the corresponding consent search data was not documented in the MDC clearance. The remaining subject was searched. The Department members documented the contact with the search authority code "C" (Consent Search). However, the Department members did not request or obtain consent from the remaining subject.

LHS-28: The stop consisted of a two-person unit conducting a vehicle stop for not stopping at a red light. Both of the subjects detained were searched. A search incident to arrest was appropriately conducted of one subject. A consent search was conducted of the remaining subject. The Department member requested and obtained consent from the subject. However, the Department members documented the contact with the search authority code "E" (Evidence of Criminal Activity). The search should have been documented as a consent search using search authority code "C" (Consent Search).

LHS-29: The stop consisted of a one-person unit conducting a pedestrian stop for subject matching description of burglary suspect. The Department member conducted a pat-down search of the detained subject however, the Department member documented the contact with the search authority code "C" (Consent Search). The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-Down).

LHS-32: The stop consisted of a two-person unit conducting a vehicle stop for driving at excessive speed. The Department member conducted a pat-down search of the detained subject however, the Department members documented the contact with the search authority code "C" (Consent Search). The search should have been documented as a weapons pat-down search using search authority code "W" (Weapons Pat-Down).

LHS-36: The stop consisted of a two-person unit conducting a vehicle stop for illegal window tint. The detained subject was searched. The Department members documented the contact with the search authority code "C" (Consent Search). However, the Department members did not request or obtain consent from the subject to conduct the search.

LHS-40: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. Both detained subjects were searched. The Department members documented the contact with the search authority code "C" (Consent Search) for one subject however, the Department member did not request or obtain consent from the subject. The Department member requested and obtained consent to conduct a search of the remaining subject. However, the Department members documented the contact with the search authority code "N" (Not Searched). The search should have been documented as a consent search using search authority code "C" (Consent Search).

LHS-43: The stop consisted of a one-person unit conducting a pedestrian stop for suspicious activity. The detained subject was searched. The Department member documented the contact with the search authority code "C" (Consent Search). However, the Department member did not request consent from the subject to conduct the search.

LHS-47: The stop consisted of a two-person unit conducting a vehicle stop for failure to come to a complete stop. A consent search was conducted of one of the two subjects detained. The Department member requested and obtained consent from the subject. However, the Department members documented the contact with the search authority code "N" (Not Searched). The search should have been documented as a consent search using search authority code "C" (Consent Search).

LHS-49: The stop consisted of a two-person unit conducting a vehicle stop for an illegally parked vehicle. Per the MDC clearance, a consent search was conducted of both subjects detained. However, review of BWC recordings indicated a consent search was conducted of one of the two subjects. The Department members did not request consent from the remaining subject. As a result, the Search Authority code was incorrectly documented as, "C" (Consent Search) on the MDC clearance.

LHS-50: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. A search was conducted of one of the two subjects detained. The subject voluntarily gave consent to be searched. However, the Department members documented the contact with the search authority code "N" (Not Searched). The search should have been documented as a consent search using search authority code "C" (Consent Search).

LHS-51: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. All three subjects detained were searched. A probation search was conducted of one subject and a consent search was conducted of the two remaining subjects. For one consent search, the Department member requested and obtained consent from the subject. However, the Department members documented search authority code as, "X" (Other- See Narrative) on the MDC clearance but did not include any information regarding the consent search in the narrative. The search should have been documented as a consent search using search authority code "C" (Consent Search).

For the additional consent search, the Department member requested and obtained consent from the subject and documented the search in the MDC clearance narrative. However, a separate MDC log entry was not completed for this subject. As a result, the corresponding consent search data was not documented in the MDC clearance.

Recommendations

It is recommended LHS 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, 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.

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 51 stops and detentions for LHS that occurred during the audit period. Of these, the auditors identified 17 stops and detentions in which a consent search of a vehicle had occurred. Auditors obtained this data by analyzing MDC data entered 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 individual incident, to identify all consent searches that occurred during the audit period and were classified as "Consent."

Out of the 51 stops and detentions, auditors determined a total of 17 vehicle consent searches occurred. Auditors reviewed each BWC recording for the 17 stops and detentions to determine whether the request to conduct the search was reasonable. For two of the 17 vehicle consent searches, consent was granted by the subjects prior to the Department member's request. As a result, they were excluded from this objective. A total of 15 vehicle consent searches were reviewed for this objective.

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 15 (100%) of the vehicle consent searches that occurred met the criteria for this objective.

Recommendations

There are no recommendations because the auditors determined all 15 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 51 stops and detentions for LHS that occurred during the audit period, and auditors identified 17 stops and detentions in which 17 vehicle consent searches occurred or were documented.

The 17 vehicle consent searches were evaluated to determine whether Department members properly identified each vehicle search conducted and documented the appropriate Search Authority code.

Findings

Nine (53%) of the 17 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 (47%) vehicle consent searches did not meet the criteria due to a lack of documentation in the MDC clearance. Specifically:

LHS-7: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. Upon contact, the Department members determined both subjects detained did not have a driver's license. The Department members escorted the subjects from the vehicle, conducted a search of the subjects, and placed both subjects in the back seat of the patrol vehicle. The Department members requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search was not documented in the MDC clearance. The search authority code was incorrectly documented as, "Not Searched" on the MDC clearance.

LHS-13: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Upon contact, the Department members determined the detained subject did not have a driver's license. The Department member escorted the subject from the vehicle, conducted a search of the subject, and detained the subject curbside. The Department member requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search and the search authority code were not documented in the MDC clearance.

LHS-21: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. Upon contact, the Department members noticed the fresh smell of marijuana. The Department member escorted the detained subject from the vehicle and conducted a search of the subject. The Department member requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search and the search authority code were not documented on the MDC clearance.

LHS-23: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Upon contact, the Department members determined the driver of the vehicle did not have a driver's license. The Department member escorted the subject from the vehicle, conducted a search of the subject, and placed the subject in the back seat of the patrol vehicle. The Department member requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search was not documented in the MDC clearance and the search authority code was incorrectly documented as, "Not Searched" on the MDC clearance.

LHS-24: The stop consisted of a two-person unit conducting a vehicle stop for unsafe lane changes. Upon contact, the Department member requested the vehicle registration. When the driver of the vehicle opened the glove compartment to retrieve the registration, a gun, which was later determined to be a BB gun, was noted by the Department member. The Department member escorted the subject from the vehicle, conducted a search of the subject, and placed the subject in the back seat of the patrol vehicle. The Department member requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search and search authority code were not documented in the MDC clearance.

LHS-26: The call for service consisted of a one-person unit conducting a vehicle stop for possible driving under the influence. Upon contact, the Department members determined the subject did not have a driver's license. The Department member requested the subject to exit the vehicle, conducted a search of the subject, conducted a sobriety test, and detained him curbside. The Department member requested and obtained consent to search the vehicle to determine if there was alcohol in the vehicle. Subsequently, the vehicle was searched. The Search Authority code was documented as, "Other" (see narrative) on the MDC clearance. The Department member documented in the MDC clearance narrative, "Consent to search veh given." However, the search authority code "C" (Consent Search) should have been used.

LHS-32: The stop consisted of a two-person unit conducting a vehicle stop for driving at excessive speed. Upon contact, the Department member questioned the detained subject if he had any guns in the vehicle. The subject informed the Department members he had ammunition in the vehicle but no guns. The Department member requested the subject to exit the vehicle, conducted a search of the subject, and detained him curbside. The Department member requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search and search authority code were not documented in the MDC clearance.

LHS-40: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. Upon contact, the Department member witnessed the driver of the vehicle attempting to conceal something. The Department member escorted the subject from the vehicle, conducted a search of the subject, and placed the subject in the back seat of the patrol vehicle. The Department member requested and obtained consent to search the vehicle. Subsequently, the vehicle was searched, however, the vehicle search was not documented in the MDC clearance, and the search authority code was incorrectly documented as, "Not Searched" on the MDC clearance.

Recommendations

It is recommended LHS 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 LHS 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 51 stops and detentions for LHS that occurred during the audit period. Based on the auditors' review of BWC recordings, the auditors identified 11 stops and detentions in which a probation or parole search had occurred.

Out of the 11 stops and detentions, auditors determined a total of 18 probation or parole searches occurred, consisting of 10 searches of a person and 8 vehicle searches. Auditors reviewed each BWC recording for the 11 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

10 (56%) of the 18 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 eight (44%), did not meet the criteria because Department members did not obtain knowledge of the subjects' search conditions prior to conducting the search.

Specifically:

LHS-3: (Person/Vehicle) The stop consisted of a two-person unit conducting a vehicle stop for a subject being parked in a remote area. Review of BWC recordings indicated a probation search was conducted of the detained subject and the subject's vehicle. The Department member ran a query via the MDC and determined the subject was on active probation for battery. The Department member inquired with dispatch regarding search conditions. Dispatch provided the Department member with the phone number for the Probation Department to obtain the requested information. However, the Department member did not call to verify the search conditions until after conducting a search of the subject and the subject's vehicle. As a result, the Department member conducted the probation search without prior knowledge or confirmation of the search conditions.

LHS-9: (Person) The call for service consisted of a two-person unit conducting a pedestrian stop for possible possession of a firearm. Review of BWC recordings indicated a probation search was conducted of one of the three juvenile subjects detained. The subject advised the Department member he was on probation for assault. Subsequently, the Department member questioned the subject about the search conditions. However, the Department member had started conducting a search of the subject while questioning the subject. As a result, the Department member conducted the probation search without prior knowledge or confirmation of the search conditions.

LHS-31: (Person/Vehicle) The stop consisted of a two-person unit conducting a vehicle stop for riding a bike at night in the street without a light. Review of BWC recordings indicated a probation search was conducted of the detained subject. The Department member ran a query via the MDC and determined the subject was on active probation for narcotics. Subsequently, the Department member conducted a search of the subject and the subject's vehicle. However, the Department member conducted the probation searches without prior knowledge or confirmation of the search conditions.

LHS-38: (Person/Vehicle) The stop consisted of a two-person unit conducting a vehicle stop for not having plates displayed on the vehicle. Review of BWC recordings indicated a probation search was conducted of the detained subject and the subject's vehicle. The Department member ran a query via the MDC and determined the subject was on active probation for burglary. Subsequently, the Department member conducted a search of the subject and the subject's vehicle. However, the Department member conducted the probation search without prior knowledge or confirmation of the search conditions.

LHS-45: (Person) The stop consisted of a one-person unit conducting a vehicle stop for expired plates. Review of BWC recording indicated a probation search was conducted of one of the two subjects detained. The Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on probation for possession of a firearm. Subsequently, the Department member conducted a search of the subject. However, the Department member conducted the probation search without prior knowledge or confirmation of the search conditions.

Recommendations

It is recommended LHS 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 51 stops and detentions for LHS that occurred during the audit period. Based on the auditors' 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, 11 probation or parole searches of a subject(s) and 8 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

Eight (42%) 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 11 (58%) did not meet the criteria for this objective. For nine of the probation or parole searches, the Department members did not use the appropriate search authority code. For the remaining two probation or parole searches, a search authority code was not documented in the corresponding MDC clearance.

Specifically:

LHS-3: (Person/Vehicle) The stop consisted of a two-person unit conducting a vehicle stop for being parked in a remote area. Review of BWC recordings indicated a probation search was conducted of the detained subject and his vehicle. The Department member ran a query via the MDC and determined the subject was on active probation for battery. Subsequently, the Department member conducted a search of the subject. However, the search was incorrectly documented in the MDC clearance with search authority code "X" (Other - See Narrative), and the MDC narrative did not include any information regarding the search. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used. In addition, the Department member conducted a probation search of the subject's vehicle. However, the search was incorrectly documented as "Not Searched" in the MDC clearance. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used.

LHS-9: (Person) The call for service consisted of a two-person unit conducting a pedestrian stop for possible possession of a firearm. Review of BWC recordings indicated a probation search was conducted of one of the three juvenile subjects detained. The subject advised the Department member he was on probation for assault. Subsequently, the Department member conducted a probation search of the subject. However, the search was incorrectly documented as "W" (Weapons Pat-Down) in the MDC clearance. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used.

LHS-31: (Person/Vehicle) The stop consisted of a two-person unit conducting a vehicle stop for riding a bike at night in the street without a light. Review of BWC recordings indicated a probation search was conducted of the detained subject and the subject's vehicle. The Department member ran a query via the MDC and determined the subject was on active probation for narcotics.

Subsequently, the Department members conducted a search of the subject and the subject's vehicle. Both searches were documented in the MDC clearance with search authority code "X" (Other – See Narrative). The Department members documented in the MDC narrative, "Searched RE Narco Probation." However, the appropriate search authority code "R" (Condition of Probation or Parole) was not used.

LHS-34: (Vehicle) This stop consisted of a two-person unit conducting a vehicle stop for expired registration and no lights on the license plate. Review of BWC recordings indicated a vehicle probation search was conducted. The Department member questioned the subject driving the vehicle regarding his probation/parole status. The subject confirmed he was on probation and had search conditions. Subsequently, the Department members conducted a probation search of the subject's vehicle. However, the search was incorrectly documented as "Not Searched" in the MDC clearance. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used.

LHS-44: (Person/Vehicle) This stop consisted of a two-person unit conducting a vehicle stop for expired registration and tinted windows. Review of BWC recordings indicated a parole search was conducted of the driver and the subject's vehicle. The Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on parole for vehicle theft. Subsequently, the Department member conducted a search of the subject. However, the search was incorrectly documented in the MDC clearance with search authority code "C" (Consent Search). Consent to search the subject was not requested or obtained. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used. In addition, the Department members conducted a probation search of the subject's vehicle. However, 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.

LHS-45: (Person) This stop consisted of a one-person unit conducting a vehicle stop for expired plates. Review of BWC recording indicated a probation search was conducted of one of the two subjects detained. The Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on probation for possession of a firearm. Subsequently, the Department member conducted a search of the subject. However, the search was incorrectly documented in the MDC clearance with search authority code "C" (Consent Search). Consent to search the subject was not requested or obtained. The appropriate search authority code "R" (Condition of Probation or Parole) for probation or parole search was not used.

LHS-46: (Person) This stop consisted of a two-person unit conducting a vehicle stop for tinted brake lights. The Department member questioned the driver regarding his probation/parole status and about his driver's license status. The subject confirmed he was not on probation or parole and his driver's license was suspended. The subject was escorted from the vehicle and handcuffed. A pat-down search was conducted of the subject and he was detained curbside. The subject stood up from the curb and refused to sit back down. Due to the subject being uncooperative, the subject was searched and escorted to the back seat of the patrol vehicle. The reason for the search was documented in the MDC narrative. However, the search was incorrectly documented in the MDC clearance with search authority code "R" (Condition of Probation or Parole) since a probation or parole search was not conducted. The appropriate search authority code "X" (Other - See Narrative) was not used.

LHS-48: (Vehicle) This stop consisted of a two-person unit conducting a vehicle stop for an auto transport service vehicle illegally parked on the side of the road. Review of BWC recordings indicated a probation search of the detained subject's vehicle was conducted. The Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on probation and had search conditions. Subsequently, the Department members conducted a probation search of the subject's vehicle. However, 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.

Recommendations

It is recommended LHS 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 recordings, 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 LHS 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 back seat. 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 back seat 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 back seat 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 51 stops and detentions for LHS that occurred during the audit period. Based on the auditors' review of BWC recordings, the auditors identified 34 stops and detentions in which 38 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 identifying the term, "matter of course"¹⁵, 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

Two (5%) of the 38 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 36 (95%) BSDs did not meet the criteria for this objective. In 25 BSDs the Department members did not give the subject(s) a reason for the BSD. For the remaining 11 BSDs, the Department member(s) gave the subject(s) a reason, however, the reason given did not articulate a reasonable belief the subject(s) may pose a threat of physical harm or is an escape risk unless detained in the back seat. In addition, for the instances where the subject was placed in the back seat of the patrol vehicle due to weather conditions, the Department member(s) did not clarify the placement was a courtesy, and the subject was free to exit the patrol vehicle at any time, as required per policy.

Specifically:

LHS-1: The stop consisted of a two-person unit conducting a vehicle stop for open alcohol beverage containers. Two of the four subjects detained were placed in the back seat of a patrol vehicle. However, the Department members did not provide the subjects with a reason for the BSD.

LHS-3: The stop consisted of a two-person unit conducting a vehicle stop for subject being parked in a remote area. The detained subject was placed in the back seat of a patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

¹⁵ 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

LHS-4: The stop consisted of a two-person unit conducting a pedestrian stop for subject walking on the roadway at night. The detained subject was placed in the back seat of a patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-7: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. Both subjects detained were placed in the back seat of a patrol vehicle. For one subject, who was cooperative, the Department member explained he was being placed in the back seat of the patrol vehicle due to traffic. The explanation given to the subject did not meet the criteria for appropriate use of the BSD. For the remaining subject, the Department members did not provide the subject with a reason for the BSD.

LHS-9: The call for service consisted of a two-person unit conducting a pedestrian stop for possible possession of a firearm. One of the three subjects detained was placed in the back seat of a patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-10: The stop consisted of a one-person unit conducting a pedestrian stop for an open alcohol container. Two of the five subjects detained were placed in the back seat of a patrol vehicle. For one subject, the Department member explained he was being placed in the back seat of the patrol vehicle due to littering on the street. The explanation given to the subject did not meet the criteria for appropriate use of the BSD. For the remaining subject, the Department members did not provide the subject with a reason for the BSD.

LHS-11: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Both subjects detained were placed in the back seat of the patrol vehicle and provided a reason for the BSD. For one subject, the Department member explained to the subject he was being placed in the back seat of the patrol vehicle because he did not have a physical driver's license, and the Department member wanted to verify if he had a valid driver's license. For the remaining subject, the Department member explained he was being placed in the back seat of the patrol vehicle due to traffic. Both subjects were cooperative. The explanation given to the subjects did not meet the criteria for appropriate use of the BSD.

LHS-12: The stop consisted of a two-person unit conducting a vehicle stop for speeding and expired registration. The detained subject was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-16: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and inoperative vehicle light equipment. The detained subject was placed in the back seat of the patrol vehicle. The Department member explained to the subject he was being placed in the back seat of the patrol vehicle due to weather conditions.

However, the Department member did not clarify a BSD due to weather conditions was optional per Department policy.

LHS-17: The stop consisted of a two-person unit conducting a vehicle stop for illegal parking. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-18: The stop consisted of a two-person unit conducting a vehicle stop for no license plates on the vehicle. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-20: The stop consisted of a two-person unit conducting a vehicle stop for failure to stop at a stop sign. One of the two subjects detained was placed in the back seat of the vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-22: The stop consisted of a one-person unit conducting a vehicle stop for use of a cellphone while driving. The detained subject was placed in the back seat of the patrol vehicle. However, the Department member did not provide the subject with a reason for the BSD.

LHS-23: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-24: The stop consisted of a two-person unit conducting a vehicle stop for unsafe lane changes. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-25: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. One of the three subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-27: The stop consisted of a two-person unit conducting a vehicle stop for unlawful parking on the side of the road. The detained subject was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-28: The stop consisted of a two-person unit conducting a vehicle stop for failure to stop at a red light. One of the two subjects detained was placed in the back seat of the patrol vehicle. The Department member explained to the subject he was being placed in the back seat of the patrol vehicle because the Department members were going to speak with the other detained subject. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

LHS-30: The stop consisted of a one-person unit conducting a vehicle stop for a burglary investigation. The detained subject was placed in the back seat of the patrol vehicle. However, the Department member did not provide the subject with a reason for the BSD.

LHS-31: The stop consisted of a two-person unit conducting a vehicle stop for riding a bike at night without a light. The detained subject was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-34: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and no lights on the license plate. One of the two subjects detained was placed in the back seat of the patrol vehicle. The Department member explained to the subject he was being placed in the back seat of the patrol vehicle to enable the Department members to escort the other subject from the subject's vehicle and due to weather conditions. The explanation given to the subject did not meet the criteria for appropriate use of the BSD and the Department member did not clarify a BSD due to weather conditions was optional per Department policy.

LHS-35: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-36: The stop consisted of a two-person unit conducting a vehicle stop for illegal window tint. The detained subject was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-38: The stop consisted of a two-person unit conducting a vehicle stop for not having plates displayed on the vehicle. The detained subject was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-40: The stop consisted of a two-person unit conducting a vehicle stop for speeding. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-41: The stop consisted of a one-person unit conducting a vehicle stop for speeding. The detained subject was placed in the back seat of the patrol vehicle. The Department member explained to the subject he was being placed in the back seat of the patrol vehicle due to weather conditions. However, the Department member did not clarify a BSD due to weather conditions was optional per Department policy.

LHS-44: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and tinted windows. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-45: The stop consisted of a one-person unit conducting a vehicle stop for expired plates. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department member did not provide the subject with a reason for the BSD.

LHS-46: The stop consisted of a two-person unit conducting a vehicle stop for tinted brake lights. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-47: The stop consisted of a two-person unit conducting a vehicle stop for failure to come to a complete stop. One of the two subjects detained was placed in the back seat of the patrol vehicle. However, the Department members did not provide the subject with a reason for the BSD.

LHS-48: The stop consisted of a two-person unit conducting a vehicle stop for an auto transport service vehicle illegally parked on the side of the road. The detained subject was placed in the back seat of the patrol vehicle. The Department member explained to the subject he was being placed in the back seat of the patrol vehicle to verify his information. The explanation given to the subject did not meet the criteria for appropriate use of the BSD.

LHS-51: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. One of the three subjects detained was placed in the back seat of the patrol vehicle after a gun, which was later determined to be a BB gun, was discovered in the vehicle during a probation search. Approximately 20 minutes after placing the subject in the back seat of the patrol vehicle, the Department member explained to the subject the reason for the BSD was because a gun was discovered in the vehicle.

Recommendations

LHS 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 in which 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 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 back seat. 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 51 stops and detentions for LHS that occurred during the audit period. Based on the auditors' review of BWC recordings, the auditors identified 34 stops and detentions in which 38 BSDs occurred. Additionally, the auditors analyzed MDC data entered by Department members during the 51 stops and detentions, identifying five MDC log entries where a BSD was documented using contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops). A review of BWC recordings indicated a BSD occurred for each of the five corresponding MDC log entries. As a result, all five are part of the 38 BSDs the auditors identified through BWC recordings.

The auditors evaluated the 38 BSDs identified to determine whether the Department members appropriately identified each subject placed in a BSD and documented the correct contact type code.

Additionally, the auditors determined whether the Department members 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 the subject posed a threat of physical harm or was considered an escape risk.

Findings

None (0%) of the 38 BSDs met the criteria for this objective. Twenty-eight of the BSDs were documented with the incorrect contact type code and the factual justification for the BSD was not articulated in the narrative portion of the Department member's log. For four of the BSDs, a justification for the BSD was not articulated in the narrative portion of the Department member's log. Three of the BSDs were documented with the incorrect contact type code and the justification for the BSD was not based on reasonable or factually supported assertions the subject posed a threat of physical harm or was considered an escape risk. Two of the BSDs were documented with the incorrect contact type code. For the remaining BSD, the justification for the BSD was not based on reasonable or factually supported assertions the subject posed a threat of physical harm or was considered an escape risk.

Specifically:

LHS-1: The stop consisted of a two-person unit conducting a vehicle stop for open alcohol beverage containers. Two of the four subjects detained were placed in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used for both subjects, and a factual justification for the BSDs was not documented in the MDC clearance narrative.

LHS-2: The stop consisted of a two-person unit conducting a pedestrian stop for disorderly conduct, being under the influence of drugs. The detained subject was placed in the back seat of the patrol vehicle. The appropriate contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) for the BSD was documented in the MDC clearance. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

LHS-3: The stop consisted of a two-person unit conducting a vehicle stop for a subject being parked in a remote area. The detained subject was placed in the back seat of the patrol vehicle. Per the MDC clearance narrative, the BSD occurred for the Department members to conduct a probation check of the subject. The justification documented for the BSD was not within Department policy. In addition, the incorrect contact type code "D" (Detainee – Driver) was used. The Department members should have used contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops).

LHS-4: The stop consisted of a two-person unit conducting a pedestrian stop for a subject walking on the roadway at night. The detained subject was placed 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.

LHS-7: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. Both subjects detained were placed in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used for both subjects, and a factual justification for the BSDs was not documented in the MDC clearance narrative.

LHS-8: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. The detained subject was placed 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.

LHS-9: The call for service consisted of a two-person unit conducting a pedestrian stop for possible possession of a firearm. One of the three subjects detained was placed in the back seat of the patrol vehicle. Per the MDC clearance narrative, the BSD occurred because the subject was on probation. The justification documented for the BSD was not within Department policy. In addition, the incorrect contact type code "D" (Detainee – Driver) was used. The Department members should have used contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops).

LHS-10: The stop consisted of a one-person unit conducting a pedestrian stop for open alcohol container. A two-person unit assisted at this stop. Two of the five subjects detained were placed in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used for both subjects, and a factual justification for the BSDs was not documented in the MDC clearance narrative.

LHS-11: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Both subjects detained were placed in the back seat of the patrol vehicle. The incorrect contact type code "D" (Detainee – Driver) was used for both subjects, and a factual justification for the BSDs was not documented in the MDC clearance narrative.

LHS-12: The stop consisted of a two-person unit conducting a vehicle stop for speeding and expired registration. The detained subject was placed 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.

LHS-16: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and inoperative vehicle light equipment. The detained subject was placed 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.

LHS-17: The stop consisted of a two-person unit conducting a vehicle stop for illegal parking. One of the two subjects detained was placed 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.

LHS-18: The stop consisted of a two-person unit conducting a vehicle stop for no license plates on the vehicle. One of the two subjects detained was placed in the back seat of the patrol vehicle. A factual justification for the BSD was documented in the MDC clearance narrative. However, the appropriate contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was not used to document the contact. The Contact Type code was incorrectly documented as, "D- Detainee-Driver" in the MDC clearance.

LHS-20: The stop consisted of a two-person unit conducting a vehicle stop for not stopping at a stop sign. One of the two subjects detained was placed in the back seat of the 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.

LHS-22: The stop consisted of a one-person unit conducting a vehicle stop for the use of a cellphone while driving. The detained subject was placed in the back seat of the patrol vehicle. Per the MDC clearance narrative, the Department member placed the subject in the back seat of the patrol vehicle pending a warrant investigation. The justification documented for the BSD was not within Department policy. In addition, the incorrect contact type code "D" (Detainee – Driver) was used. The Department member should have used contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops).

LHS-23: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. One of the two subjects detained was placed 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.

LHS-24: The stop consisted of a two-person unit conducting a vehicle stop for unsafe lane changes. One of the two subjects detained was placed 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.

LHS-25: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. One of the three subjects detained was placed 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.

LHS-27: The stop consisted of a two-person unit conducting a vehicle stop for unlawful parking on the side of the road. One detained subject was placed 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.

LHS-28: The stop consisted of a two-person unit conducting a vehicle stop for not stopping at a red light. One of the two subjects detained was placed in the back seat of the patrol vehicle. The appropriate Contact Type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) for the BSD was documented in the MDC clearance. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

LHS-30: The stop consisted of a one-person unit conducting a vehicle stop for a burglary investigation. The detained subject was placed in the back seat of the patrol vehicle. The appropriate contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) for the BSD was documented in the MDC clearance. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

LHS-31: The stop consisted of a two-person unit conducting a vehicle stop for riding a bike at night in the street without a light. The detained subject was placed 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.

LHS-34: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and no lights on the license plate. One of the two subjects detained was placed in the back seat of the patrol vehicle. The appropriate contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) for the BSD was documented in the MDC clearance. However, a factual justification for the BSD was not documented in the MDC clearance narrative.

LHS-35: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. One of the two subjects detained was placed 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.

LHS-36: The stop consisted of a two-person unit conducting a vehicle stop for illegal window tint. The detained subject was placed 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.

LHS-38: The stop consisted of a two-person unit conducting a vehicle stop for not having plates displayed on the vehicle. The detained subject was placed 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.

LHS-40: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. One of the two subjects detained was placed 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.

LHS-41: The stop consisted of a one-person unit conducting a vehicle stop for speeding. The detained subject was placed in the back seat of the patrol vehicle. The appropriate contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) for the BSD was documented in the MDC clearance. Per the MDC clearance narrative, the Department member placed the subject in the back seat of the patrol vehicle pending a possible car theft investigation. The justification documented for the BSD was not within Department policy. Review of BWC recording indicated the subject was cooperative during the entire contact, and the Department member explained to the subject he was being placed in the back seat of the patrol vehicle due to the weather conditions, which is not consistent with the MDC narrative.

LHS-44: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and tinted windows. One of the two subjects detained was placed 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.

LHS-45: The stop consisted of a one-person unit conducting a vehicle stop for expired plates. One of the two subjects detained was placed 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.

LHS-46: The stop consisted of a two-person unit conducting a vehicle stop for tinted brake lights. One of the two subjects detained was placed 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.

LHS-47: The stop consisted of a two-person unit conducting a vehicle stop for failure to come to a complete stop. One of the two subjects detained was placed in the back seat of the patrol vehicle. A factual justification for the BSD was documented in the MDC clearance narrative. However, the appropriate contact type code "B" (BSD: Vehicle, Pedestrian, or Bicycle Stops) was not used to document the contact. The contact type code was incorrectly documented as, "D- Detainee-Driver" in the MDC clearance.

LHS-48: The stop consisted of a two-person unit conducting a vehicle stop for an auto transport service vehicle illegally parked on the side of the road. The detained subject was placed 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.

LHS-51: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. One of the three subjects detained was placed 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.

Recommendations

It is recommended LHS 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 LHS 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 51 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 whether 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

Thirty-six (71%) of the 51 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, align with what was documented in the MDC narrative. The remaining 15 (29%) did not meet the criteria for this objective.

In six of the stops and detentions, the reason for the contact and a brief description of the action taken by the Department member were not documented in the MDC clearance narrative. In five of the stops and detentions, the reason for the contact was not documented in the MDC clearance narrative. For the remaining four, a brief description of the action taken by the Department member was not documented in the MDC clearance narrative.

Specifically:

LHS-3: The stop consisted of a two-person unit conducting a vehicle stop for a subject parked in a remote area. The reason for the contact corresponded with the BWC recordings. However, the brief description of the action taken by the Department members were not included in the MDC clearance narrative.

LHS-5: The stop consisted of a two-person unit conducting a pedestrian stop for possession of an open alcohol container in public. The reason for the contact corresponded with the BWC recordings. However, the brief description of the action taken by the Department members were not included in the MDC clearance narrative.

LHS-14: The stop consisted of a two-person unit conducting a pedestrian stop for a subject jaywalking on the road at night. The reason for the contact, along with the brief description of the action taken by the Department members were not included in the MDC clearance narrative. The narrative only included the Uniform Reporting Number (URN).

LHS-25: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. The description of the action taken by the Department members was included in the MDC clearance narrative, corresponded with the BWC recordings. However, the reason for the contact was not included in the MDC clearance narrative.

LHS-30: The stop consisted of a one-person unit conducting a vehicle stop for a burglary investigation. 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.

LHS-33: The stop consisted of a two-person unit conducting a vehicle stop for no lights on the rear license plates. The reason for the contact, along with the brief description of the action taken by the Department members were not included in the MDC clearance narrative. The narrative only included the URN.

LHS-34: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and no lights on the license plate. The description of the action taken by the Department members, as included in the MDC clearance narrative corresponded with the BWC recordings. However, the reason for the contact was not included in the MDC clearance narrative.

LHS-37: 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 were not included in the MDC clearance narrative. The narrative only included the URN.

LHS-42: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and an obstructed plate. The description of the action taken by the Department members as included in the MDC clearance narrative corresponded with the BWC recordings. However, the reason for the contact was not included in the MDC clearance narrative.

LHS-43: The stop consisted of a one-person unit conducting a pedestrian stop for suspicious activity. The description of the action taken by the Department member as included in the MDC clearance narrative corresponded with the BWC recording. However, the reason for the contact was not included in the MDC clearance narrative.

LHS-44: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and tinted windows. The reason for the contact corresponded with the BWC recordings. However, the brief description of the action taken by the Department members were not included in the MDC clearance narrative.

LHS-45: The stop consisted of a one-person unit conducting a vehicle stop for expired plates. The description of the action taken by the Department member as included in the MDC clearance narrative corresponded with the BWC recording. However, the reason for the contact was not included in the MDC clearance narrative.

LHS-49: The stop consisted of a two-person unit conducting a vehicle stop for an illegally parked vehicle. The reason for the contact, along with the brief description of the action taken by the Department members were not included in the MDC clearance narrative. The narrative only included the URN.

LHS-50: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. The description of the action taken by the Department members as included in the MDC clearance narrative corresponded with the BWC recordings. However, the reason for the contact was not included in the MDC clearance narrative.

LHS-51: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. The reason for the contact, along with the brief description of the action taken by the Department members were not included in the MDC clearance narrative. The narrative only included the URN and contact information regarding a third detained subject.

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*¹⁶ (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 51 stops and detentions to determine the type of stop and length of time of all BSDs documented in the MDC clearance and compared them to the corresponding BWC recording to ensure accuracy.

In addition, for the 51 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 to the corresponding BWC recording to ensure accuracy.

Findings

Four (8%) of the 51 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 47 (92%) stops and detentions did not meet the criteria for this objective, because the Department members did not accurately document the stop and detention data reviewed for this objective in the MDC and/or SACR entry.

¹⁶ 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:

LHS-1: The stop consisted of a two-person unit conducting a vehicle stop for open alcohol beverage containers. The Department members questioned three of the four subjects detained regarding their probation/parole status. Consent searches were also conducted of three subjects. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- Asked for consent to search the subject, consent was granted, and the search was conducted.
- Questioned the subjects on their probation/parole status.

LHS-2: The stop consisted of a two-person unit conducting a pedestrian stop for disorderly conduct/under the influence of drugs. Review of BWC recordings indicated a consent search was conducted of the detained subject. In addition, during the contact, the Department member questioned the subject regarding his probation or parole status. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- Asked for consent to search the subject, consent was granted, and the search was conducted.
- Questioned the subject regarding his probation/parole status.

LHS-4: The stop consisted of a two-person unit conducting a pedestrian stop for a subject walking on the road at night. Upon contact, the Department member questioned the detained subject regarding his probation/parole status. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he questioned the subject regarding his probation/parole status.

LHS-5: The stop consisted of a two-person unit conducting a pedestrian stop for possession of an open alcohol container in public. Upon contact, the Department member requested to search the detained subject. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject.

LHS-6: The stop consisted of a two-person unit conducting a pedestrian stop for unlawful lodging or squatting. The Department member conducted a pat-down of the detained subject. Subsequently, the subject was placed in the back seat of the patrol vehicle after determining the subject was under arrest for unlawful squatting. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members incorrectly documented a BSD occurred and the corresponding BSD minutes. BSD minutes were also incorrectly documented in the MDC clearance.

LHS-7: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. A consent search was conducted of both subjects detained and the vehicle. Subsequently, the subjects were placed in the back seat of the patrol vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document the search of the subjects and the vehicle.
- Incorrectly documented the BSD time. The BSD time was also incorrectly documented in the MDC clearance. Review of BWC recordings indicated the subjects were in the back seat of the patrol vehicle for approximately 30 minutes. However, per SACR and the MDC clearance, the BSD time duration was documented at 10 minutes.

LHS-8: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Upon contact, the Department member questioned the detained subject regarding his probation/parole status. In addition, review of BWC recordings indicated a consent search was conducted of the subject. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- Questioned the subject regarding his probation/parole status.
- Asked for consent to search the subject, consent was granted, and the search was conducted.

LHS-9: The call for service consisted of a two-person unit conducting a pedestrian stop for possible possession of a firearm. Searches were conducted of the three subjects detained. A SACR entry was completed for each of the subjects. However, a separate MDC log entry was not completed for two of the three subjects. Review of BWC recordings indicated the Department member conducted a pat-down of the subjects and detained the subjects curbside.

LHS-10: The stop consisted of a one-person unit conducting a pedestrian stop for open alcohol container. A two-person unit assisted at this stop. A separate MDC log and SACR entry was not completed for two of the five subjects detained. The Department member stated to them that they were detained and detained the subjects curbside.

For two of the three remaining subjects, the Department members incorrectly documented the search authority code as, "E" (Evidence of Crime) in the MDC clearance for both subjects. However, the search authority code should have been documented as, "W" (Weapons Pat-Down) for one subject and as, "N" (Not Searched) for the remaining subject.

In addition, for the subject that was not searched, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members incorrectly documented he asked for consent to search the subject, consent was granted, and the search was conducted.

For the remaining subject, a consent search was conducted. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject, consent was granted, and the search was conducted.

LHS-12: The stop consisted of a two-person unit conducting a vehicle stop for speeding and expired registration. Review of BWC recordings indicated a vehicle inventory search was conducted of the detained subject's vehicle. The search authority code for the vehicle search was documented as, "N" (Not Searched). The search should have been documented as an inventory search using search authority code "I" (Inventory Search).

LHS-13: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Review of BWC recordings indicated a consent search was conducted of the detained subject. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject, consent was granted, and the search was conducted.

LHS-14: The stop consisted of a two-person unit conducting a pedestrian stop for a subject jaywalking on the road at night. Upon contact, the Department member questioned the detained subject regarding his probation/parole status, and the subject stated he was not. Subsequently, the Department member conducted a consent search of the subject. During the search, narcotic paraphernalia were discovered on the subject. The subject was placed in the back seat of the vehicle and ultimately was arrested. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document he questioned the subject regarding his probation/parole status.
- Incorrectly documented consent was granted to search the subject's property.
- Incorrectly documented a BSD occurred and the corresponding BSD minutes.

LHS-15: The stop consisted of a two-person unit conducting a vehicle stop for being illegally parked and blocking an intersection. Upon contact, the Department member questioned the detained subject regarding his probation/parole status, and the subject stated he was not. Subsequently, the Department member conducted a pat-down on the subject and detained him curbside. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document he questioned the subject regarding his probation/parole status.
- Incorrectly documented he asked for consent to search the subject and consent was granted.
- Incorrectly documented a BSD occurred and the corresponding BSD minutes. BSD minutes were also incorrectly documented in the MDC clearance.

LHS-16: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and inoperative vehicle light equipment. Review of BWC recordings indicated a consent search was conducted of the detained subject. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject, consent was granted, and the search was conducted.

LHS-17: The stop consisted of a two-person unit conducting a vehicle stop for illegal parking. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member ran a query via the MDC of the subject and detained the subject curbside.

For the remaining subject, the Department member questioned the subject regarding his probation/parole status. The subject stated he was not on probation or parole. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he questioned the subject on his probation/parole status.

LHS-18: The stop consisted of a two-person unit conducting a vehicle stop for no license plates on the vehicle. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member ran a query via the MDC of the subject and detained the subject curbside.

For the remaining subject, the Department member conducted a consent search of the subject and his jacket. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- Requested consent to search the subject, the subject granted consent, and the search was conducted.
- A search was conducted of the subject's property.

LHS-20: The stop consisted of a two-person unit conducting a vehicle stop for not stopping at a stop sign. Under the Actions Taken Non-Force by Deputy during Contact section of the SACR for both subjects detained, the Department member documented he questioned both subjects regarding their probation/parole status. However, review of BWC recordings indicated the Department members did not question the subjects regarding their probation/parole status.

LHS-21: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. Review of BWC recordings indicated a consent search was conducted of the detained subject's vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document a search was conducted of the subject's property.

LHS-22: The stop consisted of a one-person unit conducting a vehicle stop for use of cellphone while driving. During the contact, the Department member conducted a search of the detained subject and placed the subject in the back seat of the patrol vehicle. The search authority code was documented as "A" (Incident to Arrest). However, the Department member did not determine the stop was going to result in an arrest until after the subject was placed in the back seat of the patrol vehicle and he completed his investigation. As a result, the search authority code was incorrectly documented in the MDC clearance. In addition, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department member incorrectly documented the BSD time which was also incorrectly documented in the MDC clearance. Review of BWC recording indicated the subject was in the back seat of the patrol vehicle for approximately 30 minutes. However, the SACR and the MDC clearance indicated a BSD time duration of 15 minutes.

LHS-23: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. A consent search was conducted of both subjects detained and the vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document search of the subjects was conducted.

LHS-24: The stop consisted of a two-person unit conducting a vehicle stop for unsafe lane changes. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member conducted a consent search of the subject and detained the subject curbside.

For the remaining subject, the Department member conducted a search of the subject and a consent search of the subject's vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- Conducted a search of the subject.
- Asked for consent to search the subject's vehicle, consent was granted, and the search was conducted.

LHS-25: The stop consisted of a two-person unit conducting a vehicle stop for inoperative vehicle light equipment. A separate MDC log and SACR entry was not completed for two of the three subjects detained. Review of BWC recordings indicated the Department member ran a query via the MDC for both subjects, and one subject was searched and cited.

For the remaining subject, during the contact, the Department member questioned the subject regarding his probation/parole status. He also conducted a search of the subject and a consent search of the vehicle. However, the Department members documented the search authority code for the subject as, "N" (Not Searched) on the MDC clearance. In addition, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- A search of the subject was conducted.
- Questioned the subject regarding his probation/parole status.

LHS-26: The call for service consisted of a one-person unit conducting a vehicle stop for possible driving under the influence. Review of BWC recording indicated a pat-down search was conducted of the detained subject. However, the search authority code on the MDC clearance was documented as, "N" (Not Searched). The search authority code should have been documented as, "W" (Weapons Pat-Down).

LHS-27: The stop consisted of a two-person unit conducting a vehicle stop for unlawful parking on the side of the road. Review of BWC recordings indicated a consent search was conducted of the detained subject's vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject's property, consent was granted, and the search was conducted.

LHS-28: The stop consisted of a two-person unit conducting a vehicle stop for not stopping at a red light. For one of the two subjects detained, the Department member conducted a consent search of the subject and a search of the subject's vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document a search of the subject's vehicle was conducted, or he asked for consent to search the subject; consent was granted, and the search was conducted.

For the remaining subject, the Department member noted drug paraphernalia on the subject upon contact. The Department member confirmed the incident to arrest with the other Department member. Subsequently, the subject was placed in the back seat of the patrol vehicle. As a result, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members incorrectly documented a BSD occurred and the corresponding BSD minutes. The subject was under arrest prior to placing the subject in the back seat of the patrol vehicle.

LHS-30: The stop consisted of a one-person unit conducting a vehicle stop for burglary investigation. Review of BWC recording indicated the Department member searched two of the detained subject's backpacks. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department member did not document a search of the subject's property was conducted.

LHS-31: The stop consisted of a two-person unit conducting a vehicle stop for riding a bike at night in the street without a light. The Department member questioned the detained subject regarding his probation/parole status. The subject stated he was not on probation or parole and gave consent to the Department member to search his vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- Questioned the subject regarding his probation/parole status.
- Consent was granted to search the subject's vehicle.

LHS-32: The stop consisted of a two-person unit conducting a vehicle stop for driving at excessive speed. Upon contact, the Department member questioned the detained subject regarding his probation/parole status. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he questioned the subject regarding his probation/parole status.

LHS-33: The stop consisted of a two-person unit conducting a vehicle stop for no lights on rear license plates. A consent search was conducted of both subjects detained and the vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document a search of the subjects and the vehicle were conducted.

LHS-34: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and no lights on the license plate. The Department member questioned both subjects detained regarding their probation/parole status. However, under the Actions Taken Non-Force by Deputy during Contact section of the SACR for both subjects, the Department members did not document he questioned the subjects regarding their probation/parole status.

LHS-35: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member conducted a pat-down on the subject and placed the subject in the back seat of the patrol vehicle.

For the remaining subject, the Department member conducted a consent search and detained him curbside. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document he asked for consent to search the subject, consent was granted, and the search was conducted.
- Incorrectly documented a BSD occurred and the corresponding BSD minutes.

LHS-36: The stop consisted of a two-person unit conducting a vehicle stop for illegal window tint. Under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members documented he requested consent to search the subject and consent was granted. However, review of BWC recordings indicated the Department member conducted a search of the subject but did not ask for consent to search the subject and consent was not granted.

LHS-37: The stop consisted of a two-person unit conducting a vehicle stop for expired registration. Review of BWC recordings indicated the Department member conducted a consent search of the detained subject. An inventory search of the subject's vehicle was also conducted. The vehicle was going to be towed due to expired plates, two outstanding warrants, and no driver's license. During the inventory search, narcotics were found in the subject's vehicle. The subject was placed in the back seat of the patrol vehicle and ultimately was arrested. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document the search of the subject.
- Incorrectly documented a BSD occurred and the corresponding BSD minutes. The subject was under arrest prior to placing the subject in the back seat of the patrol vehicle. BSD minutes were also incorrectly documented in the MDC clearance.

LHS-38: The stop consisted of a two-person unit conducting a vehicle stop for not having plates displayed on the vehicle. Review of BWC recordings indicated a probation search was conducted of the detained subject and the subject's vehicle. The Department member ran a query via the MDC, determined the subject was on active probation for burglary, and questioned the subject regarding his probation status. Subsequently, the Department member conducted a search of the subject and the subject's vehicle based on the subject's probation status. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document he questioned the subject regarding his probation/parole status.
- Incorrectly documented he asked for consent to search the subject and consent was granted.

LHS-39: The stop consisted of a two-person unit conducting a vehicle stop for tinted windows. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member ran a query via the MDC of the subject and detained the subject curbside.

For the remaining subject, the Department member searched the subject. However, the Department members incorrectly documented the search authority code as, "N" (Not Searched) in the MDC clearance. The subject was also placed in the back seat of the patrol vehicle after determining the subject was under arrest for possession of nitrous oxide.

However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members incorrectly documented a BSD occurred and the corresponding BSD minutes. BSD minutes were also incorrectly documented in the MDC clearance.

LHS-40: The stop consisted of a two-person unit conducting a vehicle stop for unsafe speed. For one of the two subjects detained, the Department member conducted a consent search of the subject. Under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject, consent was granted, and the search was conducted.

For the remaining subject, the Department members documented he questioned the subject regarding his probation/parole status under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR. However, review of BWC recordings indicated the Department members did not question the subject regarding his probation/parole status.

LHS-41: The stop consisted of a one-person unit conducting a vehicle stop for speeding. Upon contact, the Department member questioned the detained subject regarding his probation/parole status. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department member did not document he questioned the subject regarding his probation/parole status.

LHS-42: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and an obstructed plate. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member conducted a pat-down of the subject and detained the subject curbside.

For the remaining subject, the Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on probation for firing a weapon into the air and had search conditions. Subsequently, the Department member conducted a search of the subject and the subject's vehicle. During the search, the Department member found drugs and drug paraphernalia on the subject.

The vehicle was also searched. The subject was placed in the back seat of the patrol vehicle and ultimately was arrested. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document he questioned the subject regarding his probation/parole status.
- Did not document the search of the subject and the vehicle.
- Incorrectly documented a BSD occurred and the corresponding BSD minutes. The subject was under arrest prior to placing the subject in the back seat of the patrol vehicle. BSD minutes were also incorrectly documented in the MDC clearance.

LHS-43: The stop consisted of a one-person unit conducting a pedestrian stop for suspicious activity. During the stop, the Department member conducted a pat-down of the detained subject and searched the subject's backpack. Review of BWC recording indicated the Department member did not request consent to search the subject and the subject's backpack. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department member incorrectly documented he asked for consent to search the subject and the subject's backpack.

LHS-44: The stop consisted of a two-person unit conducting a vehicle stop for expired registration and tinted windows. A separate MDC log and SACR entry was not completed for one of the two subjects detained. Review of BWC recordings indicated the Department member conducted a pat-down of the subject and detained the subject curbside.

For the remaining subject, the Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on parole for vehicle theft. Subsequently, the Department member conducted a search of the subject and the subject's vehicle. The subject was also placed in the back seat of the patrol vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- A search of the subject and the vehicle was conducted.
- A BSD occurred and the corresponding BSD minutes.

LHS-45: The stop consisted of a one-person unit conducting a vehicle stop for expired plates. Review of BWC recording indicated a probation search was conducted of one of the two subjects detained. The Department member questioned the subject regarding his probation/parole status. The subject confirmed he was on probation for possession of a firearm.

Subsequently, the Department member conducted a search of the subject. Under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department member incorrectly documented consent was granted to search the subject and did not document that a search of the subject was conducted.

LHS-46: The stop consisted of a two-person unit conducting a vehicle stop for tinted brake lights. A separate MDC log and SACR entry was not completed for one of the two subjects detained. However, the Department member obtained her driver's license information, and the subject was told to remain in the vehicle.

LHS-47: The stop consisted of a two-person unit conducting a vehicle stop for failure to come to a complete stop. However, a separate MDC log and SACR entry was not completed for one of the two subjects detained. The Department member ran a query on the subject via the MDC and the subject remained in the vehicle.

For the remaining subject, the Department member conducted a consent search. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he asked for consent to search the subject, consent was granted, and the search was conducted.

LHS-48: The stop consisted of a two-person unit conducting a vehicle stop for an auto transport service vehicle stopping on the side of the road. Upon contact, the Department member questioned the subject regarding his probation/parole status. The subject stated he was on probation and had search conditions. Subsequently, the Department member conducted a search of the subject and the subject's vehicle, and the subject was placed in the back seat of the patrol vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members:

- Did not document a search of the subject and the subject's property was conducted.
- Incorrectly documented the BSD time. Review of BWC recordings indicated the subject was in the back seat of the patrol vehicle for approximately 55 minutes. However, per SACR, the BSD time duration was documented at 35 minutes.

LHS-49: The stop consisted of a two-person unit conducting a vehicle stop for an illegally parked vehicle. Upon contact, the Department member requested a driver's license from the two subjects detained. However, neither subject had a valid driver's license. Subsequently, the vehicle was towed. Review of BWC recordings indicated an inventory search was conducted of the vehicle. However, the vehicle search authority code was documented as, "N" (Not Searched) in the MDC clearance. The search authority code should have been documented as, "I" (Inventory Search) in the MDC clearance.

For one subject, a consent search was conducted. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document a search of the subject was conducted.

LHS-50: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. For one of the two subjects detained, the Department member questioned the subject regarding his probation/parole status. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document he questioned the subject regarding his probation/parole status.

For the remaining subject, the Department members conducted a consent search of the subject and the subject's vehicle. However, under the Actions Taken Non-Force by Deputy during Contact section of the corresponding SACR, the Department members did not document the following:

- The search of the subject was conducted.
- He asked for consent to search the subject's vehicle, consent was granted, and the search was conducted.

LHS-51: The stop consisted of a two-person unit conducting a vehicle stop for expired plates. Review of BWC recordings indicated a consent search was conducted of two of the three subjects detained. However, under the Actions Taken Non-Force by Deputy during Contact section of the SACR for both subjects, the Department members did not document he asked for consent to search the subject and consent was granted.

Recommendations

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 data 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 LHS where 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 inaccurate or missing from their MDC clearance along with the SACR entries. These instances of incomplete or inaccurate documentation increase the risk Department members' records may be unreliable. The evidence collected during this audit strongly suggests LHS 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 LHS 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 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, LHS 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.
- (b) **Stating the Reason for the Stop (CA-AB 2773):** It is recommended LHS 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 Audits, LHS 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.

LHS 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.

- (c) **Completeness of BWC Recordings:** While there was a non-compliance issue noted for one stop regarding the Department member reactivating his BWC after deactivating his BWC prior to the end of the stop, the overall assessment of LHS' performance regarding this objective was positive, and no specific recommendation is required.

Objective No. 2 – Consent Searches

- (b) **Consent Search MDC-Documentation (Person Searches):** It is recommended LHS 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, 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.
- (d) **Consent Search MDC-Documentation (Vehicle Searches):** It is recommended LHS 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 APIS roster or an acknowledgment of training form.

Objective No. 3 – Probation or Parole Searches

- (a) **Knowledge of Probation or Parole Search Conditions:** It is recommended LHS 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.
- (b) **Probation or Parole Search MDC-Documentation:** It is recommended LHS 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

- (a) **Explanation of Backseat Detentions to Subjects:** LHS 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 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*.

- (b) **MDC-Documentation of Backseat Detentions:** During the review, auditors found the compliance percentages for this objective to be at 0%. This indicates a significant lack of awareness among Department members at LHS 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 LHS 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

- (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, Section:
 - 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 22, 2025, the AAB presented the findings to the LHS 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