



RAMPART
Reconsidered

The Search for Real Reform Seven Years Later

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RESOLUTION

DECLARING THE FORMATION OF THE BLUE RIBBON RAMPART REVIEW PANEL TO ANALYZE THE CAUSES OF AND RESPONSES TO THE RAMPART AREA POLICE CORRUPTION SCANDAL

The 1998 arrest of former Los Angeles Police officer Rafael Perez for stealing cocaine from an LAPD evidence locker resulted in one of the most serious police corruption scandals in American history. As a consequence of Perez's arrest, prosecution, and eventual conviction, the community became aware of allegations of serious criminal acts by police officers assigned to the Rampart Area gang suppression unit as well as other assignments in the Department. The allegations included framing criminal suspects, perjury, falsification of arrest records, and in some instances even shooting citizens without reasonable cause.

As a result, the City, County, and federal governments have been required to devote enormous resources over the past several years in order to investigate the allegations, as well as the underlying conditions which apparently permitted such serious misconduct to occur. Los Angeles Police officers have been prosecuted and convicted of crimes committed in connection with the scandal, and both the District Attorney and the City Attorney's office have found it necessary to seek and obtain the reversal of numerous criminal convictions which were or may have been tainted by serious police officer dishonesty. In addition, the City of Los Angeles has paid out tens of millions of dollars in order to settle lawsuits involving allegations of police misconduct related to the Rampart scandal.

In 1999, then Chief of Police Bernard Parks convened an internal Board of Inquiry, which reported findings and recommendations in March of 2000. Thereafter, this Commission authorized the executive director and the inspector general to organize an Independent Review Panel, which also made findings and recommendations. In addition, partly as a result of Rampart, the United States Department of Justice filed a civil complaint against the City which led to the negotiation of the federal Consent Decree under which the Department is now required to operate.

Both this Commission and Chief Bratton have consistently made clear that we are absolutely committed to the implementation of the federal consent decree and to the institution of any and all reforms necessary to restore the Los Angeles Police Department to its rightful place as the country's most highly respected police department. As part of this continued effort, it remains necessary to obtain a final accounting of the scandal that is both entirely independent of the Department and based on a complete review of the previous investigations and the Department's policies and consultation with all persons having knowledge which may benefit the LAPD as it moves forward.

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**Blueprint for Operations
of the
Blue Ribbon Rampart Review Panel**

November 17, 2003

8 On July 22, 2003, the Board of Police Commissioners (Commission) adopted the attached
9 Resolution declaring the formation of the Blue Ribbon Rampart Review Panel (Panel) to analyze
10 the causes of and responses to the Rampart Area police corruption scandal (Attachment 1). That
Resolution included the following mission statement for the Panel:

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13 “The Panel’s mission is to investigate and review the response by the City and
14 others to the Rampart Area scandal in order to determine the extent to which the
15 underlying causes for the scandal have been identified and addressed. The Panel
16 will make findings regarding the adequacy of the City’s response and will make
17 recommendations for reforms designed to prevent any such event from ever
18 occurring in the future. The Panel’s efforts will result in a report to the Police
19 Commission, which the Commission will make available to the public.”

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21 Neither discipline nor prosecution is the aim of this Panel. Therefore, the Panel is not expected
22 to retrace past investigations of the scandal nor will it investigate any alleged acts of misconduct.
23 Rather, the Panel will focus on the City’s response to determine whether the core causes of the
24 scandal have been identified, the appropriate policies and procedures established to address the
25 issues, and the proper protocols put in place to facilitate various agencies, e.g., LAPD, the
26 District Attorney and federal authorities, in dealing effectively with any similar event that may
27 occur in the future.

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29 The Commission’s Resolution recognized that further action would be required to address issues
30 relating to the Panel’s operation and service by its members. That includes obtaining all
31 necessary approvals from the Mayor, City Council, and other City officials to ensure that the
32 Panel operates in compliance with all City policies and procedures. This report was prepared to
33 identify and resolve those operational issues. Upon approval by the Commission, this document
34 will be forwarded to the Mayor, City Council, and City Attorney for their review and approval,
35 as many of these issues require their final approval on behalf of the City.

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37 1 **Panel Operations.** In fulfilling its mission, the Panel will operate as an extension of the
38 Commission working through the Commission’s Office of the Inspector General. This will
39 ensure that the Panel has full access to the Inspector General’s insight, experience, and
40 authority. That includes access to Department records, full and complete access to
41 Department personnel and the depth of information that has been accumulated by the
42 Office of the Inspector General. While the Panel will use its own judgment regarding the
43 conduct of its inquiry and the content of its report, establishing a close working relationship
44 between the Panel and the Inspector General will ensure that the Panel has ready access to
45 the material and individuals it needs to complete its mission within the confidentiality and
46 privilege restrictions governing the Panel.

THEREFORE, THE BOARD OF POLICE COMMISSIONERS FOR THE CITY OF LOS ANGELES HEREBY ADOPTS THIS RESOLUTION ANNOUNCING THE FORMATION OF THE BLUE RIBBON RAMPART REVIEW PANEL:

The Panel shall be comprised of ten distinguished and highly respected members of the community who will donate their time, knowledge, experience, and efforts in service to the City. Civil rights attorney Constance L. Rice will serve as chairperson. The Panel will act in an advisory role to the Police Commission but is authorized to act wholly independently with respect to its direction of inquiry, opinions, and conclusions.

The Panel's mission is to investigate and review the response by the City and others to the Rampart Area scandal in order to determine the extent to which the underlying causes for the scandal have been identified and addressed. The Panel will make findings regarding the adequacy of the City's response and will make recommendations for reforms designed to prevent any such event from ever occurring in the future. The Panel's efforts will result in a report to the Police Commission, which the Commission will make available to the public.

The Panel will review previous investigations and reports pertaining to the Rampart scandal, and may also conduct interviews both within and without the Department, review LAPD records and policies as necessary, and consult with experts knowledgeable concerning the Department, police corruption and police reform, and a broad range of police practices.

Both this Commission and Chief Bratton are committed to fully cooperating with all aspects of the Panel's operation and with its efforts. In this regard, the Commission will in coming weeks take further actions as necessary to address the legal and procedural issues relating to the operation of the Panel and service by its members, including assuring compliance with all City policies and procedures and the seeking of all necessary actions by the City Council, the Mayor, and any other City officials necessary in order to support this crucial effort.

Finally, the Commission and Chief Bratton further commit that we will seriously and publicly consider any and all conclusions and recommendations brought forth by the Panel and that the Department will adopt and implement all policies and procedures necessary to restore the Department's integrity and its reputation as the premier law enforcement agency in the United States.

1 2. **Confidentiality and Conflict Waiver Agreement.** A Confidentiality and Conflict Waiver
2 Agreement is being drafted and will provide that the information, documents, and other
3 material(s) received by the Panel members and its staff are, and shall remain confidential to
4 the extent they are legally privileged or otherwise unavailable to the public. Once the City
5 Council approves the agreement in connection with its waiver of conflicts, the Panel
6 members and their staff will sign it prior to being given access to any confidential or
7 privileged information. That agreement specifically provides any and all materials,
8 documents, notes or other information obtained from the Department or Commission as
9 well as any information or material gathered, generated or prepared by Panel members or
10 their staff shall remain confidential and be given to and retained by the Office of the
11 Inspector General upon publication of the Panel's final report. The agreement will also
12 contain language addressing future litigation by Panel members, as described in Section 3B
13 below.

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15 3. **Legal Conflicts.**

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17 A. Each member of the Panel has provided a personal statement of legal conflicts with
18 respect to their participation on the Panel and any involvement they may have in
19 litigation involving the City of Los Angeles (Attachment 2). The City Council has sole
20 authority to waive any legal conflict a Panel member may have with the City. The
21 Panel members' conflict statements have been reviewed and it is recommended that the
22 Commission request the City Council waive any conflict that may exist for the Panel
23 members.

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25 B. The Confidentiality and Conflict Waiver Agreement will also include a provision that
26 there is a conflict of interest with the City and its employees in future litigation
27 involving alleged actions or inactions relating to the Rampart scandal or its underlying
28 causes, against any individual police officer whose personnel records the Panel member
29 reviews during the course of the Panel's investigation or any other litigation based upon
30 information obtained during the Panel's work. In future litigation arising from these
31 circumstances, the City, in its discretion, may exercise its right to disqualify Panel
32 members or their firms from that litigation. In other representation contexts by Panel
33 members or their firms against the City or its employees, the City will not seek to
34 disqualify Panel members or their firms solely because of their Panel membership.

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36 4. **Indemnification.** The Commission should request that the City agree to the Panel's
37 request that the City agree to defend, indemnify and hold harmless the Panel members from
38 civil liability in performing services for the Commission and the City to the same extent as
39 that afforded to regular City employees. This indemnification does not apply to any claim
40 for worker's compensation benefits. Volunteer staff members should be encouraged to
41 register with the Mayor's Volunteer Program. All paid staff, consultants, and independent
42 contractors shall abide by the terms specified in the City's Standard Professional Services
43 Agreement.

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45 5. **Legal Representation.** Pursuant to City Charter Section 271(b), the City Attorney will be
46 the Panel's legal advisor.
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6. **Brown Act.** The Panel is governed by the State’s public meeting regulations known as the Brown Act and it shall comply with all of its provisions including agendas, announcement of meetings, and keeping of minutes.
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7. **Subpoena Power.** The Panel expects to conduct its review by interviewing percipient witnesses, reviewing documentary evidence, and consulting with experts in a broad range of fields related to police practices. In general, the panel anticipates receiving broad cooperation during that process. However, should the need for a compelled interview arise, the Panel will work through the Inspector General who will facilitate the use of the Commission’s subpoena power. Pursuant to the Charter, subpoena requests must be made by the Commission President.
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8. **Administrative Immunity.** The Commission has recognized that limited administrative use immunity is an important component of the Panel’s work. The precise language and parameters of that limited use immunity is being finalized and will be submitted for approval upon completion.
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9. **Department Records.** Many records created and maintained by the Department are readily available to the public. The Panel will have full access to those public records and need not return them upon completion of the Panel’s work. However, the Panel shall only access non-public or confidential records through the Office of the Inspector General who shall maintain a log of the Panel’s access to those records. The Panel will not be allowed to remove personnel records including personnel packages and personnel investigations from the Office of the Inspector General. The Panel will not be allowed access to medical records or records maintained by Behavioral Sciences Services without the written approval of the Police Commission President. Upon completion of the Panel’s work, records shall be disposed of in accordance with Section 2 above.
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10. **Publication of Report.** Prior to publication of the Panel’s final report, the Inspector General, Police Department and City Attorney must be given an opportunity to review it solely in order to ensure that any confidential or privileged material is not improperly disclosed.
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11. **Release of Report and Follow-up.** The Panel’s report will be released jointly by the Panel and Police Commission. Following publication of the Panel’s report, the Commission will establish a process that responds to declined recommendations, implements accepted recommendations, and reports publicly on the Department’s implementation progress.
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12. **Financing.** The Board of Police Commissioners will be involved in raising the funds necessary to support the Panel’s work, including cash and in-kind donations. The Commission intends to utilize the Police Foundation to administer the receipt and disbursement of those donated funds. The Commission should request that its staff work with the City Attorney, City Council, Mayor’s Office, City Risk Manager, and other appropriate departments to identify a method of establishing that process consistent with the City’s requirements.

1 13. **Budget.** The following estimated budget has been developed for the Panel which can be
2 achieved through a combination of cash and in-kind services:

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4	\$ 250,000	Investigative Team
5	30,000	Clerical support
6	30,000	Paralegal and writing support
7	25,000	Consultant services
8	22,000	Rent, copying and office supplies
9	<u>10,000</u>	Travel expenses
10	\$367,000	Total
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LOS ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

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INSPECTOR GENERAL

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SUITE 144-150, PARKER CENTER
150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
(213) 485-8861 FAX

December 12, 2003

The Honorable James K. Hahn
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012
Attn: June Lagmay

Dear Mayor Hahn:

REQUESTING APPROVAL OF VARIOUS MATTERS AS IT RELATES TO THE OPERATIONS OF THE BLUE RIBBON RAMPART REVIEW PANEL (PANEL)

At the regular meeting of the Board of Police Commissioners held Tuesday, December 9, 2003, the Board APPROVED the following documents for the Panel:

1. Confidentiality and Conflict Waiver Agreement;
2. Administrative Use Immunity Agreement; and,
3. Staff or Volunteer Acknowledgment of Confidentiality and Conflict of Interest Requirements.

The Board requests that subject to your approval, this matter be forwarded to City Council.

The Board gave its substantive approval for these documents recognizing that they were subject to amendment by the Mayor, City Attorney, and City Council. The Board recognized additional issues relative to the contractual agreement, the flow of funding, and the scope of indemnification for staff supporting the Panel, will need to be resolved prior to the commencement of the Panel's work. These issues would ultimately require approval by the City Council. The Board also recognizes that it will need to amend the Inspector General's "work rules" and that a Department directive will be needed to inform Department employees of the Panel's processes (e.g., document access and employee interviews). However, the amended "work rules" and internal directive cannot be finalized until these documents are approved.

Very truly yours,

BOARD OF POLICE COMMISSIONERS

JULIE VALENZUELA
Commission Executive Assistant II

Enclosures

Mark Burton, Assistant City Attorney

BLUE RIBBON RAMPART REVIEW PANEL
Confidentiality and Conflict Waiver Agreement ("Agreement")

By Resolutions dated June 17, 2003, November 18, 2003, and _____, the Board of Police Commissioners (Commission) appointed members of the Blue Ribbon Rampart Review Panel (Panel), defined its mission, and established a blueprint for its operations. I hereby accept the appointment as a Panel Member and agree to discharge the mission established for the Panel in accordance with the policies, terms, and conditions specified in the Commission resolutions.

In the course of the Panel's work, I will receive confidential oral and written communications and be given access to documents that are confidential and in some cases protected by specific statutory or common law privileges. I recognize that improper disclosure of confidential or privileged communications and documents could jeopardize ongoing criminal investigations, endanger the safety of potential witnesses, and expose the Commission, the City, myself, and others to potential criminal or civil liability.

I also understand that maintaining a degree of confidentiality for interim work product and deliberations of the Panel is important to encouraging the candor, debate and analytical thoroughness essential to completing the Panel's mission. At the same time, the benefits of confidentiality must be balanced with the need for interchange with other persons knowledgeable about the subject matter of the Panel's work, the need to ensure input from the community, the need to instill public confidence in the Panel's processes and conclusions, and the requirements of the Brown Act.

Finally, I understand that my work on the Panel could create existing or future conflicts of interest should either I or my firm be involved in claims or litigation against the City of Los Angeles or any of its agencies or employees. I also understand that the City will defend and indemnify me in connection with any claims or litigation arising out of or connected with the Panel's work. I acknowledge that the undertakings in this Agreement constitute a material consideration for the City's waiver of existing or future conflicts and that willful or grossly negligent breach of this Agreement may affect the scope of such waiver and of the City's indemnification.

Therefore, I acknowledge and agree to the following:

(1) **Definitions.** As used in this Agreement, the term "Materials" includes both oral and written information, whether originals or copies, including but not limited to documents, notes, interviews, audio and video tapes, electronically stored data, or any other information. The term "Confidential Materials" refers to Materials that are designated to be treated as non-public and protected from disclosure or dissemination, in accordance with the terms of this Agreement.

PROTECTING THE CITY'S CONFIDENTIAL MATERIALS

(2) **Determining Confidentiality.** The City, acting through the Commission and its Inspector General and other City Charter authorities, has the exclusive authority to define which Materials provided to the Panel by the City or its current or former employees, volunteers, or contractors constitute Confidential Materials.

(3) **Protecting Confidential Materials.** I agree that all Confidential Materials to which I or my staff is given access shall remain the property of the City. Such Confidential Material shall be used only for the Panel's work and shall not be used for any other purpose. The Panel, through its appointed Chair, will work with the Inspector General to develop procedures concerning access to and handling of Confidential Materials, as well as non-confidential documents. I agree to abide by all such procedures and agree that I will not copy, disseminate, or allow access to any Confidential Materials except as permitted pursuant to the instructions of the Inspector General. I agree to secure any Confidential Materials that I or my staff receive or review during the Panel's work in such a way that unauthorized persons cannot retrieve the information by any means, including but not limited to improperly accessing information by computer, remote terminal, or by any other electronic or non-electronic means.

(4) **Return of Confidential Materials.** Upon the demand of the City, acting through the Commission or its Inspector General, upon the publication of the Panel Report, or upon the conclusion of my service on the Panel (if that occurs prior to publication of the Panel Report), I shall immediately return all Confidential Materials in my possession or control, or in the possession or control of staff or volunteers working under my supervision, to the Office of the Inspector General.

(5) **Psychological/Medical Records.** I will not attempt to obtain, review, or receive copies of the psychological or medical records of any City employee or former City employee for the purpose of carrying out the Panel's work and will take steps to ensure that any staff or volunteers working under my direction do not do so.

(6) **Personal Identity Information.** I agree that neither my staff nor I will use, record, or disclose in any manner, including orally, in writing, or by any electronic means, any personal identifying information, as defined by Penal Code section 530.5(b), to which we have access in connection with the Panel's work, pertaining to any Los Angeles Police Department employee or former employee, other than the person's name, rank, title, and place of employment. I further agree that neither my staff nor I will use, record, or disclose in any manner, including orally, in writing, or by any electronic means, any personal identifying information, as defined by Penal Code section 530.5(b), to which we have access in connection with the Panel's work, pertaining to any person who is not a Department employee or former Department employee but who is associated with or

connected to the Panel's work.

(7) **Criminal and Peace Officer Personnel Records.** The Panel may have access to certain confidential criminal records or other confidential information which is protected by statutes, such as 42 U.S.C. section 3789(g), Penal Code sections 832.7 and 832.8, Penal Code sections 11075 through 11144, Penal Code sections 13301 through 13305, and Vehicle Code section 1808.45. The disclosure or misuse of this information could violate a person's civil rights or otherwise violate the civil or criminal law. I agree not to copy or disseminate such information to any other person or entity and to secure the information or records to prevent unauthorized access..

PROTECTING THE PANEL'S WORK PRODUCT

(8) In addition to Materials provided by the City, the Panel and its staff and volunteers will receive Materials from other agencies and individuals and will be generating Materials, including notes, tapes, interviews, memoranda, and drafts of the Panel Report ("Panel Work Product"). Such Panel Work Product may include information given in confidence or with an expectation of privacy or may itself constitute confidential information entitled to protection pursuant to specific privileges. I agree to take reasonable and appropriate steps to protect the confidentiality and privileges that attach to Panel Work Product. The specific steps to be taken shall be agreed upon among the Panel members and between the Panel and the Inspector General and shall generally be designed to ensure that the Panel's analytical or deliberative notes, notes or tapes of non-public interviews, confidential documents provided by non-City agencies or individuals, and draft sections of the Panel Report are not publicly disseminated.

PANEL RESPONSIBILITIES CONCERNING STAFF AND VOLUNTEERS

(9) **Procedures and Conditions.** In the course of my work as a Panel member, I may use the services of personal staff, staff contracted for by others to support the Panel's work, or volunteers. I acknowledge that it is my responsibility to supervise the work of my personal staff and any staff or volunteers supporting my work with the Panel to ensure that they abide by the confidentiality provisions of this Agreement, the instructions of the Inspector General, and any procedures established for the handling of Panel Work Product. To that end, I will not allow any staff or volunteers access to Confidential Materials, nor allow them to develop or review Panel Work Product, unless and until:

(a) I or another Panel member instructs them concerning the requirements for handling Confidential Materials, as defined in this Agreement, and the instructions of the Inspector General, including requirements not to copy, disseminate, or allow unauthorized access to Confidential Materials, and to return Confidential Materials;

(b) They have been advised in writing of the requirements of 42 U.S.C. section 3789(g), Penal Code sections 832.7 and 832.8, Penal Code sections 11075 through 11144, Penal Code sections 13301 through 13305, and Vehicle Code section 1808.45 and of the penalties for violating the confidentiality requirements;

(c) I or another Panel member has secured a signed Acknowledgment of Confidentiality and Conflict of Interest Requirements, in the form attached hereto; and

(d) I or another Panel member has instructed them concerning the proper handling of Panel Work Product.

(10) **Qualifications of staff and volunteers.** I understand that the City's decision to provide access to Confidential Materials and to entrust the Panel with its mission rests on its expectation that all Panel staff and volunteers who will have any access to Confidential Materials, or to discussions and deliberations based on such Confidential Materials, shall be trustworthy individuals and shall not be involved in any claims or lawsuits against the City, except to the extent that such claims or lawsuits have been identified for the City, and the City has waived all conflicts of interest arising in connection with such claims or lawsuits. I will cooperate with the City and the other Panel members to identify names of staff and volunteers to whom the Panel may give access to Confidential Materials and to determine whether any such individuals have conflicts of interest with the City. I understand that the City may require a background check or other verification of trustworthiness prior to allowing the Panel to give non-Panel members access to Confidential Materials.

CONFLICTS OF INTEREST

(11) I acknowledge that there exists an actual or potential conflict of interest between me and the City and its employees in any future litigation arising from or connected with the Rampart Scandal or its underlying causes, against police officers whose legally protected records I review during the course of the Panel's investigation, and any other litigation arising from or in connection with the Panel's work. I understand and agree that the City may in its discretion exercise its right to disqualify me, my firm, or my staff from participation in any manner in any future claims or litigation arising from or connected with the Panel's work or based upon information derived during the course of the Panel's work, where such claim or litigation is adverse to the City, any City law enforcement officer, or any other current or former City employee. In other contexts involving claims or litigation against the City or its employees, the City will not seek to disqualify me or members of my firm solely because of my Panel membership.

LITIGATION RELATED TO THE PANEL'S WORK

(12) In the event that any litigation arises from or in connection with the Panel's

work, I and my staff shall fully cooperate with the City in its defense of the litigation. Such cooperation shall include but not be limited to fully cooperating with the City concerning any discovery issues which may arise in the course of the litigation and making ourselves readily available to the City as witnesses for the City or to be interviewed by City representatives. In the event that either myself or any member my staff is subpoenaed to testify or produce records in connection with any litigation arising from or in connection with the Panel's work, we shall immediately notify and cooperate with the City's attorneys.

The provisions of this Agreement survive my work on the Panel and shall remain in full force and effect until such time that the City, in its discretion, expressly terminates this agreement. By signing below, I acknowledge that I have read this agreement and that I understand and agree to be bound by its terms in all respects.

DATE: 2003

Print Name:

Signature:

Document No.: 213708
Draft December 5, 2003

ADMINISTRATIVE USE IMMUNITY AGREEMENT

This Agreement is between the City of Los Angeles, through the Los Angeles Police Department, and _____ (Participant). The Agreement is only valid upon signature by the Chair of the Blue Ribbon Rampart Review Panel, the Chief of Police of the Los Angeles Police Department, and the Participant.

The Blue Ribbon Rampart Review Panel has invited the Participant to meet with the Panel for purposes of providing information pertaining to the Rampart scandal. By signing this Agreement, the Chief of Police has agreed to provide the Participant with administrative immunity with respect to such information, as described in this Agreement.

The immunity is limited to use immunity and is applicable only to any admission by the Participant that the Participant failed to report misconduct committed by someone other than the Participant. (See LAPD Manual sections 1/210.46 and 3/815.05.) Pursuant to this grant of use immunity, the Department will not use any such admission, or any information obtained as a result of any such admission, in connection with any disciplinary action against the Participant for failure to report misconduct committed by someone other than the Participant.

The immunity shall not apply to any criminal investigation, criminal prosecution, or civil litigation brought against the Participant by a third party, nor does it apply to any disciplinary action except as described in this Agreement. The immunity is granted under the unique circumstances of an historic investigation and creates no precedent, nor does it create any ongoing right to or expectation of administrative immunity of any sort in the future.

CONSTANCE RICE, Chair
Blue Ribbon Rampart Review Panel

CONSTANCE RICE Date _____

WILLIAM J. BRATTON, Chief of Police
Los Angeles Police Department

WILLIAM J. BRATTON Date _____

I, _____, have read this Agreement and carefully reviewed it. I understand the Agreement, and knowingly, willfully, and voluntarily agree to it without force, threat, or coercion. No additional promises or inducements have been made to me other than what is described in this Agreement.

(PARTICIPANT-print name) Date _____

**STAFF OR VOLUNTEER ACKNOWLEDGMENT OF
CONFIDENTIALITY AND CONFLICT OF INTEREST
REQUIREMENTS RELATING TO WORK OF THE
RAMPART BLUE RIBBON PANEL**

(1) I, _____, have been asked to assist the Rampart Blue Ribbon Panel. I will be providing that assistance as paid staff or unpaid volunteer. In the course of my work, I may have access to Confidential Materials, the disclosure of which could violate certain agreements, statutory protections and privileges, or privacy rights, could subject me, the Panel, or the City of Los Angeles to criminal or civil liability, or could compromise fulfillment of the Panel's objectives.

(2) The term "Materials" includes both oral and written information, whether originals or copies, including but not limited to documents, notes, interviews, audio and video tapes, electronically stored data, or any other information. The term "Confidential Materials" refers to Materials that are designated to be treated as non-public and protected from disclosure or dissemination.

(3) I certify that I have been instructed concerning the protocols to be followed and other steps to be taken concerning Confidential Materials to which I have access, and I agree to abide by those instructions. Should I have any questions concerning my obligations, I will address them to the Panel member under whose direction I am working, or to the Chair of the Panel, Ms. Constance Rice. I agree not to review, copy, disseminate to any person or entity, or retain any Confidential Materials except as instructed by Members of the Panel.

(4) I further certify that I am not a participant, claimant, litigant or in any other manner involved in a matter against the City of Los Angeles or its agencies or employees, except as follows:

_____None

_____(List, claim number, caption, title or description of adverse matter. Use separate sheet if necessary.)

(5) I understand that if I have listed any claims or litigation or if I am involved in any matters adverse to the City of Los Angeles, I am not to receive or review Confidential Materials until I am affirmatively notified that the City of Los Angeles has determined that it is permissible for me to receive or review Confidential Materials.

Dated: _____

Printed Name: _____

Signature _____

24

TO THE COUNCIL OF THE CITY OF LOS ANGELES

Your PUBLIC SAFETY Committee

reports as follows:

Public Comments: Yes No
XX

PUBLIC SAFETY COMMITTEE REPORT relative to Blueprint for operations for the Los Angeles Board of Police Commissioner's Blue Ribbon Rampart Review Panel and various matters related to the Panel's operations.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1 APPROVE the Los Angeles Board of Police Commissioners' (Police Commission) request to defend, indemnify, and hold harmless the Police Commission's Blue Ribbon Rampart Review Panel (Panel) members to the same extent as afforded to City employees, except with regard to claims for workers' compensation benefits which shall not be afforded to Panel members, in the performance of the Panel Mission and under the operational parameters established below:

a. The Mission of the Panel is to investigate and review the response by the City and others to the Rampart Area scandal in order to determine the extent to which the underlying causes for the scandal have been identified and addressed, including but not limited to:

Review all completed Rampart scandal investigations, including the recent County Bar assessment.

Examine Los Angeles Police Department (LAPD) system inadequacies that resulted in failures to follow-up on Rampart scandal related matters.

Examine the responses of all public institutions to the Rampart scandal, including the Rampart Civil Grand Jury.

Examine the conflicts among Rampart scandal investigating agencies and how to avoid them in the future.

Examine the LAPD systems that failed to protect whistleblowers who tried to sound the alarm on the Rampart scandal and/or prevented other LAPD personnel from potentially reporting concerns with Rampart operations prior to, during, and after the Rampart scandal revelation.

Examine why no LAPD Rampart after action report could be completed.

Document the deeper cultural and mental drivers behind the Rampart scandal and its aftermath.

b. In completing its work the Panel will comply with the "Blue Print for Operations of the Blue Ribbon Rampart Panel, November 17, 2003," approved by the Police Commission.

*ADOPTED AS AMENDED by Council action of 2-11-04. *M. [Signature]*

- c. The Panel will work with the Inspector General, Police Commission, and City Attorney, as appropriate, to establish:
 - 1) Guidelines and /or protocols for Panel operations, which will incorporate appropriate investigative procedures, techniques, and documentation.
 - 2) Panel protocols for obtaining appropriate conflict of interest waivers from outside agencies and for providing * ~~the opportunity of such agencies~~ the City Attorney the opportunity to review those portions of the draft report applicable to ~~the agency said agencies~~, only in so far as to ensure that confidential or privileged material associated with the agency is not improperly disclosed. *(Miscikowski - Smith)
 - d. The Panel is subject to the Brown Act.
2. WAIVE conflicts of interest that may exist for the following Panel members, based upon the Panel Mission and operational parameters outlined in Recommendation #1 above: Erwin Chemerinsky; Jan L. Handzlik; Laurie L. Levenson; Stephen A. Mansfield; Andrea Sheridan Ordin; Constance Rice; Carol Sobel; Maurice Suh and Edgar Twine
 3. AUTHORIZE the City Attorney to execute conflicts of interest and confidentiality agreements with the Panel members identified in Recommendation #2 above.
 4. APPROVE Limited Administrative Immunity for LAPD employees invited to voluntarily be interviewed by the Panel, based upon the "Administrative Use Immunity Agreement" agreed to by the U.S. Department of Justice.
 5. AUTHORIZE the City Attorney, with concurrence from the Chief Legislative Analyst (CLA) and the Mayor's Office, to jointly file with the U.S. Department of Justice the appropriate documentation with the federal Court regarding waivers from any ministerial discrepancies the Blue Ribbon Rampart Review Panel operations, such as limited administrative immunity, may pose with the requirements of the LAPD Consent Decree.
 6. AUTHORIZE the LAPD to accept donations from the Los Angeles Police Foundation, on behalf of the City, for in-kind and consultant services for Panel operations and to report to the City Council upon acceptance of the first such donations and quarterly thereafter with information regarding the source and amount of such donations to the Police Foundation.
 7. REQUEST the Office of the Inspector General (OIG) to report to the Public Safety Committee, as needed, regarding the compliance status of the OIG with the Consent Decree provisions for which that Office is directly responsible and the OIG resources allocated to the Panel.
 8. REQUEST the Police Commission to expeditiously report to the Public Safety Committee regarding actions being taken by the Department to address retaliation concerns of LAPD employees and ensure a work place where actions of integrity are valued.

(Council may recess to Closed Session, pursuant to Government Code Sections 54956.9(a) and/or (b), to confer with its legal counsel relative to the above matter)

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst (CLA). The City Administrative Officer (CAO) has not completed a financial analysis of this report.

Summary:

In a report dated February 6, 2004, the CLA states that on July 22, 2003, the Board of Police Commissioners (Police Commission) adopted a Resolution declaring formation of the Blue Ribbon Rampart Review Panel (Panel) to analyze the causes of and responses to the Rampart Area police corruption scandal. The Police Commission approved a "Blue Print for Operations of the Blue Ribbon Rampart Review Panel," on November 18, 2003. And, on December 9, 2003, the Police Commission approved additional various matters relating to the Panel's operations. These reports were received by City Council on January 15, 2004 and referred to the Public Safety Committee for their consideration. The CLA, as requested by the Chair of the Public Safety Committee, has reviewed the Police Commission's recommendations.

The CLA report dated February 6, 2004 summarizes the CLA's review of the Police Commission's reports and clarifications regarding the Panel operations and proposes a variety of recommendations.

At its regular meeting on February 9, 2004, the Public Safety (PS) Committee considered both the CLA's report and the request from the Police Commission. After lengthy discussion between the Committee and the Police Commission representative, Commander Koenig, and the Panel's Chair, Constance Rice, a set of amended recommendations were approved. During the discussion, Councilmember Weiss recommended that the Police Commission's recommendations be approved and amendments made to that set of recommendations. The rest of the Committee members agreed with the PS Committee chair to use the CLA's set of recommendations as the base-line and modify these recommendations instead of the Police Commission's recommendations.

This matter is now being forwarded to Council for consideration.

Respectfully submitted,

PUBLIC SAFETY COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
MISCIKOWSKI	YES
REYES	ABSENT
PARKS	YES
WEISS	YES
ZINE	YES

AB
2-10-2004

Rept
ADOPTED

FEB 11 2004

**As Amended*
LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
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HELEN GINSBURG
Chief, Council and Public Services Division

J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries
relative to this matter
refer to File No.

04-0053 & S1

PLACE IN FILES

MAR 16 2004

DEPUTY *GH*

March 11, 2004

City Administrative Officer
City Attorney
Board of Police Commissioners
Councilmember Miscikowski

Chief Legislative Analyst
Police Department
Public Safety Committee Clerk
Councilmember Smith

RE: BLUEPRINT FOR OPERATIONS FOR THE LOS ANGELES BOARD OF POLICE
COMMISSIONER'S BLUE RIBBON RAMPART REVIEW PANEL AND VARIOUS MATTERS
RELATED TO THE PANEL'S OPERATIONS

At the meeting of the Council held February 11, 2004, the following
action was taken:

Attached report adopted as amended.....	<u> X </u>
Attached motion adopted().....	<u> </u>
Attached resolution adopted().....	<u> </u>
Motion adopted to approve attached report.....	<u> </u>
Motion adopted to approve attached communication.....	<u> </u>
To the Mayor FORTHWITH.....	<u> X </u>
Mayor vetoed.....	<u> </u>
Mayor concurred.....	<u> 2-20-04 </u>
Mayor failed to act - deemed approved.....	<u> </u>
Findings adopted.....	<u> </u>
Negative Declaration adopted.....	<u> </u>
Categorically exempt.....	<u> </u>

J. Michael Carey
City Clerk
dng

*Paul
3-15-04*

**Protocols for the
Blue Ribbon Panel**

1
2
3
4 **BROWN ACT.** The Panel will comply with the Brown Act, including its provisions regarding
5 public meetings and agendas. The Commission Secretary will assist the Panel in the preparation of
6 agendas to ensure compliance.

7
8 **Reporting to Commission.** (Key) Panel members will meet with the Commission as requested, to
9 discuss the Panel's progress, procedures, schedule and financing.

10
11 **Mandatory Reporting of Crimes.** Should Panel members or their staff become aware of criminal
12 misconduct, other than traffic violations or infractions, during the course of their work, they shall
13 notify the Chief of Police immediately.

14
15 **Investigative Protocols.** The Panel will develop protocols for its members and their staff to
16 conduct their investigations. Such protocols should address, but are not limited to, the following:

- 17 • The method whereby accusations, allegations or information will either be corroborated or
18 instead reported as single-source information. This would include noting unsuccessful
19 efforts to corroborate significant information.
- 20 • Standards for Panel investigators to record their work product, including the method for
21 transmitting information within the Panel, chain of custody for Panel information, and the
22 level of detail required for investigator notes.
- 23 • Sharing confidential information with non-panel members.

24
25 **Interview Protocols.** The Panel will develop protocols for its members and their staff to conduct
26 interviews. Such protocols should address, but are not limited to, the following:

- 27 • The manner in which interviews will be recorded.
- 28 • What, if any admonition, Panel members and their staff should give to people prior to an
29 interview.

- 1 • Method to identify those interviewees who either request or are likely to require
2 administrative immunity. This protocol must address interviews where administrative
3 immunity is either requested or becomes necessary after the interview has begun.
- 4 • The minimum number of Panel members to be present during key interviews.

5

6 **Confidential Material from Another Agency.** Prior to accepting confidential material from
7 another agency, Panel members and their staff shall determine what, if any, restrictions the agency
8 seeks to impose on that material and then notify the IG. Any written agreement regarding
9 confidential material provided by an outside agency must be reviewed and approved by the Office
10 of the City Attorney before accepting the material. The Panel shall maintain a log of such material
11 including a brief description, date received, person received from, and summary of restrictions, if
12 any.

13

14 **Maintenance and Control of Documents.** The Confidentiality and Conflict Waiver Agreement
15 contains specific provisions regarding this issue and must be signed by all Panel members and their
16 staffs before commencing work.

17

18 **Subpoena Power.** Should the Panel require the issuance of a subpoena, the Panel shall notify the
19 Inspector General. The Inspector General will consult with the Commission President and, if the
20 President determines issuance of a subpoena to be appropriate, one will be obtained through the
21 City Clerk.

DOCUMENT PRODUCTION PROTOCOLS FOR THE RAMPART BLUE RIBBON PANEL

The Office of Inspector General (Inspector General) has been tasked by the Board of Police Commissioners (Commission) with the management of Blue Ribbon Panel document requests of the Los Angeles Police Department (Department) and/or Inspector General. It is essential that requested documents be provided to the Blue Ribbon Panel in an expedient fashion. However, there are significant concerns regarding the request for, and subsequent production of, privileged or confidential documents. To assure the utmost protections are afforded these privileged or confidential documents and still provide the Blue Ribbon Panel with necessary documentation, the Inspector General will operate under the following document production protocols.

1. Any non-public document request by the Rampart Blue Ribbon Panel from the Department or Inspector General will be forwarded, in writing, to the Office of Inspector General. Informal contact by Blue Ribbon Panel members with the Inspector General may be made to provide advance notice of the impending request, thus providing additional time for collection of the requested documents. However, there will be no production of non-public documents without a written request from the Blue Ribbon Panel.
2. The Inspector General will assess each written request from the Blue Ribbon Panel to determine if any confidentiality or privilege potentially applies to the documents requested.
3. Upon determination of a potential confidentiality or privilege applying to the requested documents, the Inspector General will consult with the City Attorney to determine if the review of the subject documents would violate any applicable confidentiality privilege. The Inspector General may also consult with the City Attorney to discuss specific confidentiality concerns raised by any Blue Ribbon Panel member's document request.
4. If it is determined that no confidentiality or privilege applies to the documents, such documents will be produced by the Inspector General to the member of the Blue Ribbon Panel that made the document request.
5. If, as a result of the consultation with the City Attorney, it is determined that the requested documents are privileged, the Inspector General and City Attorney shall meet with the Blue Ribbon Panel chair on a case by case basis to determine whether access to said documents would violate or waive any privileges. Any access by the Panel to documents shall guarantee maintenance of any applicable privileges. The Inspector General may also raise specific confidentiality concerns raised by any Blue Ribbon Panel members' document request with the Blue Ribbon Panel Chair on a case-by-case basis

6. Review of any confidential or privileged documents by the Blue Ribbon Panel member(s) will take place in the office of the Inspector General. Such review will be by the Blue Ribbon Panel member, or members, requesting the document(s). During the review, no confidential or privileged document may be copied or leave office of the Inspector General.

LOS ANGELES BOARD OF POLICE COMMISSIONERS

POLICIES AND AUTHORITY RELATIVE TO THE INSPECTOR GENERAL

Exceptions for Work with the Blue Ribbon Rampart Review Panel

On June 10, 2003, the Board of Police Commissioners (Commission) adopted a document titled, "Policies and Authority Relative to the Inspector General." That document is commonly known as the Inspector General's Work Rules. Among its other provisions, the Work Rules provide that, "The Office of the Inspector General is not afforded an absolute privilege protecting conversations with complaining persons or witnesses, as a matter of law. Accordingly, any individual who requests anonymity from the Inspector General shall be accurately informed of the inability to guarantee anonymity" (Section V). The Work Rules also provide that, "The Inspector General shall promptly forward any new personnel complaint made known to the Inspector General...to the Commanding Officer of the Professional Standards Bureau..." (Section IX, D).

In establishing the Blue Ribbon Rampart Review Panel, the Commission directed that the Panel operate as an extension of the Commission working through the Inspector General. The Commission also recognized that limited administrative use immunity would be an important component of the Panel's work. However, the Inspector General's work with the Panel could put him in conflict with the current Work Rule provisions regarding anonymity and the requirement to generate a personnel complaint upon becoming aware of alleged misconduct.

The Commission recognizes that the Inspector General's ability to work with the Panel in an open and trusting atmosphere is critical both to the Panel as well as the Commission. Consequently, the Commission hereby modifies the Inspector General's Work Rules for his work with the Panel to afford him the same latitude with respect to anonymity and limited administrative use immunity as is afforded to the Panel itself.

Appendix B

Selected Comments

The views of current and former LAPD officers and command staff regarding the progress the department has made and the challenges it faces form the most important basis for the Panel's findings. Set forth below are selected comments, primarily from current and former LAPD officers, relating to the issues discussed in the Blue Ribbon Panel's report. Unless otherwise noted, these comments were taken from Panel interviews.

INTRODUCTION

Many View the CRASH Crisis as an Isolated Incident. *As noted in the report's introduction, many LAPD officers do not seem to recognize the systemic implications of Rafael Perez and the CRASH crisis.*

"I don't think you can refer to Perez as a gang cop or even a cop. If he had to resort to that, he doesn't know how to do it. He is a fake cop. It's too easy to get dope and guns. They walk in front of our car with a gun in their hand. Why do you need to plant a gun? His [deity] complex—I don't think it has to do with being a cop—he played himself as a good cop." – Gang Officer, less than 10 years in LAPD

"Nobody in this room is [Perez]. So to tie our hands with the Decree... Take the handcuffs off us and let us work..." – Gang Officer, less than 5 years in LAPD

"Perez was one guy doing this, a rogue cop. Anybody doing anything dirty deserves prison time. I don't see any of that stuff going on." – Gang Officer, less than 10 years in LAPD

"Since the Decree, where has there been another Perez? Or another scandal that has rocked our world like that? Why deal with a bushel of apples if it was just one?" – Gang Officer, less than 10 years in LAPD

"We wanted to say 'Perez scandal,' so the Rampart Division wouldn't be slandered." – LAPD Detective, more than 25 years in LAPD

"In my opinion, Rampart was isolated... I think a couple of bad officers decided to administer 'Street Justice,' had negative feelings and took matters into their own hands. They didn't follow the guidelines." – Sergeant, more than 15 years in LAPD

"[It was] just Perez alone... The guys here [at Rampart], they never stopped working. When I heard 'Rampart scandal' – it was just Ray [Perez]." – LAPD Civilian Employee, Rampart Area

"No one was admiring Perez, if they even knew what he was doing. Two officers together, they are basically free to do what they want. If two partners agree to what they will do, that is between the two of them." – Detective, more than 25 years in LAPD

However, a small minority of officers and command staff acknowledged that systemic issues, such as the department's approach to gang enforcement, could have contributed to the CRASH crisis.

“I think the dots connect. The [gang enforcement unit's] style is conducive to that. The cowboy mentality. A seek and destroy mindset that says, ‘We don't need supervision. We need to be free so we can take care of business the way it needs to be.’” – LAPD Command Staff (Regarding whether LAPD's gang enforcement style had some connection to the corruption that occurred at Rampart.)

“I think [the corruption in Rampart] started slow. It was not just one day, ‘Let's rob a drug dealer.’ It started with bringing in the numbers—no matter how wrong we do it—we keep management off our backs and they go on to other things. I think that progressed into other things. I think it started with keeping management off their backs, then that led to corruption.” – Veteran Officer, more than 25 years in LAPD

“Homicides were out of control—crime was ridiculous. There was a dead body every day. We had an ‘us against them’ mentality where winning was what mattered. This led to slowly taking shortcuts—we don't need to fill out reports, etc. Then, going from the administrative side, the needle slowly moved.” – Sergeant, almost 20 years on LAPD

“A lot of people felt that because Rampart was so busy, the regular rules didn't apply. ‘You can do that kind of thing in West Valley, but this is Rampart.’” – LAPD Command Staff

“The mandate from City Hall was ‘we want safe streets.’ The captain says ‘get the streets clean at all costs.’ So when a young cop stops a gang member, he pats him down, and says ‘look what is on sidewalk—a rock.’ They write a report describing that it was in plain view, then they have to lie in court. This creates lie after lie.” – Detective, more than 25 years on LAPD

(A retired command staff recalled how as a younger officer he had seen a suspect throw drugs out the window of his car. The officer picked up the drugs. When he testified at trial, the officer testified that he never lost sight of the drugs from the moment the suspect threw them until the moment he picked them up.) “It was not maybe truthful, but I knew it was his drugs. That is how it starts, unless you correct it. How many sergeants go to court and watch his officers testify? – Retired LAPD Command Staff

“[We need to tell these officers,] because you can't get a conviction in court, that is not your problem. You do your job, and let the DA and City Attorney file whatever gets filed. But [during the CRASH crisis,] the whole process got flipped over. People were doing what they thought was important.” – Detective, more than 25 years on LAPD

In addition, some of the more veteran officers acknowledged that systemic problems that gave rise to the CRASH crisis, such as supervision, have not been adequately addressed.

“I really like Chief Bratton. He's gotten morale up, he's getting cops out there. But I think we suffer from the same problems... [W]e haven't built a solid foundation.” – Detective, more than 25 years on LAPD

“So far, there have been solid investigations by [the Professional Standards Bureau]. But you tell me today, what is different about LAPD today with the CRASH units? There is nothing different. We

renamed things... [A]s much as they want to have the captains responsible, they are good with paper, but they don't have a clue about crime. LAPD narcotics was centralized—and there were no scandals. With a centralized command and control, everyone is on the same page. Now, we're on 18-19 different pages. Everyone is doing different things. I'm surprised it hasn't happened yet." – Detective, more than 25 years on LAPD

THE RAMPART RECOVERY

The Success of Rampart Division. Section I of *"The Road Ahead"* discusses the success of the new Rampart Area crime fighting model. Many officers were able to identify the key attributes of the model.

"For all [the Rampart captain's] good qualities, it was simple. He said, 'quit whining,' and 'we can do this.' Because the attitude was, 'No one loves us, we can't do anything.'" – Retired Command Staff, more than 20 years on LAPD

"It doesn't matter whether you are a good ol' boy. You are [at Rampart] because you can get the job done." – Sergeant, almost 20 years on LAPD

"It doesn't matter what rank you have, if you can do [the job], you will. That is somewhat unusual [in LAPD]." – Lieutenant, almost 15 years on LAPD

"I tell my officers I will not lie or cheat to work for you, and I expect that from you." – Supervisor at Rampart Area, approximately 20 years on LAPD

"It's a basic tenet of policing. Once you have won game, there is no spiking the football. There are no victory end zone dances... Once you are taking someone into custody, you have nothing to lose by being respectful to them." – Former Rampart Command Staff, more than 25 years on LAPD

"If we do our job well, arrests will go down." – Former Rampart Command Staff, more than 25 years on LAPD

EXTERNAL BARRIERS TO REPLICATING THE RAMPART TRANSFORMATION

"Thin Blue Line" Policing in High Crime Zones. Section II of *"The Road Ahead,"* discusses the external barriers to taking the new Rampart crime fighting model department-wide. These barriers include LAPD's *"thin blue line"* model of policing in high crime communities.

(Describing the poor communities in South LA) "They see us driving by the quality of life issues. They are big problems to them and we have to bypass them to get to the bigger problems... They see it as we only care about certain people's problems. They see certain parts of the city getting different policing than they do here... I don't think it is [dis]trust like we will kick in their door and club their heads like we're in Nicaragua. But it's that we don't care about their personal lives as much as the big cases." – Gang Officer, less than 10 years in LAPD

"When we're out at a crime scene, who's there, who's not there? And usually if it's quiet and there's nobody out there, everyone knows what happened. We're faced with, if it's a gang case and most of

them are, is how much trust does the community have in the police? The police aren't always there. The gang members are.” – LAPD Detective Sal Labarbera, *Primetime Thursday: LAPD* (ABC Television Broadcast, June 1, 2004)

“It’s a resource problem. We spend all our time being reactionary. We only have enough people to be reactive... We should be involved in all of the gang culture—doing training in schools and in-service. But now, [as of April 2005], there have been 24 homicides in Southeast. By the time we get to the bottom of that, we run out of people and time. We can’t do that or that. Until we get resources to cover all that, it will continue in the same direction.” – Gang Sergeant, more than 10 years in LAPD

“It is all on the shoulders of the young officers who they place in these areas. They join the force for good reasons—they want to provide a service, they like challenges and policing. Then, they are put in these areas with limited resources—it becomes like in Iraq.” – Lieutenant, almost 20 years on LAPD

City Leaders’ Responsibility for LAPD’s “Thin Blue Line” Policing Model. As Section II of “The Road Ahead” states, City leaders bear responsibility for failing to develop and provide resources for a public safety model that provides citywide public safety.

“The real crime is that the people in charge of the city haven’t increased the size of LAPD. Supervisors cannot do their job. A lieutenant can’t get in the field. As a Watch Commander, you are stuck in the office because of Compstat, all that stuff. No matter what [the Panel] comes up with, it is just talk without resources.” – LAPD Command Staff

(Describing the lack of resources, often leaving only two sergeants for an entire Area) “It’s like having two probationary employees in charge of a corporation. Insurers wouldn’t insure that, but we’re self-insured. We spend millions in payouts, but an investment in the department would mean we wouldn’t have to pay.” –Sergeant, more than 20 years in LAPD

“[We keep] setting goals we don’t have the resources to do. We were doing community policing as much as we could, but we had four cars with hundreds of radio calls. The Christopher [Commission] report is great reading, but who’s going to foot the bill? Christopher said get cameras—great idea, but who’s going to pay?” – Supervisor, more than 20 years in LAPD

“Politics controls deployment. If South Bureau is the biggest problem, send the officers there. The Chief has tried, but other areas in the city fight that... If 77th and Southeast are so key, why do we run them with same command staff as West LA? ...It’s not because we are stupid, but because the CAO says you have one Captain I and one Captain III, and that is it.” – Command Staff, more than 25 years in LAPD

“You get what you pay for... The cops I work with will do what we tell them... If you tell them to go out with 4 ‘A Cars’ and handle the division, they will do the best they can, but don’t look—you don’t want to watch.” – Supervisor, more than 25 years in LAPD

Failure of Communities and Institutions to Help Poor Communities. Section II also discusses the failure of public and private institutions and Los Angeles' communities to confront and counter the violence in high-crime neighborhoods.

“When a horrible crime occurs, when somebody is victimized in a despicable way in another part of the community, there's an incredible political and social response. But yet, when that same thing happens in a place called ‘South Bureau’ or other communities like it, it just passes as if it were a tide. And both personally and professionally, I have a huge problem with that. And I wonder to myself why is that? Is it because that there is such a saturation of those kinds of episodes, it just calmly passes by? I don't think so. I think it's something that has much more depth to it, that really does speak to the issue of race.” – Deputy Chief Paysinger, *Primetime Thursday: LAPD* (ABC Television Broadcast, June 1, 2004)

(Recalling a weekend when there were 15 homicides in 4 days in poor communities.) “[The] surprise to me was how indifferent in many respects this city had become to it. This isn't in Afghanistan. This isn't in Lebanon. This is in the streets of the second-largest city in this country. This has got to stop. And it's got to stop now.” – Chief William Bratton, *Primetime Thursday: LAPD* (ABC Television Broadcast, June 1, 2004)

(Describing how the gang officers in 77th Street Area feel about policing in hot spots.) “That is how everybody feels. People are not serious about fixing anything. They just want to keep them in those little areas.” – Lieutenant, almost 20 years in LAPD

“Almost eight years on this job. And ‘til this day I'm still amazed at the amount of violence that's out there. And I'm also amazed at how little people know about how much violence is out there.” – LAPD Gang Officer, *Primetime Thursday: LAPD* (ABC Television Broadcast, June 1, 2004)

INTERNAL BARRIERS TO REPLICATING THE RAMPART TRANSFORMATION

Supervision Has Improved in Specific Areas but not Sufficiently to Prevent Scandal Recurrence. Section III of “*The Road Ahead*” discusses LAPD's internal barriers to taking the new Rampart crime fighting model department-wide. The report discusses how supervision, the sine qua non of the CRASH crisis, has not improved sufficiently to prevent scandal recurrence.

Many officers explained how supervision failures—from the sergeant level through the highest Command levels—gave rise to the CRASH crisis.

(Describing how the CRASH crisis occurred.) “The lieutenants and captains oversaw and allowed it to happen. They allowed the detective area to be unsupervised, allowed authority to book without reviewing. The Sergeants, Watch Commanders and Captains gave them a blanket to do these things.” – LAPD Lieutenant

“The attitude here [at Rampart]—it was allowed to be here... It was Rampart and on the outside they did a good job, solving crimes and homicides. But on the inside, it was ‘we could get away with it, we can do this or that.’ They were always late for training days. It was pure bad attitude. Not department-wide, but Rampart's attitude—it was allowed to stay and work its way up.” – Sergeant, almost 20 years in LAPD

“[Rampart CRASH] never had a lieutenant in charge. Just sergeants—one level above them. That makes supervision hard, because these guys eat together, hang out together, and it makes it hard to supervise.” – Sergeant, 20 years in LAPD

“Up to the bureau level, there was this hope that nothing [at Rampart] would erupt.” – Retired LAPD Command Staff

“In Rampart, I interviewed a chief—he was a [Commanding Officer] and had rolled to Rampart as a [Chief Duty Officer]. He told me that as he rolled out to this incident he said to himself, ‘Something is gravely wrong with what is going on in Rampart. Something is gravely wrong in Rampart.’ This was in 1997. He did nothing about it... It’s territorial—he is thinking, ‘It is this guy’s division, let him deal with it. It’s not for me to tell this captain how to do it.’” – LAPD Lieutenant

“Rampart was active from a risk management standpoint... I don’t think [the bureau chief] or anyone said, ‘we can articulate criminal misconduct happening.’ But you ask how it happened—it’s like 9/11. The recurrence is staffing—given what we give areas to do, we don’t give them sufficient command oversight and staffing.” – LAPD Command Staff

“I can’t imagine [the Rampart captains] didn’t know [about the problems], but they were tending to 15 other things.” – LAPD Command Staff

Many expressed their belief that supervision problems remain.

“The policemen who come on the department are no better or worse than the person who trains them. And the training officer is no better or worse than his supervisors and the same for the Lieutenant who oversees the Sergeants. Whatever is acceptable to him, they will go out and do. If you do not hold up to the Captain accountable for these incidents—if they minimize what they know is wrong, then it will continue. And those things happen—I see them happening today.” – LAPD Lieutenant

Interviewees described how many supervisors are driven more by the need to be liked than by the desire to hold officers accountable and help the department achieve its objectives.

“[As a supervisor,] your first thought has to be ‘What can I do to help the department achieve its mission, goals and objectives?’ But with new supervisors, it’s ‘What can I do to keep from pissing off anybody?’ A decision must be made—to be liked or respected. If you consciously or unconsciously decided to be liked, you are on supervisor’s slippery slope. You enable people to get into trouble.” – Retired LAPD Command Staff

“Some [sergeants], we call them ‘P4s.’ They see themselves as police officers with an extra stripe, they want to be liked...” – LAPD Sergeant

“From my perspective, too many supervisors are occupied with their social relationships with officers. We don’t want to endanger that. Captains and some commanders survive on the basis of their social relationship with the troops. If it will interfere with that—if it will make you less popular with the League or the troops—you won’t take action.” – LAPD Lieutenant

“There is [one] sergeant, and I thought she was with the ‘good old boys’ group. Someone wanting to make sergeant said they wanted to ride with her and I asked why. They said, ‘Because everyone likes her.’ It was not the fact of her leadership or supervision. She was not liked out of respect, but liked for other reasons.” – LAPD Lieutenant

“I joked when I needed to pick a sergeant for certain responsibilities. I would go down the list and say, ‘No. No. No. Hell, no. No. No.’ It is that rare yes—he who can put down limits.” – LAPD Command Staff

“[A superior’s support of a supervisor] often further alienates a supervisor as a ‘company man.’ [The troops will say,] ‘Be careful what you say or do around him.’ A lot don’t want that said about them, but I want that. I want them to modify their behavior while I’m present. Far too many, especially newer supervisors, don’t want that said about them. It’s very important to be accepted. I’m not certain how you train that out of them. It’s a big problem.” – Retired LAPD Command Staff

“I think where we lost connection was in the six months after [the Rodney King beating]. When that first hit, every sergeant and captain hung their head and said, ‘Boy, did we screw up’ for two or three days. But as the community, the *LA Times*, and politicians beat us up, a bunker mentality took over... All of a sudden you hear from sergeants, ‘Nobody supports the troops—not the politicians, not the command, not the Commission.’... It built and built and got so far from sergeants supervising the troops, sergeants became buddies... Sergeants stopped being sergeants—and we never got it back... Rampart was influenced by King. It became acceptable for good supervisors to ignore what people said because [the mentality was that] ‘It was not fair what was happening to the troops, no one was supporting the troops. Someone has got to watch out for the troops and send them on the right track.’ We forgot that the right track means supervising, and having the ability to say no.” – Retired LAPD Command Staff

“When I made [command staff], I was a nighttime person in field and I went to many roll calls. Sergeants would say ‘we’ this and that. I say when you throw that third stripe on, you and me are ‘we.’ Not you and the police officer. They don’t see it that way.” – LAPD Command Staff

“At some point, officers began dictating what supervisors could say. There was a time when if any sergeant asked you a question, you would answer—no matter if they were your direct line supervisor. Then, it went to if you stop a gang unit to ask them a question, they get their back up and their supervisors would come to you and say, ‘Why are you hassling my guys?’ So, there is a sense that you don’t have to talk to anyone but yours. There were even lieutenants who wouldn’t question people in gang units.” – LAPD Lieutenant

Many reported that peer leaders still challenge authority.

“The strength of a watch is not with the supervisors—it’s with police officers acknowledged as watch leaders. All too often, they have bones to pick with supervision and management. They lead people astray. That is why it is important to have effective supervision. A lot of times, a new supervisor will see something—nothing egregious, like a beating, but maybe he will see an officer take an extra shot at a suspect when he is subdued. And he or she looks away, and thinks, ‘that wasn’t that bad.’ I would say most new supervisors are more fearful of censure of their subordinates than they are fearful of their superiors.” – Retired LAPD Command Staff

“The challenge we face is how does [a] lieutenant provide leadership and accountability to sergeants and those sergeants’ lead peer leaders and subordinate officers? Who owns the roost? The peer leader has been on morning watch since 1985. You see your lieutenant once a month. The Watch Commander will be out in six months, but the peer leader has been there forever. He can hold his breath longer than anyone else.” – LAPD Command Staff

“I could go to any watch, any division—especially Morning Watch. There will be strong personalities at the police officer rank that younger officers look to. A lot of times, new supervisors are put on Morning Watch. When they first show up at a new station, they go on Morning Watch. I would never start a new supervisor on Morning Watch because their ability to supervise will get challenged early and often by Morning Watch leaders. I start new supervisors on Day Watch, where you can ease them into it.” – Retired LAPD Command Staff

Many supervisors complained of heavy administrative workloads.

“We need more supervisors. Now, we have a handful for a group of officers, and the workload is too heavy.” – Sergeant, almost 10 years in LAPD

“To me, being a supervisor is about paper. We have mandates and the paper takes priority. If I do this, who is monitoring the guys? I know you have to document things, but now the preponderance is on paperwork.” –Sergeant, almost 10 years in LAPD

“Even if you develop perfect supervisors—they cannot do their job because there is too much stuff. Use of Force reports, complaints. They can’t get out and do their jobs. So your recommendations as to what supervisors should be doing, they are not going to be able to do it.” – LAPD Command Staff

“We kill ourselves with paper.” – Sergeant, almost 20 years in LAPD

Many observed that first-line field supervision remains inadequate to prevent CRASH crisis related behavior.

“The department has to dedicate itself to keeping field sergeants in the field as much as possible... We need those supervisors in the field. They have to be effective, but first we need to get them there. If not, things will happen that shouldn’t” – Retired LAPD Command Staff

(Recounting how South Bureau recently received 60 additional officers.) “But the 60 [officers] came without supervisors. We lost supervisors. In 77th [Division], we lost 5 sergeants. So there is one sergeant to monitor twenty officers. As busy as 77th is, there is one poor sergeant. He’s out of the field with one pursuit. So the officers have no supervision. It doesn’t work.” – Lieutenant, almost 20 years in LAPD

“It’s gotten a lot better under the new leadership... But it still has to be looked at. You want controls, you want big brother looking in. It is not bad to have that train of thought but if you have it, note what it does to field supervision. I would rather have seven to ten officers I’m dealing with for real, rather than having all these checks and balances.” – Supervisor, more than 20 years in LAPD

“I think a number of things stand in the way of supervision. There is a lack of clarity on the mission... Some sergeants think supervision is making sure logs are filled out, and use of force boxes are checked. That is stuff that is baseline stuff you have to do to get to what you need to do. Some supervisors get so overwhelmed by the details, they forget the real reason you are there—to make people do the right thing.” – LAPD Command Staff

Many expressed concern that the supervisor selection process did not identify the strongest candidates.

“I don’t know if the selection process is picking out the best leaders. Like with oral exams. Some people can’t speak well, but that doesn’t mean they are not great leaders.” – LAPD Sergeant

“We are getting sergeants who can show they can take a test. They are like civil servants. They go to patrol...then they leave for somewhere else. They get more pay, get to do super cool stuff. [The other assignments] don’t take flunkies. So that is what you are left with in patrol. A good sergeant is here six months or a year, then he’s gone. He goes to IA to become a lieutenant or goes to Metro. Or he goes to Training because he knows how to spell his name. Thee others who can’t spell their names, there are your senior sergeants—your 20s. They are too stupid to do anything.” – LAPD Sergeant

“Some guys test bad, but have field experience. We ought to look at how long he has been on patrol—what he has done, not so much where you have been. If you get a guy out there who knows what is going on, he will put down a young guy who challenges him.” – Detective, more than 25 years in LAPD

“The department hasn’t identified a balance for supervisors. They are so focused on guys with a master’s degree. Those are good tools, but the ones that have degrees, they are paper smart. They are paper smart and have book sense, but not the balance to interact, to lead. Our department has focused for so long on that. We need that—you have to be educated and trained, you have to know how to mark boxes and fill forms. But you have got to have the inner heart experience to know what it takes to interact with officers and what drives them.” – LAPD Sergeant

“We find people use field jobs as a steppingstone to something else. It’s not, ‘First do I know the nuts and bolts, then will I invest in people around me?’ We need mutual respect. Supervisors must have the support of troops, but that shouldn’t overwhelm you so you look the other way. But if you come with solid background and you know what you are doing, that is the first step of building respect. Once that respect is in place, you can say, ‘Don’t do that, bad boy, bad girl.’” – Lieutenant, more than 20 years in LAPD

“Now, you can be a P-II and not the pass test to be a [Field Training Officer] but you can be a sergeant.” – Lieutenant, almost 20 years in LAPD

In addition, many supervisors expressed their belief that superiors do not support the kind of good supervision that really holds officers accountable.

“When a key supervisor says to his superior, ‘This guy is not OK,’ sometimes the captain or lieutenant thinks the supervisor is retaliating and saying this because he doesn’t like the officer.

Maybe that is the case, but maybe the captain should think that this officer needs to go.” – Detective, more than 25 years in LAPD

“When the line troops holler because someone is a good supervisor, and is making them unhappy, that supervisor is removed because ‘he doesn’t know how to get along.’ If the bottom line cries loud because we are trying to carry out the mission of the department, we are penalized.” – LAPD Lieutenant

“A supervisor who may want to follow procedures and the consent decree, and hold people accountable—the captain will say, ‘People don’t want to work for you. You have to get along with officers, so find a new way to do what you are doing.’ That permeates up. It gets back to the Chief that you are not liked. You hurt morale and are ineffective. Even though you were doing what you were instructed to do.” – LAPD Lieutenant

“You have a situation where the tail is wagging the dog in terms of administrative decisions. Because the officer will get upset—he will tell the captain, the captain needs to keep his popularity so the supervisor will be the fall guy... The captains survive on the perceived popularity with troops. Any interference with that is cause for concern, and they will remove that.” – LAPD Lieutenant

“Here in South LA, people are treated differently. I should have the backbone to say, ‘you are not treating these people fairly.’ But [in light of] the way I’d be treated for doing that, I will overlook it too.” – LAPD Lieutenant

Cultural Factors that Contributed to the CRASH Mindset Remain. Section III of “*The Road Ahead*” identifies a number of LAPD cultural factors that inhibit the department from moving to the crime fighting model showcased by the new Rampart Area.

While the department’s ‘Us v. Them’ mindset is receding, some acknowledged that the attitude remains—particularly in specialized units and high crime divisions.

“When working gangs, your main function is to get to know gangs. You [are talking about] how to interact with the community. When you are dealing with gangs, you are not interacting with the community. It is them against you.” – Detective, more than 30 years in LAPD

“Since Rampart, things have changed and you need ‘x’ time on the job. But one component that was never added was the community component. [The specialized unit officers] do a good job at enforcement stuff, but they’re never tasked with coming to community meetings, talking to at-risk juveniles... The gang units deal with gangs day in and day out, but they are never tasked with interacting with the positive side of things. They are told to get the big elephant. Tasked [as] just a clean-up unit, that [unit] will attract the cowboys—the young officers who are aggressive and want to work Metro. They deal 100% with idiots—they are overexposed to that. They have no connection to at risk people—the very people who can talk to younger at risk people. Their focus is just on catching predators. You get what you ask for.” – Lieutenant, more than 20 years in LAPD

Although much improved, a warrior mentality still underlies that that justifies some troubling tactics and behavior.

“There is a presumption that certain neighborhoods don’t count. We can do different police work in different neighborhoods. We have [some supervisors] say, ‘I don’t want to deal with a-holes in the Valley. I’d rather work in the South so I don’t have to deal with them.’ Because in the Valley, you stop someone or you write a ticket, you get a complaint against you. Here [in South Bureau], you don’t get complaints and you can do ‘real police work.’ You can be heavy handed, lean on people and they do not know the avenues for redress. Or they might challenge you to physically fight, and then they’re arrested for battery on an officer. They would rather go in a place like that—without complaints. Or physically fight them and get them booked for assault on a police officer.” – Supervisor more than 20 years in LAPD

“I worked Foothill Division. [A] lieutenant wanted officers to do community policing and he almost had a mutiny—‘We don’t do that, we don’t shake gang members hands.’ He had to work to get their minds right. It required a tremendous change of mindset.” – Command Staff, more than 20 years in LAPD

“I grew up in a gang neighborhood, and the police officers were very aggressive. My brother and I were treated like gang members, even though we weren’t... [When] you see 44 gang arrests down [in 77th Division] and 4 [arrests in Rampart Division], someone is being mistreated. There is no communication. The ‘Us Against Them’ attitude is starting to show. Guys are not talking, just shooting.” – Sergeant, more than 20 years in LAPD

“A lot of cops do seek to come to South Bureau. [The Deputy Chief] always asks—when he sees a transfer request, he asks what is their motivation for coming here... And a lot of times they say, ‘this is where the real action is.’” – Lieutenant, almost 20 years in LAPD

“[The phrase ‘real police work’] means you can talk to people differently than you can north of the Santa Monica Freeway. You can drive your car faster.” – LAPD Lieutenant

“When I went to Southeast, [everybody was] saying, ‘We want to do real police work.’ ... It is code. To say I want to go to South Bureau to do ‘real police work’ means I can treat people like criminals...and there will be no beefs against me... Because of the nature of crime [in South Bureau], it is so dangerous, officers have to protect themselves. So we can excuse officers when people are treated badly. Then we are back to serving the cop, protecting the cop.” – Sergeant, more than 20 years in LAPD

Many identified the continuing pressure on recap (i.e., making certain numbers of arrests).

“The culture of this organization is driven by stats and numbers. What we did last year versus this year is the measure of success. We compare apples to oranges to pears. This doesn’t make sense because it perpetuates the Rampart mentality: ‘We have a problem, so take out the trash and we don’t want to know how you do it, just don’t get videotaped.’” – Lieutenant, more than 20 years in LAPD

“I have seen it in years past where we have absolutely demanded members of this organization to do more with less. But you have to be careful. If you ask for too many tickets, if you ask for too many

arrests, all of which or some of which you know they can't do because there aren't enough of them. Because if you ask too much, they'll deliver for you. But you won't want to know how they got the result.” – Deputy Chief Paysinger, *Primetime Thursday: LAPD* (ABC Television Broadcast, June 1, 2004)

“[One division] was posting people’s recaps [for comparison to] the watch average. If I’m short in handling radio calls, I’m viewed as less than. That is not what we should do. We should encourage cops to be visible, move the car around. And whatever they run into, they run into.” – Veteran LAPD Detective

“[There is a] conflict in what we tell officers we want them to do and what we evaluate them for... It used to be a phone book—you would write names from a phone book on your [Field Incident cards.] That is what you get graded on—that is performance. Did it reduce crime? That was not looked at.” – Retired LAPD Command Staff

“The department always rewarded hard chargers and recaps. If I want to be SWAT, I have to make a lot of arrests, maybe get involved in a use of force, beyond my control, and prove to my peers that I can be accepted.” – Sergeant, almost 20 years in LAPD

“We are a numbers driven organization. In [one division], we were grading on how many stops an officer got. One officer was rated poorly because she was 25% under the average number of stops during that Watch. If it is numbers driven, and you want [supervisors] off your ass, you do whatever you need to. It is not about quality. It is still about quantity. It is still a problem today.” – Veteran LAPD Officer

“Cops have to bend the rules to meet the numbers goals set by Captains, and Captains know it. But if rule bending exposed, Captains then deny knowledge.” – Veteran LAPD Officer

Deeper Cultural Dynamics within LAPD Block Solutions to LAPD’s Longstanding Problems. *The report identifies several dynamics that prevent the department from moving toward different policing.*

For example, many officers in high crime areas feel that conditions are too dangerous for them to move from the paramilitary model of policing. A minority of officers countered this view.

“What happens now is that the violence is not reducing. When an officer goes out in the street, his perception is that his life is in jeopardy. When you experience that, you are not thinking about community policing, but thinking about survival... As it is now, we say, ‘I am in the middle of a war, where gang members are shooting at me. This is not the time to talk. It’s time to shoot back.’ So in this, you can’t inject community policing.” – LAPD Lieutenant, Gang Unit

“Who has time for [community policing]? In 77th, you got a guy on a gurney from a gunshot. The guy couldn’t sign the report, so I tossed him his copy and I called the hospital and got the information on how he was shot. I didn’t have time to talk to him at the hospital. You don’t have time to be nice. You’re like a trauma surgeon. I got to save the patient—that means I’ve got to sacrifice him sometimes. You can’t talk to a kid going wayward. You throw him to his parents and say ‘he’ll get killed if he keeps going like this.’ It’s like triage.” – Veteran LAPD Sergeant

“I think [the officers] want to change. But they see change as being so unattainable, they don’t believe it can happen... they know what policing can or can’t be done... They want to do well. But to give them that space—it’s socioeconomic. I was at a meeting about Jordan High School. There are 40 kids at [public housing complex] Nickerson Gardens going to Jordan. None of them are going to school because there is a war between [the two gangs] Grape Street and Bounty Hunters. How do we fix that? Those 40 kids are not at school. They will run into officers. They don’t know how to get out of it.” – Lieutenant, almost 20 years in LAPD

“When you come here, I think you have to leave some of your values back at your home. Because you’re dealing with people who don’t share those values and people who, if they have the opportunity, will kill you... [That includes values such as] giving someone the benefit of the doubt, trust, and a lot of times, compassion.”– Gang Officer, Southeast Division, *Primetime Thursday: LAPD* (ABC Television Broadcast, June 1, 2004)

“I think any community can be worked out if you go there to work. If you are only there to put people in jail, and say, ‘I leave my scruples at home,’ that is a problem. You have to go to a culture with respect—and get to know it. Young coppers think, ‘I have to go to a hard charging division.’ It’s the wrong attitude, but they get respect for that.” – Supervisor, approximately 20 years in LAPD

Several high-ranking officers acknowledged the department’s “accountability aversion,” and its tendency to protect itself.

“LAPD is a living organism. It lives and breathes. It is sentient. It will protect itself.” – LAPD Command Staff

“At the Academy, maybe it has changed, but the first thing you learn is you have only one friend—the guy in car with you. To protect and serve is to protect and serve your partner. All else is secondary. So whether he is stretching truth—you protect him.” – Retired LAPD Command Staff

“The number one sin in LAPD is ‘Thou shalt not embarrass LAPD.’ If you do, you’ll be home for 15 years.” – LAPD Command Staff

“The priority is always is to protect the image of the department, however you have to do it. That’s one prime directive we all live and die by.” – LAPD Command Staff

“All police departments tend to be inward-looking. But LAPD is worse than anybody. It’s us against the world. We see ourselves as the last bastion of good people in a world that is crumbling.” – Retired LAPD Command Staff

In addition, a key barrier to department-wide change is lack of internal consensus on the meaning of terms such as “community policing,” and they believe the department rhetoric is irrelevant to what they face on the streets.

“When I was in college, I studied problem-oriented policing. And I thought it could work. I thought you could address problems that way, until I got to the department and saw the magnitude of the problems. The problems are not police problems—they go so beyond what any government can solve. We will be forced to do a suppression model. We cannot address these problems as a police department. These are deep, cultural problems. We can’t send officers in to solve them. It is

not a matter of solving a simple problem. It's crazy out there, what we are facing.” – Gang Officer, less than 10 years in LAPD

“In actuality, we were doing community policing with a different methodology... We were trying to improve the quality of life—we called it an aggressive approach. We were doing Senior Lead Officers. We did lots of non-police related work—going to kids’ carnivals, getting a couch off a yard. These are not police driven jobs, but they became our primary jobs... We become the catchall—we are the toilet, put it in and flush it and hope goes down.” – Veteran LAPD Sergeant

Many officers observed that the department does not train or reward them for engaging in community policing, and many supervisors view time spent with the community as wasted time.

“The Chief and the Deputy Chief, they will eloquently talk about expectations. But when looking for people to reward, those things [such as community policing] are not considered. They are not sexy enough. We have Metro, SWAT, all those tactics that are highlighted and respected. There is lukewarm appreciation—if at all—for those that have narrowed the gap between us and community.” – LAPD Lieutenant

(One lieutenant described how he was admonished by another supervisor for diffusing a situation in a housing project; on Christmas Day, he had asked officers to release a man they had arrested for playing dice.) “Back at the station, the supervisor who wasn’t there but was in charge of the watch with me pulled me in and said I had undermined everything we had built up in the past year by letting this guy go. He said to me, ‘You don’t know how to police these people.’ [The attitude is to] crush. Don’t work through minor problems, don’t handle it like I did. It’s go overkill and get it done.” – LAPD Lieutenant

“I sat down with [a Deputy Chief]... [I told him] we wanted to get community [in a high crime Division] to work closer with LAPD. [The Deputy Chief] said, ‘Don’t waste time with the community—they don’t follow up and they don’t help you, so just put cops on dots’ [and focus on stopping murders].” – Retired LAPD Command Staff

“In Van Nuys, we got these Crime Analysis Data [CAD] forms and we were to fill these out at every robbery. I remember two women were robbed, and I talked to them at length. I went back to the station and the watch commander was mad at me because I took overtime and I took too long on the radio call. I said, ‘Here’s the CAD.’ And the watch commander said, ‘I don’t give a s---. I care about too much overtime.’” – Sergeant, more than 20 years in LAPD

“Over the years, we as an organization made a mistake by telling cops to define success. Because it is fun to drive fast in cars, the people who get gangs and guns off street became the heroes... But, if you recognize success is not the number of guns, or arrests, you get—it includes how you do police work, how you get community support, whether there is a reduction in crime. It didn’t necessarily mean we give a commendation every time we got a gun off the street or put a murderer in jail. If we changed who we as an organization pointed to as heroes... We let the wrong people define success.” – Retired LAPD Command Staff

The report also notes that officers do not trust department leadership to make the right decisions regarding their safety or their careers.

“As one cop said to me at a shooting three years ago—he had about ten years on job—he said, ‘I tell my partner, if it doesn’t come out of that box, it didn’t happen.’ Because trouble flows from observational police work. It makes it too easy to be put at a desk if you have been in too many fights, and Risk Management tags you with it. So the motivation is to stay inside your car and don’t play.” – Supervisor, more than 20 years in LAPD

“An officer has to feel he’ll be protected. After Rampart, nobody admits they are protecting officers. We are totally open and exposed. We see what is going on, but we need protection from our department from gangsters. Complaints are fired more often than bullets.” – Gang Officer, less than 10 years in LAPD

“Each of us are compassionate individuals. We asked to be here. We wanted to try to make an impact. It’s not like we got assigned to this. We chose to be here. So we are choosing to put our life on the front line, because predators are preying on people. We are just asking you to trust us. So why believe a 3rd-Striker when he says, ‘I didn’t do it?’” – Gang Officer, less than 10 years in LAPD

“The department has to start trusting itself again. Inside, there is still a lot of distrust. Got to give back a lot of what was taken away. I can drive in my Shamu car, black and white, but you’ll see me. They need to give us ability to change the manner in which we approach working gangs. We trust the department more and they trust us more, and both parties come out ahead.” – Gang Officer, less than 10 years in LAPD

“I think the majority of officers work at 50%—because of fear. We could be working a lot harder. But look at the restrictions we have. Like time restraints—the booking process takes so long. We are the only Southern California department without a drop-off booking process. I couldn’t book quality of life issues—it takes so much time. If we had an extra couple of hours, so we could be seen, so we could talk to citizens. We are afraid to change.” – Gang Officer, less than 10 years in LAPD

“Nobody wants to be the subject of the next controversial use of force or pursuit or anything. The department changes its policy the minute something happens. I think that creates this [working at] 50% analogy.” – Gang Officer, less than 10 years in LAPD

“It’s not like we are slacking. You are selecting your battles. You see drinking in public, we know the guys and we know what will happen if we enforce the law. It will turn into something we don’t need to be involved in, so we move on. So those quality of life issues—they will turn into a huge problem—but we refocus, we do something else.” – Gang Unit Sergeant, more than 10 years in LAPD

“You hear from the brass, they give us a pat on the back. Our community guys say, ‘I couldn’t do what you guys do.’ And I don’t think they could because it is so different. But we go in day in and day out into a war zone—a forgotten land that people in the Valley don’t care about or don’t think about. And we get it done. And the higher ups say, ‘thank you for doing it’. If they give us respect, why can’t they give us trust?” – LAPD Gang Officer, less than 10 years in LAPD

The Importance of the Consent Decree. *The report discusses the importance of the federal court and the Consent Decree to the department's advancement and transformation.*

Many officers, however, noted the initial failure of the department to explain the importance of the Decree to its troops.

“The way [the Decree] was sold was, ‘Rampart was an anomaly. The Decree was forced on us, let’s just do it for five years, then it’s gone.’ That was how it was sold.” – Lieutenant, almost 20 years in LAPD

“We have accommodated the Consent Decree, but we haven’t baptized ourselves in the purpose of the Decree. We want to get rid of it so we can say we don’t have it.” – LAPD Gang Lieutenant

“When I taught class [on the Consent Decree], I’d ask officers if they had read it... 98% of the officers have not read it... Everybody [in the department] thinks it doesn’t apply to them, but they have never read it and they don’t understand it.” – LAPD Sergeant

“Most of us read [the Decree], but all we did was do training so they could say, ‘You have been trained so if you violate it, your career is over.’ No one incorporated it into training... Nobody explained why things are in place except to say ‘it’s because of the Decree.’ Everything now, we say, ‘it’s Decree driven—you have to do it’... They never said why it was important other than ‘it’s in the Decree.’” – Lieutenant, more than 20 years in LAPD

“Officers never understood why we were doing what we were doing. When you say, ‘because of the Decree,’ it’s [viewed as] negative. [It’s viewed as] we did something wrong so we pay forever.” – LAPD Sergeant

“We have to heal inside first. We are so punitive with the Decree. We are doing audits. If it is revealed the officer failed to document something, we have to do negative comment cards... And this is mandatory for us as supervisors—we must do a comment card or a notice to correct. So the officer carries this baggage with him. So my thought to the Chief would be let’s take away the negativity. Don’t let him carry that out into field. His disposition, his morale is zero—but he is expected to be 110%.” – Lieutenant, more than 20 years in LAPD

“LAPD is still hung up on numbers. The Consent Decree is nothing but numbers. Mistakes mean a negative report from [command staff] or the [Consent Decree] Monitor.” – Veteran LAPD Officer

Several officers expressed their view that the Decree is administratively burdensome.

“Decree things reduce the time we can spend in the field. We don’t have a problem with oversight. But when there is so much oversight that it reduces the time I can put my guys in the field, the community is getting hurt.” – Gang Sergeant, more than 10 years in LAPD

“By the time we get in the field, there are sometimes only 4 hours out of 10 because of all the [Decree] requirements... The department—with the restrictions and administrative things—they make us ineffective.” – Gang Officer, almost 10 years in LAPD

“For example, I start my watch at 2:00, but I have to go to roll call at 4:15. That is a time waste. It’s stupid—there is no reason why my 2:00 roll call can’t substitute, but the Decree says it must be a patrol roll call. Little things like that could make it easier to deal with.” – Gang sergeant, more than 10 years in LAPD

“You have your own Watch Commander and Assistant Watch Commander. What is the benefit of putting a gang guy in patrol roll call? Just so the Watch Commander can bless him and say ‘you were there.’ It’s really unnecessary. All of this information can be passed on through our own chain of command.” – Gang Officer, less than 10 years in LAPD

(Referring to the requirement that gang officers attend patrol roll call.) “The reason was to prevent the gang unit from being a separate entity among itself. But... a lack of supervision is what causes that, not going to patrol roll call. I think it is unnecessary. A lot of things in the Decree—it’s a Band-Aid. I think it is trying to get at cultural change, but you can’t change the culture with silly little requirements.” – Gang Officer, less than 10 years in LAPD

“Some of the changes in the selection process for the gang unit are a good thing. Someone like Perez had no business being in a gang unit. But to tell me after five years that I have got to send my best officer to patrol is ludicrous. We lose expertise. It takes two years to make a good gang officer, to make him fully in tune. By the fifth year, they are on top of it. They shouldn’t be required to go to patrol.” – Gang Unit Sergeant, more than 10 years in LAPD

“Policies are still driven by the Decree. A lot of changes by the department are decree driven. Within gang units—we can’t get in a plain car. We need special permission, a special mission, it’s a whole deal. So things we know work well, we can’t do without special permission. It just minimizes the area we can work in. We know what we can do legally. But a lot of things we are not allowed to do because of policy.” – Gang Sergeant, more than 10 years in LAPD

“The gang units need flexibility. Driving a black and white, you can all see me coming. So the only people we are catching are the sick, lame and lazy and those so high they can’t run. We are catching the weak ones, not the strong ones.” – Gang Officer, less than 10 years in LAPD

“They are little walls that add up to something that slows us down.” – Gang Officer, less than 10 years on LAPD (Referring to the additional requirements of the decree.)

“The decree doesn’t stop corruption one iota... Some things in the decree are OK—the selection of [field training officers], training. But there are other aspects that don’t help the community. The whole point is making sure cops are going out there and protecting the community the best they can... If there is predisposition of an officer to do bad, all the policy in world won’t stop it... [With the decree,] you’ve just taught me how to fill out a form so I know how not to get caught. That is not what causes corruption. We haven’t gotten it.” – Veteran LAPD Detective

“The decree wouldn’t catch Perez. Financial disclosures, he can avoid. He can avoid all that stuff, but he couldn’t avoid a mature supervisor with a one to eight [officer to supervisor] ratio.” – Veteran LAPD Officer

Joint Action Taskforce: *The report recommends an expedited joint action taskforce that identifies actions needed to fix the underlying causes of the CRASH crisis, stem any brewing corruption, install the high road policing demonstrated in the Rampart turnaround, and reduce public-police hostility in high crime Areas. Set forth below are some of the specific issues that the taskforce should address.*

Training

“There is such a failure of training. The military is successful because they are training all the time in peace for war. In our department, training has taken a backseat.” – Veteran LAPD Officer

“One time, there was a training and senior officers were showing us the latest fad in leadership. The trainer walks out, and the captain says, ‘Fine, but don’t forget I’m the f---ing captain and we do things my way.’” – LAPD Sergeant

“Training is often viewed by rank and file as a sanction. With a use of force, if there is a tactics problem, training is recommended. So, training is viewed as a negative. It shouldn’t be.” – Veteran LAPD Officer

“Training is viewed as a disciplinary action—if you screw up, you get training.” – Veteran LAPD Officer

“The three classifications for shootings are ‘no action,’ ‘training,’ and ‘administrative disapproval.’ Training is like a misdemeanor—your shooting wasn’t good enough. We have a proposal where if you are involved in an officer involved shooting or a serious use of force, officers automatically go to debriefing training at the Academy. So there is no stigma. As it is now, if you go to training after a use of force, I am telling you it was substandard. But if everybody went, it could be a great opportunity. You could ask questions in a non-threatening way. It would be a great way to learn.” – Veteran LAPD Officer

“If you’re not willing to train the trainer, you can never get the results. We hire people, throw a t-shirt at them and say, ‘you got it.’ They don’t have fundamentals.” – Veteran LAPD Officer

“When we started the training mandated by the Consent Decree, a Sergeant II gave the training. He said, ‘I don’t know anything about this, and the only reason I do this is because I don’t have to do personnel complaints.’ This was supposedly a critical area— about search and seizure information. This Sergeant II is a nice guy, but he knows nothing about search and seizure.” – Veteran LAPD Sergeant

“For Constitutional Law training, it was done by sergeants, not attorneys. Everybody had to sign a document to say he or she attended. The goal was just to get officers to sign that document, not to train. So they could say, ‘You trained on this, how could you do it improperly?’ at a Board of Rights. The goal is to say we ran you through school.” – Veteran LAPD Officer

“Most of an officers’ job is about managing situations. How do we teach that? [Young officers] don’t know [how to deal with] neighborhood disputes, family disputes, or business disputes. You are rarely in a homicide or robbery. You are managing human beings.” – Retired LAPD Command Staff

“The training is still too disproportionately focused on shooting and killing. When we send someone for refresher training, we send them up to Universal Studios where they spend eight hours killing each other.” – Retired LAPD Command Staff

“There’s in-service—it mandates hours, but not subject matters. LAPD follows POST [Police Officer Standards and Training]. So you sit and get lectured at—about things like cultural diversity. You check a box. You get lectured on how to enter a Hindu’s house. I viewed classes as a paid vacation. I never used the stuff. But I could wear jeans, I got off on-time, got a Code Seven. I never used it.” – Veteran LAPD Sergeant

“The only people who get regular training are Metro. They do not provide the policing that regular officers provide on daily basis. Yet, they are given all the perks—the Police department vehicles, and selective enforcement. The officer in the field doesn’t get training—tactically or about leadership.” – LAPD Lieutenant

“There is West Point [Training Program]—sergeants get a shortened version of that. They give longer courses to senior sergeants and lieutenants. In sergeant school, it’s a shortened version—there is some role-playing in it, some coverage of what is span of control. It has some concepts of leadership, but we don’t have a gradual system of leadership. Like in the military, you slowly work yourself up so you are slowly given responsibility. Here, one day you are a P-III in a car, the next day you are in charge.” – Veteran LAPD Sergeant

“For the West Point training, you have to be a Sergeant II or above, so patrol sergeants can’t go. Leadership is not taught. In the supervisor training I went to, we watched [the movie] ‘Twelve O’Clock High.’ This was good to a point—it’s about leadership. But otherwise, the training is about complaints, the manual. It’s not about how to motivate.” – Veteran LAPD Sergeant

“For more than a decade, we have not been taught how to supervise. We teach how to do a comment card, or a notice to correct. We don’t teach people skills.” – Veteran LAPD Detective

“We need to train leadership. We teach the manual. We don’t teach real risk management, we don’t teach mentoring. The sergeants see strange behavior but they don’t want to deal with it and so it gets passed on. A supervisor must be willing to stand up and be a real supervisor.” – Veteran LAPD Officer

“We go to supervisor school and we learn the nuts and bolts. But you get to the Division and you’re thrown the keys to the sergeant car and they say, ‘go supervise.’ Unless there is a Watch Commander who cares to see if he is OK or to mentor him, you’ve lost it. Our department doesn’t have ongoing leadership training.” – Lieutenant, more than 25 years in LAPD

“We don’t have a gradual system of leadership training. Like in the military, you slowly work yourself up so you are slowly given responsibility. Here, one day you are a P-III, the next day you are in charge.” – Veteran LAPD Sergeant

“I train sergeants when they come in... It is good to train gradually, but some nights it’s ‘you’re in the field tonight, good luck.’” – Sergeant, more than 20 years in LAPD

Patrol

“The common denominator, from Devin Brown to Rodney King, it’s all involving patrol officers. But that is the last place where we put resources, talent, and promotional opportunities. Something is out of balance.” – Lieutenant, 20 years in LAPD

“This department never got in trouble once for a bad decision of a Lieutenant II in the building. That didn’t cost the department money or a riot.” – Command Staff, more than 25 years in LAPD

“Patrol has a burnout factor. They are in court all the time, they never get off work on time. It causes marital stress. Unless bodies are in black and whites, and the guy who calls for back up knows it’s coming... You are not going to be proactive if you know there are only six cops out there to back you up—in Southeast or even in Devonshire. You have got to have cops out there. The captain says, ‘I need my aide, my adjutant, I need P-IIIs.’ The last people who get resources are the guys in the street.” – Veteran LAPD Sergeant

“If you look at the department—the best and the brightest sergeants are in gang units. They know—they get it because they are forced to get it because of the Decree. Even the structure around gang units—you don’t investigate your complaints, it goes to IA. That gives them time. But it didn’t go to patrol sergeants. All this structure on gang units is making leadership in the gang units strong. But not in patrol. So the shooting at moving vehicles, Devin Brown, Stanley Miller, all of that is patrol. The sergeants are not there—they are doing paperwork or are tied up. Gang units got it, but not patrol.” – Lieutenant, almost 20 years in LAPD

“Often patrol is seen as a way-station to something else. You are just a generalist, not a specialist. That is frowned on, like ‘can’t you do anything else?’ I am doing the most important thing for me and those in the field. But above us, it is not perceived as that. It is, ‘She is still in patrol—what is wrong with her?’” – Lieutenant, 20 years in LAPD

“The incentives are backward. You are viewed as a loser if you remain on patrol.” – Veteran LAPD Officer

“If we did advanced pay grades differently, it would have a big effect. There are few Sergeant IIs in the field, but there are so many in [Professional Standards Bureau]. There are few Lieutenant IIs in stations or in specialized units. It’s so much about mixed messages. We say it is obvious that we need to get the best people in patrol, but the incentives are to go elsewhere.” – LAPD Command Staff

“The incentives must be switched. When I left patrol—yes I lost 2% [pay increase]. But what if there was a Lieutenant position in patrol? I might’ve stayed.” – Lieutenant, more than 20 years in LAPD

“The more you are in the field, the less likely you are to be promoted. You’ve got to go inside.” – Veteran LAPD Sergeant

“[In 1992,] the department started promoting people with clean packages; they wouldn’t promote someone with complaints. Still, people have moved up and have that mentality. So you don’t want to stay in patrol because it will muddy your package. You come into contact with violent people—

you get a use of force and complaints—you will throw your career off track. They won't promote you to sergeant. They say, 'look at his package, the complaints.'" – Lieutenant, 18 years in LAPD

"If a cop wants to make lieutenant, he goes to IA or becomes an adjutant. He can make more money, he gets a car and he works 9 to 5." – Detective, more than 25 years in LAPD

"Cops are encouraged to get into the building and keep your package clean. If you remain on patrol, you will get your package dirty. But the smartest, brightest officers must be present when the decision is made whether to pull the trigger or pull the door down." – Veteran LAPD Officer

"Eight or nine Sergeant IIs promoted went to [Professional Standards Bureau]... [W]hen promotions are made, they are not sent to the divisions. We are top heavy. They are going someplace else. Now, with 19 geographical divisions, we are hurting big time... The priority is not about staffing the divisions with supervisors." – Lieutenant, 20 years in LAPD

"[We need] more incentives for supervisors to stay in patrol. There are none today. All of the bonus positions are in the building. A commander or an adjutant has a great life. But I'm not in the streets, taking complaints, tending to the flock. Police officer's responsibility is to improve. Everything in patrol should be bonused... department would say, 'We want the best people'—I would say, 'Shouldn't they be in the street?'" – Veteran LAPD Detective

"The only people who get regular training are Metro. They do not provide policing that regular officers provide on a daily basis. Yet they are given all the perks—Police department vehicles, and selective enforcement. The officer in the field doesn't get training—tactically or about leadership." – LAPD Lieutenant

Performance Evaluations and Promotions

"The Evaluation system is totally devalued. It's meaningless. It is a chore you have to do that has nothing to do with promotions or assignments. Devalued. When we are talking about the officer who does good [community policing or intelligence gathering], where does that get recognized? There is a perception that it will be in his evaluation, but as it is the evaluation is meaningless." – Retired LAPD Command Staff

Discussing poor supervisors and risk assessment: "In my opinion, a sure way to identify those kind of supervisors is to look at their evaluations for people and compare those to people who evaluate honestly... You would think that captains now would be doing that, seeing whether the supervisors are doing cookie cutter [evaluations]. The rating system perpetuates it—everybody has pluses in boxes... [The evaluations are] not worth the paper they are written on." – LAPD Command Staff

"This is the first year of the new evaluation system... On paper, it is eloquently written. But when it comes to doing real assessment, it is lacking." – LAPD Lieutenant

"When we hire police officers, what attributes do we hire them on that makes us think they will be good police officers? There are things we look for with hiring, but none of those things matter when they get into the department. I'm not saying things we look for with hiring were right, but at least we tried to ask what are predictors of success. We have never traced an officer from the time

of his hiring throughout his career. That would require supervisor reports, and the supervisor doesn't even know the guy." – Retired LAPD Command Staff

"It's not your evaluation that gets you the job, it's word of mouth. It's the phone call." – LAPD Command Staff

"There are evaluations, but in fact recognition systems are informal. Who gets good jobs, who gets promoted, that is all informal. Are we going to put something else in its place? ...An evaluation that means something would be a game plan, like 'I talked to this officer about what he wants, he has these goals, etc.' Now, I have an evaluation that says 'strong points,' 'areas of improvement' and 'improvement plan.' These are good headings, but there is nothing there." – Retired LAPD Command Staff

"A lot of LAPD policy is beautiful, like the US Constitution. But the reality is what happens on the phone, not on paper... Some people will kill you on the phone, not on paper. And the call is just as potent as the documentation. This has to be rectified—it affects opportunities to get in certain positions. Even though you might compete for positions, glass barriers are keeping [minorities] from getting them." – Lieutenant, 25 years in LAPD

"There is no sheet of paper saying how to get to Metro. But they say, work two to five years in Rampart or 77th. A 'Use of Force' or 'Officer Involved Shooting,' beyond your control, is helpful. Your ratings, being a [Field Training Officer] with a good reputation. And the 'phone jacket.' Is this guy a team player, is he trustable? They are talking to someone at the division who they trust. If you don't have that, you are not in." – Sergeant, almost 20 years in LAPD

"The culture of the organization is directly involved with pay grades, promotions. People within the organization don't want strong leaders—they make waves. So they will groom people they want—those are the people positioned to go to the next level... We need independent people saying who is best to move up. The pay grade advancement system is absolutely corrupt." – Lieutenant, more than 20 years in LAPD

"For certain people, it's like the shell game. They have a lot of power and they have the same opinion... A Lieutenant II who is now retired told me he had to go through 55 interviews before getting a Lieutenant II position. That is wrong. A civil service exam position is easier to get than an advanced pay grade position like D-III or PO-III. Those are done in-house, inside LAPD. There are king makers—they decide who they give the position to. If it's not civil service, the good ol' boys decide." – Sergeant, more than 20 years in LAPD

"The department is quick to label people. If you get a negative label, it is difficult to get out from under it... A good label is the same way. If you are seen by most as smart, you could decide to do the bare minimum, but because of the label you could slip and slide for years and people make excuses for you." – Retired LAPD Command Staff

Supervision and Dealing with Problem Employees

"Sometimes guys can't pass a polygraph to go to the next coveted assignment but then they get sent back to their other assignment. We need to be more honest." – Detective, more than 25 years in LAPD

“Moving the problem is not solving the problem. If the person is good to move, he is good to terminate. How we have them in the community—it shows we have no respect for these communities.” – Veteran LAPD Sergeant

“Personnel complaints on the job are almost always due to failure to be good supervisors—the supervisor has allowed the officer to go on and on. No one tells him, ‘get it together.’” – Veteran LAPD Sergeant

“Unless you are very strong willed, supervisors will turn their heads until problems gets too big.” – LAPD Lieutenant

Conflicts of Interest

“In [one division], a Training Officer has a probationary officer and the probationary officer’s husband was supervisor at Central on the same watch. That is chilling. But the bulb has not gone on about that. We need to avoid those conflicts.” – Retired LAPD Command Staff

“We need to stop the LAPD Rumor Mill. Whether about sexual things or sleeping around. There is no place for it, but it exists. It shouldn’t. But there are not enough people willing to say, ‘Why are you even talking about that?’” – LAPD Command Staff

“It’s not a past problem. It’s happening today. PSB [Professional Standards Bureau] just deep-sixed a complaint against a supervisor who refused to end an affair with a female in his line of command—PSB wanted that officer, so she got moved and the complaint got dropped. That sends the wrong message about a number of things.” – Command Staff, more than 25 years in LAPD

Racial Tensions

“[Many white officers,] talk about how there is no racism. They won’t see that it is underlying because they perpetuate that.” – LAPD Lieutenant

“Even if you have the most comprehensive list of attributes for a good leader, it won’t matter when a black person has those same attributes. You have to deal with that issue. You have a black supervisor in Foothill—he is perfect on paper. You have a white supervisor who is the same. They will have a problem with the black supervisor because of whatever. If the black supervisor does the same as the white supervisor—being firm when he needs to be—he will be unpopular.” – Veteran LAPD officer

“It’s natural. Look at the makeup of LAPD. I find it difficult to believe that the person most qualified is almost always non-black. They say they’re not making the selection on race but on ability. But the person for the coveted positions always is non-black. How can that be? ... It is engrained within the culture. It goes to the core of prejudice and bias.” – Veteran LAPD Lieutenant

“Now we are so involved in political correctness—we are trying to make cops look just like the community and sometimes that is not the right fit.” – Detective, more than 25 years in LAPD

“Ask yourself why there are no black Lieutenants in Metro... No African Americans are in the aggressive unit in Metro. Or a black Commanding Officer in Metro—no one since [two black command staff who have since retired]. Air support? Never. We could go on and on. How many black sergeants are in South Bureau?” – Veteran LAPD Lieutenant

“When the opportunity for upgrades to certain positions, we say [to other minority officers] don’t even try. We say don’t even apply to Metro, they won’t hire people like you.” – LAPD Command Staff

“If you look at the Divisions, [their racial] make-up is OK. If you look at gang units, you’ll see African American officers don’t want to go to [gang units]. Maybe because they get more uses of force and complaints than others. If I’m grooming myself for promotion, [I will avoid the gang units because] the gang unit people are who Risk Management looks up. TEAMS II could be a depolicing mechanism.” – Detective, more than 25 years in LAPD

“The problems in the specialized units, those are guys with 15 or 20 years. When you’ve got narcotics units, they are all the white units excluding [black officers.] Maybe it’s changed a little, but it used to be that you couldn’t get assigned to narc units [if you were black]. You could get loaned because they needed a black face [for the work]. But...it was a white detective as the investigator. And you, as the undercover officer buying dope, you get a little commendation—an ‘Atta Boy.’ It is still very much tied to the good ol’ boys. There are types of units where you can’t operate effectively, can’t make substantial cases, without informants in the community. It really cuts down effectiveness if you don’t have blacks assigned. They’ll take a loan [of a black or Latino officer]. But you couldn’t get a job [with those units].” – Lieutenant, more than 20 years in LAPD

“A black supervisor will be more sensitive to needs of the community... Most officers aren’t concerned with the welfare of the community. When a black supervisor takes a different position, it makes a difference... The most common among black command supervisors is that the interest of community factors in. It’s not the same with white supervisors.” – LAPD Lieutenant

Appendix C

Rampart CRASH Scandal Scorecard

INFORMATION CATEGORY	AVAILABLE INFORMATION
<i>INCIDENTS OF MISCONDUCT</i>	
Number of incidents of police misconduct identified by Rafael Perez	<u>Approximately 123 incidents</u> ¹ <ul style="list-style-type: none"> • Some at which Perez was present • Some where Perez had heard of misconduct second or third hand • Some where Perez reviewed police reports and discerned misconduct based on the reports
<i>WRITS/OVERTURNED CONVICTIONS</i>	
Total number of “Rampart related” petitions for writs of habeas corpus filed for felony convictions	<u>Approximately 333</u>
Total number of felony convictions dismissed or overturned as a result of “Rampart related” writs	<u>Approximately 156</u> <ul style="list-style-type: none"> • Of these, approximately 110 were either initiated or conceded (i.e., unopposed) by the DA’s Office • Approximately 14 Rampart related writs remain pending
Total number of misdemeanor convictions dismissed or overturned as a result of “Rampart related” writs	<u>Approximately 15</u> ³

INFORMATION CATEGORY	AVAILABLE INFORMATION
<i>CRIMINAL CHARGES & CONVICTIONS^t</i>	
Number of officers criminally indicted on state or federal charges (including Perez)	<p><u>9 officers</u></p> <ul style="list-style-type: none"> • Rafael Perez – also charged with federal civil rights violations • Nino Durden – also charged with federal civil rights violations • Edward Ortiz • Brian Liddy • Michael Buchanan • Paul Harper • Manuel Chavez • Shawn Gomez • Ethan Cohan <p><u>1 Ancillary Federal Prosecution</u></p> <ul style="list-style-type: none"> • Sonya Flores

INFORMATION CATEGORY	AVAILABLE INFORMATION
Number of officers who pled guilty	<p><u>5 officers</u></p> <ul style="list-style-type: none"> • Rafael Perez – also pled guilty to federal charges. <ul style="list-style-type: none"> ○ Sentenced to 5 years in prison on original drug charges ○ Sentenced to 2 years in prison and 3 years probation on federal civil rights charges • Nino Durden – also pled guilty to federal charges. <ul style="list-style-type: none"> ○ Sentenced to 5 years on state charges ○ Sentenced to 3 years on federal charges ○ Serving sentence concurrently • Manuel Chavez <ul style="list-style-type: none"> ○ Sentenced to 60 days in jail and 3 years probation • Shawn Gomez <ul style="list-style-type: none"> ○ Sentenced to 3 years probation and 400 community service hours • Ethan Cohan <ul style="list-style-type: none"> ○ Sentenced to 1 year in prison and 3 years probation <p>• Sonya Flores also pled guilty to making false statements to federal authorities. Sentenced to 14 months in prison.</p>
Number of officers who went to trial	<p><u>Five officers</u></p> <ul style="list-style-type: none"> • Rafael Perez • Brian Liddy • Edward Ortiz • Michael Buchanan • Paul Harper
Number of officers with hung jury	<p><u>One officer</u></p> <ul style="list-style-type: none"> • Rafael Perez (drug case)
Number of officers acquitted by jury	<p><u>One officer</u></p> <ul style="list-style-type: none"> • Paul Harper

INFORMATION CATEGORY	AVAILABLE INFORMATION
Number of officers convicted by jury	<p><u>Three officers, but convictions subsequently overturned by trial court⁵</u></p> <ul style="list-style-type: none"> • Brian Liddy • Edward Ortiz • Michael Buchanan
	<i>ADMINISTRATIVE INVESTIGATIONS & DISCIPLINE⁶</i>
Number of administrative complaints related to CRASH Crisis	<p><u>Approximately 398 Administrative Complaints</u></p> <ul style="list-style-type: none"> • Involving Approximately 93 Officers • Most of these did not result in Boards of Rights <ul style="list-style-type: none"> ○ Some resulted in short-term suspensions ○ Many resulted in Official Reprimands (in some instances because administrative limitations period had expired) ○ Some of the complaints were deemed “Unfounded” or “Not Resolved” ○ Several that were scheduled for Boards of Rights were withdrawn or reclassified as “Not Resolved” ○ Several were cancelled due to the officer resigning from LAPD or the officer being removed as a result of another Board of Rights

INFORMATION CATEGORY	AVAILABLE INFORMATION
Number of Boards of Rights related to CRASH Crisis	<p><u>Approximately 86 Boards of Rights</u></p> <ul style="list-style-type: none"> • 54 Resulted in Findings of Not Guilty on all Counts • 19 Resulted in Findings of Guilty on all Counts <ul style="list-style-type: none"> ○ 5 Resulted in Removal ○ 1 Officer Resigned in lieu of Removal ○ 1 Resulted in 110 Day Suspension ○ 3 Resulted in 22 Day Suspensions ○ 1 Resulted in 20 Day Removal ○ 2 Resulted in 15 Day Suspensions ○ 3 Resulted in 10 Day Suspensions ○ 3 Resulted in Official Reprimands • 12 Resulted in Findings of Guilty and Not Guilty <ul style="list-style-type: none"> ○ 1 Resulted in Removal ○ 1 Resulted in 66 Day Suspension ○ 1 Resulted in 44 Day Suspension ○ 1 Resulted in 22 Day Suspension ○ 2 Resulted in 10 Day Suspensions ○ 1 Resulted in 7 Day Suspension ○ 4 Resulted in Official Reprimands ○ 1 Did not Have Penalty Information Available • 1 Verdict Unobtainable
Number of CRASH Crisis Related Boards of Rights Identified by Panel against Commanders or above	<u>None</u>
Number of CRASH Crisis Related Boards of Rights Identified by Panel against Captains	<u>One</u>

INFORMATION CATEGORY	AVAILABLE INFORMATION
<i>CIVIL LAWSUITS</i>	
Number of civil lawsuits brought against the City stemming from Rampart CRASH scandal	<u>Approximately 214</u> <ul style="list-style-type: none"> • None went to trial • 27 were dismissed • 187 were settled • 8 remain pending, including 3 on appeal
Amount City Paid to Settle Rampart CRASH Lawsuits	<u>Approximately \$70 Million</u>
<i>COMMISSIONS, REPORTS AND RECOMMENDATIONS</i>	
Number of Publicly Issued Reports Stemming from Rampart CRASH scandal	<u>Five</u> <ul style="list-style-type: none"> • LAPD’s internal <i>Board of Inquiry on the Rampart Area Corruption Incident</i> (the “Board of Inquiry Report”), dated March 1, 2000; • <i>An Independent Analysis of the Los Angeles Police Department’s Board of Inquiry Report on the Rampart Scandal</i> (The “Chemerinsky Report”), written at the request of the Police Protective League, dated September 11, 2000; • <i>The Report of the Rampart Independent Review Panel</i> (the “Drooyan Report”), appointed by the Police Commission and the Office of the Inspector General, dated November 16, 2000; • <i>Rampart Review</i>, issued by the Los Angeles District Attorney, dated November 25, 2002; and • <i>A Critical Analysis of Lessons Learned: Recommendations for Improving the California Criminal Justice System in the Wake of the Rampart Scandal</i> (the "Collins Report"), issued by the Los Angeles County Bar Association Task Force on the State Criminal Justice System, dated April 2003
Number of Recommendations Made by these Reports	<u>304</u> <ul style="list-style-type: none"> • 108 in Board of Inquiry Report • 81 in Chemerinsky Report • 86 in Drooyan Report • 29 in Collins Report

INFORMATION CATEGORY	AVAILABLE INFORMATION
Number of these Recommendations that Have Been Implemented	<u>Unknown</u>
Number of Reports Published by Involved Agencies Assessing their Response to Rampart CRASH Crisis	<u>None</u>
Number of Independent Commissions with the Mandate to Conduct a Thorough Investigation of the Extent of Police Corruption relating to Rampart CRASH Crisis, and with Adequate Funds, Powers and Personnel to Conduct Such Investigation.	<u>None</u>

¹ Los Angeles District Attorney's Office's *Rampart Review*, November 25, 2002, at 1.

² The District Attorney's Office expended significant efforts attempting to compile information concerning the number and results of Rampart related writs filed. They acknowledge, however, that to date they have not been able to compile a complete list. Initially, Rampart related writs were handled by a subgroup of the Special Prosecution Team specifically formed for Rampart. After the Special Prosecution Team disbanded, the writs were transferred to the DA's Habeas Corpus Litigation Team ("HABLIT"). Although the DA's Office had assigned a person to keep track of the Rampart related writs, the person assigned to that task left the Office. These changes in the divisions and personnel responsible for the Rampart related writs have thus far prevented the DA's Office from compiling a complete list of Rampart writ information.

³ The City Attorney's Office, which handles misdemeanor convictions, provided the Panel with this estimate.

⁴ Information gathered from various news sources and Panel interviews.

⁵ Shortly after the trial, Paul Harper was returned to active duty. Michael Buchanan was terminated in May 2004; in late 2005, he was charged with perjury and creating a fake identification card to get a job as a private security guard. Also in late 2005, an LAPD Board of Rights recommended that Brian Liddy be terminated for Rampart related misconduct. Edward Ortiz remains on unpaid leave with Boards of Rights pending. After the trial and the court's decision to overturn the jury's guilty verdicts, Liddy, Ortiz and Harper filed a civil lawsuit in Orange County against the City of Los Angeles and others, claiming malicious prosecution. A jury recently awarded each man \$5 Million in damages against the City; the City has announced its plans to appeal.

⁶ The Panel was unable to obtain complete information regarding the administrative complaints and resulting Boards of Rights relating to the CRASH crisis. The Department's Professional Standards Bureau and Risk Management Division worked diligently to provide the Panel with as much information as possible. Indeed, Professional Standards Bureau worked approximately 300 hours of overtime to assist the Panel in getting Boards of Rights information. However, since the Department had not maintained records of which complaints and Boards of Rights were related to Perez and the CRASH Crisis at the time they occurred, it proved impossible to definitively identify and retrieve all of the

relevant administrative investigations and Boards of Rights or to confirm that the universe of materials that the Panel pulled together from various sources constitute the complete record of administrative investigations and disciplinary procedures. For example, while PSB provided the Panel with voluminous information, the Panel discovered through other sources a small number of Rampart related Boards of Rights that were not identified by PSB.

⁷ Scott Glover and Matt Lait, "LAPD Settling Abuse Scandal," *Los Angeles Times*, March 31, 2005.

Appendix D

Summary of Personnel Department Hiring Analysis

This memorandum summarizes the review performed by the City of Los Angeles' Personnel Department at the request of the Blue Ribbon Rampart Review Panel ("Panel"), and the results of that review. The Panel asked the Personnel Department whether it could conduct an analysis to confirm or rebut the idea that the Los Angeles Police Department applied lowered hiring standards for minority officers, and that those lowered standards contributed to the CRASH crisis. Experts in the Personnel Department reviewed the background investigation and psychological evaluation files of randomly selected recruits hired in 1989-90, 1992-93 and 1996-97. At the request of the Panel, they also reviewed the background investigation and psychological evaluation files of seventeen current or former LAPD officers implicated in the CRASH crisis.

The Personnel Department experts found no instance where a candidate failed to meet the LAPD's background or psychological standards. Moreover, the experts found no meaningful difference in the application of background and psychological standards' to candidates of varying race or ethnicity.

I. BACKGROUND

A. Current LAPD Hiring Process

Currently, the LAPD hiring process consists of: (1) a multiple-choice test; (2) an essay; (3) an in-person interview; (4) a physical ability test; (5) a background investigation; (6) a medical examination; and (7) a psychological evaluation.

The background investigation includes a records check, an in-person interview conducted by the background investigator, a polygraph examination, a drug test and a field investigation, in which a background investigator contacts and interviews various candidate references. The members of the Personnel Department's Background Investigation Division assess the gathered information against six standards: interpersonal skills; judgment; maturity and discipline; honesty and ethics; ability to set and achieve goals; and a check of the candidate's records. (A further description of these background standards is attached as Exhibit A.) Considering these factors in the context of the "whole person," the Background Investigation Division determines whether the candidate is qualified or disqualified.

If the candidate passes the background investigation, he or she undergoes a psychological evaluation. The psychological evaluation consists of written personality tests and an in-person interview with a Personnel Department psychologist. Based on the test results and interview, as well as a review of information collected during the background

investigation, the psychologist makes a qualified/disqualified determination of the candidate's psychological suitability for police work.

Candidates do not receive any ranking or score in the background investigation or psychological evaluation phase of the application process. The only phase of the hiring process where the candidate receives a score is the in-person interview. This interview score forms the sole basis for a candidate's ranking.

A candidate's ranking is significant because LAPD must hire from among the highest-ranking candidates. Pursuant to a federal consent decree issued in settlement of the case *Blake v. City of Los Angeles* (1979), the City has established four separate civil service eligible lists for (1) Black males; (2) Hispanic males; (3) Caucasian, Asian and American Indian males; and (4) all females. LAPD must hire from among the highest-ranking candidates on each of the four lists. The highest-ranking candidate on one list could have a lower score than a lower-ranking candidate on another list. Thus, a candidate on one list could be hired over a higher scoring candidate on another list.

B. Previous Hiring Process

The LAPD hiring process of the late 1980s and early 1990s differed in some significant respects from the current process. Prior to 1992, the Personnel Department only reviewed the files of candidates that LAPD had recommended for disqualification, and did not review the files of those candidates deemed qualified by LAPD. In 1992, based on findings and recommendations made by the Independent Commission on the Los Angeles Police Department (the "Christopher Commission"), the Personnel Department began to review all candidates' files prior to hiring, including candidates that the LAPD had deemed qualified. Also based on recommendations made by the Christopher Commission, LAPD began completing candidates' background investigations prior to their hiring.¹

Moreover, until relatively recently, sworn LAPD officers conducted all candidate background investigations. Beginning in late 2001, LAPD began to augment its background investigative staff with civilians who had investigative experience. In July 2004, the City's Personnel Department took over the background investigation function. Now, all background investigations are conducted by experienced civilian investigators.

Other changes include the addition in 2001 of a mandatory polygraph exam, and reconfigurations to the background standards made in 1991 and again in 2003. At the Panel's request, the Personnel Department prepared a chart setting forth the LAPD hiring process from 1980 through the present, which is attached to this memorandum as Exhibit B.

C. The Panel's Request

In the course of its work, the Panel discerned a belief among several current and former police officers that lowered standards led to the hiring of many of the officers

¹ As noted in the Christopher Commission's report, during heavy hiring periods LAPD's background investigators were sometimes unable to contact all references and complete the background investigation before the candidate began working as a police officer.

involved in the CRASH crisis. Apparently because Rafael Perez and some of the other officers involved in misconduct were Black or Hispanic, many seem to believe that these lowered hiring standards were applied to minority candidates under a program of “affirmative action.”

To test the veracity of this belief, the Panel asked the Personnel Department whether it could review a sample of applications for candidates hired by LAPD and discern whether different standards were applied to candidates in different ethnic groups. In addition, the Panel asked the Personnel Department to review the application files of seventeen police officers implicated in the CRASH crisis to determine whether information in their files should have disqualified them from hiring.² The seventeen identified officers included nine Caucasians, four Hispanics, three Blacks and one self-designated as “Other.”

II. METHODOLOGY

A. Research Design

From the outset, the Panel and the Personnel Department agreed that this study would consist of a qualitative review of a small sample of candidates’ files and would not include any statistical analysis. The Personnel Department assigned experts to compile information from each candidate’s file and, subsequently, a different group of experts, who were “blind” to the ethnicity of the candidate, evaluated the information (1) to sort the candidates into groups based on their relative level of negative information and [2] to determine whether hiring standards were met.

In addition to reviewing the files of the seventeen officers identified by the Panel Chair, members of the Personnel Department reviewed the files of 240 LAPD officers hired during one of three fiscal years, 1989-90, 1992-93 and 1996-97. The Personnel Department selected these three years because officers involved in the CRASH crisis were hired in each of these years, and they were years where LAPD hiring rates were particularly high or low. 1989-90 and 1996-97 were both years of heavy hiring, with 768 and 1258 officers hired respectively. 1992-93 was a year of low hiring, with 143 officers hired. For each of these three years, Personnel reviewed 80 police officer application files consisting of 20 officers from each of the four largest ethnic groups: Black, Hispanic, Caucasian and Asian. The application files were selected at random within each ethnic group.

The Personnel Department reviewed only the background investigation and psychological evaluation for each applicant. The background investigation and psychological evaluation are intended to assess a candidate’s honesty, integrity and suitability for work as a police officer. Arguably, these are the steps in the application process most relevant to the issue of whether a candidate has a propensity to commit misconduct such as that at issue in the CRASH crisis.

² These officers included the four officers whose backgrounds were discussed in LAPD’s *Board of Inquiry into the Rampart Area Corruption Incident* (“BOI”).

In conducting their analysis, the Personnel Department experts reviewed only negative information.³ The experts considered all negative information, even if the issue was relatively minor (e.g., refusal of a credit card or loan application). Generally, they did not consider mitigating information. However, they did note if a problem had been resolved (e.g., if a late payment had been corrected).

B. Limitations

The experts could not locate files for some of the randomly selected candidates. They could not replace those candidate files with additional sample selections due to time and resource constraints. In a few instances, the experts found information in a background file illegible. Additionally, several of the psychological files contained only test results and no interview notes; whether negative information was recorded in those notes remains unknown. Since there was no reason to believe that the impact of these limitations would vary across ethnic groups, the examination of whether there were differences in standards applied among various ethnic groups remained viable.

C. Information Compilation

1. Background Investigations

A former Chief of the Personnel Department Background Investigation Division compiled information from the background investigation files for each of the 280 sample candidates, as well as the seventeen current and former police officers identified by the Panel Chair. For each file, the expert compiled negative information only, categorized into one of the six current background standards discussed above in Section I.A.

The current Chief and Assistant Chief of the Personnel Department's Background Investigation Division reviewed the negative background information compiled for each candidate with identifying information, including ethnicity, removed.⁴ Based on their expertise, the Background Investigation Chiefs categorized each candidate based on the amount or nature of the negative information in his file. A candidate categorized as "None" had no negative information in his background investigation. A candidate placed in the "Lower" category had less negative background information relative to the other qualified candidates reviewed. A candidate in the "Medium" category had an average level of negative background information and a candidate in the "Higher" category had relatively more negative background information within this group of qualified candidates. In all instances, negative information signals issues that require additional information during the actual background investigation before a qualified/disqualified determination can be made.

³ This differs from the "whole person" analysis employed in the hiring process, where the Personnel Department considers whether positive information sufficiently counters or qualifies negative information in the candidate's file. Here, the experts' sole focus was to identify negative behavior that could signal problematic behavior on the job.

⁴ The background information did include the age of the candidate because age at the time of the behavior and how recently the negative behavior occurred can be important factors in evaluating the behavior.

The City's Personnel Research Psychologist, an expert in research design, also reviewed the compiled background information. Based on her review, she identified eighteen categories of negative behavior, referred to as "content areas," and assigned each piece of negative information into one of the content areas. For example, if a candidate had a traffic ticket, the Personnel Research Psychologist noted an entry in the content area for moving violations.

2. Psychological Evaluations

A City Occupational Psychologist compiled the available psychological evaluation information for each of the sample candidates, as well as the seventeen current and former police officers identified by the Panel. The psychologist recorded any negative information, including: elevated scores on either the test for abnormal personality traits or the test for normal personality traits; negative information from the candidate's Personal History Questionnaire ("PHQ")⁵; and, if available, negative information in the psychologist's interview notes. The psychologist, along with the City's Lead Occupational Psychologist, reviewed the negative information for each candidate, with all identifying information, including ethnicity, removed. Using the same method employed by the Background Division experts, the psychologists assigned each candidate to one of four categories: "None," meaning the candidate had no negative psychological information; "Lower," meaning the person's negative psychological information was lower relative to the other qualified candidates reviewed; "Medium," meaning the candidate had an average level of negative psychological information; and "Higher," meaning the candidate had a relatively high level of negative psychological information among this group of qualified candidates.

The Personnel Research Psychologist who reviewed the background information also reviewed the negative psychological information compiled. She recorded how many candidates had one or more elevated scores on the personality tests. She also noted how many negative answers a candidate had in his PHQ. Based on this information, she identified the lowest and highest number of negative PHQ answers per candidate in each ethnic group.

III. SAMPLE RESULTS – OVERALL

A. Background Investigation Information

The experts found no instance of behavior that could be deemed egregious, outrageous, pathological, or otherwise transgressing accepted societal norms. The negative behavior they recorded usually indicated a single, discrete action. Clear patterns of objectionable behavior or triangulation of objectionable behavior (i.e., confirmation of the same type of behavior by various sources) was unusual.

⁵ The PHQ is a multiple-choice questionnaire that includes questions on a wide range of life experiences (e.g., questions regarding relationships and school experiences). A candidate's responses to each item are not right or wrong *per se*, but either neutral or cause for follow-up in the interview with a psychologist. For example, a candidate's disclosure in the PHQ of multiple suspensions from high school would be noted for discussion in the interview.

Almost one-half of the instances of negative information recorded arose from records checks. Traffic tickets were the most common occurrence, although nearly as many individuals had made payments late and/or had an account go to collection. Often these accounts were small, and virtually all were up to date or paid in full prior to hire. Several candidates had involvement in at-fault accidents. Some candidates did not have automobile insurance at some point in time, although virtually all the candidates obtained proper insurance prior to hire.

Most candidates also had a negative incident on a job, including having received counseling for tardiness or poor attendance, having received other negative feedback/discipline, having quit without giving proper notice or having been terminated from employment. These tended to be single incidents, often in the distant past and involving a part-time job of short duration.

The experts found few interpersonal issues, including conflict with others in the professional or personal context. These usually involved a single incident. The experts identified several candidates who had negative behaviors such as stealing an item of small dollar value, use of an illicit substance, or having been involved in a physical altercation. However, the experts deemed these behaviors isolated and not reflective of the candidate's lifestyle. In addition, they noted that most such incidents occurred at a very young age, some years before the candidate applied to LAPD.

B. Psychological Evaluation Information

Like the background investigation experts, the psychologists who reviewed the psychological evaluations found no disturbing patterns or corroboration of negative information from different sources in any of the candidates' files. Generally, they found that negative indicators in a candidate's psychological evaluation were isolated. While some candidates had one or more elevations on the normal or abnormal personality tests, this represents a very small proportion of the large number of test scores evaluated and is not uncommon among any group of applicants. Similarly, the experts noted that negative answers on the PHQ did not necessarily reflect a problem, but rather a topic to be followed up on in the psychologist's interview.

IV. SAMPLE RESULTS – BY YEAR

A. 1989-90

The experts discerned little difference among ethnic groups with respect to the average number of "content areas" of negative information per candidate.⁶ Candidates in each ethnic group averaged negative behavior in approximately four content areas. The experts also determined that the type of negative behavior did not differ markedly among ethnic groups. Table 1 sets forth the average number of content areas with negative information per candidate for each ethnic group.

⁶ The experts could not obtain background investigation files for two of the randomly selected eighty candidates.

Table 1 – Background Investigation “Content Areas” (1989-90)

	Black	Hispanic	Asian	Caucasian
Per Candidate Average Number of “Content Areas” with at Least One Piece of Negative Information	3.8	3.8	4.0	3.9

The background experts detected no meaningful discrepancy among ethnic groups regarding the level of negative information in each candidate’s file. Fifteen candidates had absolutely no negative information in their file, and an additional twenty-two had only minor issues. Thirty-four candidates had a medium level of negative information, which indicates somewhat more serious issues. The experts categorized seven candidates as exhibiting a "Higher" level of negative information relative to the other qualified candidates reviewed. Four of these “Higher” level candidates were Asian, two were Black, and one was Caucasian. Although there were some differences among ethnic groups, the experts concluded that these differences were minor and erratic. Table 2 illustrates the results of the expert categorizations based on background investigation information.

Table 2 – Background Investigation Categorizations (1989-90)

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Black	4	7	7	2	20
Hispanic	4	5	10	0	19
Asian	4	4	7	4	19
Caucasian	3	6	10	1	20
Total	15	22	34	7	78

Regarding the psychological evaluation information, the numbers of individuals with score elevation(s) on either personality test did not differ markedly across ethnic groups.⁷ Similarly, the range of negative PHQ answers varied little across ethnic groups. The number of negative PHQ answers among Hispanic candidates ranged from 0 to 12. The number of negative PHQ answers among Asian candidates ranged from 2 to 12. The number of negative PHQ answers among Caucasian candidates ranged from 0 to 13. The number of negative PHQ answers among Black candidates ranged from 0 to 15. Table 3 sets forth the number of applicants with elevated personality test scores, and the range of negative PHQ answers for each ethnic group.

⁷ The psychologists could not obtain psychological evaluation files for thirteen of the randomly selected eighty candidates.

Table 3 – Psychological Evaluation Test Results (1989-90)

	Black	Hispanic	Asian	Caucasian
Number of Candidates with One or More Elevations on Abnormal Personality Test	12	11	8	9
Number of Candidates with One or More Elevations on Normal Personality Test	2	1	0	1
Range of Negative PHQ Answers	0-15	0-12	2-12	0-13

The psychologists categorized the majority of candidates reviewed as having “None” or a relatively “Lower” level of negative psychological information. They categorized two to four candidates per ethnic group as having a "Higher" level of negative psychological information relative to the other qualified candidates reviewed. Candidates in this category typically had a higher number of negative PHQ answers and/or more elevated scores on psychological tests. The psychologists discerned no clear pattern of differences across ethnic groups. Table 4 illustrates the psychological evaluation categorizations across ethnic groups.

Table 4 – Psychological Evaluation Categories (1989-90)

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Black	4	5	7	4	20
Hispanic	3	9	3	3	18
Asian	3	3	3	3	12
Caucasian	5	7	3	2	17
Total	15	24	16	12	67

B. 1992-93

In this year of relatively low hiring, the background experts identified less negative information for all ethnic groups.⁸ As with the 1989-90 sample, there were minimal differences among ethnic groups in the average number of negative “content areas” per candidate. Table 5 illustrates the average number of content areas with negative information per candidate for each ethnic group.

⁸ The experts could not obtain background investigation files for four of the randomly selected eighty candidates.

Table 5 – Background Investigation “Content Areas” (1992-93)

	Black	Hispanic	Asian	Caucasian
Per Candidate Average Number of “Content Areas” with at Least One Piece of Negative Information	2.9	3.3	2.0	3.2

The background investigation experts categorized relatively few of the candidates as having a "Higher" level of negative information relative to the other qualified candidates reviewed. These “Higher” level candidates were almost evenly divided across ethnic groups. Table 6 illustrates the results of the expert categorizations based on background investigation information.

Table 6 – Background Investigation Categorizations (1992-93)

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Black	4	7	8	1	20
Hispanic	3	5	10	1	19
Asian	6	6	3	2	17
Caucasian	5	8	6	1	20
Total	18	26	27	5	76

As with the background investigations, the experts noted relatively little negative psychological information for the candidates hired during this year.⁹ The psychologists noted no marked differences in negative information across ethnic groups. Although the number of negative answers on the PHQ’s ranged higher for Blacks and Asians, they remained a small proportion of the questionnaire. Table 7 sets forth the number of applicants with elevated personality test scores and the range of negative PHQ answers among ethnic groups.

⁹ The psychologists could not obtain psychological evaluation files for nine of the eighty randomly selected candidates.

Table 7 – Psychological Evaluation Test Results (1992-93)

	Black	Hispanic	Asian	Caucasian
Number of Candidates with One or More Elevations on Abnormal Personality Test	6	8	9	6
Number of Candidates with One or More Elevations on Normal Personality Test	0	1	1	0
Range of Negative PHQ Answers	0-13	0-8	0-16	0-8

The psychologists categorized only four candidates as having a relatively "Higher" level of negative psychological information – one from each of the four ethnic groups. They found no substantial differences across ethnic groups. Table 8 illustrates the psychological evaluation categorizations across ethnic groups.

Table 8 – Psychological Evaluation Categories (1992-93)

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Black	8	9	2	1	20
Hispanic	5	7	3	1	16
Asian	6	9	0	1	16
Caucasian	11	6	1	1	19
Total	30	31	6	4	71

C. 1996-97

In this year of heavy hiring, the experts noted little difference among ethnic groups in the average number per candidate of content areas with negative background information.¹⁰ Caucasian candidates had the highest number of negative content areas and Asian candidates had the lowest number. Table 9 sets forth the average number of content areas with negative information per candidate for each ethnic group.

¹⁰ The experts could not obtain background investigation files for one of the twenty randomly selected Black candidates. They reviewed the files of twenty-one Asian candidates because that constituted the entire pool of Asian candidates hired during that year.

Table 9 – Background Investigation “Content Areas” (1996-97)

	Black	Hispanic	Asian	Caucasian
Per Candidate Average Number of “Content Areas” with at Least One Piece of Negative Information	3.4	3.7	3.1	4.0

The background experts categorized four individuals as having a relatively “Higher” level of negative background information, including one Black, one Hispanic, and two Caucasians. Compared to the samples from 1989-90 and 1992-93, the sample from 1996-97 had a larger number of candidates with a relatively “Medium” level of negative information. Additionally, fewer candidates had no negative information. The experts noted no marked discrepancies among ethnic groups. Table 10 sets forth the background investigation categorizations for each ethnic group in 1996-97.

Table 10 – Background Investigation Categorizations (1996-97)

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Black	2	5	11	1	19
Hispanic	1	4	14	1	20
Asian	3	4	14	0	21
Caucasian	2	5	11	2	20
Total	8	18	50	4	80

As with the samples from 1989-90 and 1992-93, the experts found no substantial differences among ethnic groups with respect to negative information from the psychological evaluations.¹¹ These candidates had a greater number of elevated scores on the normal personality test because the psychologists began using a different test in 1995. Similarly, the increase in the number of significant answers on the PHQ among all ethnic groups owed to the lengthening of that questionnaire. Table 11 sets forth the number of applicants with elevated personality test scores, and the range of negative PHQ responses in each ethnic group.

¹¹ The psychologists could not obtain psychological evaluation files for ten of the eighty randomly selected candidates.

Table 11 – Psychological Evaluation Test Results (1996-97)

	Black	Hispanic	Asian	Caucasian
Number of Candidates with One or More Elevations on Abnormal Personality Test	11	15	13	10
Number of Candidates with One or More Elevations on Normal Personality Test	14	15	15	11
Range of Negative PHQ Answers	1-25	5-33	2-17	2-34

The psychologists found a total of seven candidates who demonstrated "Higher" level of negative information relative to the other qualified candidates reviewed. These candidates included two Hispanics, two Caucasians and three Asians. No candidate from the group of Blacks demonstrated such concern. As with the prior years' samples, the experts noted no pattern of differences across ethnic groups. Table 12 illustrates the psychological evaluation categorizations among ethnic groups.

Table 12 – Psychological Evaluation Categorizations (1996-97)

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Black	2	9	6	0	17
Hispanic	1	12	2	2	17
Asian	2	10	5	3	20
Caucasian	4	5	5	2	16
Total	9	36	18	7	70

V. RESULTS FOR THE OFFICERS IDENTIFIED BY PANEL

As noted above, the Chair of the Blue Ribbon Rampart Review Panel asked the Personnel Department to review the application packages of seventeen LAPD officers who were implicated in the CRASH crisis. The ethnic breakdown of this group was nine Caucasians and eight Minorities— specifically, three Blacks, four Hispanics, and one self-designated as "Other." The review of these officers' files was conducted in the same manner as the review of the sample candidates discussed above.

Although the experts who reviewed the background investigation and psychological evaluation files for these candidates were aware of their possible involvement in misconduct, they generally found no more areas of concern with these candidates than with the randomly

selected candidates. As with the candidates reviewed in the random samples, no one fell below either the background investigation standard or the psychological standard.¹²

The experts found that the Caucasian and Minority groups did not differ markedly in the amount or level of negative background information. They found only one Minority officer and no Caucasian officer with a “Higher” level of negative background information relative to the other candidates reviewed. Tables 13 and 14 set forth the results of the background investigation review, broken down between Caucasian and Minority officers.

Table 13 – Background Investigation “Content Areas”

	Minority	Caucasian
Per Candidate Average Number of “Content Areas” with at Least One Piece of Negative Information	3.5	4.2

Table 14 – Background Investigation Categorizations

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Minority	0	4	5	0	9
Caucasian	0	1	6	1	8
Total	0	5	11	1	17

Regarding the psychological evaluations, the Caucasian officers demonstrated a higher tendency to have more elevated scores on the test of abnormal personality and on the test of normal personality administered at their time of hire.¹³ Moreover, the Caucasian candidates tended to provide a greater number of negative answers on the PHQ. With respect to the expert categorizations, only one Caucasian officer and no Minority officer had what the experts termed a “Higher” level of negative psychological information. Tables 15 and 16 set forth the results of the psychological evaluation review, broken down between Caucasian and Minority officers.

¹² The BOI discusses issues in the background files of four officers, which, according to the BOI, “strongly indicate they should never have been hired as Los Angeles Police officers.” (BOI p. 9.) In April 2000, the Personnel Department submitted a public report to the Board of Civil Service Commissioners. Among other things, the Personnel Department report disputed the BOI’s findings regarding these officers’ background and hiring. The relevant excerpt of the Personnel Department’s report to the Board of Civil Service Commissioners is attached to this memorandum as Exhibit C.

¹³ The experts could not obtain a psychological evaluation file for two of these seventeen individuals – one Caucasian and one Minority.

Table 15 – Psychological Evaluation Test Results

	Minority	Caucasian
Number of Candidates with One or More Elevations on Abnormal Personality Test	3	5
Number of Candidates with One or More Elevations on Normal Personality Test	4	7
Range of Negative PHQ Answers	2-8	1-26

Table 16 – Psychological Evaluation Categorizations

	No Negative Information	Lower Level of Negative Information	Medium Level of Negative Information	Higher Level of Negative Information	Total
Minority	0	1	6	0	7
Caucasian	0	1	6	1	8
Total	0	2	12	1	15

VI. CONCLUSION

In both their review of randomly selected officers and their review of the seventeen officers identified by the Panel, the Personnel Department experts found no candidate who did not meet the standards for passing either the background investigation or the psychological evaluation. The experts did note that the samples of qualified candidates from 1989-90 and 1996-97, the years of heavy hiring, appeared to have more negative information than the candidates from 1992-93, a year of relatively low hiring. However, the experts found no clear or consistent differences in the application of the background investigation or psychological evaluation standards across the four major ethnic groups of candidates for the position of LAPD officer.

“EXHIBIT A”

POLICIES OF THE PERSONNEL DEPARTMENT

Public Safety Positions - Background Standards

The Background Standards for public safety positions in the City of Los Angeles reflect the very high standards demanded of candidates for public safety job classifications and safety sensitive positions within City service. They are designed to identify the kinds of behaviors which are required of public safety officers serving the citizens of the City of Los Angeles. Each candidate's past choices, judgements, and behaviors will be compared to these demanding standards. Candidates who fall short of demonstrating consistently sound decision making, maturity, and responsible past behaviors in each of these areas will not be further considered for employment in these critical positions.

Each Standard represents an area that is essential for success in public safety employment. Positions such as Police Officer, Police Specialist, Port Police Officer, Special Officer, and Firefighter, along with other public safety positions designated by the General Manager, are positions of special public trust for which these exacting standards have been designed. The City identifies and selects only those individuals with the highest chance of success in their training and in continuing employment in these critical positions. These are highly competitive examinations, with many more candidates than there are positions available in City service. Candidates who are disqualified from employment in these critical positions are asked to remember the highly competitive nature of these examinations and the demanding criteria described below. In each category, some examples of potentially disqualifying behavior are identified. These examples are designed to give candidates a sense of what behavior will be judged as inappropriate, and are not designed to be an all-inclusive listing of disqualifying behavior. Candidates are asked to critically assess their own background in light of these Standards before beginning the examination process.

THE STANDARDS

INTERPERSONAL SKILLS, SENSITIVITY, AND RESPECT FOR OTHERS

Public safety officers must be able to draw on extraordinary levels of tact and diplomacy to achieve their goals while dealing with the diverse population of the City of Los Angeles. They must be able to use advice, appropriate warnings and persuasion to engender cooperation from the public. Additionally, they must be able to work effectively

either as an individual or as a member of a larger team. Each candidate shall demonstrate an understanding of the skills necessary to deal effectively with others in a cooperative and courteous manner. Desired behaviors may include, but are not limited to:

Understanding the impact of words and behavior on others, and modifying one's own behavior, comments, or course of action accordingly

Concern for the feelings and perspectives of others

Demonstration of impartiality in dealing with issues of age, gender, sexual orientation, race or ethnicity, religion, and cultural diversity

Use of tact and diplomacy to achieve goals, resolve disputes, and to diffuse or deescalate conflict

Ability to work effectively as a member of a team, making appropriate contributions and recognizing the achievements of others

Examples of Potentially Disqualifying Evidence -- Incidents of domestic violence; use of verbal or physical abuse or violence toward others indicating a lack of self-control; inability to get along with others in work or personal life; failure to listen effectively; use of derogatory stereotypes in jokes or daily language; making rude and/or condescending remarks to or about others; use of physical force to resolve disputes; demonstrated overreaction to criticism; inability to work effectively as a "team player"; disruptive/challenging to authority; use of harassment, threats, or intimidation to gain an advantage.

DECISION MAKING AND JUDGEMENT

Public safety officers must possess extraordinarily good sense and must demonstrate through their past behavior that they can analyze a situation quickly, make sound and responsible decisions, and take appropriate action. Desired behaviors may include, but are not limited to the ability to:

Critically analyze options and determine an appropriate course of action in a given situation

Act assertively and without hesitation, but without overreacting

Make quick, responsible decisions under pressure

Persuade others to own point of view or to desired course of action

Know when to make an exception; exercise appropriate discretion

Prioritize competing demands

Simultaneously and appropriately address multiple tasks

Make appropriate choices without constant supervision or detailed instructions

Creatively develop innovative solutions to problems

Examples of Potentially Disqualifying Evidence - making poor choices given known circumstances; indecision when options are not clear-cut; failure to take action when appropriate or demonstrating insecurity about making a decision; behavior indicating poor judgement or failure to consider appropriate options; failure to learn from past mistakes; inability or unwillingness to modify a position; rigid adherence to rules without consideration of alternative information; failure to see or consider all options; succumbing to peer pressure.

MATURITY AND DISCIPLINE

Public safety officers must present a background which demonstrates maturity and readiness for such employment. Their past choices must be free from behavior inappropriate to the position being sought. A significant degree of personal discipline must be displayed to ensure that candidates can consistently refrain from taking actions which may be detrimental to their own health and well-being or the health and well-being of others. They must be able to maintain their composure and stay in control during critical situations, maintain a positive attitude, and accept constructive criticism without becoming defensive. Desired behaviors may include, but are not limited to the ability to:

Refraining from engaging in conduct which, by its very nature, would reflect poorly on the City and limit a public safety officer's ability to do his or her job effectively
Adhering to legal and societal constraints and requirements of conduct

Considering the consequences prior to taking an action
Accepting responsibility for past actions and mistakes
Taking proper precautions and avoid unnecessarily risky behavior

Using constructive criticism to improve performance
Working well in unstructured situations with minimal supervision

Examples of Potentially Disqualifying Evidence - use of illegal drugs; abuse of alcohol or prescription medications; failure to follow all laws and common rules of conduct; associating with individuals who break the law; being argumentative, defensive, or blaming others (or circumstances) for mistakes made; past behavior which indicates a tendency to resort to use of force to gain objectives; overbearing in approach to resolving problems; unnecessarily confrontational taking unnecessary personal risks; placing others at risk through one's own actions; reacting childishly or with anger to criticism or disappointment.

HONESTY, INTEGRITY AND PERSONAL ETHICS

Public safety officers are required to demonstrate the highest possible personal integrity through their honesty and ethical conduct. They must be able to maintain high standards of personal conduct, abide by the law, and demonstrate attributes such as truthfulness and fairness in relationships with others. Each candidate must demonstrate a willingness to work within "the system". Examples of behaviors which meet this standard include, but are not limited to:

Being truthful in dealings with others
Fully cooperating and being completely forthcoming during the pre-employment selection process
Admitting and understanding past mistakes
Refraining from using employment or a position of authority for personal gain
Refraining from "bending" rules or otherwise trying to "beat the system"

Accepting responsibility for one's own actions

Examples of Potentially Disqualifying Evidence - makes false and/or misleading statements or intentionally omits relevant information; purposefully withholds information; minimizes past mistakes or errors; blames others/makes excuses for mistakes; attempts to induce others to give false information; "bends" the rules or uses a position of authority for personal gain; refuses to accept responsibility for improper actions; condones the unethical behavior of others through silence; engages in illegal or immoral activities of such a nature that would be offensive to contemporary community standards of propriety; theft; fraud.

SETTING AND ACHIEVING GOALS

Public safety officers are required to demonstrate the ability to set and achieve personal and professional goals. Candidates for public safety positions can best position themselves for positive consideration through continuing achievement in the workplace, educational environment, volunteer activities and/or community involvement. Each candidate must demonstrate initiative and the ability to follow through on all commitments without constant supervision and detailed instruction. Candidates have the opportunity to demonstrate their ability to set and achieve goals, their ability to work in a diligent, reliable, and conscientious manner in accordance with specific rules and policies, and their readiness for, and commitment to, public service through the following:

Advancement in the workplace through promotion or increased responsibilities

Completing work as required and on schedule
Meeting high standards for punctuality and attendance
Meeting family obligations
Educational achievement
Involvement in volunteer or community improvement activities
Easily meeting unpredictable or unexpected challenges
Examples of potentially disqualifying evidence -- failure to meet commitments to work, school, family, volunteer or community activities.

RECORD CHECKS

Candidates for public safety positions are held to exacting standards of behavior throughout all aspects of their lives. Candidates can expect specific inquiry to be made into their past behavior regarding:

The exercise of fiscal responsibility and acceptance of responsibility for financial obligations

Employing safe driving practices

Maintaining stable employment

Obedying laws, rules, regulations, and orders

Military accomplishments

Examples of potentially disqualifying evidence -- past due accounts, discharged debts, late payments, collection accounts, civil judgements and/or bankruptcy; failure to exercise fiscal responsibility commensurate with income; failure to follow all traffic laws; numerous moving and non-moving violations; at fault traffic accidents; terminations or suspensions from work; reprimands or counseling for poor work performance (including Military service); failure to meet obligations (for example, auto insurance, auto registration, selective service registration, IRS requirements, child support obligations, etc.); law enforcement contacts, arrests, and convictions (as appropriate); other than Honorable discharge from the military.

(Revised October 16, 2003)

“EXHIBIT B”

CITY OF LOS ANGELES POLICE OFFICER SELECTION PROCESS TIMELINE

	Preliminary Background Review	Multiple Choice Test	Essay	Interview	Physical Ability Test	Polygraph Exam	Background Investigation	Psychological Evaluation	Medical Exam
	Advisory feedback to candidate	Pass/Fail		100% weighted	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail
1980		<ul style="list-style-type: none"> - Reading - English Usage - Reasoning - Judgment Waived if: <ul style="list-style-type: none"> - 2 yrs college with C average - 3 months as Police Student Worker 	Paragraph written (Police content) Used in Interview for scores in writing ability and reasoning	Factors: <ul style="list-style-type: none"> - Employment and Education - Relations with Others - Reasoning and Problem Solving - Oral and Written Communication 	Task-based simulations: <ul style="list-style-type: none"> - Wall scale - Grip - Weight drag - Run 	With approval of Civil Service Commission, candidate may be given specific-topic examination	Candidate completes questionnaires and background interview; records check and field investigation, for evaluation of eight standards: <ul style="list-style-type: none"> - Respect for the Law - Honesty - Mature Judgment - Respect for Others - Employment - Military - Financial Record - Driving record 	Social History Questionnaire (SHQ) and test of abnormal personality completed; interview conducted by psychologist	Medical History Form completed Physical Examination conducted by physician Laboratory and other tests conducted as warranted May request prior medical records

	Preliminary Background Review	Multiple Choice Test	Essay	Interview	Physical Ability Test	Polygraph Exam	Background Investigation	Psychological Evaluation	Medical Exam
1985								SHQ renamed Personal History Questionnaire; test of normal personality added	
1988		Written test waiver eliminated							
1990							Drug /alcohol testing initiated (Conducted in Medical Examination)		
1991							Drugs and Intoxicants added as a separate standard		

	Preliminary Background Review	Multiple Choice Test	Essay	Interview	Physical Ability Test	Polygraph Exam	Background Investigation	Psychological Evaluation	Medical Exam
1992							Per Christopher Commission report: Background Investigation package completed and audited prior to hire Personnel Department to review all packages prior to hire (including "Qualified" candidates).	Per Christopher Commission report, increased use of background information	
1994	Candidate completes short-answer form after Interview; Background Investigator reviews and provides in-person feedback	- Reading - English Usage	Essay written. (Neutral content) Scored on Writing Ability; Pass/Fail	Factors: - Job Motivation - Personal Accomplishment - Adaptability - Community Service Orientation - Respect for Diversity - Problem Solving Ability - Oral Communication	Basic ability test equipment: - Stability Platform - Sidestep - Cable pull - Leg Ergometer		Drugs and Intoxicants added as a separate standard		

	Preliminary Background Review	Multiple Choice Test	Essay	Interview	Physical Ability Test	Polygraph Exam	Background Investigation	Psychological Evaluation	Medical Exam
1996								Psychological Review Panel recommended more specific questions in some areas of interview Use of standard interview form initiated	
1999								Interpersonal Relationship essays added	
2001						All candidates administered complete examination			
2002	Prior to application, candidate submits completed multiple choice form; gets feedback letter				Stability Platform eliminated				

	Preliminary Background Review	Multiple Choice Test	Essay	Interview	Physical Ability Test	Polygraph Exam	Background Investigation	Psychological Evaluation	Medical Exam
2003	Prior to application, candidate completes form on-line and receives feedback letter immediately						Existing nine standards reconfigured into six standards to emphasize consideration of the “whole person” from a risk management perspective; same process otherwise		
2004							Entire background investigation function transferred to the Personnel Department		

“EXHIBIT C”

Excerpt from Personnel Department Report to the Board of Civil Service Commissioners (April 2000)

PROFILES OF THE FOUR RAMPART OFFICERS CITED IN THE BOI REPORT

The remaining six BOI recommendations serve to transfer the Police Officer examination process from the Personnel Department to the LAPD, thereby giving the LAPD complete control over all aspects of the examination, including the pre-employment psychological evaluations and the application and interpretation of the Board of Civil Service Commissioners' Background Standards.

The basis for these recommendations is derived from the BOI's characterization of the content of the background packages of the four Rampart officers profiled in the Report, who were hired in 1988, 1989, 1990, and 1994, and the manner in which it is assumed that their background evaluations were processed. Therefore, Personnel Department staff has conducted a review of the background packages for these officers and found that the conclusions reached in the BOI Report are not consistent with the facts contained in the background packages and in several cases contain distorted characterizations of the incidents in question. Consequently, prior to discussing the final six recommendations, it is appropriate to provide clarification on the content of the background packages of the four Rampart officers, who are characterized in the BOI report as being engaged in "criminal conduct, drug dealing, financial irresponsibility and violent behavior."

Rampart Officer Hired in 1988

The BOI Report states the following regarding this officer's conduct under the Background Standard of Respect for the Law:

"The officer hired in 1988 had been arrested as an adult for grand theft. The incident occurred when he struck a public bus driver during a dispute over a transfer. When the driver's watch fell to the ground, the officer picked it up and began walking away, which resulted in his arrest."

¹ Board of Inquiry Report, page 14.

⁴ Board of Inquiry Report, page 9.

According to the information contained in this candidate's background package, in 1982, at the age of 21, and six years prior to being hired by the LAPD, he boarded a bus. After traveling for two blocks, the bus driver began shouting at someone on the bus. The candidate realized the driver was shouting at him, so he went to the front of the bus. The driver shouted "Don't try that shit on my bus!" When the candidate asked what the driver meant, the driver told the candidate that he could not use his bus transfer because he had walked to the next bus stop instead of staying at the stop where he received the transfer. The candidate advised the driver that he was not aware of such a rule, and that this was not a reason to swear at another person. This further annoyed the bus driver, who told the candidate he would speak to him any way he liked. The bus driver apparently became more annoyed waiting for the candidate to pay for the ride, as the candidate had to exchange his dollar bill with another passenger for coins. The driver accused the candidate of trying to wait until the bus reached the candidate's destination so the candidate could exit before paying. The candidate paid for the ride.

When the bus reached the candidate's stop, the driver allegedly hit the candidate as the candidate exited the bus, causing the candidate to stumble and fall down the stairs and on to the sidewalk. The driver then exited the bus and an altercation ensued. A co-worker of the bus driver arrived at the scene and advised the bus driver to return to his bus. At this point the candidate noticed that his watch was missing. He looked around and found a watch that did not belong to him, and he noticed that the bus driver was also looking for something. The candidate asked the driver if he lost a watch, the driver stated he had, and told the candidate to give him his watch immediately. The candidate told the driver that he would not do so unless the driver helped him look for his watch. After several minutes, the bus driver began to argue again with the candidate. The driver's co-worker asked the candidate to walk away and that he would continue to look for the candidate's watch. The candidate agreed and went about 25-30 meters away. As he was sitting on the curb a transit superintendent arrived. The candidate told the superintendent that he wanted to file a complaint, and while he was explaining what occurred a LAPD officer arrived and began talking to the bus driver. The officer came over and asked the candidate if he had the bus driver's watch, the candidate answered yes, and the officer ordered the candidate to return the watch to the bus driver. The candidate advised the officer that his watch was missing, but the officer advised the candidate that he had no proof that he ever had a watch. The candidate tossed the watch about 20 feet back to where he found it, which caused damage to the watch. The LAPD officer then arrested the candidate and the candidate was charged with Grand Theft Property. All charges were subsequently dismissed, and the candidate agreed to pay to have the watch repaired.

The candidate openly disclosed the above incident to the Investigating Officer at the time of his background investigation, and a copy of the arrest report is also in the file. The arrest report differs from the candidate's version of the events, stating that the candidate initiated the altercation and that the bus driver was detaining the candidate when the LAPD officer arrived. However, as indicated above, all charges against the candidate were dismissed. There were no other issues in the candidate's background package. Therefore, LAPD offered the candidate employment. There is no indication in the file that LAPD considered non-selecting this candidate.

Rampart Officer Hired in 1989

The BOI report appears to have misinterpreted the information contained in the officer's background package relating to the Background Standard of Respect for Others. The BOI Report states the following:

"The officer hired in 1989 admitted losing his temper during arguments with his wife and pushing her on six different occasions. He was psychologically deferred due to 'temperament/impulse control.' However, he was eventually cleared for hiring by the Personnel Department psychologist."⁵

⁵ Board of Inquiry Report, page 9.

The above BOI quotation implies that the candidate was the aggressor during arguments with his wife. However, the candidate stated that his wife would lose her temper and hit him, and in that context he would push her away. He further stated that his wife would become angry when he was too quiet during arguments, and this is when she would hit him. The Investigating Officer interviewed the candidate's wife. During the interview she stated that she was the aggressor during arguments with the candidate, and that she would not stop yelling and hitting him. She further stated that the candidate would become upset with her yelling and hitting him, and he would push her away.

The LAPD did refer the above information to the Personnel Department's Lead Psychologist. There were no bases in the psychological screening, including the written psychological tests and psychological interview, to support a finding that the candidate had a propensity toward violence or a lack of respect for others. However, based upon the context of the information, completion of the candidate's psychological evaluation was deferred to provide the LAPD with the opportunity to gather additional information on this issue. The LAPD found no information to indicate that the candidate was the aggressor; therefore, a psychological disqualification was not warranted.

The LAPD did not submit this candidate's background package to the Personnel Department's background unit to review this issue. Moreover, there is no indication in the background package that the LAPD sought disqualification of this candidate. The LAPD Police Candidate Evaluation form contained in his background package states that the candidate's overall evaluation is "good," and he was approved by the LAPD for hire. There is no indication in the file that LAPD considered non-selecting this candidate for employment.

Rampart Officer Hired in 1990

The BOI report regarding the Rampart Officer hired in 1990 also appears to have been misinterpreted based on the contents of the candidate's background package. The BOI Report states the following:

"The officer hired in 1990 had been arrested three times before he became an officer at the age of 24. As a juvenile he was arrested for stealing hubcaps. As an adult, he was arrested and convicted of driving under the influence (DUI). One year before his hire, he was cited for having an open container of an alcoholic beverage in his car and was arrested for driving on a suspended license (suspended from the earlier DUI) for which he was sentenced to ten days in jail. In the military, he was disciplined for disobeying a lawful order. His background investigation disclosed that he 'loses his cool very easily' over minor incidents, and acted like a 'big macho man'."

The material in this candidate's background package indicates that in October 1985, at the age of 20 (five years prior to the employment of this candidate) he was convicted of driving under the influence of alcohol. The candidate's driver's license was **not suspended as stated in the BOI Report**, but was restricted for 90 days. During this 90-day period, in December 1985, the candidate was cited for speeding and driving with a restricted license, for which he spent ten days in jail. There is no reference on the candidate's Department of Motor Vehicles Report that he was cited for having an open container of alcohol in the car as stated in the BOI Report. Additionally, the BOI Report represents that the arrest for which he was jailed occurred one year prior to his being hired by the LAPD, whereas, it was actually five years earlier. With respect to the BOI comment regarding the candidate's receipt of military discipline, there is no information in the file stating what order the candidate disobeyed; moreover, the infraction occurred five months into a four year military commitment, from which the candidate received an honorable discharge. In fact, the candidate served several years as a patrol officer with the military police. Regarding the juvenile conviction, the BOI Report is accurate; at the age of 15 the candidate stole four hubcaps. The candidate was released to his parents and was

^o Board of Inquiry Report, page 9.

placed on probation for two years.

With regard to the BOI contention that the Personnel Department psychologist should have disqualified this candidate because he allegedly "loses his cool very easily" and acts like a "big macho man," this information was stated by one person who added the disclaimer "I don't know him personally to give him a fair evaluation." Moreover, the comments of this one person were not supported by anyone else whom the background investigators contacted. There was nothing in the candidate's psychological screening to support this conclusion. Additionally, there is no indication in the background package to suggest that the LAPD ever suggested or considered a background disqualification for this candidate.

Rampart Officer Hired in 1994

The BOI Report states the following regarding this officer:

"The officer hired in 1994 sold marijuana to two other students on one occasion while he was in high school. At age 15, the police detained him for investigation of tampering with vehicles on a car sales lot. He was taken to the station and released to his parents...nothing on his criminal history printout indicates that he was ever formally arrested. The Police Department recommended his disqualification but it was overturned by the Personnel Department."

According to the information contained the background package, in 1985, (nine years prior to the candidate being hired by the LAPD) while in high school, he was walking from the student parking lot to his class when he found a package that contained a small amount of marijuana. Instead of bringing this issue to the attention of a school official, he showed it to a friend. Later that day two classmates offered him \$4 for the marijuana. The candidate accepted the money and bought lunch for himself and a friend. A security officer at the school observed what transpired and called the local police department. Several days later, the school notified the candidate's father of what had occurred and advised him to contact the local law enforcement agency. The candidate's parents took the candidate to the station, where he told an officer what occurred. The officer talked to the candidate regarding his actions, and counseled that he should have notified school officials when he found the marijuana. The candidate went home with his parents and no charges were ever filed.

The candidate also disclosed that at age 15 he received permission from his father to drive a co-worker home after working their shift at a fast-food restaurant. The friend asked the candidate to stop at a used car lot. While the candidate waited in the car for his friend to return, officers pulled up and asked the candidate if he needed assistance. The candidate declined assistance and told the officers that he was waiting for a friend. While the officers were questioning him about his friend's whereabouts, the friend exited the used car lot and walked up to the officers. The officers searched the lot and noticed that one car had been tampered with. Consequently, the candidate and his friend were taken to the police station and the candidate's parents were called to pick him up. No charges were filed against the candidate, as there was no evidence that the candidate or his friend were involved in vehicle tampering.

Contrary to what is stated in the BOI Report, the LAPD did not recommend that this candidate be disqualified for either of the above incidents. The Personnel Department, however, disqualified the candidate based on the candidate's financial record. In 1994, an LAPD supervisor noted in the file "The candidate has failed to demonstrate a responsible financial record. PSED [Personnel Department] recommended this disqualification." Once Personnel Department staff confirmed that the account in question had been resolved four years earlier, the candidate's background disqualification appeal was granted. A subsequent notation in the background package made by the LAPD states "This candidate meets the standard of LAPD to be hired

for an upcoming Academy class.” As with the other three candidates, this candidate was never non-selected by the LAPD.

The Personnel Department does not believe that this candidate is appropriately characterized as a “drug dealer” and there is no evidence that the candidate was involved in criminal conduct. Additionally, these incidents occurred when the candidate was 15 years old, approximately nine years before he was hired by the LAPD.

Of the four Rampart officers profiled in the BOI Report, the LAPD determined that the candidate hired in 1988 met the LAPD background standards. The LAPD referred information on the officers hired in 1989 and 1990 to the Personnel Department Psychologist, who ultimately determined that all the psychological profile information did not support a psychological disqualification in either case. Additionally, the review of these two officers’ psychological files by the LAPD’s Chief Police Psychologist in conjunction with the BOI Report, concurred that the psychological material was properly applied. Moreover, regarding the candidate hired in 1994, an LAPD supervisor noted in the file that based upon a Personnel Department recommendation, not a LAPD recommendation, the candidate was disqualified under the background standard of Responsible Financial Record for a matter which was later determined to have been resolved.

It is important to note that the Personnel Department review of all background packages was initiated as the result of a recommendation by the Christopher Commission in 1991. Accordingly, at the time when the three Rampart officers were hired in 1988, 1989, and 1990, the Personnel Department only reviewed the background packages of those candidates whom the LAPD recommended for background disqualification. The background packages of candidates whom the LAPD determined met the background standards were not reviewed by the Personnel Department. Indeed, based upon our exhaustive review of the complete background packages of these four Rampart officers, there are no indications that the Personnel Department ever reviewed any of the background packages of the officers hired in 1988, 1989, and 1990. Additionally, there are no indications that the LAPD recommended that these three officers be disqualified under any of the background standards, and there are no indications that the LAPD recommended that these three officers be non-selected for employment. As was mentioned earlier, the background package of the officer hired in 1994 was reviewed by the Personnel Department, and the candidate was disqualified for a financial issue.

Appendix E

Bibliography of Past Reports

Prior Reports Focusing on LAPD Reform

Report of the Independent Commission on the Los Angeles Police Department (“Christopher Commission Report”), July 1991. The Christopher Commission, chaired by Warren Christopher, was established by Los Angeles Mayor Tom Bradley to examine the structure and operation of the LAPD following the highly publicized beating of Rodney King in March 1991. The subsequent report includes a number of key recommendations aimed at moving LAPD from a paramilitary policing model to a community policing model.

Five Years Later: A Report to the Los Angeles Police Commission on the Los Angeles Police Department’s Implementation of Independent Commission Recommendations (the “Bobb Report”), May 1996. Prepared at the request of the Police Commission, the Bobb Report analyzed LAPD’s progress in implementing the Christopher Commission’s recommended reforms.

Board of Inquiry into the Rampart Area Corruption Incident, Public Report (“Board of Inquiry”), March 2000. Conducted by LAPD command in the immediate wake of the CRASH crisis, the Board of Inquiry provided an assessment of the factors contributing to the CRASH crisis and makes recommendations regarding screening of candidates, personnel practices, risk management, investigations, operations, inspections and audits and training.

An Independent Analysis of the Los Angeles Police Department’s Board of Inquiry Report on the Rampart Scandal (“Chemerinsky Report”), September 2000. The Chemerinsky Report, prepared by law professor Erwin Chemerinsky at the request of the Police Protective League, critiqued the Board of Inquiry and urged deeper scrutiny of the scandal’s cultural underpinnings and of other institutions in the Los Angeles criminal justice system.

Report of the Rampart Independent Review Panel (“RIRP Report” or “Drooyan Report”), November 2000. The Los Angeles Police Commission appointed the RIRP, headed by attorney Richard Drooyan, to conduct a broad inquiry into LAPD’s policies, procedures and operations, receiving input from inside and outside the Department. The resulting Report provides a framework for understanding operational, structural, political, governance and outer cultural failures that fueled the Rampart CRASH Crisis.

Other Reports Related to LAPD, Los Angeles’ Criminal Justice System and Public Safety

Violence in the City – An End or a Beginning: a Report of the Governor’s Commission on the Los Angeles Riots (“McCone Commission Report”), December 1965. Governor Edmund G.

Brown appointed the McCone Commission, chaired by John A. McCone, in August 1965 to study the causes, responses to and effects of the Watts riots and provide recommendations for preventing similar crises. The McCone Commission's report, discussed the social and economic inequities that contributed to the riots. Among other things, the report discussed the need for improving LAPD's relationships with the poor minority communities it polices.

The City in Crisis: A Report by the Special Advisor to the Board of Police Commissioners on the Civil Disorder in Los Angeles, October 1992 ("Webster Commission Report"). The Webster Commission Report, headed by former federal judge, William H. Webster, was appointed by the Los Angeles Police Commission to look into the City and LAPD's preparedness for and response to the 1991 riots following the Rodney King verdict. The resulting report found that LAPD had been unprepared for the crisis and made recommendations to improve the Department's relationship with the communities it serves.

A Critical Analysis of Lessons Learned: Recommendations for Improving the California Criminal Justice System in the Wake of the Rampart Scandal, April 2003 ("Collins Report") Conducted by the Los Angeles County Bar Task Force on the State Criminal Justice System, headed by U.S. District Judge Audrey Collins, the Collins Report includes recommendations for improving the criminal justice system to prevent wrongful convictions such as those exposed by the Rampart CRASH scandal.

Appendix F

Recommendations from Past Reports

Report & Recommendation No.	Recommendation
<i>POLICE COMMISSION</i>	
McCone Commission 3-1 ¹	The Board of Police Commissioners should be strengthened.
Christopher Commission 11-6	The Police Commission should be reconstituted. The Mayor should nominate new members in light of the recommendations on the compositions and expanded duties of that body.
Christopher Commission 10-13	Commissioners should continue to serve on a part-time basis and understand there is a substantial time commitment involved. The Commissioners should have the stature, experience, and character to oversee the Department and command respect. They should be diverse in terms of race, ethnicity and gender. They should serve five-year terms with a two-year term limit on the Presidency. Compensation should be \$1,500 a month.
Drooyan Report 1.1	The President of the Police Commission should serve full-time and should be compensated at the same salary as the Chief of Police. The Vice President of the Police Commission should also serve full-time and should be compensated at the same salary as a Deputy Chief II. The remaining three part-time commissioners should be compensated at \$25,000 a year, to reflect the importance of the position and the significant time commitment required.
Chemerinsky Report 13	Amend the Los Angeles City Charter to increase the responsibilities of the Police Commission, including by making it a full-time position, changing its manner of selection, and requiring City Council approval for the removal of a Commissioner. Adequate resources must be provided to the Police Commission to manage the Department effectively.
Christopher Commission 10-5	The Police Commission should exercise oversight responsibility to direct Department policy and to monitor its implementation. The Commission should also safeguard the Chief of Police against all improper political influences.
Drooyan Report 1.2	The Police Commission should have overall control and oversight of the disciplinary system, except in individual cases where the imposition of punishment rests with the Chief. Consistent with its oversight responsibilities to ensure the credibility of the disciplinary system, the Police Commission should be given authority to set guidelines for disciplinary policy and hold the Chief accountable for following them.

Report & Recommendation No.	Recommendation
Christopher Commission 10-8	The Police Commission should be provided with adequate staff and the ability to hold the Chief accountable for following and implementing its policy directives. They should be assigned a direct role in handling citizen complaints against police officers and civilian employees.
Christopher Commission 10-9	The Police Commission should be exempt from Charter Amendment 5, which provides for the City Council to assert jurisdiction over, and to consider, actions taken by boards and commissions.
Christopher Commission 10-10	The Police Commission should be given legal standing to seek judicial relief when necessary to carry out its oversight functions.
Christopher Commission 10-11	The Police Commission staff should be increased and placed under the direction of a civilian Chief of Staff, reporting directly to the Commission, and responsible for managing the Commission's oversight functions.
Christopher Commission 10-14	The 15 to 20 member (excluding complaint staff) Commission staff should include civilians. They should be able to use computers and develop software to gather and analyze data and have the ability to do management audits. The staff should include auditors, accountants, investigators, attorneys and at least one personnel analyst, a systems specialist and adequate clerical staff. An Inspector General should be included on staff to oversee receipt of citizen complaints, monitoring the progress of complaints through IAD and auditing IAD results. A small staff should be assigned to assist the Inspector General.
Drooyan Report 1.4	The Police Commission's staff should be increased and reorganized.
Christopher Commission 10-12	The Police Commission should report annually on the state of the Department.
Drooyan Report 3.3	The Police Commission must improve its communications with the communities it serves.
Christopher Commission 10-2	The Police Commission's permit review function should be delegated or transferred to another body.
Drooyan Report 1.3	The Police Commission should be relieved of its permitting function.
BOI-81 & 00-117	If the City is to attract quality people to its volunteer commission positions, consideration must be given to the liability protections they are afforded while serving the City. Further research will be needed to determine if those protections should take the form of State or federal legislation or can be provided through some other means such as through the California State Bar Association.

Report & Recommendation No.	Recommendation
<i>INSPECTOR GENERAL</i>	
McCone Commission 3-2	Investigations of all citizen complaints should be conducted by an independent Inspector General under the authority of the Chief of Police in the implementation of procedures established by the Board of Police Commissioners.
Christopher Commission 9-1	The Police Commission should create an Office of the Inspector General (OIG) designed to audit and oversee the complaint and disciplinary process.
Christopher Commission 9-24	The Inspector General should audit the disciplinary system at least annually and forward that detailed audit to the Police Commission for its review. The results of the audit should be incorporated into the evaluation of the Chief of Police.
Christopher Commission 9-25	The Chief should be required to respond to the annual disciplinary audit. The approved annual audit should be submitted to the Mayor, City Council and the public along with the Chief of Police's response.
Christopher Commission 9-26	The Police Commission should set aside a particular public meeting or meetings to review the disciplinary audit(s) and to take public comments.
Drooyan Report 1.5	The Inspector General's staff should be significantly expanded.
Chemerinsky Report 14	The powers and especially the independence of the Inspector General should be strengthened.
Chemerinsky Report 14(a)	The City Charter should be amended to provide that the Inspector General is appointed by the Mayor, subject to confirmation by the City Council. The Inspector General shall be appointed for a five year term, not to run concurrently with the five year term of the Police Chief. The Inspector General may be removed during the term only if removal is approved by a majority vote of the City Council.
Chemerinsky Report 14(b)	The City Charter should be amended to provide that the Inspector General may investigate any matter and that an investigation cannot be prevented or discontinued by the Police Commission.
Drooyan Report 1.6(a)	The Police Commission and the Department's command staff should ensure that all members of the Department cooperate promptly with the Inspector General's requests for information and access.

Report & Recommendation No.	Recommendation
Drooyan Report 1.6 (b)	[Cooperation by the Commission and Department with the IG would include] interviews and materials in ongoing investigations, and ensure that the Department meaningfully responds to IG findings.
Drooyan Report 5.11	The Inspector General should regularly audit officer-involved shooting and major use of force files to ensure that the files accurately and comprehensively reflect the state of the evidence.
<i>COMMUNITY POLICING</i>	
McCone Commission 3-3	The Police Department should institute expanded community relations programs.
Christopher Commission 5-1	In order to provide service to the public and prevent crime through restraint and mutual respect, positive steps to eliminate aggressive confrontations can be accomplished by implementing a Department-wide community policing model.
Drooyan Report 3.2	The Department should reaffirm its commitment to community policing.
Chemerinsky Report 6	Community policing must be implemented.
Chemerinsky Report 5(a)	The management of LAPD must accept and implement the Christopher Commission's mandate to move from the over-aggressive, paramilitary policing culture to one of openness, problem solving, and community engagement.
Chemerinsky Report 5(b)	An expert group should be formed, including officers from every rank and also civilians, to forge a culture transformation blueprint to achieve that change.
Drooyan Report 2.5	The Department should restore and enhance the Senior Lead Officer Program to full-time community policing.
Chemerinsky Report 6(a)	Restoration of the Senior Lead Officers program.
BOI-80 & 00-116	The true measure of any law enforcement agency's effectiveness is the degree to which the community it serves is satisfied with its performance. A well-planned, scientific community survey should be conducted annually by a local college or university. That would allow us to measure change within a Community Police Station's geographic boundaries and assess the variables, which may have contributed to that change. Most importantly, it also gives the community an opportunity to provide input on Department programs and provides insight into potential problems allowing for early intervention.
Christopher Commission 5-4	Decentralize managerial control and provide officers with greater autonomy to approach and solve the underlying causes of crime and other neighborhood problems.

Report & Recommendation No.	Recommendation
Drooyan Report 2.7	The Department should formalize more training at the Academy level in community policing techniques and philosophy.
Drooyan Report 3.1	The LAPD should direct more resources to improving its outreach programs to broaden relations with the communities it serves.
Christopher Commission 4-3	A commander level Community Relations Officer, reporting to the Chief of Police, should be created. Responsibilities include liaison with cultural awareness program trainers, liaison with representatives of the City’s minority communities; establish an “ombudsman” to deal with employee complaints of discrimination and bias within LAPD; and, monitor use-of-force reports regarding minorities and public complaints involving racial matters.
Christopher Commission 5-5	Incentives, including paygrade advancement and promotion, should be created to encourage officers to develop innovative programs within their assigned communities.
Chemerinsky Report 6(b)	Evaluation and promotion criteria should include community-based policing activities.
Chemerinsky Report 6(e)	Meetings with communities should be required at least once each quarter of a calendar year.
Drooyan Report 2.6	The Department should institute regular, periodic meetings with the Community.
Chemerinsky Report 12	The Los Angeles Police Protective League (LAPPL) must play a key role in bringing about a change in the culture of the Los Angeles Police Department and in reforming the Department.
Christopher Commission 5-2	Programs must be developed by the Department to gain an adequate understanding of what is important to particular communities. The LAPD must learn to manage departmental affairs in ways that are consistent with community views. Programs within the LAPD which foster a different attitude toward the population it serves and assist the public to gain greater trust should be developed.
Christopher Commission 5-7	The active involvement of other governmental entities, as well as business leaders, community leaders, educators, and others in the private sector, is essential to the reduction of the causes of crime.
Christopher Commission 9-5	The Department should actively enforce the already existing requirement that business cards be handed out following police contact with the public.

Report & Recommendation No.	Recommendation
<i>PERSONNEL</i>	
<i>Hiring</i>	
Christopher Commission 6-2	Investigators need formal instruction on how to question candidates and their references. They should be schooled in the basic indicators of abnormal psychological behavior. New background investigators should be paired with experienced investigators.
Christopher Commission 6-4	Candidates should be certified for hire only after the background investigation is complete.
Christopher Commission 6-3	Formal analysis and evaluation of procedures should be conducted to determine whether LAPD focuses too much or too little attention on particular background standards; uniformly applies those standards; and, appropriately limits inquiries about the sexual history of candidates. These inquiries should be conducted by the City Personnel Department or by employees who are not assigned to the Background Investigation Unit.
Chemerinsky Report 9(a)	Institute improved screening of candidates for the Police Department to determine, in every respect, fitness for being an officer.
Drooyan Report 7.1(a)	The LAPD should conduct more thorough background investigations on job applicants,
Drooyan Report 7.1(b)	[Background investigations of job applicants] should be assigned to officers with more training and experience.
BOI- 05 & 00-41	Consideration should be given to transferring responsibility for candidate psychological testing to the Police Department's Chief Police Psychologist. This would allow the system to become more efficient and resolve fitness for duty issues in a timelier manner. If this responsibility is not transferred to the Police Department, the Police Department's BSS staff must at least be allowed to become a partner in the process and take an active role in candidates' psychological screening.
BOI- 09 & 00-45	As the Chief of Police is ultimately responsible for the Department's performance, including the performance of its employees, the Chief of Police should have ultimate responsibility for determining the eligibility of applicants and selecting the best police officer candidates, not the Personnel Department.
Drooyan Report 7.2	Responsibility for screening of new LAPD officers should not move to the LAPD from the City's Personnel Department. Instead, the two departments should work together to improve evaluation of applicants.

Report & Recommendation No.	Recommendation
BOI- 01 & 00-37	State law should allow a law enforcement agency screening a candidate for employment, access to the applicant's full criminal history including any criminal record that may have been sealed by a court. Several candidates had juvenile criminal histories that had been sealed by the court making those records unavailable for consideration during the hiring process.
BOI- 02 & 00-38	All publicly available information should be obtained on candidates, particularly those from out-of-state. There are public information databases, which provide this information with the speed of the Internet. The cost would vary depending upon the type of data requested and the speed required. This resource will increase the depth of the background investigation including access to court and county records nationwide.
BOI- 03 & 00-39	Retired officers residing throughout the country should be utilized as occasional contract investigators (Interview Specialist) to ensure that a thorough in-person background investigation is conducted. The information obtained from in-person interviews greatly outweighs the cost and the reduced wages and travel expenses make the use of out-of-state investigators extremely cost effective.
BOI- 04 & 00-40	The California State Commission on Peace Officer Standards and Training (POST) should be asked to convene a statewide task force to examine psychological testing of police officer candidates.
BOI- 06 & 00-42	In any case, psychologists should retain all of their notes in the candidate's file. The BOI discover that Personnel Department's psychologists routinely destroyed their notes from screening interviews, which is inconsistent with the Records Retention Schedule and hampers the ability to review the thought process.
BOI- 07 & 00-43	In the short term, the polygraph must be authorized as a routine investigative tool whenever a potentially disqualifying issue arises during a candidate's background investigation. Current Civil Service Commission (CSC) policy requires CSC approval for every polygraph use, which is unnecessarily burdensome and severely limits the use of this valuable investigative tool.
BOI- 08 & 00-44	For the long term, polygraph examinations should be administered routinely to all police officer candidates prior to conducting their background investigation with a particular emphasis on drug use and integrity issues. The cost associated with this effort will undoubtedly be offset by the reduced costs associated with disciplinary and litigation processes generated by problem officers.
BOI-25 & 00-61	State laws must be changed to allow examination of an officer's financial records, particularly when that officer is in a highly sensitive assignment or there are indications that the officer may be living above his or her apparent means. Current State law (3308 GC) grants peace officers a unique privilege in this area, which can facilitate corrupt activities.

Report & Recommendation No.	Recommendation
BOI- 10 & 00-46	The Personnel and Police Departments must come to agreement on a common understanding and interpretation of the current guidelines for candidate deselection.
BOI-11 & 00-47	In the long term, the current disqualification standards must be revised to disqualify candidates whose past conduct clearly shows they are not suited to be police officers.
Christopher Commission 6-1	Consider revision of the appeal process for disqualified Police Officer candidates, including necessary changes to Civil Service Rules.
BOI-12 & 00-48	Specific guidelines must be established for candidates appealing disqualification to the Civil Service Commission or General Manager of the Personnel Department. These guidelines must establish consistent, job-related factors in assessing a candidate's suitability including consideration of the candidate's complete package
<i>Diversity</i>	
Christopher Commission 4-1	The Chief of Police should seek tangible ways to establish the principle that racism, as well as ethnic and gender bias will not be tolerated and change Department culture to emphasize support of diversity and interpersonal sensitivity.
Christopher Commission 4-5	Recruitment efforts related to African-American, Latino and female officers should be sustained. An increased effort to include Asian officers in this effort is recommended.
Christopher Commission 4-6	Full and equal opportunity must be afforded to female and minority officers in assuming leadership positions in the Department. Assignment to "coveted positions." and promotions should be accomplished on a nondiscriminatory basis. This recommendation should include greater sensitivity by the Department in the assignment of white supervisory/command officers to predominantly minority communities.
Christopher Commission 4-7	The policy of nondiscrimination with respect to the recruitment and promotion of gay/lesbian officers should be fully implemented.
Christopher Commission 4-5	Recruitment efforts related to African-American, Latino and female officers should be sustained. An increased effort to include Asian officers in this effort is recommended.
Chemerinsky Report 9	Reform recruitment to include more careful screening and also to provide more aggressive efforts to increase the number of women and minority officers.

Report & Recommendation No.	Recommendation
Chemerinsky Report 9(b)	Aggressive efforts must be made to increase the number of women officers in the Department and to ensure that there is no discrimination in recruitment or employment against women, racial minorities, and gays and lesbians.
<i>Civilian Staff</i>	
BOI-52 & 00-88	A comprehensive study of the Department's Civilianization Plan should be conducted to evaluate and determine if it has delivered its stated goal of returning officers to the field and replacing them with civilian employees without losing operational effectiveness. It must determine if those changes have made us more or less effective and productive.
Drooyan Report 2.8	LAPD should improve the working conditions and expand career paths of civilian employees to facilitate filling vacant positions and retaining experienced employees.
Drooyan Report 2.9	All sworn officers should be clearly informed of the contributions of civilian employees and be held accountable for treating all Department employees with civility and respect.
<i>Morale</i>	
Drooyan Report 2.1	LAPD management should be open to and responsive to concerns of officers, and must address the problem of officer morale.
Drooyan Report 2.2	LAPD and the Los Angeles Police Protective League should work to develop a cooperative relationship that recognizes their joint interest in the success of the Department and the well-being of its officers.
<i>Stress/Workers Compensation/Removal</i>	
Christopher Commission 6-5	Require officers to be psychologically re-tested every three (3) years.
Christopher Commission 8-7	Behavioral Sciences Services (BSS) should assist in treating stress and training supervisors to recognize and mitigate stress in their subordinates.
Christopher Commission 9-21	Training and counseling should be required following every sustained complaint relating to excessive force (unless the officer is removed) and where appropriate, following complaints that are "unfounded" or "not resolved." The focus is to insure that the officer will modify the behavior and that the Department will be responsible for taking affirmative steps in this regard. This should be included in the Letter of Transmittal.

Report & Recommendation No.	Recommendation
BOI-70 & 00-106	An officer should be referred to the same BSS psychologist when he or she is involved in a second or subsequent OIS. One of the primary purposes of the post-OIS referral to BSS is to determine any cumulative effect these events may be having on an officer. Whenever possible, having the same psychologist conduct subsequent interviews will improve our success at detecting and dealing with any cumulative effects.
Chemerinsky Report 11	Officers must have counseling resources available, without fear that seeking and receiving counseling will be used against them.
Christopher Commission 8-8	Worker's compensation benefits should be denied to officers whose departmental regulations prohibit the activity giving rise to the injury, disability or death.
BOI-18 & 00-54	The Chief must have the ability to recommend that the Board of Pension Commissioners pension a sworn employee who is no longer physically or mentally able to perform the essential duties of a peace officer. Currently, there is no way an officer can be removed from his or her position other than through a disciplinary proceeding. However, unique non-disciplinary circumstances arise such as failing health or mental/emotional instability, which preclude an officer from performing his or her essential duties such as carrying a firearm. These can only be resolved by requiring an officer to retire.
<i>CODE OF SILENCE</i>	
Christopher Commission 7-14 9-23	Encourage officers to report misconduct - eliminate the "Code of Silence." This should be a priority in discipline, training and other areas.
Drooyan Report 4.9	The Department should develop statistical records that allow it to track manifestations of the "code of silence."
Chemerinsky Report 2	Officers with knowledge of wrong-doing in connection with the Rampart scandal should be encouraged to reveal what they know by granting them immunity from discipline for their failure to reveal wrong-doing previously. This, however, would not immunize any other wrong-doing by officers; the immunity would be solely for the failure to come forward and report prior wrong-doing by others. This likely should be extended to knowledge of wrong-doing in other CRASH units, and as warranted to other units and divisions.
<i>WHISTLEBLOWERS/RETALIATION</i>	
Drooyan Report 2.4	Mechanisms and procedures should be established to permit officers to report misconduct anonymously.

Report & Recommendation No.	Recommendation
Chemerinsky Report 8	Require greater protections for “whistleblowers” within the LAPD who expose wrongdoing by other officers
Chemerinsky Report 8(a)	Establish a policy protecting officers who expose wrongdoing from retaliation.
Chemerinsky Report 8(b)	Develop a system where officers may report wrongdoing by other officers to the Inspector General, with an assurance of confidentiality, and with protection from reprisals.
Chemerinsky Report 8(c)	Develop a procedure and standards for investigation and punishing supervisors who retaliate against whistleblowers.
<i>RISK MANAGEMENT</i>	
<i>Command Accountability</i>	
Christopher Commission 3-3	Command officers must be held accountable for excessive or unnecessary force by officers whom they supervise.
Drooyan Report 6.2	The Department should implement standardized policies imposing command accountability for risk management and identifying risk management as a core management obligation with a concomitant commitment of resources.
Drooyan Report 6.6	The LAPD must implement standardized policies, including the use of a management accountability infrastructure similar to FASTRAC, imposing command accountability for risk management, as recommended by the Christopher Commission
Chemerinsky Report 21(e)	Accountability for the volume of officer complaints and corrective action must rest with the Command staff (Lieutenants, Commanders, Bureau Chiefs, Deputy Chiefs, and the Chief of Police). This data should be used in considerations of Command staff promotions, pay raises, and assignments.
Christopher Commission 9-15	A bureau chief should provide subordinate commanding officers with a monthly list of officers who have been the subject of personnel complaints and the results of the corresponding adjudication. The bureau chief should incorporate the number of personnel complaints filed against members of subordinate commands when assessing the management and leadership qualities of commanding officers. Bureau chiefs should be evaluated on their effectiveness in dealing with subordinate commanding officers whose commands are a high source of personnel complaints.

Report & Recommendation No.	Recommendation
Christopher Commission 3-6	Supervisors must detect the early warning signs of a developing problem and arrange for officers to receive the training and counseling they need to exercise the appropriate level of restraint. Training must be more than perfunctory and officers should be encouraged to receive professional counseling by experts. If counseling and training do not work, discipline must.
Drooyan Report 5.17	The Department should convene an executive meeting within two weeks of an officer-involved shooting or a major use of force for the purpose of assessing risk management and training issues pending the outcome of the criminal or administrative investigation.
Drooyan Report 5.20	The Department should designate a Deputy Chief to be responsible for receiving and distributing (internally) information from a designated point of contact in the District Attorney's Office that relates to problems with officer credibility or other misconduct.
Drooyan Report 5.21	The Department should designate a Deputy Chief to be responsible for receiving and distributing (internally) information from a designated point of contact in the City Attorney's Office that relates to problems with officer credibility or other misconduct.
Christopher Commission 10-15	The Chief of Police should be charged with direct accountability for managing the operations of the Department, setting and achieving goals and policies consistent with the directions of the Commission. The Chief should be protected from improper political influences. The position should be exempt, held in open competition and the Commission should select and submit names to the Mayor for final appointment. The chief should serve a five-year term renewable for an additional term at the discretion of the Commission.
Christopher Commission 11-5	It is time for Chief Gates to allow for a transition to a new Chief of Police.
Christopher Commission 11-7	The new leadership must set priorities. The leadership must be constant and comprehensive – they must make their weight felt throughout the system (recruitment, training, promotion, assignment and discipline).
Christopher Commission 11-8	Leadership must avoid sending mixed signals to make progress on issues related to excessive use-of- force, racism and bias.
BOI-76 & 00-112	The second commander position, removed from the operational bureaus years ago, must be restored along with sufficient sworn and non-sworn staff to establish a meaningful system of inspections and audits for each of the operational bureau CO's. This audit team would be responsible for overseeing the bureau's risk management efforts and providing meaningful and regular audits and inspections of the bureau's operations including case biopsies and quality control evaluations. Also critical in this effort is the ability to track the implementation of recommendations from previous audits so that a command does not make the same mistakes over and over again.

Report & Recommendation No.	Recommendation
<i>Risk Management Division</i>	
Drooyan Report 6.3	The Department should reconfigure its Risk Management Division as a group with increased visibility and authority, reporting directly to the Chief of Police.
Drooyan Report 6.4	The Department should create and circulate clear criteria for identifying “at-risk” officers for review by the Risk Management Committee.
BOI-29 & 00-65	Risk Management Division’s staffing must be increased so they can develop a system of monitoring and tracking our critical risk-management factors and providing managers with regular broad-based analysis of those trends to facilitate effective management oversight. This includes tracking and analysis of individuals, work groups, commands and bureaus with high or unusual patterns.
BOI-30 & 00-66	An additional Commander should be added to HRB as our full-time Risk Manager with line command of RMD. This staff officer would administer a proactive risk management program including monitoring potential problem officers and entities with unusual patterns of risk-management behaviors. This staff officer should be the final review authority for all administrative investigations not handled through IAG or the Use of Force Review Board and would include reviewing all completed reports for consistency and accuracy, reconciling any classification disagreements, and retaining original reports.
BOI-31 & 00-67	The responsibilities of the Risk Management Committee (RMC) should be expanded to include an annual audit of our administrative review processes. Additionally, the RMC should be responsible for adjudicating employee-involved traffic collisions resulting in serious injury (hospitalization) or death and all traffic collisions involving a staff or command officer. The Chief should be the reviewing authority for those incidents.
<i>Tracking Complaints/TEAMS</i>	
Christopher Commission 8-1	A complaint history, including sustained and not-sustained charges, should be included in an employee’s central and divisional personnel files. This history, at least for not-sustained complaints, need not contain the entire investigation. Rather, a summary similar to that sent to the Commission, is sufficient. The complete file should be available on request for consideration in promotion and paygrade advancement.
Christopher Commission 9-11	A complaint classified as “Not Resolved” should be available for review in future investigations, as well for consideration of promotion or upgrade. All findings should be made available for non-punitive purposes such as training, counseling and assignment.

Report & Recommendation No.	Recommendation
Drooyan Report 6.1	The TEAMS II system must be designed to permit standard and timely data collection, and ready trend reporting, with express protocols for the dissemination and use of TEAMS II data.
Drooyan Report 6.5	Pending the implementation of TEAMS II, the Department must develop and distribute written policies regarding the use of current TEAMS data.
Chemerinsky Report 21	Implement a system of tracking complaints against police officers.
Chemerinsky Report 21(a)	Establish a system for the centralized reporting of all complaints of police misconduct.
Chemerinsky Report 21(b)	The system should provide the ability to track individual complaints and all of the complaints against a specific officer.
Chemerinsky Report 21(c)	Standards must be developed as to when and how information in the tracking system may be accessed and used.
Chemerinsky Report 21(d)	Require analysis of data over specific time periods for the Department, for divisions, and for individual officers.
Chemerinsky Report 21(f)	Institute a system for tracking all settlements and judgments against the City for the actions of LAPD officers, including a requirement that notice of such awards be given to the Police Commission, the Claims Boards, the Mayor, and the City Council.
Drooyan Report 6.9	The LAPD should implement a case management tracking system that directly interfaces with the system used by the City Attorney's Office
BOI-13 & 00-49	We must improve our data capturing and input infrastructure for the Training, Evaluation and Management System (TEAMS). Whereas multiple entities are responsible for inputting data into the system, one entity must be designated to conduct continuous audits of that system. It is imperative that TEAMS accurately reflect the current status of its information and that requires on-going auditing.
Collins Report 7.1	Law enforcement agencies are encouraged to implement automated data systems in which personnel and other records are maintained in a centralized computer database.
Collins Report 7.2	Automated databases maintained by law enforcement should retain information relating to sustained citizen complaints for at least ten years.

Report & Recommendation No.	Recommendation
<i>Civil Litigation</i>	
Christopher Commission 10-7	The Police Commission should be informed about civil litigation. Steps should be taken to avoid costly lawsuits.
Christopher Commission 3-7	Litigation costs are a reflection of the more fundamental problem of excessive force. As information about officers' conduct becomes available through litigation, prompt investigation and discipline should be pursued and the information made available for the performance evaluation of the officers.
Christopher Commission 3-8	The Department and the City Attorney's Office should consider arbitration or mediation of claims which are routinely denied and often lead to more expensive litigation.
Christopher Commission 9-4	Establish a process with the City Attorney's Office to identify all civil suits involving Department employees.
Drooyan Report 6.10	The Department should establish procedures for improved coordination and communication with the City Attorney's office on the strategy and resolution of cases and enhance the Department's involvement over the resolution and disposition of cases against employees, the Department, and the City arising from employee conduct.
Drooyan Report 6.12	The Commission should assess the adoption of a charge-back system for costs of litigation, including settlements and judgments, which will impact the budget of the Department to ensure that all levels of LAPD recognize the primacy of serious and continuing risk management efforts.
<i>PERFORMANCE EVALUATIONS</i>	
Christopher Commission 3-5	The guidelines for preparation of performance evaluation reports should be revised to require that supervisors assess information from complaint histories, especially when a pattern exists. Statistical personnel information should be made readily available to detect "early" warning signs of a developing problem.
Drooyan Report 2.14	Ethical performance should be positively reinforced. It should be incorporated as a criterion for annual performance evaluation.
BOI-15 & 00-51	We must restore integrity to our performance evaluation system so that it can be relied upon as a true measure of performance. Personnel evaluations have little or no credibility at any level in the organization and that must be corrected.

Report & Recommendation No.	Recommendation
<i>PROMOTIONS/INCENTIVES/DEPLOYMENT</i>	
Christopher Commission 5-3	Modify the Department's structure to favor empowerment, local control and responsiveness.
Christopher Commission 8-5	An officer's decision to remain in patrol should be a positive factor in promotion decisions, especially when an officer's record demonstrates the qualifications to transfer out of patrol.
Christopher Commission 8-6	Increased rewards for the patrol function should be provided; for example, augment the longevity pay program already in place.
Christopher Commission 8-4b	The assignment policy for patrol officers should be modified to require periodic, mandatory rotation every five years in a manner designed to increase ethnic and gender diversity among Areas and to expose officers to a broad variety of experience.
Christopher Commission 8-2	Assignment to "coveted positions" should be used as an incentive to use force appropriately. The complaint history should be available to evaluate candidates for coveted positions.
Drooyan Report 7.7	The Department should disclose its promotion criteria (ranking within a promotional band).
BOI-45 & 00-81	The current practice of having all Chief Officers present to discuss command assignments must be continued. The current system ensures consideration of those factors and is much less likely to produce unanticipated outcomes.
BOI-55 & 00-91	Support staffing for each Area must be consistent with the size and complexity of each command. Currently, Areas are allocated about the same number of support staff regardless of size. More people generate more paperwork and support staff must be budgeted and allocated in proportion to the size of each command. That ensures there are adequate resources to accomplish the command's management and oversight responsibilities.
BOI-53 & 00-89	Area Administrative Lieutenants must be upgraded to Lieutenant II positions. The Ideal Area eliminated an entire layer of Area management and the three patrol watch commanders now report directly to the Area C/O. This substantially increased the Area C/O's responsibilities, which was to be offset through the Administrative Lieutenant. However, very new lieutenants are filling many of these positions, which stifles their growth and development. Upgrading these positions to lieutenant II will attract the more senior lieutenants and ensure that lieutenants with the proper experience are performing those critical Area functions.

Report & Recommendation No.	Recommendation
BOI-54 & 00-90	With the expanded number of sergeant and lieutenant advanced paygrade positions, it is critical that Areas retain the flexibility to move their people among the advanced paygrade positions within the command. An Area C/O should be able to move people within those positions to promote their development and prevent stagnation. This would require these positions to be advertised generically rather than for a particular assignment.
BOI-14 & 00-50	We must significantly improve the Position Tracking System (PTS) and its capability should be expanded to include tracking personnel issues that affect personnel movement within the Department. The major flaw in the present PTS is its poor functional specifications, which must be corrected if we are to capture this information for transfer considerations.
<i>SPECIALIZED UNITS</i>	
Christopher Commission 8-4a	Re-examine limited tour of duty for non-field assignments.
Drooyan Report 8.1	Each specialized division and unit should have a mandatory rotation policy tailored to its structure, mission, and expertise requirements.
BOI-19 & 00-55	We should consider expanding the number and categories of specialized assignments that should be subject to a limited tour of duty, both in the Areas and in specialized divisions. Most of these assignments provide outstanding opportunities for career development and were never intended to be career-long positions. Any rotation system must maintain a balance of expertise vs. stagnation and not deplete a unit's institutional knowledge.
Chemerinsky Report 10	Require greater controls on specialized units within the LAPD.
Chemerinsky Report 10 (c)	There should be regular audits of specialized units to ensure compliance with the rules and standards of the LAPD.
Chemerinsky Report 10 (a)	Selection criteria for specialized units should be developed.
Chemerinsky Report 10 (b)	A standardized system for selecting officers for specialized units, with a screening system similar to that used for vice, should be implemented.
BOI-16 & 00-52	There should be a standardized selection process for Area specialized units. Based upon the particular assignment, this may include a background check, polygraph, and drug testing or financial disclosure statement. At a minimum, officers being considered for assignment to an Area's specialized units should undergo the clearance procedures now required for a vice assignment.

Report & Recommendation No.	Recommendation
BOI-48 & 00-84	In order to bring our Area specialized units back into the operational mainstream, we should establish a consolidated Special Enforcement Unit (SEU) in each Area. The SEU structure should include CRASH, Special Problems Units, and similar uniformed details. In establishing SEU, we must ensure that our gang efforts are refocused on a clearly defined mission that includes public education, police/community problem solving, intelligence gathering and suppression of criminal gang activity.
BOI-51 & 00-87	To stem the proliferation of non-budgeted specialized units within Areas, an Area C/O should be required to obtain approval from their bureau C/O to deploy a non-budget specialized unit. The written request must identify the unit's specific mission, staffing, method of deployment and duration. Bureaus should be accountable for ensuring that prior approval is obtained and that these units are disbanded upon completion of their stated mission.
BOI-59 & 00-95	Criminal Intelligence Group, through the Operations Committee, should develop a protocol for Divisional Integrity Assurance Plans. Specialized operational divisions should be required to develop such a plan for their command to address its unique vulnerabilities. Additionally, CIG should evaluate the usefulness of developing such a plan for general law enforcement commands such as Areas and traffic divisions.
Drooyan Report 8.2	Special Investigations Section and Metropolitan Division should increase the number of women officers
Drooyan Report 8.5	Special Investigations Section should take additional steps to reduce the risk of shootings and further minimize the risk to crime victims and bystanders.
Drooyan Report 8.7	The Narcotics Division should review its procedures for seizures, search warrants, and informants.
Drooyan Report 8.8	The Narcotics Division must make sure that all officers know and can implement the procedures in the Integrity Assurance Plan.
Drooyan Report 8.9	Vice Units must document the specific basis for enforcement operations.
<i>SUPERVISION</i>	
Christopher Commission 6-6	The supervisor's role should include training, counseling and guiding employees to cope with the stressful situations their job can entail. The Department must make it clear that employees may seek counseling or training either formally or informally, and that counseling may be obtained on a confidential basis without fear of punitive action.
Drooyan Report 7.8	The Department needs additional supervisors

Report & Recommendation No.	Recommendation
BOI-44 & 00-80	We must return to the formula of one field sergeant for every seven patrol officers (1:7) rather than the 1:8 formula imposed several years ago. The lack of effective field supervision in Rampart was, frankly, glaring. We simply must ensure there are sufficient field supervisors to perform the basic supervision and leadership functions necessary to prevent future corruption incidents.
Chemerinsky Report 6(d)	Require that higher-level supervisors spend time in the field.
Drooyan Report 7.10	Efforts should be made to reduce the administrative burdens on supervisors so that they can spend more time providing leadership and supervision in the field.
Christopher Commission 3-4	Lieutenants and sergeants working with officers in the field must monitor the use-of-force by those they supervise. This should include regular monitoring of Mobile Data Terminal (MDT) usage.
Drooyan Report 6.8	LAPD supervisors should periodically be present in court to observe testimony by police officers
BOI-20 & 00-56	Sergeant candidates should be required to have a minimum of five years experience, at least three of which should be in a uniformed assignment. A breakdown in front-line supervision was certainly apparent in Rampart and it has also been identified as a key factor in corruption scandals in other cities. Based upon these observations, and certainly from our own experiences, improving the selection criteria, expertise and deployment of field supervisors is essential.
BOI-77 & 00-113	An additional captain should be deployed at each Area to oversee line operations during the critical evening hours and on weekends. The Command Duty Officer program has attempted to rectify this shortage, but is insufficient especially when each CDO is deployed about once a quarter and has no responsibility for the on-going management of a command. In the alternative, consideration should be given to assigning 3 full-time captains to the CDO program on nights and weekends to provide command oversight during those critical hours. Eventually, that should be expanded to 6 full-time captains who would report to the Department Commander and provide Citywide coverage from about 1700 hours to 0600 hours every night.
BOI-88 & 00-124	It is critical that each command develops and maintains a cohesive management/supervisory team. In that regard, Behavioral Science Services should develop and implement an annual team-building exercise for each command. That exercise must include all management and supervisory personnel within the command and emphasize the importance of shared responsibility, consistency of direction, teamwork and communications.

Report & Recommendation No.	Recommendation
BOI-60 & 00-96	Although booking <u>advice</u> should be obtained from a detective or specialized unit supervisor, booking and report <u>approvals</u> should always be obtained from the Area watch commander who should be responsible for visually inspecting each arrestee.
BOI-61 & 00-97	Whenever possible, the supervisor approving a booking should be the same supervisor who reviews and approves the related reports. Consistent review of these two processes serves as redundant scrutiny of the arrest's validity. This will ensure that sufficient probable cause is articulated in the arrest report and that any evidence seized is properly recorded and booked.
BOI-17 & 00-53	Supervisors and officers assigned to Area specialized units such as Gang Units, SPU, Career Criminal, Hype Units and Youth Services should be in advanced paygrade positions. These units are important in accomplishing our crime control mission, yet we staff these sensitive, high-risk units with the basic paygrades. All too often, many of those positions are filled with officers barely off probation.
BOI-49 & 00-85	When specialized units such as the Gang Detail and SPU are not integrated into the patrol chain-of-command, they must at least be functionally accountable to the patrol watch commander. This would require each of these units to provide the watch commander with a written line-up each day indicating exactly who is working, what cars they are driving and their start and end-of-watch times. That written line up should be attached to the Watch Commander's log and retained in the Area.
BOI-50 & 00-86	In no case should the Gang Detail or SPU be deployed without an assigned supervisor. Area Gang Detail and SPU OICs should be required to coordinate their days off so one of them is working whenever the Gang Detail or SPU is deployed. If the OICs are unavailable such as vacation or a complex personnel investigation, another supervisor should be assigned to supervise the unit.
BOI-46 & 00-82	Whenever possible, Area commands should always operate out of a single facility. When this is impossible, high-risk units such as CRASH, SPU and Community Relations should always operate out of the main facility to allow for oversight by the uniformed watch commander. They can maintain lockers and perform administrative duties at a satellite facility, but arrestees and evidence should always be processed at the main facility.
BOI-47 & 00-83	When an Area must operate out of multiple facilities, a formal, comprehensive plan must be established to ensure proper and effective supervision. Almost without exception, that plan should prohibit bringing arrestees to the secondary facility especially by non-detective personnel during off hours (nights and weekends).

Report & Recommendation No.	Recommendation
<i>TRAINING</i>	
<i>Administration and Resources</i>	
Christopher Commission 7-2	The Police Training Administrator (PTA) should be a professional educator with specific line responsibility for the training of trainers, curriculum development and implementation of the Professional Advisory Committee's recommendations. The PTA should report directly to the Chief of Police and have adequate staff and equipment.
Christopher Commission 7-6	The Training Division Commanding Officer should serve a minimum of three (3) years and have greater control in removal of instructional staff.
Christopher Commission 7-7	Review possible lack of experience of Academy instructors and field training officers.
Drooyan Report 7.3	The Department should give its Director of Police Training and Education significantly greater support and influence.
Christopher Commission 7-8	The Academy should develop high performance standards in academic and physical fitness in order for recruits to graduate. They should not retain unqualified recruits for any reason, especially those who demonstrate an inability to deal with the public.
Chemerinsky Report 7(a)	Identify areas in which training of LAPD officers is deficient in comparison to national and California standards and require improvements in these areas.
BOI-87 & 00-123	We must continue to explore nationwide training programs within the law enforcement community, as well as educational programs for other public service occupations, to keep abreast of the best practices nationwide.
BOI-89 & 00-125	The BOI found a general lack of oversight in the way classes were added to or deleted from Department schools. HRB establish a formal system to control that process and records should be maintained for each class to document its history and the rationale for content changes.
BOI-100 & 00-136	We must ensure that the material being taught to our officers at their commands is consistent with Department standards, especially in the critical area of tactics. In that regard, the schedule and proposed training material for all Area/divisional training days must be submitted in advance for approval by their bureau C/O and the C/O of Training Group. Training Group personnel must monitor those training sessions to ensure the content and delivery are consistent with Department standards.
Chemerinsky Report 7(c)	Mandate training of civilian personnel, such as civilian members of Boards of Rights.

Report & Recommendation No.	Recommendation
<i>Problem Solving/ Cultural Awareness</i>	
Christopher Commission 5-6	An enhanced emphasis should be placed on verbal skills and containment and control tactics in both in-service and recruit training schools. Verbalization as a control tool should become an integral part of each training scenario and both instructors and trainees should be evaluated on the use of such skills.
Christopher Commission 7-1	In each phase of training, incorporate use of verbal skills rather than physical force and develop human relations skills.
Christopher Commission 7-5	The Police Training Administrator should review academy instructional techniques and consider methods such as cross-training instructional staff and team teaching to integrate concepts and encourage recruits to apply principles from curriculum as a whole; make simulation training more “lifelike” and require the integration of multiple skills, not just the performance of specific tasks; train and test on decision-making and judgement skills, especially use-of-force; create an ongoing relationship between Academy training and field training; and, involve FTOs in “debriefing” to integrate Academy and field training programs.
Drooyan Report 7.4	Academy training should be further integrated, and should teach problem-solving skills as well as tactics.
Christopher Commission 7-3	The Police Training Administrator and Professional Advisory Committee should review Human Relations-Cultural Awareness Verbal Skills Training and place this training at the beginning of the Academy curriculum to serve as a foundation for other classes. This training should include gay and lesbian instructors and issues.
Christopher Commission 4-2	Explore the need and appropriateness of reinforcing cultural awareness and related diversity training in the monthly roll call training schedule, given the time constraint of 20 minutes per training subject.
Chemerinsky Report 6(c)	Officers should receive training on community policing activities.
Christopher Commission 8-3	Regularly reinforce human relations and use-of-force training in personnel decisions.
Christopher Commission 7-4a	The Police Training Administrator (PTA) should review foreign language training and increase officer motivation regarding that training.
Christopher Commission 7-4b	Increase incentives for officers to become fluent in foreign languages.

Report & Recommendation No.	Recommendation
Christopher Commission 7-4c	Encourage attendance at advanced courses on mediation techniques, crisis intervention or other specialized skills using foreign language abilities.
Drooyan Report 6.11	Information from closed cases should be incorporated into officer training and used to improve Department policies and procedures on an ongoing basis
<i>Ethics</i>	
Chemerinsky Report 7(d)	Require training of all officers as to ethics and civil rights, including with use of outside experts.
BOI-82 & 00-118	We must conduct a thorough review of existing ethics and integrity courses for topic continuity, proper delivery based on the needs and job duties of participants, and trainer preparation and credibility.
BOI-83 & 00-119	We must develop a comprehensive training program on ethics, integrity, mentoring, and leadership. This should include the development of standardized curriculum and lesson plans, while maintaining the ability for classroom participants to generate ethical dilemmas from their various perspectives. It should also involve critical thinking, problem solving, and decision-making strategies for addressing ethical dilemmas in a policing environment.
BOI-84 & 00-120	In developing this program, we should seriously consider accepting the US Attorney's offer to have members of their staff provide training regarding civil rights violations and police corruption. However, rather than teaching recruits, that training would seem to be more worthwhile at the supervisory and watch commander levels and would surely make them more cognizant of the serious outcomes their failures can have.
BOI-85 & 00-121	All Department employees should receive greatly increased training in the areas of ethics and integrity and that training should be fully integrated into our regular training programs.
BOI-86 & 00-122	Classroom instruction on ethics should be reinforced through other training opportunities such as commanding officer presentations during standardized roll call training, discussion in supervisory meetings, monitoring and auditing the work environment, and workshops in divisional training days that encourage frank discussions about this issue. In addition to live presentations, we should utilize technology advances such as CD-ROM, LAN and Internet formats as appropriate.
Drooyan Report 2.10	Recommendations 82-87 in the Board of Inquiry Report, concerning ethics and integrity training programs, are appropriate and should be implemented.

Report & Recommendation No.	Recommendation
Drooyan Report 2.11	Ethics training should be developed as a coordinated program and presented regularly throughout each officer's career.
Drooyan Report 2.12	Ethics training should be presented in a way that is relevant to officers' daily job experiences.
Drooyan Report 2.13	The effectiveness of the Department's ethics training should be evaluated on a regular basis by the Director of Police Training and Education, who should be given sufficient staff to perform this function.
Chemerinsky Report 29	Training of police officers to be witnesses must be reoriented to stress accuracy in all respects.
<i>In Service/ Roll Call Training</i>	
Christopher Commission 7-15	Audit use of Roll Call training to update veteran officers on new policies, procedures and tactics developed since they left the Academy and to review and practice current policies, procedures and tactics
Drooyan Report 7.6	The Department's new in-service training program should be implemented as soon and as fully as possible.
BOI-94 & 00-130	Our standardized roll call training program should be critically evaluated to determine its utilization and effectiveness. The high level of reported compliance with this program was inconsistent with the lack of compliance in most other areas. It is possible that the standardized roll call training curriculum is being fully and faithfully provided, but it is also possible that people are simply making the expected notation on their log whether or not the training actually occurred.
<i>Specialized Units</i>	
BOI-95 & 00-131	Every specialized division, section and unit should have a standardized training module in place for the assimilation of new officers including any handout material describing their duties and mission. The development of these training programs will ensure that assimilation is consistent with the Department's goals and objectives.
Drooyan Report 8.3	Special Enforcement Unit officers must receive focused training consistent with its mission.
Drooyan Report 8.4	Special Investigations Section supervisors should be trained by Department psychologists in ways to identify stress among members.

Report & Recommendation No.	Recommendation
Drooyan Report 8.6	The Narcotics Division should provide additional training in the area of evidence collection, preservation, and presentation.
<i>Supervisory Training</i>	
Christopher Commission 7-16	Leadership training should include diversity management, community relations, stress management, mentoring techniques, problem resolution, inclusive team-building, state-of-the-art human resource techniques such as managing progressive discipline and monitoring performance, and organizational change management models.
Chemerinsky Report 7(b)	Mandate training as to supervisor responsibilities and duties.
Drooyan Report 7.9	The Department must provide additional supervisory training
BOI-90 & 00-126	A one to three day introductory course should be developed for new sergeants, detectives II and civilian supervisors. It should be given the first working day(s) of each deployment period, regardless of the number of personnel to be trained, and no one should be permitted to work as a supervisor until he or she attends the course. This course should focus primarily on the role and responsibilities of Department supervisors and it should be designed to increase courage on the part of supervisors to make the tough decisions necessary to avoid ethical breakdowns in the future.
BOI-91 & 00-127	Consideration should be given to reorganizing the Supervisory Development Course from a four week block of instruction to a program of smaller blocks of instruction spread out over a longer period of time. This will allow time for students to apply their knowledge, and to develop their talents within a peer setting.
BOI-92 & 00-128	The Watch Commander School should be completely revamped to teach watch commanders the mechanical things they need to know to be effective in their assignments. Three experienced, highly regarded watch commanders should monitor the next School and provide their insight on subjects, which need to be taught, and the quality of instruction. However, at a minimum the instruction should include the review of administrative investigations, personnel deployment, monitoring the investigation of personnel complaints, and setting up audit and control systems to ensure their watch's effectiveness.
BOI-93 & 00-129	We need to develop "hands-on" case scenarios for Command Development School to train new command officers on just about every subject including the proper review, classification and adjudication of administrative investigations. They also need to receive specific training on resource management in order to assist them in managing their multi-million dollar commands. This should result in greater consistency in these critical areas.

Report & Recommendation No.	Recommendation
<i>Other Training issues</i>	
BOI-96 & 00-132	We must embark on a comprehensive training program directed at informant cultivation and management. This training must begin with recruits at the Academy and should be added to appropriate in-service schools. Consideration should be given to having command officers, especially from CIG, teach informant control particularly at the field officer, supervisory, and mid-management levels.
BOI-97 & 00-133	Consideration should be given to restoring the two-hour block of training regarding the OIS investigation process taught by RHD personnel to recruit officers. Becoming involved in an OIS is traumatic enough without having at least some understanding of the process.
BOI-98 & 00-134	We must ensure that our Training Coordinators know how to input training information into the CHRIS and TEAMS systems. Without this instruction, directed training resulting from an administrative review process will never be documented and tracked.
BOI-99 & 00-135	We must fully staff the Advanced Tactics Unit, CED, to ensure that every officer is adequately trained in this critical area, that remedial training is provided as problems arise, and that every officer receives regular follow-up training throughout their careers.
BOI-101 & 00-137	Training programs for recruits and line-level officers must reemphasize the need for officers to fully and completely articulate their reasons for detaining people in the “Source of Activity” portion of their arrest reports. Recognizing probable cause and reasonable suspicion, as well as their legal underpinnings, is a subject which must be taught at those schools and reemphasized throughout our training courses. We must shore up our officers’ ability to recognize and record good legal justification for their self-initiated activities.
<i>FTOs/Probationers</i>	
Christopher Commission 7-9	Work to eliminate the FTO “we/they” mentality.
Christopher Commission 7-13	Reduce paperwork to evaluate probationers; cut down the difficulty in terminating weak probationers; and, require FTOs to honestly evaluate probationers and not pass poor performers to other FTOs.
Christopher Commission 7-10a	Establish written standards for FTOs to deselect probationary officers.
Christopher Commission 7-10b	Establish written FTO selection and disqualification standards, including the FTO’s disciplinary record.

Report & Recommendation No.	Recommendation
Drooyan Report 7.5	Field Training Officers should be better screened and better trained.
Christopher Commission 7-11	Continue refining the FTO School curriculum including specific instruction on use-of-force policy. All newly assigned FTO's should attend and pass this school prior to being assigned a probationary officer. Increase the number of FTO schools to allow all new and current FTOs to attend within two years. The Department and the Board should consider moving personnel and monetary resources into this vital area, as they become available.
BOI-21 & 00-57	We need to review the way in which we assimilate new officers into our organization during their critical first three years of employment. Specifically, we found an almost universal lack of understanding about the way in which a patrol officer's work flows through our systems and how the quality of the work affects everything else. In years past, officers off probation rotated through several of our key operational-support commands such as Communications, Jail, Records and Identification and Scientific Investigation Divisions. Those brief exposures to these support elements early in an officer's career provided a deeper understanding of these critical systems and a better sense of the larger Department operation. Civilianization over the past several years has virtually eliminated the need for these brief (6 to 8 months) assignments, but we need to reexamine the wisdom and long-term benefits of that program including its ability to bridge the gap between sworn and non-sworn employees.
Christopher Commission 7-12	Rotate probationers among FTO's place them on different watches and expose them to diversity among the trainers.
<i>USE OF FORCE</i>	
Christopher Commission 3-2	As policy leaders, the Police Commission should convey the leadership priority to curb excessive force. Regular audit and review of excessive use of force by the Police Commission should be emphasized.
Christopher Commission 3-1	Curb excessive use-of-force by leaders making this priority felt throughout the system.
Christopher Commission 3-10	A thorough study by police, medical, scientific, psychological and other experts should be undertaken as part of a comprehensive evaluation of mid-level use-of-force options.
Christopher Commission 10-3	Implement use of force procedures and suggested staffing as recommended in the Eulia Love report. The Chief should also report any intended disciplinary action to the Police Commission before implementing it.

Report & Recommendation No.	Recommendation
Christopher Commission 10-4	In keeping with the Police Commission’s November 20, 1990, report regarding the Century City “Justice for Janitors” action, the Department should expand policies regarding labor disputes and personnel should receive updated training on handling demonstrations.
Christopher Commission 4-4	Problems related to the use of the “prone out” tactic and the practice of stopping young minority males without proper justification should be reevaluated; the increased use of K-9's in minority neighborhoods requires investigation.
BOI-74 & 00-110	Critical issues such as use-of-force standards and less-lethal control devices must be included in Department publications. The UOF Handbook was issued years ago, but has not been updated since its original publication. It must either be updated or cancelled in which case training bulletins should be issued to address this material. Similarly, devices such as the beanbag shotgun still are not addressed in the Department Manual.
Drooyan Report 5.18 (a)	The Department should take steps to enhance and to enforce record-keeping regarding uses of force, including proper acknowledgement of uses of force on arrest report face sheets.
<i>INVESTIGATIONS</i>	
<i>Investigations of Officer Involved Shootings/ Uses of Force</i>	
Christopher Commission 9-6	All complaints related to excessive force (including improper tactics) should be investigated by IAG rather than at the divisional level and subject to periodic audits by the Office of the Inspector General.
Chemerinsky Report 22	An independent investigative unit for officer involved shootings should be created.
Chemerinsky Report 26	Independent oversight of shootings should be implemented.
Chemerinsky Report 24	Civilian oversight, through the Inspector General, of officer involved shootings would be implemented.
Chemerinsky Report 24(a)	Require immediate notification of the shooting to the Inspector General.
Chemerinsky Report 24(b)	Require the Inspector General to develop a “roll out” team with full and complete access to the shooting scene, evidence, and the investigation by OIS, including statements of involved officers and witnesses, with the right to document any aspect of the incident or investigation.

Report & Recommendation No.	Recommendation
Drooyan Report 5.3 (a)	Internal Affairs Group (IAG) should roll out to all officer-involved shootings (OIS) and major uses of force (UOF). Note: Categorical Uses of Force include the most serious officer-involved shootings and other “major uses of force,” generally involving injury or death.
Drooyan Report 5.5	The Internal Affairs Group should immediately notify the District Attorney’s Office whenever it determines that there is reason to believe that an officer’s actions may involve criminality or substantial misconduct, and should present such cases to the District Attorney to determine whether prosecution is warranted.
Drooyan Report 5.6	The Board of Police Commissioners should consult with the City Attorney’s Office and the District Attorney’s Office, members of the City Council and Board of Supervisors, and others to consider vesting the responsibility for all use of force prosecutions of police officers, whether felony or misdemeanor, in the District Attorney.
BOI-69 & 00-105	Re-implementation of the District Attorney’s Roll-Out Program should be monitored to ensure the protocol produces the desired effect of facilitating the District Attorney’s Office monitoring of OIS investigations at the scene of the incident. Every effort should also be made to educate the public on the progress of this program in order to maximize the program’s value.
Drooyan Report 5.19	The Department should strengthen its commitment to the District Attorney’s roll out program.
Drooyan Report 5.10	The Department should establish a Use of Force Division composed of experienced detectives dedicated to performing administrative investigations of officer-involved shootings and other major uses of force that do not involve evidence of criminality or serious misconduct.
BOI-71 & 00-107	The Use of Force (UOF) Review Board should expand the scope of its post-adjudication review of an OIS to include OIS patterns that may be occurring in the involved officer’s division and entity of assignment. Expanding the Board’s role to include a review of organizational patterns as well as individual patterns should ensure that these trends are identified and dealt with.
Drooyan Report 5.13 (a)	Representatives of the Police Commission and of the Inspector General should be permitted to question witnesses at hearings before the Use of Force Review Board,
Drooyan Report 5.13 (b)	And [Representatives of the Police Commission and of the Inspector General] should be allowed to attend the [UOF] Board’s deliberations
Drooyan Report 5.15	The Department should develop a uniform protocol for investigations of minor uses of force by officers, not resulting in hospitalization, including provisions for review of the Division commanding officer’s determination by the Bureau Deputy Chief.

Report & Recommendation No.	Recommendation
Drooyan Report 5.12	Investigative files in cases of officer-involved shootings and major uses of force should include information about the officer's past history, including disciplinary record, past uses of force, and past pursuits.
Chemerinsky Report 23	A new policy for obtaining statements from officers involved in shootings should be developed.
Drooyan Report 5.16	The Department should reinstate the protocol that requires investigating officers to submit a preliminary written summary of all incidents involving officer-involved shootings or major uses of force to the Chief of Police within ten days of occurrence.
Drooyan Report 5.18 (b)	Face sheets for use of force investigations and related databases should be revised to require a complete description of all forms of force used.
Chemerinsky Report 25	Policies should be adopted to protect civilian witnesses in officer involved shootings.
Chemerinsky Report 25(a)	Develop a protocol that requires that unless there is probable cause for arrest, no civilian witness shall be arrested, detained, handcuffed, or otherwise intimidated by OIS or any LAPD officers at the scene. The protocol should require that all relevant civilian witnesses be interviewed.
Chemerinsky Report 25(b)	No statements will be required from any independent civilian witness unless it is fully and completely voluntary, which begins with an admonition that the witness is free not to give a statement, and is fully advised of their right and the procedure to make a citizens complaint regarding the shooting or the post shooting conduct of the officers or investigators.
BOI-66 & 00-102	The Department should develop a new OIS protocol that allows the OIS investigators to be the first interviewers of the involved officers. The protocol should also require that RHD investigate any crime against a police officer related to an OIS case and that RHD interview all civilian witnesses to any OIS which is the investigative responsibility of RHD's OIS Team. Finally, the Police Protective League must also be encouraged to address the issue of an attorney representing multiple clients.
BOI-67 & 00-103	If we are to ensure the investigative integrity of our OIS scenes, we must ensure that trained detectives respond quickly and take control of the crime scene and secure all witnesses and evidence. This will require that we re-institute "K-cars" out of DHD and require their response to all OIS, homicide and other major crime scenes to "freeze" those scenes and assist the entity responsible for the investigation.
Christopher Commission 9-8a	There should be no group interviews or pre-interviews of officers whether in officer-involved shooting investigations or other misconduct investigations. All interviews should be tape-recorded and, when there is prima facie evidence of a crime, special precautions should be taken to protect against compromising evidence.

Report & Recommendation No.	Recommendation
Christopher Commission 9-8b & 00-01	Examine the issue of a single employee acting as employee representative for more than one officer involved in, or as a percipient witness to, a use-of-force incident.
Drooyan Report 5.8 (a)	All officer interviews and witness interviews in connection with an officer-involved shooting or major use of force [should be tape recorded],
Drooyan Report 5.8 (b)	and all pre-statement walk-throughs conducted by LAPD investigators, should [also] be routinely and completely tape recorded.
Drooyan Report 5.9	Investigative files in cases of officer-involved shootings and major uses of force should note inconsistencies among officer statements, and between officer statements and other evidence.
Drooyan Report 5.7	The Scientific Investigation Division (SID) should roll out to the scene of every officer-involved shooting and to the scene of any major use of force where physical evidence must be collected, and lab work and other forensic analysis should become a routine part of investigating officer-involved shootings or a major use of force
BOI-68 & 00-104	It is critical that we place a high priority on the scientific analysis of evidence seized during an OIS investigation. If the analysis of that critical information is to be available in a timely manner, we simply must improve our ability to complete OIS firearms examinations expeditiously without sacrificing our responsiveness to other criminal cases. This will require hiring of additional Firearms Examiners and Latent Print Experts along with the equipment needed to accomplish their missions.
BOI-27 & 00-63	We must seek changes in state law permitting the release of medical records of persons injured in police incidents solely for the purpose of aiding the search for truth and ensuring that a thorough investigation is conducted. Without that information, we have no way to compare a person's injuries with individual accounts of the incident.
<i>Complaint Investigations</i>	
Drooyan Report 4.4	The Department should develop detailed, written guidelines that allow the response to a complaint to vary depending on its seriousness
Drooyan Report 2.3	Reform of the 1.28 system should take into account officer concerns.
BOI-28 & 00-64	We must find ways to streamline our personnel investigation and reporting system for cases of a minor rule violation or minor public complaint such as failing to take a routine report. This is especially true when the allegation, even if sustained, does not involve a repeat offender or an officer with a similar pattern of conduct. The goal should be to adequately investigate the matter, but minimize the time sergeants spend away from their primary duty of directing and monitoring field activities.

Report & Recommendation No.	Recommendation
Chemerinsky Report 16	Improve the system for receiving complaints against officers, including simplifying the process for receiving complaints and creating an Office of Citizen Complaints modeled after the San Francisco system.
Chemerinsky Report 17	Improve the system for screening complaints against officers, including creating a probable cause officer to screen complaints and determine which complaints are worthy of further investigation.
Christopher Commission 9-2a	There should be uniform displays at all police facilities open to the public and other citywide facilities providing complaint and commendation forms.
Christopher Commission 9-2b	The Internal Affairs Duty Room number, (800) 339-6868, should be publicized on a regular basis.
Drooyan Report 3.4 (a)	The Police Commission should address problems with the handling of citizen complaints by the Department by establishing a Public Complaints Section (including satellite offices) within the Office of the Inspector General.
Drooyan Report 3.4 (b)	The IG should take in-person, mail, on-line or facsimile complaints, refer them to IAG, and monitor the status of the investigation to ensure timely completion.
Christopher Commission 9-14	A copy of the completed complaint file should simultaneously be routed to the Inspector General's Office for review.
Drooyan Report 5.14	The Police Commission's Special Services Unit (SSU) should be placed under the direction of the Inspector General, and steps should be taken to improve the quality of SSU review.
Drooyan Report 4.3	The Office of the Inspector General should regularly audit disciplinary investigations as they proceed.
Chemerinsky Report 38	Revise the system for receiving and investigating citizen complaints about officer behavior, including requiring that all complaints about officer misconduct be forwarded to the Inspector General.
<i>Corruption Investigations</i>	
Chemerinsky Report 15	A permanent special prosecutor, ideally located in the California Attorney General's office, should be appointed to investigate criminal wrong-doing by officers within the Los Angeles Police Department.

Report & Recommendation No.	Recommendation
BOI-37 & 00-73	The entity responsible for investigating a corruption case should be located away from City facilities so it can conduct its business in relative confidentiality. To avoid security breaches, the Department must have the ability to acquire off-site office space and supporting equipment without leaving the paper trail required by the City's normal process. Preliminarily, it would seem that the Secret Service fund might be appropriate for this purpose.
BOI-38 & 00-74	A corruption investigation should include consultation with the appropriate prosecuting agency and the City Attorney for guidance. The prosecutor can advise the task force on matters regarding the criminal case while the City Attorney can provide counsel on personnel, disciplinary and risk-management issues.
BOI-33 & 00-69	Special Operations Section, IAG, should be responsible for conducting corruption investigations involving Department employees. This will require the expansion of SOS with additional detectives, including additional detectives III to attract the most highly qualified experts in the diverse specialties needed to handle complex and high profile corruption investigations.
BOI-34 & 00-70	When the C/O, IAG, with concurrence of the Chief of Staff, determines that a corruption investigation is beyond IAG's resources, a task force should be created under the direction of an IAG manager. The task force should include personnel from IAG and any other entity with the expertise to successfully complete the investigation.
BOI-37 & 00-73	The entity responsible for investigating a corruption case should be located away from City facilities so it can conduct its business in relative confidentiality. To avoid security breaches, the Department must have the ability to acquire off-site office space and supporting equipment without leaving the paper trail required by the City's normal process. Preliminarily, it would seem that the Secret Service fund might be appropriate for this purpose.
BOI-38 & 00-74	A corruption investigation should include consultation with the appropriate prosecuting agency and the City Attorney for guidance. The prosecutor can advise the task force on matters regarding the criminal case while the City Attorney can provide counsel on personnel, disciplinary and risk-management issues.
BOI-39 & 00-75	From its inception, corruption investigations should follow the protocols included in the Department's Major Case Management System. Detective supervisors, particularly those with special expertise in criminal areas and IAG supervisors, should be trained in using that system.

Report & Recommendation No.	Recommendation
BOI-40 & 00-76	At the beginning of all corruption investigations, a Case Management Review Team should be designated to review the case in order to track the investigation's progress and ensure it conforms to all relevant legal and Department standards. The Review Team should consist of senior detectives and sergeants with extensive experience in conducting criminal and/or administrative investigations to monitor the investigation and recommend mid-course corrections, as appropriate.
BOI-78 & 00-114	We must review our automated systems to determine if they are able to capture and produce information, which may be required for effective audits and corruption investigations. What is required at this time is a careful review of the <u>functional</u> requirements for these systems after which our technical experts will have to evaluate the cost associated with the needed changes.
BOI-42 & 00-78	An after-action report should be prepared for each major corruption investigation. In the past, these investigations were documented in the personnel complaints, but no report was prepared outlining critical information typically contained in an after-action report. Consequently, there is no reference material from which future Department managers can learn, thereby avoiding past mistakes.
BOI-43 & 00-79	The Department should have an easily accessible archive for after-action reports. The presence of such an archive improves policy and procedure research and encourages continual self-critical analysis. The recently created Department historical records repository at Records and Identification Division would be a suitable location.
<i>Administrative/Criminal Investigations</i>	
Christopher Commission 9-3	The statute of limitations pursuant to Charter Section 202, should be extended from one year and modified. This would assist in the establishment of patterns of conduct during the investigation and adjudication of a complaint.
Drooyan Report 5.1	The City Charter should be amended to toll the limitations period for administrative charges against police officers pending the completion of any criminal investigation of the same underlying conduct.
BOI-26 & 00-62	We must seek a change to Charter Section 202(4), which requires that an administrative investigation be concluded within two years of occurrence or one year of discovery in order to assess discipline greater than a reprimand. No other law enforcement agency in this State is subject to such a restriction.
Drooyan Report 5.2 (a)	Criminal investigations of shootings and uses of force by LAPD officers should precede the related administrative investigations,
Drooyan Report 5.2 (b)	And Lybarger admonitions should not be given until the criminal investigation has been completed.

Report & Recommendation No.	Recommendation
Drooyan Report 5.4	The Internal Affairs Group should conduct parallel criminal and administrative investigations when it determines that there is potential criminality or serious misconduct.
BOI-41 & 00-77	On occasion, extraordinary circumstances arise when the standard Personnel Complaint report format requires more time than is available to meet a critical statute of limitations deadline. In such cases, the adjudicator should consider using the criminal investigation to adjudicate the administrative charges. In such cases, a supplemental administrative report could be added to address non-criminal allegations.
<i>Internal Affairs</i>	
Christopher Commission 9-7	Internal Affairs Group (IAG) should be provided with sufficient staff and longer IAG assignments. IAG should be decentralized and staffed with detectives. The head of IAG should be a deputy chief who reports directly to the Chief of Police and who works closely with the Inspector General.
Drooyan Report 4.1	The Department should boost the staffing and funding of the Internal Affairs Group to allow the Group to investigate all complaints of serious misconduct as defined in a written guideline.
Chemerinsky Report 18	Improve the system for investigation of complaints; in particular, there must be substantial reforms of Internal Affairs, including creating civilian oversight.
Chemerinsky Report 18(a)	Develop a procedure for longer term assignments to Internal Affairs and for greater continuity in the investigation and processing of complaints.
Chemerinsky Report 18(b)	Create civilian oversight for Internal Affairs.
Drooyan Report 5.3 (b)	[IAG] should conduct all investigations involving potential criminality and serious misconduct.
BOI-22 & 00-58	Internal Affairs Group must be expanded to ensure that IAG investigates all but the most minor community complaints and enhance the integrity of IAG's investigations. In particular, IAG's Review and Evaluation Unit should be increased in order to at least randomly review taped interviews and compare them with the written synopsis of the interview submitted with the complaint for adjudication.

Report & Recommendation No.	Recommendation
BOI-23 & 00-59	The practice of applying to work IAG should be eliminated and the IAG command staff should be given the latitude and authority to select the people necessary to fulfill their mission. The investigations conducted by IAG are among our most sensitive and certainly most complex investigations. But without sufficient investigative resources and people, who have the investigative skills to do the job, it is difficult to meet this tremendous challenge. Given the critical nature of IAG, they should be allowed to handpick their personnel to ensure that the Department's best investigators are assigned to handle these sensitive, complex and all-too-often criminal cases.
BOI-24 & 00-60	A Public Integrity or Professional Standards Unit should be established within IAG. This unit should be given the logistical tools and personnel resources to continually conduct sting operations and other investigative strategies (such as financial checks) to find and root out corruption. Carefully thought out protocols will be required for sensitive operations such as stings and financial checks
BOI-36 & 00-72	Staff and command officers and IAG supervisors who review and assign cases should be trained in the identification of complaints that may contain corruption issues. The training should include methods to identify corruption cases immediately so they can be assigned to the appropriate investigative entity. The training should also enhance decision-making skills to properly assess investigative needs, establish an appropriate notification network and facilitate resource acquisition.
Drooyan Report 4.2 (a)	The Department should ensure that the Internal Affairs Group has an effective, computerized system to track pending complaints,
Drooyan Report 4.2 (b)	[IAG's computerized system should] ensure that investigations proceed in a timely fashion and are completed well before the expiration of any applicable statute of limitations
<i>BOARDS OF RIGHTS</i>	
Christopher Commission 9-18	The City Charter should be amended to place a civilian representative from the Inspector General's Office on the Board of Rights as one of the three (3) members.
Christopher Commission 9-19	The two sworn members of a Trial Board should be randomly selected from among qualified officers without further selection by the charged officer, as is now permitted.
Drooyan Report 4.5	The Board of Rights should consist of a captain, a civilian, and a retired law enforcement officer.
Chemerinsky Report 19	Improve the system of adjudicating complaints against officers, such as by creating a civilian review board to replace the current Board of Rights.

Report & Recommendation No.	Recommendation
<i>COMPLAINT ADJUDICATION/DISCIPLINE</i>	
Christopher Commission 9-9	The bureau commanding officer should have the personal responsibility for making the classification decision, e.g., sustained.
Christopher Commission 9-10	Classification terminology should be modified: Not Sustained changed to Not Resolved.
Christopher Commission 9-12	All available evidence, regardless of involvement of the parties, should be fairly and dispassionately evaluated in making a classification based on the “preponderance of evidence.”
Christopher Commission 9-13	After the initial investigation and adjudication is complete, the file should be returned to IAG for review of both the investigation and classification based on the “preponderance of evidence.”
Christopher Commission 9-16	The Chief of Police should provide a detailed written justification explaining any modification to a recommended complaint classification or penalty.
Christopher Commission 9-17	Develop a written procedure to guide adjudicators in considering "pattern and practice" concerns during adjudication of complaints.
Christopher Commission 9-20	The City Charter should be amended to give the Police Commission the power to reverse the Chief’s decision to reduce a recommended penalty by a Board of Rights.
Christopher Commission 9-22	The Department should have the authority to impose the punishment of demotion in rank, as an option not currently available in the Charter, and only after a Board of Rights has been conducted.
Chemerinsky Report 20	Improve the system for disciplining officers through the development of a “uniform penalty guide” for disciplining officers.
Drooyan Report 4.6	Once a Board of Rights concludes that an officer has engaged in misconduct, the Chief of Police should determine the appropriate penalty, guided by formal criteria developed by the Department and approved by the Police Commission
Drooyan Report 4.7	The Department should ensure that discipline is applied consistently and fairly throughout the Department.
Drooyan Report 4.8	The Department should develop formal, written guidelines that allow the penalty for failing to report misconduct to vary sensibly according to the severity of the failure, and that avoids deterring officers who initially fail to come forward from ever reporting the misconduct they witnessed.

Report & Recommendation No.	Recommendation
BOI-32 & 00-68	There is a strong and persistent perception of a dual disciplinary standard, one for captains and above and the other for lieutenants and below. The professionals at Behavioral Sciences Services, who have credibility at both the line and management levels, must look into this and see if there are ways in which this gap can be bridged.
<i>EVIDENCE CONTROL</i>	
BOI-63 & 00-99	A new Detention Log should be developed for Department holding facilities. In addition to recording the detainee's name and time in/time out, the log should record the watch commander's inspection of the arrestee and any interview, which took place.
BOI-64 & 00-100	Our system of authorizing the disposal of evidence needs to be reviewed in order to determine if supervisory or at least investigative concurrence should be required for all property dispositions or dispositions involving critical evidence such as narcotics and firearms. In addition, our property control system should pay particular attention to the removal of property after it has been authorized for disposal. Once a case has been disposed of, there are few legitimate reasons to remove the evidence from property.
BOI-65 & 00-101	All Property Division facilities should be equipped with computerized equipment to capture a thumbprint and Personal Identification Number ("PIN") to verify the identity of each employee checking out property. In addition, all Department employees should be issued a new identification card with electronic coding consistent with that system. Until that system can be implemented, verification of an employee's identity is essential whenever property is being checked out.
<i>WORK PRODUCT/ARREST REPORTS</i>	
Drooyan Report 8.10	The practice of using boilerplate language in arrest reports must stop immediately.
BOI-62 & 00-98	Special attention and additional scrutiny should be given to the substantial volume of misdemeanor arrests being made Citywide in which "boilerplate" reporting formats are being used. Though time saving, such reports are rarely specific enough to refresh an officer's memory in court. They also can be perceived as an "assembly line" process that lends itself to potential problems by depriving arrestees of a proper preliminary investigation and making it easy to overlook information essential to specific arrests.
BOI-102 & 00-138	A further analysis of Rampart CRASH's work product should be conducted, with biopsies performed on specific cases where problems or recurring patterns have been identified for specific officers. That review should include the 46 additional officers who were assigned to Rampart CRASH from July 1994 through July 1998.

Report & Recommendation No.	Recommendation
BOI-103 & 00-139	It was clear from reviewing his arrest reports that Perez worked very differently with different partners. With some partners, his reports were sloppy and often did not articulate clear probable cause for his activities. But with other partners, those deficiencies were not as apparent. Case biopsies should be completed for arrests made by Perez to determine the factors that caused him to work differently with different partners.
BOI-104 & 00-140	Case biopsies should be done on arrests made by CRASH units from the other 17 Areas and other specialized units Department wide for cases identified in this audit as problematic or suspicious. Specific attention should be given to specialized units to which Rampart Area CRASH Unit officers transferred to determine the extent to which Rampart CRASH practices may have been exported to other specialized units.
BOI-105 & 00-141	The audit of CRASH units Departmentwide should be continued and include a more comprehensive sample of unit activities and reports. The time constraints imposed on this initial audit resulted in findings and conclusions based upon a review of arrest reports only. A more comprehensive and thorough audit should include a larger sample of reports for longer time periods.
BOI-106 & 00-142	An examination should be made of each CRASH unit's work product to determine their responsiveness to gang problems and how each unit perceives its role, i.e., intelligence gathering, focusing on a variety of non-gang related crimes and problems, gang suppression units, or narcotics enforcement units. This review should include how well CRASH units use intelligence, investigative follow-up, probation, parole, vertical prosecutions, and community outreach and enhancement strategies in their operations. The review should also examine CRASH unit supervisors' daily logs and compare the amount of time spent supervising personnel in the field, completing administrative paperwork, auditing for risk management issues, and approving bookings and reports.
BOI-107 & 00-143	Area/division report processing and filing practices must be audited for compliance with Department procedures and to identify possible causes of the misfiled and missing reports noted in this audit. Proper filing and ease of document retrieval are critical to an effective audit system.
BOI-108 & 00-144	The Subcommittee on Rampart Management and Supervision identified 275 arrest reports that mentioned the use of an informant in making the arrest. Those reports should be audited to gauge the knowledge and level of compliance with current informant management guidelines.

Report & Recommendation No.	Recommendation
<i>OTHER ISSUES</i>	
BOI-73 & 00-109	We must standardize the processes for reporting and administratively reviewing use of force, pursuit and traffic collision incidents. That process should include a reporting format with headings and the specific information that must be provided under each heading. It must also address the expected scope of the C/O's review and provide a signature box indicating that the C/O has reviewed the report and made the required determinations. There also needs to be a signature box for the bureau CO indicating that the bureau C/O has reviewed the matter and either concurred with the employee's C/O or made separate determinations.
BOI-72 & 00-108	Commanding officers should be required to convene a Fleet Safety Review Board for all employee-involved traffic collisions. Further, the exclusion of staff & command officers from the Fleet Safety Review Board process represents an unnecessary and artificial barrier between ranks.
BOI-79 & 00-115	The Department's Audit Guide must be updated and redistributed to all Department commands. A new Department audit schedule should be established and these audits should be tracked and evaluated by the bureau inspection units.
Christopher Commission 3-9 99-132 99-133	The LAPD should pursue efforts to use video technology units that are tamper-proof and cannot be erased or re-recorded. Department guidelines should be developed for the experimental use of video technology in a substantial number of patrol units.
BOI-56 & 00-92	An informant manual must be developed to establish uniform procedures for the use of informants Department-wide. In that regard, a decision must be made on whether or not patrol officers should be allowed to cultivate and use informants with a criminal background or if that should be restricted to detective functions. Further, the issue of LAPD officers involved in joint-agency task force operations must be addressed to determine which agency's informant policies apply.
BOI-57 & 00-93	Criminal Intelligence Group, through the Operations Committee, should be tasked with evaluating and making recommendations on the desirability of establishing a centralized database to track all informants including those deemed to be undesirable. That evaluation should include the desirability of making the Undesirable Informant File available through the Criminal Intelligence System (CIS).
BOI-58 & 00-94	Criminal Intelligence Group, through the Operations Committee, should evaluate our current controls on the preparation and service of search warrants. That would include the establishment of a tracking system within each operational command for the management of search warrants to facilitate oversight of these critical, high-risk operations. It must also close the current loophole which does not require supervisory review of a search warrant affidavit prior to submission to a magistrate.

Report & Recommendation No.	Recommendation
BOI-75 & 00-111	The Legal Sourcebook, authored by the California Department of Justice, should be obtained in the more user friendly CD-ROM format and it should be made available in every watch commander's office as well as in the offices of specialized operational entities. Several other law enforcement agencies, including LASD, mandate that every watch commander's office have the Legal Sourcebook as an available reference.
<i>IMPLEMENTATION OF REFORMS</i>	
Christopher Commission 11-3	A committee of distinguished citizens should be organized to advocate and monitor enactment of the reforms by responsible entities, consider initiative measures for those that fail to act, and support Charter amendments.
Christopher Commission 11-4	The Independent Commission should reconvene six months after its report is issued to assess the implementation of its recommendations. Key Christopher Commission staff members should continue to monitor the situation and assist the Commission when it reconvenes. Meanwhile, the Commission will be available to explain the background of the recommendations to appropriate public bodies.
Christopher Commission 11-1	The Council should enact an ordinance requiring six month reports on the implementation of the Independent Commission recommendations from the Mayor, the Human Resources and Labor Relations committee of the City Council, the Police Commission and the Police Department.
Chemerinsky Report 1	An independent commission should be created by the City of Los Angeles with the mandate of thoroughly investigating the Los Angeles Police Department, including assessing the extent and nature of police corruption and lawlessness. The Commission must be given adequate funds, powers, and personnel for a thorough investigation. The Commission should be external to the Police Department and report to the Mayor, the City Council, the City Attorney, the Police Commission, and the people of Los Angeles.
Christopher Commission 11-2	Community organizations should take responsibility for assessing the Christopher Commission report and seek to implement those recommendations, which come under their responsibility.
Chemerinsky Report 27	Continued and increased implementation of reforms to prevent racial bias and racial profiling.
<i>CONSENT DECREE</i>	
Chemerinsky Report 3	A consent decree between the City of Los Angeles and the Justice Department is essential in reforming the Los Angeles Police Department. In the absence of a consent decree, a judgment in a "pattern and practice" case brought by the Justice department is necessary for effective reform.

Report & Recommendation No.	Recommendation
Chemerinsky Report 3(a)	The consent decree shall remain in effect for at least five years and then can be lifted only after the City demonstrates substantial compliance for a period of two years. The consent decree should provide for the federal judge to order continued monitoring and compliance if deemed necessary after this period.
Chemerinsky Report 3(b)	There should be semi-annual review of the terms of the consent decree and the degree of compliance with it. An outside monitor should be required to submit semi-annual reports simultaneously to the court, the City, and the public on compliance with the consent decree.
Chemerinsky Report 4	An outside monitor or auditor with enforcement authority is necessary to oversee the implementation of the consent decree.
<i>OTHER AGENCIES/CRIMINAL JUSTICE SYSTEM</i>	
Christopher Commission 10-6	The Council should take a more systematic review of litigation and take corrective action. They should also exercise their legislative power to conduct hearings and studies as a means to review the Department.
Chemerinsky Report 40	Prosecutors in the Special Investigation division should be given greater leeway to interview officers involved in Officer-Involved Shootings.
Chemerinsky Report 30	Require, by statute or amendment to the Code of Judicial Ethics, that judges inform prosecutors and the Police Department if they have made findings that a police officer made false statements or committed perjury.
Collins Report 6.1	The standard for referring information concerning witness credibility issues to the District Attorney should be reasonable suspicion or some other standard less than probable cause. A written policy should be established setting forth the standard in detail.
Chemerinsky Report 32	Judges must take seriously their responsibility for ensuring that there is a true, factual basis for a guilty plea.
Collins Report 4.2	The plea-taking process should not be modified, as some have suggested, to require a detailed factual-basis inquiry.

Report & Recommendation No.	Recommendation
Collins Report 4.3	Plea taking should include the use of a written form that must be signed by a pleading defendant prior to his/her guilty or nolo plea (and after the defendant has reviewed it with counsel). The written form would: (a) state the rights that a defendant waives as a result of entering a guilty plea; and (b) describe for the pleading defendant the collateral consequences of the guilty plea.
Chemerinsky Report 33	Encourage diversity and balance in the selection of judges and promote increased sensitivity by judges to the issue of police perjury and misconduct.
Collins Report 10.2	To further ensure the independence of Superior Court judges, consideration should be given to various other methods of judicial selection and retention.
Chemerinsky Report 28	Police rules and procedures must require that officers present to prosecutors all reports concerning an incident.
Chemerinsky Report 41	Lies by police officers to other court-related officials, including probation and parole officers, must be investigated and disclosed to defense counsel.
Drooyan Report 6.7	A high ranking Judicial Liaison must conduct an active program of outreach to bench officers in order to be identified as the point of contact for communication of concerns regarding unacceptable police conduct.
Chemerinsky Report 44	The Public Defender's office should release a report detailing the findings of its investigation of the Rampart Corruption Scandal, including any findings regarding the responsibility of defense counsel for the improper convictions of their clients.
Chemerinsky Report 42	Create an independent commission to investigate the City Attorney's office to determine what it might have done to better prevent, expose, and deal with the Rampart scandal and, more generally, issues of police perjury and misconduct.
Chemerinsky Report 43	Attorneys in the City Attorney's office must fulfill their obligations both as counsel to the City and as officers of the court.
Chemerinsky Report 31	Limit the ability of the District Attorney's office to use its ability to exclude a judge, at least in terms of limiting the number of times that the District Attorney's office may exclude any single judge from criminal cases.
Collins Report 10.1	Although there are valid reasons that may support the exercise of blanket peremptory challenges of judges under Code of Civil Procedure Section 170.6, the institutional use of Section 170.6 can threaten the independence of the judiciary. Accordingly, the Task Force recommends that there be strict supervisory oversight, at a high level, and strict policies and guidelines within institutional offices in relation to the exercise of blanket institutional challenges of judges under Section 170.6.

Report & Recommendation No.	Recommendation
Chemerinsky Report 34	Create an independent commission to investigate the District Attorney's office's handling of Rampart cases to determine what it might have done to better prevent, expose, and deal with the Rampart scandal and, more generally, issues of police perjury and misconduct.
Chemerinsky Report 35	Develop policies within the District Attorney's office to better identify and prevent police misconduct during trials.
Chemerinsky Report 35(a)	Require the District Attorney's Office to adopt an office policy defining and enforcing prosecutors' Brady responsibilities.
Collins Report 2.1	To implement prosecutors' responsibility for obtaining and producing Brady material, prosecuting agencies should establish procedures to gather Brady material in a systematic fashion from all appropriate sources. To assist prosecutors in the fulfillment of their obligations, governmental agencies should establish procedures to gather all Brady material and to provide that material to prosecuting agencies in a timely manner. Other options for obtaining Brady material should be utilized by prosecutors before resorting to Pitchess motions.
Collins Report 2.2	Brady and Pitchess material should be collected in a central database under the control of the prosecuting agency.
Collins Report 2.3	Production of Brady material to the defense must be timely. In particular, Brady material tending to establish factual innocence or an affirmative defense should be revealed before a guilty plea is entered.
Collins Report 2.4	In felony cases, prosecutors should be required to execute a declaration affirming that inquiries have been made of all appropriate sources and that all Brady material obtained has been reviewed and disclosed.
Collins Report 2.5	Courts should order the production of the text of witness statements in response to the first Pitchess motion.
Collins Report 2.6	In appropriate cases, in camera inspections of Pitchess documents should be scheduled for a date after the Pitchess hearing.
Collins Report 2.7	Prosecutors should be present for the in camera review. When Pitchess motions are granted, material should be produced to both the prosecution and defense.
Collins Report 2.8	The Legislature should amend Evidence Code Section 1045(e) so that it does not require issuance of a protective order restricting the use of Pitchess information to a single criminal case.

Report & Recommendation No.	Recommendation
Chemerinsky Report 35(b)	Adopt procedures for Deputy District Attorneys to report and track lying by police officers in criminal proceedings.
Chemerinsky Report 35(c)	Adopt procedures for Deputy District Attorneys to report and track cases declined or dismissed because of problems with officer credibility.
Collins Report 6.2	A database organized and maintained by the prosecutor's office should be created pursuant to procedures and standards established by that office and containing the names of police officers and other recurring witnesses whose honesty and truthfulness may be in question, as set forth below.
Collins Report 6.2(a)	Data should include information obtained from prosecution, defense, judicial, and public sources. Information obtained from the defendant should be relayed through defense counsel (or the defendant, if proceeding in pro per).
Collins Report 6.2(b)	The standard for entry into the database should include fact-based allegations relating to public integrity, honesty, and truthfulness. It is recommended that the criteria be a broader standard than that required in <i>Giglio v. United States</i> , 405 U.S. 150 (1972), <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and their progeny. Data collected in the prosecution database may not necessarily end up in a Brady database.
Collins Report 6.2(c)	Access to the database should be limited to the prosecution with the understanding that it is the duty of the prosecution, by designated senior deputies, to review the database and determine whether material contained therein should be discoverable. Toward that end, the prosecution shall seek this material and will be held accountable for its dissemination or lack thereof. A purging process should be in place for information that turns out to be clearly false or that is too remote in time.
Collins Report 6.3	In order to ensure the completeness of the database, the Task Force recommends that when a court has reason to believe perjury may have been committed, the court should report it to the prosecutorial agency for appropriate action and inclusion in the database.
Chemerinsky Report 36	Develop specific policies within the District Attorney's office requiring that the Inspector General and the Police Chief be informed whenever the District Attorney's office has probable cause that a police officer committed misconduct, such as by perjury or failing to disclose Brady material
Chemerinsky Report 39	Create an effective mechanism for deputies in the Special Investigations Division (SID) of the District Attorney's Office to notify prosecutors outside of SID of problems with specific officers.
Chemerinsky Report 37	Reconsider criteria for promotion within the District Attorney's office and the City Attorney's office to include recognition of a prosecutor's efforts to identify and act on officer perjury and misconduct.

Report & Recommendation No.	Recommendation
Collins Report 1.1	Penal Code Section 872 and Evidence Code Section 1203.1 should be modified to require essential percipient witnesses to testify at preliminary hearings absent a good cause showing by the prosecutor as to why hearsay evidence should be permitted.
Collins Report 1.2	County prosecutors' offices should implement guidelines regarding the circumstances under which hearsay testimony should be permitted at preliminary hearings.
Collins Report 3.1	There should be no blanket judicial policies in relation to continuances. Each case and motion should be considered on its own merits in the determination of whether there is "good cause" for a continuance.
Collins Report 3.2	The court should give substantial weight to the legitimacy of counsel's representation that he or she has good cause for requesting a continuance, especially in relation to an initial continuance request.
Collins Report 3.3	Courts should allow adequate time for counsel to prepare and litigate pending cases, and those objectives should take priority over administrative pressures.
Collins Report 4.1	Plea offers should be kept open for reasonable periods of time in the interest of justice in order to accommodate defense counsel's investigation, research, and preparation.
Collins Report 5.1	The application of new Penal Code Section 1473.6 should be studied by a group of prosecutors, defense attorneys, and judges. The defense attorneys should include private defense attorneys and not just public defenders. This group should be assembled to evaluate the legislation eighteen months after its effective date.
Collins Report 5.2	To better accomplish the objectives underlying the new statute, the time for filing Section 1473.6 motions should be extended to two years from the statute's effective date.
Collins Report 7.3	The courts, district attorneys, and public defenders should develop technical compatibility with law enforcement agencies to facilitate transmission and accessibility of Brady and Pitchess information by prosecutors, defense attorneys, and judges in criminal cases.
Collins Report 8.1	Efforts should be made to ensure the existence of jailhouse and courtroom facilities for private and confidential attorney-client communication in criminal cases.
Collins Report 8.2	The Task Force encourages the development of videoconferencing equipment that would enable defense counsel to communicate with incarcerated clients upon request.

Report & Recommendation No.	Recommendation
Collins Report 9.1	The Task Force supports the concept of “localizing” or decentralizing the Central District of the Criminal Courts in Los Angeles County into prosecutorial and court divisions matching police divisions.

¹ This document includes only those recommendations from the McCone Commission that pertain directly to LAPD.