

Para. #	CONSENT DECREE PARAGRAPH	STATUS
8	<p>Nothing in this Agreement is intended to: (a) alter the existing collective bargaining agreements between the City (as defined in paragraph 15) and LAPD employee bargaining units; or (b) impair the collective bargaining rights of employees in those units under state and local law. The parties acknowledge that as a matter of state and local law implementation by the City of certain provisions of this Agreement may require compliance with meet and confer processes.</p>	<p>Due Dates: June 15, 2001 Current Compliance Status: Compliance/Paragraph 8 and 184 Compliance Action: Paragraph 8 and 184; Budget: see paragraph 184 Staffing see paragraph 184 Space Needs: NA Activities: Consistent with the requirements of paragraph 8, the City consulted with DOJ prior to the City's submittal of a list of the provisions of the Consent Decree that are subject to the meet and confer process, consistent with the requirements of paragraph 184(a). The City has reported to the Court on a monthly basis regarding the status of the meet and confer process.</p> <p>The pendency of the meet and confer process has impaired the City's ability to timely implement of all or portions of paragraphs 51, 62, 70(c), 77, 98, 106(b), (c), and (d), 107(a) and (c), 108(i), 114, 116, and 132. Despite these delays, however, and consistent with its legal obligation to meet and confer in good faith, the City has prepared certain orders and forms to assist with the meet and confer process and to expedite implementation of some of the provisions identified above should they turn out to be the result of the meet and confer process. Such orders or forms naturally would be subject to modification should the meet and confer process lead to different resolutions. Information regarding such preliminary implementation activities is presented in the "activities" discussion for each specific paragraph.</p> <p>The City will consult the DOJ in regard to: 1) impairment of the City's ability to timely implement of all or portions of Consent Decree paragraphs; 2) any additional meet and confer items that may be identified by the City, and; 3) the position the City will take in regard to provisions identified by the Los Angeles Police Protective League as subject to the meet and confer process.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
11	<p>The City is responsible for providing necessary support to the Los Angeles Board of Police Commissioners, the Inspector General, and the Chief of Police to enable each of them to fulfill their obligations under this Agreement.</p>	<p>Due Dates: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City allocation of appropriate resources Budget: FY00-01: see individual paragraphs; plus \$57,830 LAPD Consent Decree Task Force; \$300,000 in contractual services FY 01-02: see individual paragraphs; plus \$122,642 LAPD Consent Decree Task Force \$2.5 million lease facility requirements \$750,000 contingency Staffing: FY 00-01: see individual paragraphs; plus <u>LAPD Consent Decree Task Force:</u> 1 Captain III; 2 Lieutenant II; 1 Detective III; 3 Sergeant II; 2 Secretary; 1 Senior Management Analyst <u>Management Services Division:</u> 2 Police Officer III; 1Clerk Typist FY 01-02: see individual paragraphs; plus <u>LAPD Consent Decree Task Force:</u> continuation of FY 00-01 staffing <u>Management Services Division:</u> continuation of FY 00-01 staffing Space Needs: see individual paragraphs Activities: In January, 2001, a Consent Decree Work Group was established to identify and resolve Consent Decree implementation issues and facilitate allocation of resources as appropriate. The Consent Decree Work Group meets weekly and included the Chair of the Public Safety Committee staff, Mayor's Office, Office of the Chief Legislative Analyst, City Attorney's Office, Chief Administrative Officer, the Los Angeles Police Department (LAPD), Office of the Inspector General, and Police Commission (Commission) staff.</p> <p>The city allocated financial resources and authorized positions to initiate Consent Decree implementation in February 2001. The positions authorized in the interim FY 00-01 budget were continued and enhanced with additional staff in the FY 01-02 budget approved in June 2001. The City continues to monitor, through the Consent Decree Work Group and the LAPD Consent Decree Task Force, the financial and staff resources required to implement the Consent Decree. The City acted several times over the last quarter to allocate funding for lease space, additional staff, furniture for new staff, contractual services, communication costs, and training.</p> <p>The Police Commission approved the FY 02-03 LAPD budget request in December 2001. A supplemental budget request for Consent Decree related activities is anticipated to be considered by the Commission in February. The Mayor is evaluating the various City department budget requests, within the constraints of the City's revenues. The FY 02-03 budget will be approved by June 30, 2002.</p>

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39	<p>The City has taken steps to develop, and shall establish a database containing relevant information about its officers, supervisors and managers to promote professionalism and best policing practices and to identify and modify at-risk behavior (also known as an early warning system). This system shall be a successor to, and not simply a modification of, the existing computerized information processing system known as the Training Evaluation and Management System ("TEAMS"). The new system shall be known as "TEAMS II."</p>	<p>Due Dates: September 17, 2001 TEAMS II Design Document/ September 15, 2002* Beta Test Version & UOFS w/ Historic Data/ December 15, 2002* Protocol for Use/ June 15, 2003* TEAMS II Operational *Contingent upon DOJ approvals</p> <p>Primary Compliance Status: Compliance/In-Progress/ paragraphs 8 & 184 Functional Compliance Status: Compliance Compliance Action: Submittal of RMIS data elements on September 17, 2001 and the Requirements/Design document on October 1, 2001; Response to DOJ comments; Council action establishing the "LAPD Management System Reengineering Project (MSRP)," overseen by a Deputy Chief, on December 16, 2001, Police Commission conditional approval on December 11, 2001, approval January 8, 2002. Budget: FY 00-01: \$2 million FY 01-02: \$12 million Staffing: To be provided as needs are identified; also see paragraph 53 Space Needs: To be provided as needs are identified. Activities: In January 2001 the City established a TEAMS II Working Group to oversee development of the Risk Management Information System (RMIS) (e.g. TEAMS II as defined in the Consent Decree) and all related tasks essential to successful implementation of the system, including infrastructure, development of related source systems, training, development of RMIS use protocols, and funding. The TEAMSII Work Group includes representatives from the Chief Legislative Analyst Office, the Mayor's Office, City Administrative Officer, Information Technology Agency, Los Angeles Police Department (LAPD) representatives from Risk Management Group and Information Technology Division, and other entities as appropriate. The TEAMS II Work Group meets weekly. Independent Monitor representatives attend the meeting regularly.</p> <p>The City submitted the RMIS data elements on September 17, 2001 and the RMIS Requirements/Design document on October 1, 2001 to the DOJ and the Independent Monitor (see paragraphs 45 and 50). DOJ provided comments on the document to the City on November 7, 2001. Pursuant to the time frames established in paragraph 50, the City was required to respond to the comments submitted by DOJ on the RMIS Requirements/Design Document within 10-days; November 26, 2001. The City submitted a global response to DOJ's comments on December 12, 2001. Response the approximately 135 data element requests was submitted to DOJ on January 15, 2002. The DOJ is reviewing the City's responses.</p> <p>In addition to the RMIS, the City has identified the need for a Use of Force System (UOFS), Complaint Management System (CMS), and a central security module for access control and security for the RMIS, UOFS, and CMS. The City has developed preliminary requirements for the central security system.</p>

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39		<p>With the development of several important and complex computer systems concurrently, several documents and processes require concurrent review by the City. This has been difficult and has resulted in delays in some cases. The City investigated options to enhance TEAMS II program management to better enable the City to accommodate the workload associated with concurrent system development and ensure adequate oversight of system development. In December 2001, the City acted to establish an "LAPD Management System Reengineering Program," (MSRP). The MSRP is overseen by a Deputy Chief, and consists of Information Technology Agency staff and LAPD staff from Risk Management Group (RMG), Information Technology Division (ITD), Critical Incident Investigation Division (CIID), Internal Affairs Group (IAG), and other LAPD entities as necessary, with primary responsibility for the development and implementation of the TEAMS II Program, including but not limited to the RMIS, CMS, UOFS, Security Module, Deployment Period System, and interfaces with existing systems. The TEAMS II Development Project requires both LAPD and ITA resources in order to be successfully implemented. Combining LAPD and ITA resources into the MSRP will ensure close coordination and communication between these essential entities.</p> <p>A Deputy Chief position was established to head the MSRP to ensure the authority necessary to draw on the diverse resources of LAPD. Resources from CIID, IAG, ITD, Employee Relations Group, field staff, etc., all of which lie within separate chains of command within LAPD, will be required to design and test the various TEAMS II Program systems. Such direct oversight by a Deputy Chief is also anticipated to better ensure the successful implementation of the complex TEAMS II Development Program.</p> <p>ITA staff is be included in the MSRP and report directly to the Deputy Chief to ensure close coordination, but such ITA staff will remain on the ITA payroll and provide approximately 5-10% of their time to ITA. This is intended to ensure that the LAPD group can effectively access the resources needed from ITA and keep abreast of ITA strategic planning issues to ensure successful integration and transition of the TEAMS II Program into the City's infrastructure. An ITA Assistant General Manager position was established as the MSRP Project Manager under the Deputy Chief.</p> <p>The majority of MSRP core staff positions will be filled with current City employees that have participated in the TEAMS II Workgroup, are familiar with the various projects, and have knowledge in required areas of expertise. That core group is currently in the process establishing the overall staffing needs of the MSRD. Total staffing needs for the MSRD have been estimated at between 30 and 50 individuals.</p> <p>Limited interim space has been identified for the MRSP. Lease space has been identified that would accommodate the MDRP when fully staffed. The City continues to investigate this lease option and other available options.</p>

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		<p>The City contracted with Liekar Strategic Solutions (LSS) on March 20, 2001, for development of the requirements and design for the Risk Management Information System and a Use of Force System (UOFS). Work on the RMIS is currently focus on technical architecture issues (see discussion below), pending DOJ approval of the RMIS Requirements/Design Document. Work on the UOFS has been delayed. With re-release of the automated data collection RFP (see paragraph 104) further delay in the UOFS is expected.</p> <p>The City contracted with Information Builders, Inc. (IBI) on July 30, 2001, for development of requirements and design of a Complaint Management System (CMS). The City will submit comments to IBI on the second draft CMS Design Document the first week of February 2002. Work on the CMS is in many aspects contingent upon information to be provided by the technical architect (see discussion below). The City is investigating a manner in which it can continue with CMS development in light of these information gaps, to ensure forward movement with system development. Development of screen prototypes is an option under consideration. Preliminary cost estimates were provided by IBI January 17, 2002. The City has met with IBI to discuss the cost estimate and methods of mitigating City risk.</p> <p>On October 5, 2001, the City released a request for services. Information Technology Agency "on-call" contracted vendors for a system architect to assist in designing the architecture for RMIS, UOFS, CMS, and the security module to ensure the systems will integrate well and a joint application session specialist to assist in development of requirements and design throughout the system development process. The City contracted with a JAD facilitator, who has worked with the TEAMSII Workgroup to develop requirements for the central security module. The JAD facilitator's next priority has been tentatively established as the deployment period system.</p> <p>The City contracted with IMB Global Services in December to provide technical architecture service for the TEAMS II Development Program. The technical architect has met with City staff and other TEAMS II contractors to verify and document in detail the TEAMS II Development Program architecture functional, performance, and capacity needs. In later stages of work, the technical architect will develop hardware and software recommendations for the building blocks of the TEAMS II Development Program, including source system/RMIS data interfaces, databases, metadata repository, the Database Management System, the data security layer, the network, and hardware platform. Resolution of these issues are essential to the design of all new systems, such as RMIS, CMS, UPFS, and the central security module, and to the City's ability to successfully ensure that these systems work together. A TEAMS II Development Program technical architecture document in anticipated to be submitted for City review in March 2002.</p> <p>Also see paragraphs 40-50.</p>

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40	<p>The Commission, the Inspector General, and the Chief of Police shall each have equal and full access to TEAMS II, and may each use TEAMS II to its fullest capabilities in performing their duties and responsibilities, subject to restrictions on use of information contained in applicable law. To the extent that highly sensitive information is contained in TEAMS II, the Commission may impose an identical access restriction on itself and the Inspector General to such information, provided that no such access restriction may in any way impair or impede implementation of this Agreement. The Department shall establish a policy with respect to granting or limiting access to TEAMS II by all other persons, including the staff of the Commission and the Inspector General, but excluding DOJ and the Monitor, whose access to TEAMS II is governed by paragraphs 166, 167, and 177.”</p>	<p>Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: General access requirements, consistent with the requirements of paragraph 40, are presented in the RMIS Requirements/Design document submitted to the DOJ and Independent Monitor on October 1, 2001. Access and control to RMIS will be accommodated via the central security module. The City is working to develop requirements for the central security system (see paragraph 39).</p>

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41	<p>TEAMS II shall contain information on the following matters:</p> <ul style="list-style-type: none"> a. all non-lethal uses of force that are required to be reported in LAPD "use of force" reports or otherwise are the subject of an administrative investigation by the Department; b. all instances in which a police canine bites a member of the public; c. all officer-involved shootings and firearms discharges, both on-duty and off-duty (excluding training or target range shootings, authorized ballistic testing, legal sport shooting events, or those incidents that occur off-duty in connection with the recreational use of firearms, in each case, where no person is hit by the discharge); d. all other, lethal uses of force; e. all other injuries and deaths that are reviewed by the LAPD Use of Force Review Board (or otherwise are the subject of an administrative investigation); f. all vehicle pursuits and traffic collisions; g. all Complaint Form 1.28 investigations; h. with respect to the foregoing clauses (a) through (g), the results of adjudication of all investigations (whether criminal or administrative) and discipline imposed or non-disciplinary action taken; i. all written compliments received by the LAPD about officer performance; j. all commendations and awards; k. all criminal arrests and investigations known to LAPD of, and all charges against, LAPD employees; l. all civil or administrative claims filed with and all lawsuits served upon the City or its officers, or agents, in each case resulting from LAPD operations, and all lawsuits served on an officer of the LAPD resulting from LAPD operations and known by the City, the Department, or the City Attorney's Office; about the involved members of the public (including demographic information such as race, ethnicity, or national origin). Additional information on officers involved in incidents (e.g., work assignment, officer partner, field supervisor, and shift at the time of the incident) shall be determinable from TEAMS II." 	<p>Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The data elements and data element values to be included in the RMIS, consistent with the information requirements of paragraph 41, are presented in the RMIS Requirements/Design document submitted to the DOJ and Independent Monitor on October 1, 2001.</p>

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	<p>m. all civil lawsuits filed against LAPD officers which are required to be reported to the LAPD pursuant to paragraph 77;</p> <p>n. all arrest reports, crime reports, and citations made by officers, and all motor vehicle stops and pedestrian stops that are required to be documented in the manner specified in paragraphs 104 and 105;</p> <p>o. assignment and rank history, and information from performance evaluations for each officer;</p> <p>p. training history and any failure of an officer to meet weapons qualification requirements; and</p> <p>q. all management and supervisory actions taken pursuant to a review of TEAMS II information, including non-disciplinary actions.</p> <p>TEAMS II further shall include, for the incidents included in the database, appropriate additional information about involved officers (e.g., name and serial number), and appropriate information about the involved members of the public (including demographic information such as race, ethnicity, or national origin). Additional information on officers involved in incidents (e.g., work assignment, officer partner, field supervisor, and shift at the time of the incident) shall be determinable from TEAMS II."</p>	
42	<p>The Department shall prepare and implement a plan for inputting historical data into TEAMS II (the "Data Input Plan"). The City shall have flexibility in determining the most cost effective, reliable and time sensitive means for inputting such data, which may include conversion of existing computerized databases. The Data Input Plan will identify the data to be included and the means for inputting such data (whether conversion or otherwise), the specific fields of information to be included, the past time periods for which information is to be included, the deadlines for inputting the data, and will assign responsibility for the input of the data. The City will use reasonable efforts to include historical data that are up-to-date and complete in TEAMS II. The amount, type and scope of historical data to be included in TEAMS II shall be determined by the City, after consultation with the DOJ, on the basis of the availability and accuracy of such data in existing computer systems, the cost of obtaining or converting such data, and the impact of including or not including such data will have on the overall ability of the Department to use TEAMS II as an effective tool to manage at-risk behavior. The means and schedule for inputting such data will be determined by the City in consultation with DOJ, taking into consideration the above factors, as well as the City's ability to meet its obligations under paragraph 50. With regard to historic use of force data, the City shall make the determinations required by this paragraph for the beta version of TEAMS II required by paragraph 50(c) and again for the final version of TEAMS II."</p>	<p>Due Dates:</p> <p>Primary Compliance Status:</p> <p>Functional Compliance Status:</p> <p>Compliance Action:</p> <p>Budget: See paragraph 39</p> <p>Staffing:</p> <p>Space Needs:</p> <p>Activities: IBI's work includes reviewing existing LAPD systems containing data and information regarding misconduct complaints and data conversion for the new CMS. The City has performed preliminary analyses of use of force data, and determined a more extensive review is required to determine historical data in-put needs. Several issues, such as potential data gaps, have been identified that will need to be resolved.</p>

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43	TEAMS II shall include relevant numerical and descriptive information about each incorporated item and incident, and scanned or electronic attachments of copies of relevant documents (e.g., through scanning or using computerized word processing). TEAMS II shall have the capability to search and retrieve (through reports and queries) numerical counts, percentages and other statistical analyses derived from numerical information in the database; listings; descriptive information; and electronic document copies for (a) individual employees, LAPD units, and groups of officers, and (b) incidents or items and groups of incidents or items. TEAMS II shall have the capability to search and retrieve this information for specified time periods based on combinations of data fields contained in TEAMS II (as designated by the authorized user).	Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The RMIS functionality, consistent with the information requirements of paragraph 43, is presented in the RMIS Requirements/Design document submitted to the DOJ and Independent Monitor on October 1, 2001.
44	Where information about a single incident is entered in TEAMS II from more than one document (e.g., from a Complaint Form 1.28 and a use of force report), TEAMS II shall use a common control number or other equally effective means to link the information from different sources so that the user can cross-reference the information and perform analyses. Similarly, all personally identifiable information relating to LAPD officers shall contain the serial or other employee identification number of the officer to allow for linking and cross-referencing information."	Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The RMIS includes cross-referencing capabilities, consistent with the information requirements of paragraph 44. Cross-referencing functionality requirements are presented in the RMIS Requirements/Design submitted to the DOJ and Independent Monitor on October 1, 2001.
45	The City shall prepare a design document for TEAMS II that sets forth in detail the City's plan for ensuring that the requirements of paragraphs 41, 43, and 44 are met, including: (i) the data tables and fields and values to be included pursuant to paragraphs 41 and 43 and (ii) the documents that will be electronically attached. The City shall prepare this document in consultation with the DOJ and the Monitor, and shall obtain approval for such design document from the DOJ, which approval shall not be unreasonably withheld."	Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The City submitted the RMIS data elements, data element values, and documents that will be viewable in the RMIS to the DOJ and Independent Monitor on September 17, 2001, consistent with the requirements of paragraph 45. This information is fundamental to the design of the RMIS. The City submitted the RMIS Requirements/Design document to the DOJ and Independent Monitor on October 1, 2001 (see paragraph 50).

Para. #	CONSENT DECREE PARAGRAPH	STATUS
46	<p>The Department shall develop and implement a protocol for using TEAMS II, for purposes including supervising and auditing the performance of specific officers, supervisors, managers, and LAPD units, as well as the LAPD as a whole. The City shall prepare this protocol in consultation with the DOJ and the Monitor, and shall obtain approval for the protocol and any subsequent modifications to the protocol from the DOJ for matters covered by paragraph 47, which approval(s) shall not be unreasonably withheld. The City shall notify DOJ of proposed modifications to the protocol that do not address matters covered by paragraph 47 prior to implementing such modifications. In reviewing the protocol and the design document for approval, DOJ shall use reasonable efforts to respond promptly to the City in order to enable the City to meet the deadlines imposed by paragraph 50.”</p>	<p>Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The City submitted the RMIS data elements, data element values, and documents that will be viewable in the RMIS to the DOJ and Independent Monitor on September 17, 2001, consistent with the requirements of paragraph 45. This information is fundamental to the design of the RMIS. The City submitted the RMIS Requirements/Design document to DOJ and the Independent Monitor on October 1, 2001 (see paragraph 50).</p>
47	<p>The protocol for using TEAMS II shall include the following provisions and elements:</p> <p>a. The protocol shall require that, on a regular basis, supervisors review and analyze all relevant information in TEAMS II about officers under their supervision to detect any pattern or series of incidents that indicate that an officer, group of officers, or an LAPD unit under his or her supervision may be engaging in at-risk behavior.</p> <p>b. The protocol shall provide that when at-risk behavior may be occurring based on a review and analysis described in the preceding subparagraph, appropriate managers and supervisors shall undertake a more intensive review of the officer's performance.</p> <p>c. The protocol shall require that LAPD managers on a regular basis review and analyze relevant information in TEAMS II about subordinate managers and supervisors in their command regarding the subordinate's ability to manage adherence to policy and to address at-risk behavior.</p> <p>d. The protocol shall state guidelines for numbers and types of incidents requiring a TEAMS II review by supervisors and managers (in addition to the regular reviews required by the preceding subparagraphs), and the frequency of these reviews.</p> <p>e. The protocol shall state guideline for the follow-up managerial or supervisory actions (including non-disciplinary actions) to be taken based on reviews of the information in TEAMS II required pursuant to this protocol.</p> <p>f. The protocol shall require that managers and supervisors use TEAMS II information as one source of information in determining when to undertake an audit of an LAPD unit or group of officers.</p>	<p>Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The TEAMS II unit within the Human Resources Bureau, Risk Management Group, established and operational on April 30, 2000, is the lead on development of RMIS use protocols (see paragraph 53). The TEAMS II section of the Risk Management Group will be incorporated into the MSRD during TEAMS II development activities (see paragraph 39).</p> <p>The development of: 1) thresholds pursuant to paragraph 47 (d) which requires RMIS review by supervisors and managers, and: 2) reports and comparisons pursuant to paragraph 47(k) have been identified as priorities, as this information is needed for the RMIS design effort. RMIS use protocols would also address other TEAMS II review mandates contained throughout the Consent Decree, such as paragraph 53, 64, 83, 97, 107, 137, and 138.</p> <p>Paragraph 47 (g) and (i) have been identified as a meet and confer item.</p>

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	<p>g. The protocol shall require that all relevant and appropriate information in TEAMS II be taken into account when selecting officers for assignment to the OHB Unit established in paragraph 55, units covered by paragraph 106, pay grade advancement, promotion, assignment as an IAG investigator or as a Field Training Officer, or when preparing annual personnel performance evaluations. Complaints and portions of complaints not permitted to be used in making certain decisions under state law shall not be used in connection with such decisions and TEAMS II shall reflect this limitation by excluding such complaints and portions of complaints from the information that is retrieved by a query or report regarding such decisions. Supervisors and managers shall be required to document their consideration of any sustained administrative investigation, adverse judicial finding, or discipline against an officer in each case for excessive force, false arrest or charge, improper search or seizure, sexual harassment, discrimination, or dishonesty in determining when such officer is selected for assignment to the OHB Unit, units covered by paragraph 106, pay grade advancement, promotion, or assignment as an IAG investigator or as a Field Training Officer, or when preparing annual personnel performance evaluations.</p> <p>h. The protocol shall specify that actions taken as a result of information from TEAMS II shall be based on all relevant and appropriate information, and not solely on the number or percentages of incidents in any category recorded in TEAMS II.</p> <p>i. The protocol shall provide that managers' and supervisors' performance in implementing the provisions of the TEAMS II protocol shall be taken into account in their annual personnel performance evaluations.</p> <p>j. The protocol shall provide specific procedures that provide for each LAPD officer to be able to review on a regular basis all personally-identifiable data about him or her in TEAMS II in order to ensure the accuracy of that data. The protocol also shall provide for procedures for correcting data errors discovered by officers in their review of the TEAMS II data.</p>	

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	<p>k. The protocol shall require regular review by appropriate managers of all relevant TEAMS II information to evaluate officer performance citywide, and to evaluate and make appropriate comparisons regarding the performance of all LAPD units in order to identify any patterns or series of incidents that may indicate at-risk behavior. These evaluations shall include evaluating the performance over time of individual units, and comparing the performance of units with similar responsibilities:</p> <p>l. The protocol shall provide for the routine and timely documentation in TEAMS II of actions taken as a result of reviews of TEAMS II information.</p> <p>m. The protocol shall require that whenever an officer transfers into a new Division or Area, the Commanding officer of such new Division or Area shall promptly cause the transferred officer's TEAMS II record to be reviewed by the transferred officer's watch commander or supervisor. This shall not apply to probationary Police Officers I."</p>	
48	<p>The LAPD shall train managers and supervisors, consistent with their authority, to use TEAMS II to address at-risk behavior and to implement the protocol described in paragraphs 46 and 47."</p>	<p>Due Dates: Prior to TEAMS II Implementation Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: Pending Budget: See paragraph 39 Staffing: See paragraph 39 Space Needs: NA Activities: Training regarding RMIS, UOFS, and CMS use will be undertaken when systems are provided for use. Since the systems are under development training plans have not been initiated. However, development of preliminary training plan for CMS has been included in the IBI contract. Minimum training needs are identified in the RMIS Requirements/Design document submitted to DOJ and the Independent Monitor on October 1, 2001.</p>
49	<p>The City shall maintain all personally identifiable information about an officer included in TEAMS II during the officer's employment with the LAPD and for at least three years thereafter (unless otherwise required by law to be maintained for a longer period). Information necessary for aggregate statistical analysis shall be maintained indefinitely in TEAMS II. On an ongoing basis, the City shall make all reasonable efforts to enter information in TEAMS II in a timely, accurate, and complete manner, and to maintain the data in a secure and confidential manner consistent with the applicable access policy as established pursuant to paragraph 40."</p>	<p>Due Dates: Primary Compliance Status: Functional Compliance Status: Compliance Action: Budget: See paragraph 39 Staffing: Space Needs: Activities: The RMIS Requirements/Design document, submitted to the DOJ and the Independent Monitor on October 1, 2001, includes specifications regarding data retention.</p>

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50	<p>TEAMS II shall be developed and implemented according to the following schedule:</p> <p>a. Within three months of the effective date of this Agreement, the City shall submit the design document required by paragraph 45 to DOJ for approval. The City shall share drafts of this document with the DOJ and the Monitor to allow the DOJ and the Monitor to become familiar with the document as it develops and to provide informal comments on it. The City and the DOJ shall together seek to ensure that the design document receives formal approval within 30 days after it is submitted for approval. The City shall respond to any DOJ written comments or objections during the approval process within 10 days, excluding weekends and state and federal holidays. Such response shall explain the City's position and propose changes to the design document as appropriate to respond to DOJ's concerns.</p> <p>b. Within 15 months of DOJ's approval of the design document pursuant to paragraph 50(a), the City shall submit the protocol for using TEAMS II required by paragraph 46 to DOJ for approval. The City shall share drafts of this document with the DOJ and the Monitor to allow the DOJ and the Monitor to become familiar with the document as it develops and to provide informal continents on it. The City and DOJ shall together seek to ensure that the protocol receives final approval within 60 days after it is presented for approval. The City shall respond to any DOJ written comments or objections during the approval process within 10 days, excluding weekends and state and federal holidays. Such response shall explain the City's position and propose any changes to the protocol as appropriate to respond to DOJ's concerns, together with a schedule for making the proposed changes.</p>	<p>Due Dates: September 17, 2001 TEAMS II Design Document/ September 15, 2002* Beta Test Version & UOFS w/ Historic Data/ December 15, 2002* Protocol for Use/ June 15, 2003* TEAMS II Operational *Contingent upon DOJ approvals</p> <p>Primary Compliance Status: Compliance/In-Progress Functional Compliance Status: Compliance/In-Progress Compliance Action: Submittal of RMIS data elements on September 17, 2001 and the Requirements/Design document on October 1, 2001; submittal of response to DOJ's comments on December 12, 2001 and January 15, 2002. /In-Progress Budget: see paragraph 39 Staffing: see paragraph 39 Space Needs: see paragraph 39 Activities: The City submitted the RMIS data elements (see paragraphs 39 and 45). DOJ provided comments on the document to the City on November 7, 2001. Pursuant to the time frames established in paragraph 50, the City was required to respond to the comments submitted by DOJ on the RMIS Requirements/Design Document within 10-days; November 26, 2001. The City submitted a global response to DOJ's comments on December 12, 2001. Response the approximately 135 data element requests was submitted to DOJ on January 15, 2002. The DOJ is reviewing the City's responses.</p> <p>The RMIS Requirements /Design document was scheduled for submittal to the DOJ and Independent Monitor by September 17, 2001. The City submitted the RMIS Requirements/Design document to the DOJ and the Independent Monitor on October 1, 2001. The document was e-mailed on October 1, 2001, with a hard copy delivered on October 3, 2001. However, the City did submit the RMIS data elements, data element values, and documents that will be viewable in the RMIS to the DOJ and Independent Monitor on September 17, 2001, consistent with the requirements of paragraph 45.</p> <p>On August 1, 2001, the City transmitted draft RMIS Requirements and draft RMIS Design documents, both dated July 30, 2001, to DOJ and the Independent Monitor consistent with the requirements of paragraph 50 (a). In addition on July 9, 2001, the City transmitted to the Independent Monitor, the draft UOFS Requirements Document, the RMIS draft Requirements Document dated June 15, 2001, and the City's comments to LSS regarding those documents. The City's comments to LSS on the RMIS draft documents were transmitted to the DOJ on July 27, 2001.</p> <p>The City continues to move forward with RMIS technical architecture development activities, as the DOJ and the Independent Monitor review the RMIS Requirements/Design document (see paragraph 39).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>c. Within 12 months of the approval of the design document pursuant to paragraph 50(a), the City shall have ready for testing a beta version of TEAMS II consisting of: (i) server hardware and operating systems installed, configured and integrated with the LAPD intranet; (ii) necessary data base software installed and configured; (iii) data structures created, including interfaces to source data; and (iv) the use of force information system completed, including, subject to paragraph 42, historic data. The DOJ and the Monitor shall have the opportunity to participate in testing the beta version using use of force data and test data created specifically for purposes of checking the TEAMS II system. As a beta version of TEAMS II becomes operational, it shall be used in conjunction with TEAMS I and Internal Affairs Group Form 1.80's to satisfy the requirements of paragraph 51 until TEAMS II is fully implemented.</p> <p>d. The TEAMS II computer program and computer hardware shall be operational and implemented to the extent possible, subject to the completion of the protocol for using TEAMS II required by paragraph 46, within 21 months of the approval of the design document pursuant to paragraph 50(a).</p> <p>e. TEAMS II shall be implemented fully within the later of 21 months of the approval of the design document pursuant to paragraph 50(a), or 6 months of the approval of the protocol for using TEAMS II pursuant to paragraph 50(b)."</p>	

Para. #	CONSENT DECREE PARAGRAPH	STATUS
51	<p>The LAPD shall, until such time as TEAMS II is implemented, utilize existing databases, information and documents to make certain decisions, as follows:</p> <p>a. Selection of officers for assignment to the OHB Unit or as IAG investigators shall require that the LAPD review the applicable IAG Form 1.80's, and all pending complaint files for such officers, in conjunction with the officer's TEAMS I record.</p> <p>b. Selection of officers as FTOs or for units covered by paragraph 106 shall require that the LAPD review the applicable TEAMS I record for such officer.</p> <p>c. Whenever an officer transfers into a new Division or Area, the Commanding Officer of such new Division or Area shall promptly cause the transferred officer's TEAMS I record to be reviewed by the transferred officer's watch commander or supervisor. This shall not apply to Probationary Police Officers 1.</p> <p>d. To the extent available from the reviews required by this paragraph, supervisors and managers shall be required to document their consideration of any sustained administrative investigation, adverse judicial finding, or discipline against an officer, in each case, for excessive force, false arrest or charge, improper search or seizure, sexual harassment, discrimination, or dishonesty in determining when such officer is selected for assignment to the OHB Unit, units covered by paragraph 106, or assignment as an IAG investigator or Field Training Officer."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Paragraphs 8 & 184 Functional Compliance Status: Paragraphs 8 & 184 Compliance Action: Current Practice/Paragraphs 8 and 184 Budget: NA Staffing: NA Space Needs: NA Activities: Provision 51 in total has been identified as a meet and confer item (see paragraphs 8 and 184).</p> <p>TEAMS I records are currently reviewed by many supervisors for appointments to positions, including CIID, IAG, FTO, and Special Units, however there is no official codification to require such reviews. The LAPD has reviewed the TEAMS I records and IAG Form 1.80's for appointments to IAG (see paragraph 99) and CIID (see paragraph 55) since June 15, 2001.</p> <p>To assist with the meet and confer process and to expedite implementation of paragraph 51 should it turn out to be the result of the meet and confer process, the LAPD had developed a draft form to assist Department managers in the review and consideration of personnel assignments required by paragraph 51. The draft form naturally would be subject to modification should the meet and confer process lead to different resolutions.</p> <p>The City is implementing TEAMS 1.5, which is designed to provide greater access to TEAMS I information department wide. Roll-out of TEAMS 1.5 department wide was initiated on June 4, 2001 in Central Bureau. Since that time, LAPD has worked to automate roll-out to facilitate the roll-out processes. Testing on the automated roll-out system is planned for the week of January 28, 2002. If successful, it is anticipated that roll-out of TEAMS 1.5 department wide would occur by March 2002. TEAMS 1.5 has been/is being implemented within the department as follows: 1) Central Bureau completed October 15, 2001; 2) Valley Bureau completed November 10, 2001; 3) West Bureau started on Nov. 15, 2001, testing planned for the week of January 28, 2002. If successful it is anticipated completion of West Bureau by the end of February, 2002; 4) South Bureau is scheduled to initiate implementation the beginning of February, 2002; and 5) if automated roll-out is successful in West Bureau it is anticipated that the following Bureaus will be brought on-line by the end of March, Operation Headquarters Bureau, Human Resources Bureau, Information and Communication Services Bureau, Fiscal and Support Bureau, and Chief of Staff.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
52	<p>Following the initial implementation of TEAMS II, and as experience and the availability of new technology may warrant, the City may or may cause the Department to add, subtract, or modify data tables and fields, modify the list of documents electronically attached, and add, subtract, or modify standardized reports and queries. The City shall or shall cause the Department to consult with the DOJ and the Monitor before subtracting or modifying any data tables or data fields, or modifying the list of documents to be electronically attached, and make all reasonable modifications to the proposed alterations based on any objections by the DOJ.</p>	<p>Due Date: Post RMIS Requirements/Design Document Approval/Post TEAMS II Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: RMIS Development Procedure Budget: See paragraph 39 Staffing: See paragraph 39 Space Needs: NA Activities: The City submitted the RMIS Requirements/Design Document to DOJ for approval on October 1, 2001 (see paragraph 50). Once approved by DOJ, the City will inform DOJ and the Independent Monitor of any changes to the data tables and fields, list of documents electronically attached, or standardized reports and queries consistent with the requirements of paragraph 52. Compliance with the procedures established in Consent Decree paragraph 52 in regard to changes to the RMIS Design was memorialized by the City in the City's December 12, 2001, response to DOJ's comments on the RMIS Requirements/Design Document.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
53	<p>The LAPD shall designate a unit within the Human Resources Bureau that is responsible for developing, implementing, and coordinating LAPD-wide risk assessments. Such unit shall be responsible for the operation of TEAMS II, and for ensuring that information is entered into and maintained in TEAMS II in accordance with this Agreement. Such unit further shall provide assistance to managers and supervisors who are using TEAMS II to perform the tasks required hereunder and in the protocol adopted pursuant to paragraphs 46 and 47 above, and shall be responsible for ensuring that appropriate standardized reports and queries are programmed to provide the information necessary to perform these tasks. Nothing in this Agreement shall preclude such unit from also having the responsibility for providing investigative support and liaison with the Office of the City Attorney.”</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: The TEAMS II unit within the Human Resources Bureau, Risk Management Group, was established and operational on April 30, 2000. Special Order 18 detailing the responsibilities of the Risk Management Group was executed by the Chief of Police on July 19, 2001, distributed July 24, 2001, and approved by the Police Commission on September 18, 2001; Council action establishing the “LAPD Management System Reengineering Project (MSRP),” overseen by a Deputy Chief, on December 16, 2001, Police Commission approval on December 11, 2001, re-affirmation on January 8, 2002. Budget: FY 00-01: \$91,360 FY 01-02: \$209,901, also see paragraph 39 New Staffing: FY 00-01: 1 Sergeant II; 1 Senior Systems Analyst II; 1 Senior Systems Analyst I; 1 Senior Clerk Typist FY 01-02: Continuation of FY 00-01 interim budget approved staffing. See also paragraph 39. Space Needs: See paragraph 39. Activities: The Risk Management Group participates in the TEAMS II Work Group, is responsible for coordinating LAPD comments on the various RMIS documents and related computer programs, and is currently the lead on development of the RMIS protocols to be developed pursuant to paragraphs 46 and 47. The TEAMS II section of the Risk Management Group will be incorporated into the MSRD during TEAMS II development activities. This co-location and management structure is essential to ensuring close coordination during TEAMS II development activities and to facilitate implementation of TEAMS II and use of TEAMS II by the Risk Management Group upon RMIS implementation. See paragraph 39 for additional details on the MSRP.</p> <p>The RMIS use protocols are under initial development and will address use of the RMIS for development of LAPD-wide risk assessments and access to TEAMS II. See paragraph 47.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
54	<p>Within 24 months of the effective date of this Agreement, the Department shall develop and initiate implementation of a plan consistent with applicable federal and state law and the City Charter that ensures that annual personnel performance evaluations are prepared for all LAPD sworn employees that accurately reflect the quality of each sworn employee's performance, including with respect to: (a) civil rights integrity and the employee's community policing efforts (commensurate with the employee's duties and responsibilities); (b) managers' and supervisors' performance in addressing at-risk behavior including the responses to Complaint, Form 1.28 investigations; (c) managers' and supervisors' response to and review of Categorical and Non-Categorical Use of Force incidents, review of arrest, booking, and charging decisions and review of requests for warrants and affidavits to support warrant applications; and (d) managers' and supervisors' performance in preventing retaliation. The plan shall include provisions to add factors described in subparts (a)-(d), above, to employees' job descriptions, where applicable."</p>	<p>Due Date: June 15, 2003 Primary Compliance Status: In progress/Paragraph 8 & 184 Functional Compliance Status: Pending Primary Compliance Compliance Action: Pending/Paragraph 8 & 184. Budget: NA New Staffing: See paragraph 184 Space Needs: NA Activities: Paragraph 54 has been identified as a meet and confer item (see paragraphs 8 and 184). Research and development of a plan for revising the LAPD Employee Evaluation Guide, personnel performance evaluations, and related forms have been initiated.</p> <p>To assist with the meet and confer process and to facilitate implementation of paragraph 54 should it turn out to be the result of the meet and confer process, the LAPD Human Resources Bureau has developed draft revised Personnel Evaluation Forms for the ranks of Captain and above and Lieutenant and below. The draft forms included rating categories specific to various Consent Decree mandates (also see paragraphs 62, 70(c), 98, and 108 (i)). The draft form naturally would be subject to modification should the meet and confer process lead to different resolutions.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
55	<p>Within six months of the effective date of this Agreement, all Categorical Use of Force administrative investigations, including those formerly conducted by the Robbery Homicide Division ("RHD") or the Detectives Headquarters Division ("DHD"), shall be conducted by a unit assigned to the Operations Headquarters Bureau ("OHB"), which unit (the "OHB Unit") shall report directly to the commanding officer of OHB.</p> <p>a. Investigators in this unit shall be detectives, sergeants, or other officers with supervisory rank.</p> <p>b. In the organizational structure of the LAPD, the commanding officer of OHB shall not have direct line supervision for the LAPD's geographic bureaus; provided, however, that such commanding officer may continue to serve on the Operations Committee (or any successor thereto), issue orders applicable to the LAPD (including the geographic bureaus), assume staff responsibilities, as defined in the LAPD manual, and undertake special assignments as determined by the Chief of Police.</p> <p>c. Investigators in this unit shall be trained in conducting administrative investigations as specified in paragraph 80."</p>	<p>Due Date: December 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: The Critical Incident Investigation Division (CIID) was established in the Operation Headquarters Bureau (OHB) and became operational on April 8, 2001; Human Resources Bureau Notice, "Administrative Investigation Training," approved by Human Resources Bureau June 27, 2001, distributed July 2, 2001, revised September 13, 2001, approved by the Commission October 9, 2001; Special Order 39, "Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: FY 00-01: \$132,370 FY 01-02: \$282,342 New Staffing: FY 00-01: 1 Captain III; 1 Lt. II; I Sergeant II; 1 Secretary; 2 Senior Clerk Typist FY 01-02: Continuation of FY 00-01 staff, plus: 3 Detective III; 4 Detective II, 2 clerk typists Space Needs: Provided in Parker Center Activities: The CIID became operational and has rolled out on a 24-hour basis to Categorical Uses of Force incidents since April 8, 2001. The Officer Involved Shooting and the Law Enforcement Related Injury Sections of Robbery Homicide Division (RHD) and Detective Headquarters Division (DHD) were assigned to the new CIID and enhanced with additional staff. CIID is organized under OHB and reports directly to the Commanding Officer of OHB. Special Order 39 formally establishing CIID and detailing its responsibilities was published on December 7, 2001.</p> <p>Upon Police Commission adoption of Special Order 39, the Police Commission requested that some clarifications to the Order be brought back for Commission consideration. Such requested clarifications included a process to ensure that in the event a CIID investigation became a criminal or misconduct investigation and investigative responsibilities were transitioned, that such Categorical Use of Force events would be returned for Police Commission review upon completion of such investigations. In addition the Commission requested clarification that in instances where such changes in Categorical Use of Force investigation responsibility occurred, LAPD must notify the Police Commission and the Inspector General. LAPD is currently in the process of drafting the requested clarifications. The revised Order is anticipated to be presented to the Police Commission for consideration in February.</p> <p>Existing staff transferred from RHD and DHD to CIID and newly CIID hired staff were reviewed consistent with misconduct categories outlined in paragraph 51(d). The TEAMS I record and subsequently IAG Form 1.80's were reviewed for staff newly assigned to CIID. All CIID staff positions have been filled. No additional CIID staffing is currently contemplated for FY 02-03.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
55	Continued	Investigative procedures consistent with those contained in paragraph 80 are included in Watch Commander and Detective Supervisor School (see paragraph 80). The entire CIID investigative staff has received the appropriate training, with the last Detective completing the training course in October 2001.
56	The OHB Unit shall have the capability to "roll out" to all Categorical Use of Force incidents 24 hours a day. The Department shall require immediate notification to the Chief of Police, the OHB Unit, the Commission and the Inspector General by the LAPD whenever there is a Categorical Use of Force. Upon receiving each such notification, an OHB Unit investigator shall promptly respond to the scene of each Categorical Use of Force and commence his or her investigation. The senior OHB Unit manager present shall have overall command of the crime scene and investigation at the scene where multiple units are present to investigate a Categorical Use of Force incident; provided, however, that this shall not prevent the Chief of Police, the Chief of Staff, the Department Commander or the Chief's Duty Officer from assuming command from a junior OHB supervisor or manager when there is a specific need to do so."	<p>Due Date: July 1, 2001/December 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: March 6, 2001, Commission Motion regarding Use of Force; Human Resources Bureau (HRB) Notice, "Categorical Use of Force Classifications and Investigative Responsibility" approved by HRB and distributed July 30, 2001, pursuant to March 6, 2001 Commission Motion; "Critical Incident Investigation Division (CIID) established in OHB and operational on April 8, 2001; Special Order 39, Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: see paragraph 55 New Staffing: see paragraph 55 Space Needs: see paragraph 55 Activities: The CIID became operational and has rolled out on a 24-hour basis to Categorical Uses of Force incidents since April 8, 2001. The Special Order formally establishing CIID and detailing its responsibilities was published on December 7, 2001. See paragraph 55.</p> <p>The Department Command Post is responsible for notifying appropriate entities regarding Categorical Use of Force incidents. The Inspector General has been notified of such incidents as required.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
57	<p>In addition to administrative investigations and where the facts so warrant, the LAPD shall also conduct a separate criminal investigation of Categorical Uses of Force. The criminal investigation shall not be conducted by the OHB Unit.”</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/794.25 and 3/794.32; Special Order 39, “Critical Incident Investigation Division – Established,” approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The provisions of paragraph 57 are current LAPD practice and therefore were effective prior to the Consent Decree implementation date of October 15, 2001. It is the current practice of LAPD that RHD conduct criminal investigations involving an Officer Involved Shootings. Criminal investigations related to other Categorical Uses of Force may be assigned to an Area homicide team within the Bureau of occurrence (LAPD Manual Section 3/794.25) or to IAG (LAPD Manual Section 794.32).</p> <p>Upon Police Commission adoption of Special Order 39, the Police Commission requested some clarifications to the Order be brought back for Commission consideration. LAPD is currently in the process of drafting the requested clarifications. The revised Order is may include revisions to current criminal investigation responsibilities, including potentially more involvement of IAG, for Police Commission consideration. See also paragraph 55.</p> <p>Categorical Use of Force investigations are scheduled to be audited in the third quarter of FY 01-02 (January-March).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
58	<p>The LAPD shall continue its policy of notifying the County of Los Angeles District Attorney's Office whenever an LAPD officer, on or off-duty, shoots and injures any person during the scope and course of employment. In addition, the LAPD shall notify the District Attorney's Office whenever an individual dies while in the custody or control of an LAPD officer or the LAPD, and a use of force by a peace officer may be a proximate cause of the death."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: March 3, 2000, Protocol with the Los Angeles County District Attorney's Office; November 7, 2001, Protocol for District Attorney Officer-Involved Shooting Response Program; Special Order 39, "Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The Protocol for District Attorney Officer-Involved Shooting Response Program requires that the Department Command Post notify the District Attorney's Office consistent with paragraph 58 requirements. Upon arrival at the scene, the assigned District Attorney staff members are added to the incident log maintained at the scene.</p> <p>The Los Angeles County District Attorney's Office Officer Involved Shooting notification policy was reaffirmed in the Special Order 39, approved on December 11, 2001. Special Order 39 includes a procedure to require the CID case supervisor assigned to the incident conduct follow-up checks to verify that notifications are made. The LAPD has notified the District Attorney of all officer involved shootings where a person is injured and when an individual dies while in the custody or control of an LAPD officer or the LAPD, and a use of force by a peace officer may be a proximate cause of the death</p>
59	<p>The LAPD shall continue to provide cooperation to the District Attorney's Office personnel who arrive on the scene of the incident."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance. Functional Compliance Status: Compliance Compliance Action: March 3, 2000, Protocol with the Los Angeles County District Attorney's Office; November 7, 2001, Protocol for District Attorney Officer-Involved Shooting Response Program; Special Order 39, "Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: See paragraph 58.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
60	<p>The Department shall renew its request to the appropriate bargaining unit(s) for a provision in its collective bargaining agreements that when more than one officer fires his or her weapon in a single OIS incident, then each officer should be represented by a different attorney during the investigation and subsequent proceedings. The foregoing acknowledges that each officer retains the right to be represented by an attorney of his or her choice.”</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance/Paragraphs 8 and 184 Compliance Action: July 24, 2001, letter from the City Attorney’s Office to the Los Angeles Police Protective League. Budget: NA New Staffing: NA Space Needs: NA Activities: The issue of including a provision in the collective bargaining agreement that when more than one officer fires his or her weapon in a single OIS incident, then each officer should be represented by a different attorney during the investigation and subsequent proceedings has been included on the list of items being discussed as part of meet and confer process.</p>
61	<p>All involved officers and witness officers shall be separated immediately after an OIS, and shall remain separated until all such officers have given statements or, in the case of involved officers, declined to give a statement; provided, however, that nothing in this Agreement prevents the Department from compelling a statement or requires the Department to compel a statement in the event that the officer has declined to give a statement. In such a case, all officers shall remain separated until such compelled statement has been given.”</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Officer Involved Shootings Manual published in April 1995; Special Order 39, Critical Incident Investigation Division – Established,” approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: Separation of involved and witness officers at an Officer Involved Shooting incident has been LAPD practice for several years and is outlined in the Officer Involved Shootings Manual published in April 1995. This practice was re-affirmed in Special Order 39, published December 7, 2001.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
62	<p>Managers shall analyze the circumstances surrounding the presence or absence of a supervisor at (a) a Categorical Use of Force incident, and (b) the service of a search warrant. In each case, such analysis shall occur within one week of the occurrence of the incident or service to determine if the supervisor's response to the incident or service was appropriate. Such supervisory conduct shall be taken into account in each supervisor's annual personnel performance evaluation."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance/Paragraph 8 & 184. Functional Compliance Status: Partial Compliance Compliance Action: Special Order 25, executed by the Chief of Police August 10, 2001, published August 17, 2001, and approved by the Police Commission September 18, 2001; HRB Notice, "Commanding Officer Review of Categorical Use of Force," approved by HRB and published August 10, 2001, approved by the Commission October 9, 2001; Commission Motion regarding Categorical Use of Force, March 6, 2001, implementing HRB Notice, "Categorical Use of Force Classifications and Investigative Responsibility," approved by HRB and distributed July 30, 2001; paragraphs 8 and 184. Budget: NA New Staffing: NA Space Needs: NA Activities: Compliance with the requirements to analyze the presence or absence of a supervisor at a Categorical Use of Force incident was codified in the HRB Notice entitled "Commanding Officer Review of Categorical Use of Force," dated August 10, 2001. The requirements to analyze the presence or absence of a supervisor at the service of a search warrant is included in Special Order 25, distributed August 17, 2001.</p> <p>The City has experienced some difficulty in complying with the required review of a supervisor's presence or absence at a Categorical Use of Force within the 7-day time frame. LAPD has established procedures for CIID to notify managers of offices involved in a Categorical Use of Force that a review is required within 7-days and must be submitted to CIID. Eleven reviews remain outstanding and second notices have been sent. Compliance with this provision is now being closely tracked by CIID.</p> <p>Reviews associated with service of a search warrant cannot be as easily monitored. Current search warrant procedures require after execution of search warrant reviews. It is anticipated that such reviews would include the required analyses of the circumstances surrounding the presence or absence of a supervisor. Compliance with the mandated reviews for search warrants will be reviewed in the next search warrant audit, currently scheduled for the third quarter of FY 01-02 (January – March) (see also paragraph 128).</p> <p>The provision regarding consideration of supervisory conduct in each supervisor's annual personnel performance evaluation has been identified as a meet and confer item (see paragraphs 8 & 184). A review of the LAPD Employee Evaluation Guide has been initiated and will consider the supervisor evaluation provision of paragraph 62 (see paragraph 54). To assist with the meet and confer process and to expedite implementation of paragraph 62 should it turn out to be the result of the meet and confer process, the LAPD had developed a draft performance evaluation form. The draft form naturally would be subject to modification should the meet and confer process lead to different resolutions.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
63	<p>The Department shall continue its practice of referring all officers involved in a Categorical Use of Force resulting in death or the substantial possibility of death (whether on or off duty) to BSS for a psychological evaluation by a licensed mental health professional. The matters discussed in such evaluation shall be strictly confidential and shall not be communicated to other LAPD officers without the consent of the officer evaluated. No such officer shall return to field duty until his or her manager determines that the officer should be returned to field duty upon consultation with BSS.”</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance: Compliance Compliance Action: LAPD Manual Sections 3/799.10 and 4/245.15; Special Order 39, Critical Incident Investigation Division – Established,” approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The provisions of paragraph 63 are current LAPD practice (LAPD Manual Sections 3/799.10 and 4/245.15). The CIID Special Order 39, published December 7, 2001, re-affirmed the requirements of paragraph 63. LAPD refers all officers involved in a Categorical Use of Force resulting in death or the substantial possibility of death (whether on or off duty) to BSS for a psychological evaluation by a licensed mental health professional.</p>
64	<p>Except as limited or prohibited by applicable state law, when a manager reviews and makes recommendations regarding discipline or non-disciplinary action as a result of a Categorical Use of Force, the manager will consider the officer's work history, including information contained in the TEAMS II system, and that officer's Categorical Use of Force history, including a review of the tactics the officer has used in past uses of force.”</p>	<p>Due Date: July 1, 2001/Post TEAMS II Primary Compliance Status: Compliance/Pending Functional Compliance Status: Compliance Compliance Action: Manager's Guide to Discipline published January 200; HRB Notice, “Commanding Officer Review of Categorical Use of Force,” approved by HRB and published August 10, revised October 5, 2001, approved by the Commission October 9, 2001; RMIS Development Activities Budget: NA New Staffing: NA Space Needs: NA Activities: The HRB Notice “Commanding Officer Review of Categorical Use of Force,” distributed August 10, 2001, codified the requirement to consider previous tactics when reviewing Categorical Uses of Force. The consideration of work history when making recommendations regarding discipline or non-disciplinary action, including Categorical Use of Force incidents, is current LAPD practice and is outlined in the Manager's Guide to Discipline. The RMIS and its protocol for use are under development and will include the provisions of paragraph 64. See paragraph 47.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
65	The Department shall continue to require officers to report to the LAPD without delay the officer's own use of force (on the use of force form as revised pursuant to paragraph 66)."	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Manual Section 4/245.10. Budget: NA New Staffing: NA Space Needs: NA Activities: The provisions of paragraph 65 are current practice. The Non-Categorical Use of Force Form was revised consistent with the requirements of paragraph 66 on September 1, 2001.</p>
66	The LAPD shall modify its current use of force report form to include data fields that require officers to identify with specificity the type of force used for the physical force category, to record the body area impacted by such physical use of force, to identify fractures and dislocations as a type of injury, and to include beanbag shot gun as a type of force category."	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 27, "Investigating Non-Categorical Use of Force Incidents," executed by the Chief of Police September 1, 2001, published September 17, 2001, approved by the Police Commission September 25, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The revised Non-Categorical Use of Force form was released in Special Order 27, which was distributed September 17, 2001. The form is in use currently.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
67	<p>The Commission shall continue its practice of reviewing all Categorical Uses of Force including all the reports prepared by the Chief of Police regarding such incidents and related investigation files. These reports shall be provided to the Police Commission at least 60 days before the running of any statute of limitations that would restrict the imposition of discipline related to such Categorical Use of Force. Provided, however, if the investigation file has not been completed by this time, the LAPD shall provide the Commission with a copy of the underlying file, including all evidence gathered, with a status report of the investigation that includes an explanation of why the investigation has not been completed, a description of the investigative steps still to be completed, and a schedule for the completion of the investigation. The Commission shall review whether any administrative investigation was unduly delayed due to a related criminal investigation, and, if so, shall assess the reasons therefor."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Partial Compliance Compliance Action: March 6, 2001, Commission Motion regarding Categorical Use of Force implementing Human Resources Bureau Notice (HRB) entitled "Categorical Use of Force Classifications and Investigative Responsibility" approved by HRB and distributed July 30, 2001; Use of Force Review Section process re-affirmed by the Police Commission July 17, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The Use of Force Review Section processes, which includes investigation time lines, was re-affirmed by the Police Commission July 17, 2001. A Use of Force Review Board Protocol Manual is being developed.</p> <p>The Use of Force Review Section implemented a computer tracking system to monitor the status of limitations dates and the 60-day notice period established in paragraph 67. The computer program became operational in August. One "sixty-day report" have been provided the Commission. Nine incidents have been identified where the required 60-day report was not submitted. In one such case, the statute of limitations was exceeded. The LAPD, Inspector General, and Police Commission will be working to establish appropriate systems and controls to remedy this compliance issue. The Consent Decree Workgroup will now monitor this requirement.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
68	<p>The LAPD shall continue to require that all uses of force that are not Categorical Uses of Force ("Non-Categorical Uses of Force") be reported to a supervisor who shall conduct a timely supervisory investigation of the incident, as required under LAPD policy and paragraphs 69 and 81, including collecting and analyzing relevant documents and witness interviews, and completing a use of force report form."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Manual Section 4/245.10; March 6, 2001, Commission Motion regarding Categorical Use of Force; implementing Human Resources Bureau (HRB) Notice, "Categorical Use of Force Classifications and Investigative Responsibility" approved and published July 30, 2001; Special Order 27, "Investigating Non-Categorical Use of Force Incidents," approved by the Chief of Police September 1, 2001, published September 17, 2001, approved by the Commission September 25, 2001; LAPD audit of non-categorical uses of force. Budget: NA New Staffing: NA Space Needs: NA Activities: LAPD's current practice requires employees to report non-categorical uses of force to a supervisor and requires a supervisory investigation of such incidents (Manual Section 4/245.10). Special Order 27, which re-affirms these requirements, was published September 17, 2001. Investigative procedures consistent with those contained in paragraph 81 are included in Watch Commander and Detective Supervisor School.</p> <p>Audit Results: An audit of non-categorical use of force investigations was completed by LAPD in October 2001 (see paragraph 126). Although, due to the timing of the audit as mandated by the Consent Decree, the Consent Decree requirements regarding non-categorical use of force investigations were not in effect during the period covered by the audit, but the majority of such requirements were current LAPD procedures during the period covered by the audit. The audit findings indicate compliance with the Consent Decree non-categorical use of force investigation requirements. The Inspector General reviewed the audit consistent with the requirements of paragraph 135. The Inspector General identified some minor deficiencies that would not impact the conclusions of the LAPD audit.</p> <p>The audit did reveal that 5.51% of the non-categorical use of force investigations were completed by supervisors that participated in or witnessed the use of force incident. This is against LAPD procedures and represents a conflict of interest in the investigation process. Recommendations to remedy deficiencies identified in the audit, including independent review of such incidents, were included in the Audit report, and approved by the Police Commission (see paragraph 143). Such recommendations included suggestions for emphasizing certain training issues in Watch Commander and Supervisor schools.</p> <p>The Inspector General will be conducting an audit of non-categorical use of force investigations the third quarter (January-March) of FY 01-02 (see paragraph 136).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
69	<p>The Department shall continue to have the Use of Force Review Board review all Categorical Uses of Force. The LAPD shall continue to have Non-Categorical Uses of Force reviewed by chain-of-command managers at the Division and Bureau level. Non-Categorical Use of Force investigations shall be reviewed by Division management within 14 days of the incident, unless a member of the chain-of-command reviewing the investigation detects a deficiency in the investigation, in which case the review shall be completed within a period of time reasonably necessary to correct such deficiency in the investigation or reports.”</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Partial Compliance Compliance Action: LAPD Manual Section 2/092.50 and 4/245.10; March 6, 2001, Commission Motion regarding Categorical Use of Force; Human Resources Bureau Notice HRB Notice entitled “Categorical Use of Force Classifications and Investigative Responsibility” approved and published July 30, 2001; Use of Force Review Section process re-affirmed by the Police Commission July 17, 2001; Special Order 27, “Investigating Non-Categorical Use of Force Incident,” approved by the Chief of Police September 1, 2001, published September 17, 2001, approved by the Commission September 25, 2001; HRB Notice, “Commanding Officer Review of Use of Force Board – Revised,” approved and published by HRB October 5, 2001, approved by the Police Commission October 9, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The practice of having significant uses of force reviewed by the Use of Force Review Board is current LAPD practice. The responsibilities of the Use of Force review Board are outlined in Manual Section 2/092.50. As indicated in the definition of Categorical Use of Force (paragraph 13), dog bites that result in hospitalization are not uses of force. Therefore, a review panel for dog bites that result in hospitalization, consistent with the level of review and oversight provided for Categorical Uses of Force other than dog bites, has been established pursuant to HRB Notice distributed October 5, 2001. A dog bite resulting in hospitalization review board protocol, consistent with the October 9, 2001, action of the Commission is anticipated to be completed in February 2002.</p> <p>Although it is general practice that non-categorical use of force investigations are reviewed by Division management within 14 days of the incident, the requirement was first codified in Special Order 27, published September 17, 2001. The City may be experiencing difficulty with complying with the 14-day, non-categorical use of force investigative period established pursuant to Consent Decree paragraph 69, unless a deficiency is detected in which the investigation shall be completed within a reasonable time. Approximately 70% of non-categorical use of force investigations exceed a 14-day period, however the circumstances surrounding these extended investigations is unknown. This requirement will be included in the Inspector General’s non-categorical use of force audit to be undertaken in the third quarter (January-March) of FY 01-02 (see paragraph 136) to assist in monitoring compliance and to better define the reasons for longer investigative time periods.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
70	<p>The Department shall continue to require all booking recommendations be personally reviewed and approved by a watch commander as to appropriateness, legality, and conformance with Department policies. Additionally, the watch commander or designee will personally review and approve supporting arrest reports as to appropriateness, legality and conformance with Department policies in light of the booking recommendation.</p> <p>a. Such reviews shall continue to entail a review for completeness of the information that is contained on the applicable forms and an authenticity review to include examining the form for "canned" language, inconsistent information, lack of articulation of the legal basis for the action or other indicia that the information on the forms is not authentic or correct.</p> <p>b. Supervisors shall evaluate each incident in which a person is charged with interfering with a police officer (California Penal Code § 148), resisting arrest, or assault on an officer to determine whether it raises any issue or concern regarding training, policy, or tactics.</p> <p>c. The quality of these supervisory reviews shall be taken into account in the supervisor's annual personnel performance evaluations."</p>	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance/Paragraphs 8 and 184 Functional Compliance Status: Compliance/Paragraphs 8 and 184 Compliance Action: Manual Section 4/601 et. al.; Special Order 10, 2000; Special Order 13, "Booking Approval Procedure-Revised," approved by Chief of Police June 20, 2001, published June 26, 2001, approved by Commission July 10, 2001; Special Order 12, "Evaluation of Arrests for Booking," approved by Chief of Police June 20, 2001, June 26, 2001, July 10, 2001; LAPD audits on arrest and booking reports completed on June 14, 2001 and December 31, 2001; paragraphs 8 and 184. Budget: NA New Staffing: NA Space Needs: NA Activities: The mandates of paragraph 70(a) were existing LAPD practice. These procedures were re-affirmed in Special Order 13, published June 26, 2001. Special Order 12, published on June 20, 2001, establishes procedures for supervisors to evaluate incidents in which a person is charged with interfering with a police officer.</p> <p>Paragraph 70(c) has been identified as a meet and confer item. A review of the LAPD Employee Evaluation Guide, which would include consideration of the requirements of paragraph 70(c), has been initiated (see paragraph 54). To assist with the meet and confer process and to expedite implementation of paragraph 70(c) should it turn out to be the result of the meet and confer process, the LAPD had developed a draft form to assist Department managers in the review and consideration of personnel assignments. The draft form naturally would be subject to modification should the meet and confer process lead to different resolutions.</p> <p>Audit Results: The Audit Division completed an audit of arrest and booking reports on June 14, 2001 (see paragraph 125(b)). Although, due to the timing of the audit as mandated by the Consent Decree, the Consent Decree requirements were not in effect during the period covered by the audit, the majority of such requirements were current LAPD procedures during the period covered by the audit. The audit identified some deficiencies in areas such as inadequate articulation of facts, supervisory approval, and use of canned language. The Inspector General reviewed the audit and submitted a review to the Police Commission on August 2, 2001 and a revised report on October 26, 2001, concurring with the findings of the audit (see also paragraph 135). Recommendations to remedy deficiencies identified were included in the LAPD audit report and were approved by the Police Commission on November 13, 2001.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
70	Continued	<p>Corrective actions taken in response to audit findings include:</p> <ul style="list-style-type: none"> • Preparation of a draft Special Order amending the requirement of investigating supervisors whom provide booking advice. The draft Order is under review by LAPD. • The various Operations Bureau's increased oversight and/or auditing in the area of arrest report review and approval procedures. • Operations-Headquarters Bureau coordinated with the Training Group and added observation point training to Recruit Training Schedule and Watch Commander, Detective, Vice, and Supervisor schools. <p>On December 31, 2001, the Audit Division completed another audit of arrest, booking, and charging reports. The audit revealed that overall, officers and supervisors are in compliance with LAPD policies and procedures. The most common deficiency identified was that out of 749 reports evaluated, 46 supervisory approvals were printed rather than signed. Some issues with duplication and maintenance of arrest related reports according to LAPD procedures were also identified. Other deficiencies were identified. No incidents of the use of canned language were identified. A copy of the audit has been forwarded to Bureau Commanding Officers who will conduct an administrative review of the audit's findings. The Inspector General is reviewing the audit and its recommendations (see also paragraph 135).</p> <p>Concurrent with the booking and arrest audit conducted in the second quarter of FY 01-02 (October-December) pursuant to paragraph 131, an audit of SEU booking and arrest report work product was undertaken. Results of that audit are pending, but are anticipated to be available in February.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
71	<p>The LAPD shall continue to implement procedures with respect to search warrants and probable cause arrest warrants as defined in the LAPD manual (commonly known as "Ramey" warrants), which require, among other things, that a supervisor shall review each request for a warrant and each affidavit filed by a police officer to support the warrant application. Such review shall include:</p> <p>a. a review for completeness of the information contained therein and an authenticity review to include an examination for "canned" language, inconsistent information, and lack of articulation of the legal basis for the warrant; and</p> <p>b. a review of the information on the application and affidavit, where applicable, to determine whether the warrant is appropriate, legal and in conformance with LAPD procedure.</p> <p>c. In addition, a supervisor shall review the officer's plan for executing the search warrant and, after execution of the search warrant, review the execution of the search warrant. A supervisor shall be present for execution of the search warrant."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Search Warrant Procedures Guide published in December 1996; Special Order 25, "Search Warrant Procedures," approved by the Chief of Police August 10, 2001, published August 17, 2001, approved by the Commission September 18, 2001; LAPD audit warrant applications completed on June 21, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The procedures required in paragraph 71 are current LAPD practice (Search Warrant Procedures Guide published in December 1996). Special Order 25, published on August 17, 2001, re-affirmed the procedures required by paragraph 71. Audit Results: The LAPD completed an audit of search warrant procedures pursuant to paragraph 125(a) on June 21, 2001. Although, due to the timing of the audit as mandated by the Consent Decree, the Consent Decree requirements regarding search warrant procedures were not in effect during the period covered by the audit, the majority of such requirements were current LAPD procedures during the period covered by the audit. The audit identified some deficiencies in search warrant related areas, such as search warrant tracking and consistency is search warrant file format and content. The Inspector General's review of the audit, completed August 2, 2001, and revised October 26, 2001, concurred with the findings of the audit and identified some concerns with auditing methodology and sample size. Recommendations to remedy deficiencies identified were included in the Audit report, and approved by the Police Commission November 13, 2001.</p> <p>The search warrant logs required pursuant to paragraph 72 are anticipated to remedy the search warrant tracking procedures identified in that audit.</p> <p>An audit of search warrant procedures is planned for the third quarter (January-March) of FY 01-02 (see also paragraphs 72 and 128).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
72	Each Area and specialized Division of the LAPD shall maintain a log listing each search warrant, the case file where a copy of such warrant is maintained, and the officer who applied for and each supervisor who reviewed the application for such warrant.”	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 25, “Search Warrant Procedures,” approved by the Chief of Police August 10, 2001, published August 17, 2001, approved by the Commission September 18, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: Special Order 25 published on September 17, 2001, established the Warrant Tracking Log, new LAPD Form 8.17.05. This form is maintained by each operational division Commanding Officer to track Department generated search and Ramey warrants. An LAPD ad hoc review of geographic divisions and selected specialized detective divisions indicates compliance with this provision.</p> <p>The current LAPD Search Warrant Procedures Guide is being revised to reflect the changes in search warrant procedures, including maintenance of search warrant logs, established by Special Order 25.</p> <p>An audit of search warrant procedures is planned for the third quarter (January-March) of FY 01-02 (see paragraphs 71 and 128). Compliance with the search warrant tracking log provisions will be included in that audit.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
73	<p>All detainees and arrestees brought to an LAPD facility shall be brought before a watch commander for inspection. The watch commander shall visually inspect each such detainee or arrestee for injuries as required by LAPD procedures and, at a minimum, ask the detainee or arrestee the questions required by current LAPD procedures, which are: 1) "Do you understand why you were detained/arrested?"; 2) "Are you sick, ill, or injured?"; 3) "Do you have any questions or concerns?" In the rare cases where circumstances preclude such an inspection and interview by a watch commander, the LAPD shall ensure that the person is inspected and interviewed by a supervisor who did not assist or participate in the person's arrest or detention. In each instance, the watch commander or supervisor, as appropriate, shall sign the related booking documentation, which shall indicate their compliance with these procedures."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 10, 2000; Special Order 13, "Booking Approval Procedures – Revised," approved by the Chief of Police June 20, 2001, published June 26, 2001, approved by the Commission July 10, 2001; Special Order 42, "Detention Logs-Revised," approved by the Chief of Police, published, and approved by the Police Commission December 13, 2002. Budget: NA New Staffing: NA Space Needs: NA Activities: The procedures required by paragraph 73 are current LAPD practice (Special Order 10, 2000). Special Order 13, published on August 17, 2001, re-affirmed the procedures required by paragraph 73 and addressed the instances in which inspection and interview by the Watch Commander is precluded. Special Order 42, "Detention Logs-Revised," published, December 13, 2002, further requires documentation of compliance with the interview and inspection procedures in the jail detention log.</p> <p>Special Order 13 requires that the Watch Commander approve the booking recommendation. The signature of the Watch Commander approving the booking recommendation, as required by Consent Decree paragraph 70, will also indicate their compliance with the interview and visual inspection procedures. The Independent Monitor's November 15, 2001, Quarterly Status Report to the Court identified concerns regarding the implementation of Consent Decree paragraph 73. Special Order 42, "Detention Logs-Revised," published December 13, 2002, requires documentation of compliance with the interview and inspection procedures in the jail detention log, exceeding the compliance documentation requirements of the Consent Decree.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
74	<p>The Department shall continue to provide for the receipt of complaints as follows:</p> <ul style="list-style-type: none"> a. in writing or verbally, in person, by mail, by telephone (or TDD), facsimile transmission, or by electronic mail; b. anonymous complaints; c. at LAPD headquarters, any LAPD station or substation, or the offices of the Police Commission or the Inspector General; d. distribution of complaint materials and self-addressed postage-paid envelopes is easily accessible City locations throughout Los Angeles and in languages utilized by the City of Los Angeles in municipal election ballot materials; e. distribution of the materials needed to file a complaint upon request to community groups, community centers, and public and private service centers; f. the assignment of a case number to each complaint; and g. continuation of a 24-hour toll-free telephone complaint hotline. Within six months of the effective date of this Agreement, the Department shall record all calls made on this hotline. h. In addition, the Department shall prohibit officers from asking or requiring a potential complainant to sign any form that in any manner limits or waives the ability of a civilian to file a police complaint with the LAPD or any other entity. The Department shall also prohibit officers, as a condition for filing a misconduct complaint, from asking or requiring a potential complainant to sign a form that limits or waives the ability of a civilian to file a lawsuit in court." 	<p>Due Date: June 15, 2001/December 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Sections 3/810. and 3/815.25; Special Order, 2000; Special Order 17, "Complaint Investigation Procedures-Revised," approved by Chief of Police July 17, 2001, distributed July 23, 2001, approved by Commission September 18, 2001; Special Order 19, "Complaint Information Provided in Additional Languages," approved by the Chief of Police July 19, 2001, published July 25, 2001, approved by the Commission September 6, 2001; Office of the Chief of Police Notice, approved by the Chief of Police, June 20, 2001, published June 26, 2001, approved by the Commission July 10, 2001; complaint hotline operation; distribution of complaint materials in the 7 ballot languages. Budget: FY 00-01: \$34,890 hotline equipment New Staffing: NA Space Needs: NA Activities: The City maintains and makes available complaint materials in English, Spanish, Korean, Chinese, Tagalog, Japanese, and Vietnamese.</p> <p>Recording of the complaint hotline was initiated on July 1, 2001 utilizing "interim" recording equipment. Installation of new complaint hotline recording equipment was completed on December 10, 2001. Training for concerned IAG personnel regarding operation of the new equipment was conducted on December 5, 2001.</p> <p>Paragraph 74 (a), (b), (c), (e), (f), and (h) are existing LAPD procedures (Manual Sections 3/810. and 3/815.25; Special Order, 2000; Special Order 26, 2000). These procedures were re-affirmed, utilizing language that more directly tracks the Consent Decree language, in Special Order 17, published on July 23, 2001.</p>
75	<p>The LAPD shall initiate a Complaint Form 1.28 investigation against (i) any officer who allegedly fails to inform any civilian who indicates a desire to file a complaint of the means by which a complaint may be filed; (ii) any officer who allegedly attempts to dissuade a civilian from filing a complaint; or (iii) any officer who is authorized to accept a complaint who allegedly refuses to do so."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Sections Section 3/805.25 and 3/810; Special Order, 17, "Complaint Investigation Procedures – Revised" approved by the Chief of Police July 17, 2001, published July 23, 2001, approved by the Commission September 18, 2001. Budget: NA New Staffing: NA Space Needs: NA Activities: The requirements of paragraph 75 are current LAPD practice. Manual Section 3/805.25 and 3/810 mandates that violation of Department policies and procedures is misconduct. Complaint acceptance procedures are established in Manual Section 3/810. The requirements included in paragraph 75 were re-affirmed, utilizing language that more directly tracks the language of the Consent Decree, in Special Order 17, published July 23, 2001.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
76	The city shall cause the LAPD to be notified whenever a person serves a civil lawsuit on or files a claim against the City alleging misconduct by an LAPD officer or other employee of the LAPD."	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance: Compliance Compliance Action: Current practice; Risk Management Division Order No. 1, approved by Risk Management Division and published June 7, 2001, approved by the Commission June 19, 2001 Budget: NA New Staffing: NA Space Needs: NA Activities: It is current City practice that the City Clerk and City Attorney's Office notify the LAPD whenever a person serves a civil lawsuit or files a claim against the City or LAPD regarding an LAPD employee, policy, or procedure. The Risk Management Division, in cooperation with the City Attorney's Office, codified this process in Risk Management Division Order No. 1, distributed June 7, 2001.</p>
77	The Department shall continue to require all officers to notify without delay the LAPD whenever the officer is arrested or criminally charged for any conduct, or the officer is named as a party in any civil suit involving his or her conduct while on duty (or otherwise while acting in an official capacity). In addition, the Department shall require such notification from any officer who is named as a defendant in any civil suit that results in a temporary, preliminary, or final adjudication on the merits in favor of a plaintiff complaining of off-duty physical violence, threats of physical violence, or domestic violence by the officer."	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance/Paragraphs 8 and 184 Functional Compliance Status: Compliance Compliance: LAPD Manual Section 3/838.10; Risk Management Division Order No. 1, approved by the Risk Management Division and published June 7, 2001, approved by the Commission June 19, 2001; Paragraph 8 and 184 Budget: NA Staffing: NA Space Needs: NA Activities: LAPD Manual Section 3/838.10 requires that LAPD employees who are detained or arrested, or an employee with knowledge of such involvement of a LAPD employee, report such events to IAG and the Commanding Officer of the involved employee. Civil suits filed against a LAPD employee regarding activities while on duty would be addressed through the civil lawsuit process established in Risk Management Division Order No. 1, published June 7, 2001 (see paragraph 76). The requirement that the LAPD require self notification from any officer who is named as a defendant in any civil suit that results in a temporary, preliminary, or final adjudication on the merits in favor of a plaintiff complaining of off-duty physical violence, threats of physical violence, or domestic violence has been identified as a meet and confer item (see paragraphs 8 and 184).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
78	<p>The Department shall continue to require officers to report to the LAPD without delay: any conduct by other officers that reasonably appears to constitute (a) an excessive use of force or improper threat of force; (b) a false arrest or filing of false charges; (c) an unlawful search or seizure; (d) invidious discrimination; (e) an intentional failure to complete forms required by LAPD policies and in accordance with procedures; (f) an act of retaliation for complying with any LAPD policy or procedure; or (g) an intentional provision of false information in an administrative investigation or in any official report, log, or electronic transmittal of information. Officers shall report such alleged misconduct by fellow officers either directly to IAG or to a supervisor who shall complete a Complaint Form 1.28. This requirement applies to all officers, including supervisors and managers who learn of evidence of possible misconduct through their review of an officer's work. Failure to voluntarily report as described in this paragraph shall be an offense subject to discipline if sustained."</p>	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/805.25, 3/815.05, and 1/210.46; Special Order 30, "Duty to Report Misconduct," approved by the Commission September 6, 2001, approved by the Chief of Police, September 10, 2001, and published September 13, 2001. Budget: NA Staffing: NA Space Needs: NA Activities: An LAPD employee's duty and responsibility to report misconduct to a supervisor is established in current LAPD policy (Manual Section 3/805.25, 3/815.05, and 1/210.46). Special Order 30, distributed September 13, 2001, provides employees the option of reporting misconduct directly to Internal Affairs Group, consistent with paragraph 78.</p>
79	<p>Within 10 days of their receipt by the LAPD, the IAG shall receive and promptly review the "face sheet" of all complaints to determine whether they meet the criteria in paragraphs 93, 94 and 95 for being investigated by IAG, or the OHB Unit, or chain of command supervisors."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Partial Compliance Compliance Action: Special Order 17, "Complaint Investigation Procedures – Established," approved by the Chief of Police July 17, 2001, distributed July 23, 2001, approved by the Commission September 18, 2001 Budget: NA Staffing: NA Space Needs: NA Activities: Special Order 17, distributed July 23, 2001, requires Commanding Officers to forward Complaint Form 1.28, to IAG within two days of initiating a complaint.</p> <p>The City has experienced difficulty in functionally complying with the 10-day period provided for processing complaints from the LAPD in-take location to IAG. A revised complaint in-take form was implemented in October, with full use of the form anticipated in January, which more appropriately establishes the complaint in-take date and will facilitate tracking compliance with this provision. LAPD continues to improve its performance with the 10-day complaint period for processing complaints from the point of in-take to IAG. LAPD had a compliance rate of 47% in October, 59% in November, and 57% in December. A compliance rate of 69.5% was achieved in December when evaluated based upon the revised complaint in-take forms. It is anticipated that the full impact of the use of the revised will be realized in January 2002.</p> <p>Paragraph 152 further requires that the IAG provide the complaint to the Inspector General within 7-days of IAG's receipt (see paragraph 152).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
80	<p>In conducting all Categorical Use of Force investigations, and complaint investigations regarding the categories of misconduct allegations and matters identified in paragraphs 93 and 94 (whether conducted by IAG, the OHB Unit, or by chain of command during the transition period specified in paragraph 95), the LAPD shall, subject to and in conformance with applicable state law:</p> <ul style="list-style-type: none"> a. tape record or videotape interviews of complainants, involved officers, and witnesses; b. whenever practicable and appropriate, and not inconsistent with good investigatory practices such as canvassing a scene, interview complainants and witnesses at sites and times convenient for them, including at their residences or places of business; c. prohibit group interviews; d. notify involved officers and the supervisors of involved officers, except when LAPD deems the complaint to be confidential under the law; e. interview all supervisors with respect to their conduct at the scene during the incident; f. collect and preserve all appropriate evidence, including canvassing the scene to locate witnesses where appropriate, with the burden for such collection on the LAPD, not the complainant; and g. identify and report in writing all inconsistencies in officer and witness interview statements gathered during the investigation." 	<p>Due Date: July 1, 2001/October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Complaint Investigations Guide for Supervisors, October, 2000; Robbery Homicide Division Officer Involved Shooting Manual, 1994; Administrative Order 12, "Investigating a Personnel Compliant," approved by the Chief of Police August 28, 2001, distributed September 6, 2001, approved by the Commission September 25, 2001; HRB Notice, "Administrative Investigation Training," approved by HRB on June 27, 2001, distributed on July, 2, 2001, revised on September 13, 2001, approved by the Commission October 9, 2001; Special Order 39, Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001. Budget: FY00-01: \$47, 720 tape recording equipment/tapes FY 01-02: \$120,000 additional transcription services Staffing: NA Space Needs: NA Activities: The investigative procedures included in paragraph 80 are current LAPD practice (LAPD Complaint Investigations Guide for Supervisors, October, 2000; Robbery Homicide Division Officer Involved Shooting Manual, 1994). These investigative procedures were re-affirmed in Administration Order 12, published on September 6, 2001, and in the HRB Notice, "Administrative Investigation Training," distributed on July, 2, 2001. The investigative procedures included in paragraph 80 were re-affirmed in the Special Order 39, published December 7, 2001.</p> <p>Training regarding the investigative procedures is provided in the curriculum for Watch Commander School, Detective Supervisor School, and Basic Supervisor School. The curriculum has been enhanced to further highlight these investigative procedures consistent with the Consent Decree (also see paragraphs 55, 100, and 123).</p> <p>Categorical Use of Force investigations are scheduled to be audited in the third quarter of FY 01-02 (January-March). Complaint investigations are scheduled to be audited in the fourth quarter of FY 01-02 (April-June). See paragraph 139.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
81	Chain of command investigations of complaints (other than those covered by paragraph 80), and Non-Categorical Uses of Force shall comply with subsections, c, e, and f of paragraph 80 where applicable."	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Complaint Investigations Guide for Supervisors, October, 2000; LAPD Use of Force Handbook, August 1995; Administrative Order 12, "Investigating a Personnel Complaint," approved by the Chief of Police August 28, 2001, distributed September 6, 2001, approved by the Commission September 25, 2001; Special Order 27, "Investigation of Non-Categorical Use of Force Incidents," approved by the Chief of Police September 1, 2001, distributed September 17, 2001, approved by the Police Commission September 25, 2001 Budget: NA Staffing: NA Space Needs: NA Activities: The investigative procedures included in paragraph 81 are current LAPD practice (LAPD Complaint Investigations Guide for Supervisors, October, 2000; LAPD Use of Force Handbook, August 1995). These investigative procedures were re-affirmed in Administration Order 12, distributed on September 6, 2001, and Special Order 27, distributed September 17, 2001.</p> <p>Training regarding the investigative procedures is provided in the curriculum for Watch Commander School, Detective Supervisor School, and Basic Supervisor School. The curriculum has been enhanced to further highlight these investigative procedures consistent with the Consent Decree (also see paragraphs 55, 100, and 123).</p> <p>An audit of non-categorical use of force investigations was completed by LAPD in October 2001 (see paragraphs 68 and 126). LAPD complaint investigations are reviewed by the Inspector General (see paragraph 136). The Inspector General will be conducting an audit of non-categorical use of force investigations the third quarter (January-March) of FY 01-02 (see paragraph 136).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
82	<p>If during the course of any investigation of a Categorical Use of Force, Non-Categorical Use of Force, or complaint, the investigating officer has reason to believe that misconduct may have occurred other than that alleged by the complainant, the alleged victim of misconduct, or the triggering item or report, the investigating officer must notify a supervisor, and an additional Complaint Form 1.28 investigation of the additional misconduct issue shall be conducted."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/810.20 and 3/810.30; Special Order 8, 2000, "Complaint Reporting Procedures- Revised," February 24, 2000; Special Order 30, 2001, "Duty to Report Misconduct," approved by the Commission September 6, 2001, approved by the Chief of Police September 10, 2001, distributed, September 13, 2001; Special Order 39, Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001 Budget: NA Staffing: NA Space Needs: NA Activities: The requirement report misconduct is current LAPD procedure (LAPD Manual Section 3/810.20 and 3/810.30; Special Order 8, 2000), and therefore the requirements of paragraph 82 were in place prior to the Consent Decree implementation time frame of October 15, 2001. These procedures were also re-affirmed in the Special Order 39, published December 7, 2001.</p>
83	<p>Subject to restrictions on use of information contained in applicable state law, the OHB unit investigating Categorical Uses of Force as described in paragraph 55 and 93 and IAG investigators conducting investigations as described in paragraphs 93 and 94, shall have access to all information contained in TEAMS II, where such information is relevant and appropriate to such investigations, including training records, Complaint Form 1.28 investigations, and discipline histories, and performance evaluations."</p>	<p>Due Date: Post Teams II Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: In-progress Budget: see paragraph 47 Staffing: see paragraph 47 Space Needs: see paragraph 47 Activities: The RMIS and its protocol for use are under development and will include the provisions of paragraph 83. Also see paragraphs 47 and 64. TEAMS 1.5 information will be available for use by supervisors and managers as appropriate.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
84	<p>The Department shall continue to employ the following standards when it makes credibility determinations: use of standard California Jury Instructions to evaluate credibility; consideration of the accused officer's history of complaint investigations and disciplinary records concerning that officer, where relevant and appropriate; and consideration of the civilian's criminal history, where appropriate. There shall be no automatic preference of an officer's statement over the statement of any other witness including a complainant who is also a witness. There shall be no automatic judgment that there is insufficient information to make a credibility determination when the only or principal information about as incident is contained in conflicting statements made by the involved officer and the complainant. Absent other indicators of bias or untruthfulness, mere familial or social relationship with a victim or officer shall not render a witness' statement as biased or untruthful; however, the fact of such relationship may be noted."</p>	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Department Management Guide to Discipline, January 2000; Administrative Order 12, "Investigating a Personnel Compliant," approved by the Chief of Police August 29, 2001, distributed September 6, 2001, approved by the Commission September 25, 2001 Budget: NA Staffing: NA Space Needs: NA Activities: The procedures in paragraph 84 are current LAPD practice (Department Management Guide to Discipline, January 2000). Administrative Order 12, distributed on September 6, 2001, re-affirmed the procedures with language that more directly tracked the Consent Decree, including specifically explaining the provisions of paragraph 84 that relate to conflicting statements and noting of familial relationships.</p>
85	<p>The LAPD shall adjudicate all complaints using a preponderance of the evidence standard. Wherever supported by evidence collected in the investigation, complaints shall be adjudicated as "sustained," "sustained-no penalty," "not resolved," "unfounded," "exonerated," "duplicate" or "no Department employee." In no case may a Complaint Form 1.28 investigation be closed without a final adjudication."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/820.20; Special Order 8, "Complaint Reporting Procedures-Revised," February 24, 2000; Management Guide to Discipline, January 2000; Board of Rights Manual Budget: NA Staffing: NA Space Needs: NA Activities: The provisions of paragraph 85 are current LAPD practice and therefore were in effect prior to the Consent Decree implementation time frame of October 15, 2001. The utilization using a preponderance of the evidence standard is current LAPD practice (Management Guide to Discipline, January 2000; Board of Rights Manual). The complaint adjudication categories listed in the paragraph 85 are consistent with existing LAPD practice (LAPD Manual Section 3/820.20; Special Order 8, 2000). In October 2001, the LAPD revised complaint investigation procedures to streamline the investigative and adjudication process (Special Order 36, published October 29, 2001). The new procedures are consistent with the provisions of paragraph 85.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
86	<p>Withdrawal of a complaint, unavailability of a complainant to make a statement, or the fact that the complaint was filed anonymously or by a person other than the victim of the misconduct, shall not be a basis for adjudicating a complaint without further attempt at investigation. The LAPD shall use reasonable efforts to investigate such complaints to determine whether the complaint can be corroborated."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Administrative Order 12, "Investigating a Personnel Complaint," approved by the Chief of Police August 29, 2001, published September 6, 2001, approved by the Commission September 25, 2001 Budget: NA Staffing: NA Space Needs: NA Activities: The provisions of paragraph 86 were codified in Administrative Order 12, distributed September 6, 2001.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
87	<p>All investigations of complaints shall be completed in a timely manner, taking into account: (a) the investigation's complexity; (b) the availability of evidence; and (c) overriding or extenuating circumstances underlying exceptions or tolling doctrines that may be applied to the disciplinary limitations provisions (i) applicable to LAPD officers and (ii) applicable to many other law enforcement agencies in the State of California. The parties expect that, even after taking these circumstances into account, most investigations will be completed within five months."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Partial Compliance Compliance Action: LAPD Manual Section 3/820.01; Special Order 36, "Complaint Reporting Procedures – Revised," approved by the Chief of Police October 29, 2001, published November 6, 2001, approved by the Police Commission November 13, 2001 Budget: See paragraph 95 Staffing: See paragraph 95 Space Needs: See paragraph 95 Activities: Timely completion of complaints is existing LAPD policy. LAPD does have a backlog of investigations that will need to be addressed as the City proceeds with implementation of the five-month investigation goal. In the year 2001, 576 complaints were investigated by IAG, with 65% of the investigations completed within the 5-month goal. Therefore, complaint investigations conducted by IAG are in compliance with the requirements of paragraph 87.</p> <p>However, the majority of complaint investigations are performed by the chain-of-command. The absence of a department wide complaint tracking system that captures investigative time frame currently hamper's the City's ability to track investigative time frames for complaints investigated by the chain-of-command. The Complaint Management System currently under development will address this deficiency (see paragraph 39). In the interim, IAG revised the existing Active Case Tracking System to capture investigation complete dates beginning January 7, 2002. This will allow the City to track chain-of-command complaint investigation periods. However, due to the length on complaint investigation periods and the recent implementation of the tracking system, an assessment of complaint investigation time frames for compliance with the 5-month investigative goal is still months in the future. The City continues to monitor compliance with this provision and seek methods of streamlining the complaint investigation process.</p> <p>On October 29, 2001, Special Order 36, which streamlines the complaint investigation process, was issued by LAPD. Special Order 36 establishes complaint investigative categories which allow differing levels of investigations as appropriate to the complaint submitted, while ensuring all complaints are investigated. The revised complaint investigation process is expected to reduce investigation periods substantially. However, too little time has elapsed to adequately evaluate the effectiveness of the changes.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
88	<p>The Chief of Police, no later than 45 calendar days following the end of each calendar quarter, shall report to the Commission, with a copy to the Inspector General, on the imposition of discipline during such quarter (the "Discipline Report"). The Chief of Police shall provide the first such report to the Police Commission by February 15, 2001, and such report shall provide the information listed below for the period from the effective date of this Agreement until December 31, 2000; thereafter such report will be provided on a calendar quarter basis. Such report shall contain: (a) a summary of all discipline imposed during the quarter reported by type of misconduct, broken down by type of discipline, bureau, and rank; (b) a summary comparison between discipline imposed and determinations made by the Boards of Rights during the quarter, (c) a written explanation of each reduction in penalty from that prescribed by the Board of Rights; (d) a description of all discipline and non-disciplinary actions for each Categorical Use of Force the Commission has determined was out of policy; and (e) a written explanation, following the Chief of Police's final determination regarding the imposition of discipline, when discipline has not been imposed (other than exoneration by the Board of Rights) and the following has occurred: the officer has entered a guilty plea or has been found guilty in a criminal case; the officer had a Complaint Form 1.28 investigation, is the categories identified in paragraphs 93 and 94 (whether conducted by the OHB Unit, IAG, or by chain of command during the transition period specified in paragraph 95) sustained; or the officer has been found civilly liable by a judge or jury of conduct committed on duty or while acting in his or her official capacity; or the officer's conduct has been the basis for the City being found civilly liable by a judge or jury. Each quarterly Discipline Report shall include as attachments copies of the monthly Internal Affairs Group Reports on Administration of Internal Discipline for that quarter, which, during the term of this Agreement, shall continue to contain at least the level of detail included in the August 1999 report."</p>	<p>Due Date: February 15, 2001/quarterly thereafter Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: February 27, 2001, Commission Motion regarding Creation and Review of Disciplinary Reports and Disciplinary Investigations; LAPD Quarterly Discipline Reports Budget: See paragraph 95 Staffing: See paragraph 95 Space Needs: See paragraph 95 Activities: The LAPD has submitted four Quarterly Discipline Reports to the Commission to date: 4th quarter of 2000 report submitted on February 15, 2001 1st quarter 2001 report submitted May 15, 2001 2nd quarter of 2001 report submitted August 14, 2001 3rd quarter of 2001 report submitted November 15, 2001</p> <p>The discipline reports contain the level of information included in the August 1999 report. However, the format of the report was modified in May to be more concise and user friendly. The Complaint File number is now included in the reports to enable access to files for more detailed review as appropriate.</p> <p>The next Quarterly Discipline Report is due February 15, 2002.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
89	<p>The Inspector General shall review, analyze and report to the Commission on each Discipline Report, including the circumstances under which discipline was imposed and the severity of any discipline imposed. The Commission, no later than 45 days after receipt of the Discipline Report, following consultation with the Chief of Police, shall review the Discipline Report and document the Commission's assessment of the appropriateness of the actions of the Chief of Police described in the Discipline Report. With respect to Categorical Uses of Force, such assessment and documentation shall be made for each officer whose conduct was determined to be out of policy by the Commission. Such assessment and documentation shall be considered as part of the Chief's annual evaluation as provided in paragraph 144.</p>	<p>Due Date: April 2, 2001/ quarterly thereafter Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: February 27, 2001, Commission Motion regarding Creation and Review of Disciplinary Reports and Disciplinary Investigations; LAPD Quarterly Discipline Reports; Inspector General Review of Quarterly Discipline Reports; Commission review of Quarterly Discipline Reports Budget: See paragraphs 135 and 143 Staffing: See paragraph 135 and 143 Space Needs: See paragraph 135 and 143 Activities: The Inspector General has reviewed the quarterly Discipline Reports submitted to the Commission by LAPD (see paragraph 88): 4th quarter of 2000 report review submitted March 16, 2001 1st quarter 2001 report review submitted June 15, 2001 2nd quarter of 2001 report review submitted September 14, 2001 3rd quarter of 2001 report review submitted December 7, 2001</p> <p>The Commission has reviewed the quarterly Discipline Reports and the Inspector General reviews: 4th quarter of 2000 report review/consideration March 27, 2001 1st quarter 2001 report review/consideration June 26, 2001 2nd quarter of 2001 report review/consideration September 25, 2001, and October 9, 2001. Closed session discussion with Chief of Police continued due to unavailability of the Chief of Police. 3rd quarter of 2001 report review/consideration December 7, 2001</p>
90	<p>The LAPD shall continue its practice of having managers evaluate all Complaint Form 1.28 investigations to identify underlying problems and training needs. After such evaluations the manager shall implement appropriate non-disciplinary actions or make a recommendation to the proper LAPD entity to implement such actions.</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/830.20; Department Guide to Discipline Budget: NA Staffing: NA Space Needs: NA Activities: The requirements of paragraph 90 are current LAPD practice (LAPD Manual Section 3/830.20; Department Guide to Discipline pp. 15-23 and 31-39).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
91	After a complaint is resolved by the LAPD, the LAPD shall inform the complainant of the resolution, in writing, including the investigation's significant dates, general allegations, and disposition.	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/820.11 Budget: NA Staffing: NA Space Needs: NA Activities: The requirements of paragraph 91 are current LAPD practice and therefore were achieved on June 15, 2001, prior to the October 15, 2001 time line included in the Consent Decree. LAPD Manual Section 3/820.11 establishes procedures to notify complainants in writing of the resolution and disposition of complaints. IAG is working to establish procedures to standardized letters sent to complainants department wide.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
92	<p>The City and the Department shall prohibit retaliation in any form against any employee for reporting possible misconduct by any other employee of the LAPD. Within six months of the effective date of this Agreement and annually thereafter, the Police Commission shall review the Department's anti-retaliation policy and its implementation and make modifications as appropriate to protect officers from reprisals for reporting misconduct. The Commission's review of such policy and its implementation shall consider the discipline imposed for retaliation and supervisors' performance in addressing and preventing retaliation."</p>	<p>Due Date: July 1, 2001/December 15, 2002 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Administrative Order No. 2, "Anti-Discrimination Efforts of the LAPD," January 1999; February 27, 2001, Commission Motion regarding "Creation and Review of Disciplinary Reports and Disciplinary Investigations"; September 18, 2001, the Commission action on Report from the Chief of Police regarding the anti-discrimination efforts of the LAPD in the workplace; Commission's annual review of retaliation policy, January 8, 2002. Budget: NA Staffing: NA Space Needs: NA Activities: The Commission re-affirmed the current LAPD anti-retaliation policy on February 27, 2001, and again on January 8, 2002.</p> <p>The Police Commission briefly discussed the LAPD anti-retaliation policy and requested additional information regarding the policy at its December 11, 2001 meeting. The Commission then acted to reaffirm the existing LAPD anti-retaliation policy at its January 8, 2002 meeting.</p> <p>Retaliation complaints have not been separately tracked historically. Therefore, limited information regarding discipline imposed for retaliation is currently available. In July 2001 the LAPD implemented a distinct complaint category for retaliation, thereby enhancing the LAPD's ability to better track such complaints and associated discipline.</p> <p>The Inspector General has also implemented a system to specifically track retaliation complaints. The Inspector General also may accept retaliation complaints (see paragraph 139). The Inspector General reports to the Police Commission monthly regarding complaints received, including complaints regarding retaliation (see also paragraph 136).</p> <p>The ability to track supervisory performance with specific regard to retaliation issues is currently limited. The City is working to expeditiously establish procedures for tracking and documenting supervisory performance, in a manner similar to that taken to separately track retaliation complaints.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
93	<p>The City shall reallocate responsibility for complaint investigations between IAG and chain-of-command supervisors. Under this reallocation, IAG, and not chain-of-command supervisors shall investigate (a) all civil suits or claims for damages involving on duty conduct by LAPD officers or civil suits and claims involving off-duty conduct required to be reported under paragraph 77j and (b) all complaints which allege:</p> <ul style="list-style-type: none"> (i) unauthorized uses of force, other than administrative Categorical Use of Force investigations (which shall be investigated by the OHB Unit as part of its investigation of such Categorical Uses of Force); (ii) invidious discrimination (e.g., on the basis of race, ethnicity, gender, religion, national origin, sexual orientation, or disability), including improper ethnic remarks and gender bias; (iii) unlawful search; (iv) unlawful seizure (including false imprisonment and false arrest); (v) dishonesty; (vi) domestic violence; (vii) improper behavior involving narcotics or drugs; (viii) sexual misconduct; (ix) theft; and (x) any act of retaliation or retribution against an officer or civilian." 	<p>Due Date: July 1, 2001 w/ transition completed December 31, 2002 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 17, "Complaint Investigation Procedures-Revised," approved by the Chief Of Police July 17, 2001, distributed July 23, 2001, approved by the Commission September 18, 2001; IAG Transition Plan; IAG Notice, " Internal Affairs Investigation Transition Plan," approved by the IAG and distributed September 17, 2001, Commission approval ; see also paragraph 95 Funding: see paragraph 95 Staffing: see paragraph 95 Space Needs: see paragraph 95 Activities: The LAPD has initiated a transition plan for complaint investigations covered by paragraph 93. See paragraph 95.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
94	<p>In addition to the categories of complaint allegations set forth in paragraph 93, IAG and not chain of command supervisors, shall investigate the following:</p> <p>a. all incidents in which both (i) a civilian is charged by an officer with interfering with a police officer (California Penal Code § 148), resisting arrest, or disorderly conduct, and (ii) the prosecutor's office notifies the Department either that it is dismissing the charge based upon officer credibility or a judge dismissed the charge based upon officer credibility;</p> <p>b. all incidents in which the Department has received written notification from a prosecuting agency in a criminal case that there has been as order suppressing evidence because of any constitutional violation involving potential misconduct by an LAPD officer, any other judicial finding of officer misconduct made in the course of a judicial proceeding or any request by a federal or state judge or magistrate that a misconduct investigation be initiated pursuant to some information developed during a judicial proceeding before a judge or magistrate. The LAPD shall request that all prosecuting agencies provide them with written notification whenever the prosecuting agency has determined that any of the above has occurred;</p> <p>c. all incidents in which an officer is arrested or charged with a crime other than low grade misdemeanors, as defined in the LAPD manual, which misdemeanors shall be investigated by chain-of-command supervisors; and</p> <p>d. any request by a judge or prosecutor that a misconduct investigation be initiated pursuant to information developed during the course of an official proceeding in which such judge or prosecutor has been involved."</p>	<p>Due Date: July 1, 2001 w/ transition completed December 31, 2002 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 17, "Complaint Investigation Procedures-Revised," approved by the Chief Of Police July 17, 2001, distributed July 23, 2001, approved by the Commission September 18, 2001; IAG Transition Plan; Special Order 12, "Evaluation of Arrests for Booking," approved by the Chief of Police June 20, 2001, distributed June 26, 2001, approved by the Commission July 10, 2001; Letter to Prosecuting Agencies and Public Defenders regarding notification procedures for potential misconduct, April 27, 2001; see also paragraph 95 Funding: see paragraph 95 Staffing: see paragraph 95 Space Needs: see paragraph 95 Activities: The LAPD has initiated a transition plan for complaint investigations covered by paragraph 94. See paragraph 95.</p> <p>The LAPD sent a letter to prosecuting agencies and public defenders regarding the notification of incidents consistent with paragraph 94 on April 27, 2001.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
95	<p>The City shall in fiscal year 2001-2002 provide all necessary position authorities to fully implement paragraphs 93 and 94. Investigation responsibilities shall be transitioned as positions are filled. Prior to positions being filled, investigation responsibilities shall be transitioned commensurate with available resources. Positions will be filled and investigation responsibility transition shall be completed by December 31, 2002. For complaints filed on or after July 1, 2001, the Department shall make a first priority of allocating to IAG complaints in the categories specified in paragraphs 93 and 94 against officers assigned to special units covered by paragraph 106. The LAPD shall make a second priority of allocating to IAG complaints alleging unauthorized uses of force (other than administrative Categorical Uses of Force). These complaint investigations will be allocated to IAG so as to allow the City to meet its obligations under paragraph 87 of this Agreement.”</p>	<p>Due Date: July 1, 2001 w/ transition completed December 31, 2002 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 17, “Complaint Investigation Procedures-Revised,” approved by the Chief Of Police July 17, 2001, distributed July 23, 2001, approved by the Commission September 18, 2001; IAG Transition Plan; IAG Notice, “ Internal Affairs Investigation Transition Plan, ” approved by the IAG and distributed September 17, 2001, Commission approval ; FY01-02 Budget Budget: FY 00-01: Integrity Assurance Package FY 01-02: \$1,097,943, plus \$159,800 equipment New Staffing: FY 00-01: <u>Special Operations Section:</u> 8 Sergeant II; 1 Senior Clerk Typist <u>Review and Evaluation:</u> 1 Lieutenant II; 2 Detective III; 11 Sergeant II; 1 Senior Clerk Typist <u>Ethics Enforcement:</u> 1 Lieutenant II; 2 Detective III; 4 Detective II; 4 Sergeant II; 1 Senior Clerk Typist <u>Administration:</u> 1 Clerk Police II; 2 Senior Clerk Typists; 1 Senior Management Analyst</p> <p>FY 01-02: Continuation of FY 01-02 plus: <u>IAG Investigations:</u> 2 Detective III; 7 Detective II; 29 Sergeant II; <u>Administration:</u> 3 Senior Clerk Typist; 1 Chief Clerk Police II</p> <p>FY 02-03: Continuation of FY 01-02 plus: <u>IAG Investigations:</u> 2 Detective III; 7 Detective II; 29 Sergeant II</p> <p>Space Needs: <u>Special Operations Section:</u> 7,580 square feet <u>Ethics Enforcement:</u> 7,064 square feet <u>IAG Investigations:</u> Substantial additional Space Required</p> <p>Activities: In FY 00-01, the City approved an Integrity Assurance Package (IAP) to implement several of the recommendation of the Board of Inquiry into the Rampart Area Corruption Incident. The IAP positions which were related to enhanced IAG complaint investigation capabilities (Special Operations, Ethics Enforcement, and Review and Evaluation) were “regularized” in the FY 01-02 Budget for Consent Decree implementation purposes.</p> <p>The IAG Special Operations Section was increased by 9 staff, with all positions currently filled. Space required for the increased Special Operations Section staff has been leased.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
95	Cont.	<p>The IAG Ethics Enforcement Section was increased by 12 staff, with all positions currently filled. Additional space required for the staff has been leased.</p> <p>The IAG Review and Evaluation Section was an increased by 15, with 12 positions filled.</p> <p>Additional IAG investigators are required to comply with the increased compliant investigation responsibility required by paragraph 93 and 94. A total of 38 additional investigators and 4 additional administrative staff positions were authorized in FY 01-02. An additional 38 investigative staff positions were authorized for FY 02-03. Of the FY 01-02 positions authorized, 19 Sergeant II, 4 Detective II, and 2 Detective III positions have been filled. Six positions (2 Sergeant I; 1 Detective I; 3 Detective II) are "on loan." The loan program provides for personnel to work in positions for approximately 2 months, providing employees and management the opportunity to review the appropriateness of the position for the employee. Civilian positions have been advertised and the search to fill these positions is on-going.</p> <p>Substantial additional space is required for the increased IAG investigative staff. The City has identified potential space for IAG, however the technology cost estimates for the identified facility are pending. Any facility leased for must have access to the various LAPD computer programs and TEAMS II.</p> <p>The first and second priority investigations identified in paragraph 95 were transitioned to IAG beginning October 1, 2001. Those investigations covered by paragraph 94, domestic violence (paragraph 93 (vi)), narcotics/drugs (paragraph 93 (vii)), sexual misconduct (paragraph 93 (viii)), and retaliation (paragraph 93 (x)), were transitioned to IAG on January 1, 2002. Department entities assigned misconduct investigations in these categories prior to the transition date will retain investigative responsibility for those cases. It is estimated that IAG transition of complaints will result in additional IAG investigations annually as follows: approximately 621 unauthorized use of force, 38 narcotics/drugs, 16 sexual misconduct, 40 domestic violence, retaliation unknown, SEU's in the categories listed in paragraph 93 unknown.</p> <p>The next transition of complaint investigations to IAG is currently scheduled for April 2002, and will include invidious discrimination complaints with an estimated impact of 121 additional complaints assigned to IAG. The City will monitor the transition of complaint investigations to assess compliance with the 5-month investigation goal established in paragraph 87.</p> <p>The TEAMS I record for employees assigned to IAG, or provided on an "on loan" basis, were reviewed, with special attention afforded to the misconduct categories identified in paragraph 51(d). Subsequently, IAG Form 1.80's were reviewed for all newly assigned employees. IAG Form 1.80's will be reviewed for employees on-loan during the two-month loan period.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		Investigative procedures consistent with paragraph 80 are included in Watch Commander School, Detective Supervisor School, and Basic Supervisor School. IAG training is included in these schools. Approximately 10 employees recently assigned to IAG have been identified as requiring IAG training. See also paragraphs 80 and 100.
96	Paragraphs 93 and 94 shall not apply to misconduct complaints lodged against the Chief of Police, which investigations shall be directed by the Commission as set forth in paragraph 145. Paragraphs 93 and 94 do not preclude IAG from undertaking such other investigations as the Department may determine.”	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 571; Special Order 17, “Complaint Investigation Procedures-Revised,” approved by the Chief Of Police July 17, 2001, published July 23, 2001, approved by the Commission September 18, 2001; Funding: NA Staffing: NA Space Needs: NA Activities: It is the current practice of the Commission to investigate misconduct complaints lodged against the Chief of Police. See also paragraph 145.</p>
97	By July 1, 2001, the City shall develop and initiate a plan for organizing and executing regular, targeted, and random integrity audit checks, or “sting” operations (hereinafter “sting audits,”) to identify and investigate officers engaging in at-risk behavior, including: unlawful stops, searches, seizures (including false arrests), uses of excessive force, or violations of LAPD’s Manual Section 4/264.50 (or its successor). These operations shall also seek to identify officers who discourage the filing of a complaint or fail to report misconduct or complaints. IAG shall be the unit within the LAPD responsible for these operations. The Department shall use the relevant TEAMS II data, and other relevant information, in selecting targets for these sting audits. Sting audits shall be conducted for each subsequent fiscal year for the duration of this Agreement. Nothing in this Agreement is intended to limit the application of any federal statute.”	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 22, “Ethics Enforcement Section-Established,” approved by the Chief of Police August 8, 2001, distributed August 13, 2001, approved by the Commission September 18, 2001; Ethics Enforcement Quarterly Report, Third Quarter (July-Sept), 2001, approved by the Chief Of Police on December 10, 2001, considered by the Police Commission January 22, 2002. Funding: See paragraph 95 Staffing: See paragraph 95 Space Needs: See paragraph 95 Activities: The IAG Ethics Enforcement Section was operational on February 11, 2001. Additional surveillance equipment and vehicles were approved as part of the FY 01-02 budget (see paragraph 95). Protocols for conducting random integrity audit checks have been established by the Ethics Enforcement Section and audits consistent with the subject areas identified in paragraph 97 are being implemented.</p> <p>During the third quarter (July-September) of 2001, the Ethics Enforcement Section was modified to respond to Consent Decree requirements. The Section was re-located to a larger space and operating procedures and methodologies were refined. During this quarter a smaller number of audits was conducted to provide an opportunity for training, transition, and acclimation. Eleven integrity audits focusing on unlawful searches were conducted in 11 LAPD Areas. Thirty-one employees were reviewed, with a 100% passing rate.</p> <p>The first Ethics Enforcement Quarterly Report was reported to the Chief of Police on December 10, 2001, and subsequently communicated to the Police Commission and</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>Inspector General on January 4, 2002. This exceeds the 14 -day reporting time frame provided in Consent Decree paragraph 127. The LAPD and the Police Commission are reviewing the integrity audit reporting process to ensure adherence to the 14-day reporting time frame.</p> <p>The Police Commission considered the first Ethics Enforcement Quarterly Report at its January 22, 2002 meeting. The item was continued.</p>
98	<p>The commanding officer of IAG shall select the staff who are hired and retained as IAG investigators and supervisors, subject to the applicable provisions of the City's civil service rules and regulations and collective bargaining agreements. Investigative experience shall be a desirable, but not a required, criterion for an IAG investigatory position. Officers who have a history of any sustained investigation or discipline received for the use of excessive force, a false arrest or charge, or an improper search or seizure, sexual harassment, discrimination or dishonesty shall be disqualified from IAG positions unless the IAG commanding officer justifies in writing the hiring of such officer despite such a history."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Employee Selection Manual; paragraphs 8 and 184 Funding: NA Staffing: NA Space Needs: NA Activities: It is current LAPD practice that Commanding Officers are responsible for selecting staff and ensuring selected staff are qualified to perform the duties of the position for which they are selected. The provision requiring justification for hiring and documentation of compliant history has been identified as a meet and confer item (see also paragraph 51(d)).</p>
99	<p>The Department shall establish a term of duty of up to three years for the IAG Sergeants, Detectives and Lieutenants who conduct investigations, and may reappoint an officer to a new term of duty only if that officer has performed in a competent manner. Such IAG investigators may be removed during their term of duty for acts or behaviors that would disqualify the officer from selection to IAG or under any other personnel authority available to the Department."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Sections 3/763.55, 3/763.60, 3/763.65, and 3/763.67 Funding: NA Staffing: NA Space Needs: NA Activities: The limited tour provisions of paragraph 99 are current LAPD practice (LAPD Manual Section 3/763.67). LAPD Manual Sections 3/763.55, 3/763.60, and 3/763.65 provide for reassignment of an advanced pay grade to a lower pay grade.</p>
100	<p>IAG investigators shall be evaluated based on their competency in following the policies and procedures for Complaint Form 1.28 investigations. The LAPD shall provide regular and periodic re-training and re-evaluations on topics relevant to their duties."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Performance Evaluation Guide; Human Resources Bureau Notice, "Administrative Investigation Training," approved by the Chief of Police June 27, 2001, distributed July 7, 2001, approved by the Commission October 9, 2001; paragraphs 8 and 184 Funding: NA Staffing: NA Space Needs: NA Activities: It is current LAPD practice that IAG investigators are evaluated based upon their competency. A review of the LAPD Employee Evaluation Guide has been initiated and will</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>include consideration of the evaluation requirements of paragraph 100 (see paragraph 54).</p> <p>One IAG training update sessions was conducted in the last quarter on December 5, 2001, with 175 officers attending. IAG training updates for 2002 have been scheduled on a quarterly basis (see also paragraph 123).</p>
101	<p>The LAPD shall refer to the appropriate criminal prosecutorial authorities all incidents involving LAPD officers with facts indicating criminal conduct.”</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 2/214.22; District Attorney Special Directive 01-10, “Referral of Allegations of Criminal Misconduct to the Justice System Integrity Division,” November 7, 2001; District Attorney “Protocol for the Referral of Allegations of Criminal Misconduct by Law Enforcement Personnel to the Los Angeles District Attorney,” November 7, 2001; Office of the Chief of Police Notice, “Department Criminal Filing Review Procedures for Employees Accused of Prima Fascia Misconduct, approved by Chief of Police October 25, 2001 Funding: NA Staffing: NA Space: NA Activities: It is current LAPD practice to refer to the appropriate criminal prosecutorial authorities all incidents involving LAPD officers with facts indicating criminal conduct (LAPD Manual Section 2/214.22).</p> <p>In October 2001, the LAPD in consultation with the District Attorney’s Office, established new guidelines for submission of misconduct cases for review by prosecutors. In the third quarter (July-September) of 2001 approximately 114 cases were referred to the District Attorney’s Office for review. This is an increase over previous referral levels.</p>
102	<p>The Department shall continue to prohibit discriminatory conduct on the basis of race, color, ethnicity, national origin, gender, sexual orientation, or disability in the conduct of law enforcement activities. The Department shall continue to require that, to the extent required by federal and state law, all stops and detentions, and activities following stops or detentions, by the LAPD shall be made on the basis of legitimate, articulable reasons consistent with the standards of reasonable suspicion or probable cause.”</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Sections 1/110.20, 1/115.01, 1/115.40, 1/120. 1/120.10, 1/210.13, 1/240.05, 1/508, and 1/522; Department Legal Bulletins dated March 1995 and January 1996; Special Order 23, “Policy Prohibiting Racial Profiling,” approved by the Commission August 8, 2001, approved by the Chief of Police August 10, 2001, distributed August 15, 2001 Funding: NA Staffing: NA Space: NA Activities: The City has long standing anti-discrimination policies in place (LAPD Manual Sections 1/110.20, 1/115.01, 1/115.40, 1/120. 1/120.10, 1/210.13, 1/240.05, 1/508, and</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>1/522; Department Legal Bulletins dated March 1995 and January 1996). Special Order 23, distributed August 15, 2001, further refines the existing anti-discrimination policies into an Anti-Racial Profiling policy which tracks the language included in paragraphs 102 and 103 of the Consent Decree.</p> <p>The LAPD is developing a training effort specific to anti-discrimination, with implementation planned for the third quarter of FY 01-02 (January-March) (see also paragraph 104).</p>
103	<p>LAPD officers may not use race, color, ethnicity, or national origin (to any extent or degree) in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group. When LAPD officers are seeking one or more specific persons who have been identified or described in part by their race, color, ethnicity, or national origin, they may rely in part on race, color, ethnicity, or national origin only in combination with other appropriate identifying factors and may not give race, color, ethnicity or national origin undue weight.”</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section LAPD Manual Sections 1/110.20, 1/115.01, 1/115.40, 1/120. 1/120.10, 1/210.13, 1/240.05, 1/508, and 1/522; Department Legal Bulletins dated March 1995 and January 1996; Special Order 23, “Policy Prohibiting Racial Profiling,” approved by the Commission August 8, 2001, approved by the Chief of Police August 10, 2001, distributed August 15, 2001 Funding: NA Staffing: NA Space: NA Activities: See paragraph 102.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
104	<p>By November 1, 2001, the Department shall require LAPD officers to complete a written or electronic report each time an officer conducts a motor vehicle stop.</p> <p>a. The report shall include the following:</p> <ul style="list-style-type: none"> (i) the officer's serial number; (ii) date and approximate time of the stop; (iii) reporting district where the stop occurred; (iv) driver's apparent race, ethnicity, or national origin; (v) driver's gender and apparent age; (vi) reason for the stop, to include check boxes for (1) suspected moving violation of the vehicle code; (2) suspected violation of the Penal or Health and Safety Codes; (3) suspected violation of a City ordinance; (4) Departmental briefing (including crime broadcast/crime bulletin/roll call briefing); (5) suspected equipment/registration violation; (6) call for service; and (7) other (with a brief text field); (vii) whether the driver was required to exit the vehicle; (viii) whether a pat-down/frisk was conducted; (ix) action taken, to include check boxes for warning, citation, arrest, completion of a field interview card, with appropriate identification number for the citation or arrest report; and (x) whether the driver was asked to submit to a consensual search of person, vehicle, or belongings, and whether permission was granted or denied. <p>b. Information described in (iv), (v), (viii), (ix) and (x) of the proceeding subparagraph shall be collected for each passenger required to exit the vehicle.</p> <p>c. If a warrantless search is conducted, the report shall include check boxes for the following:</p> <ul style="list-style-type: none"> (i) search authority, to include: (1) consent; (2) incident to an arrest; (3) parole/probation; (4) visible contraband; (5) odor of contraband; (6) incident to pat-down/frisk; (7) impound inventory; and (8) other (with a brief text field); (ii) what was searched, to include: (1) vehicle; (2) person; and (3) container, and (iii) what was discovered/seized, to include: (1) weapons; (2) drugs; (3) alcohol; (4) money; (5) other contraband; (6) other evidence of a crime; and (7) nothing." 	<p>Due Date: November 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 23, "Policy Prohibiting Racial Profiling," approved by the Commission August 8, 2001, approved by the Chief of Police August 10, 2001, distributed August 15, 2001; data collection forms; Special Order 35, "Data Collection for Motor Vehicle and Pedestrian Stops," approved by the Chief of Police October 19, 2001, published October 24, 2001, approved by the Police Commission October 30, 2001 Funding: FY 00-01: \$60,000 FY 01-02: \$4.096 million Staffing: To be provided as needed Space: non anticipated at this time Activities: Pedestrian and motor vehicle stop data collection was initiated November 1, 2001, using paper forms. The paper form can be scanned for data entry purposes.</p> <p>Forms are printed in books similar to citation books, with an original form and a carbon copy. The original data collection forms are collected and provided to scanning contractor for scanning. The carbon copies are maintained at the various LAPD Divisions as back-up and to facilitate the correction of data as necessary.</p> <p>Roll-call training was provided to sworn personnel regarding the pedestrian and motor vehicle data collection program and use of the form. The DOJ identified the issue of utilizing the phrase "may not solely use race, color, ethnicity, or national origin in conducting stops" in the LAPD's pedestrian and motor vehicle stop data training video and training curriculum. As recommended by DOJ this is being corrected in both the video and curriculum. The LAPD is also developing a training effort specific to anti-discrimination (also see paragraph 102).</p> <p>The cost of the scanning contract was more than originally anticipated and additional funding was allocated in November 2001. The contract for scanning services was executed on November 19, 2001. Time was required to ensure the scanning program operated appropriately and that the data when transferred to the City's STOP system was accurate. Several system tests were completed. During this period, contract payment difficulties were experienced, further delaying scanning of forms. Scanning of pedestrian and traffic stop forms began January 11, 2002. The scanning contractor anticipates that it will be able to increase scanning to approximately 6,000 forms by the end of January. The City is collecting an average of approximately 2,600 forms a day. The City has established the following scanning priorities: 1) the currently collected forms; 2) the January backlog; and 3) the December and November backlog.</p> <p>Some problems with the manner in which officers are filling out forms have been identified through the scanning process. The LAPD is preparing a training memorandum to address these issues. It is anticipated that the document will not be released until a larger volume of forms have been scanned to ensure a comprehensive training effort. A stop form correction</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>error computer program is being planned and implemented which will be used by officers to correct inappropriately completed forms. The requirement to self-correct forms is anticipated to facilitate the officer education process. It is currently anticipated that this program will be operational by the end of February.</p> <p>The volume of forms being collected is consistent with the volume anticipated by LAPD, based upon citation and field interview card volumes. When data becomes available in the STOP computer system, pedestrian and traffic stop data can be compared to traffic citation data to further verify compliance. In addition, volumes per Area can be monitored to ensure compliance with the data collection requirements department wide.</p> <p>A Request for Proposal (RFP) was released for automated collection of pedestrian and motor vehicle stop data on October 23, 2001. Proposals were due December 7, 2001. The RFP process was terminated in December, as a majority of the proposals received by the City did not comply with the City's standard contracting and RFP procedures, such as MBE/WBE/OBE outreach requirements.</p> <p>The RFP is being redrafted to clarify areas that generated questions during the RFP process, clarify cost estimate presentation formats to ensure appropriate cost comparisons between proposals, and to better identify and clarify standard City contracting and RFP requirements. In addition, resources necessary to ensure comprehensive presentation of contracting and RFP requirements are being arranged. It is currently anticipated that the revised RFP will be released in early February.</p> <p>An RFP for data analyses is in the process of being drafted. This RFP has been delayed due to the need to resolve issues regarding form scanning and the automated data collection RFP.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
105	<p>By November 1, 2001, the Department shall require LAPD officers to complete a written or electronic report each time an officer conducts a pedestrian stop.</p> <p>a. The report shall include the following:</p> <ul style="list-style-type: none"> (i) the officer's serial number; (ii) date and approximate time of the stop; (iii) reporting district when the stop occurred; (iv) person's apparent race, ethnicity, or national origin; (v) person's gender and apparent age; (vi) reason for the stop, to include check boxes for (1) suspected violation of the Penal Code; (2) suspected violation of the Health and Safety Code; (3) suspected violation of the Municipal Code; (4) suspected violation of the Vehicle Code; (5) Departmental briefing (including crime broadcast/crime bulletin/roll call briefing); (6) suspect flight; (7) consensual (which need only be checked if there is a citation, arrest, completion of a field interview card, search or seizure (other than searches or seizures incident to arrest) or patdown/frisk); (8) call for service; or (9) other (with brief text field); (vi) whether a pat-down/frisk was conducted; (viii) action taken, to include check boxes for (1) warning; (2) citation; (3) arrest; and (4) completion of a field interview card, with appropriate identification number for the citation or arrest report; and (ix) whether the person was asked to submit to a consensual search of their person or belongings, and whether permission was granted or denied. <p>b. If a warrantless search is conducted, the report shall include check boxes for the following:</p> <ul style="list-style-type: none"> (i) search authority, to include: (1) consent; (2) incident to as an arrest; (3) parole/probation; (4) visible contraband, (5) odor of contraband; (6) incident to a pat-down/frisk; and (7) other (with a brief text field); (ii) what was searched, to include: (1) vehicle; (2) person; and (3) container, and (iii) what was discovered/seized, to include: (1) weapons; (2) drugs; (3) alcohol; (4) money; (5) other contraband; (6) other evidence of a crime; and (7) nothing. <p>c. In preparing the form of the reports required by paragraphs 104 and 105, the Department may use "check off" type boxes to facilitate completion of such reports. In documenting motor vehicle and pedestrian stops as required by these paragraphs, the Department may create new forms or modify existing forms."</p>	<p>Due Date: November 1, 2001 Primary Compliance Status: Compliance Functional Compliance: Compliance Compliance Action: See paragraph 104 Funding: See paragraph 104 Staffing: See paragraph 104 Space Needs: See paragraph 104 Activities: See paragraph 104</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
106	<p>The LAPD has developed and shall continue to implement a protocol that includes the following requirements for managing and supervising all LAPD units that are primarily responsible for monitoring or reducing gang activity, including the Special Enforcement Units:</p> <p>a. Each unit shall be assigned to an Area or Bureau, and shall be managed and controlled by the Area or Bureau command staff where it is assigned. The Bureau gang coordinators and the citywide gang coordinator (the Detective Support Division Commanding Officer) coordinate the Bureau-wide and citywide activities of these units, provide training and technical assistance, and are involved in coordinating and providing information for the audits of these units.</p> <p>b. Eligibility criteria for selection of a non-supervisory officer in these units shall include that officers have completed probation, have acquired a minimum number of years as a police officer in the LAPD, and have demonstrated proficiency in a variety of law enforcement activities, interpersonal and administrative skills, cultural and community sensitivity, and a commitment to police integrity. Without the prior written approval of the Chief of Police, a non-supervisory officer shall not be reassigned to a unit until 13 LAPD Deployment Periods have elapsed since their previous assignment in these units.</p> <p>c. Eligibility criteria for selection as a supervisor in these units shall include that supervisors have one year experience as a patrol supervisor, have been wheeled from their probationary Area of assignment, and have demonstrated outstanding leadership, supervisory, and administrative skills. In addition, without the prior written approval of the Chief of Police, an individual shall not be selected as a supervisor in these units until 13 LAPD Deployment Periods have elapsed since the individual's previous assignment in these units as officer or supervisor.</p> <p>d. Supervisors and non-supervisory officers in these units shall have limited tour assignment to these units, for a period not to exceed 39 LAPD Deployment Periods. An extension of such assignment for up to three LAPD Deployment Periods may be granted upon the written approval of the Bureau commanding officer. Any longer extension shall be permitted upon written approval of the Chief of Police.</p> <p>e. Unit supervisors and non-supervisory officers shall continue to: (i) be subject to existing procedures for uniformed patrol officers regarding detention, transportation, arrest, processing and booking of arrestees and other persons; (ii) wear Class A or Class C uniforms (and may not wear clothing with unauthorized insignias identifying them as working at a particular unit); (iii) use marked police vehicles for all activities; (iv) check out and return all field equipment from the Area kit room on a daily basis; (v) attend scheduled patrol roll calls; (vi) base all unit activities out of the</p>	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Administrative Order No. 3, June 2000, "Activation of the Special Enforcement Unit"; paragraphs 8 & 184 Funding: NA Staffing: NA Space Needs: NA Activities: SEU protocols outlined in paragraph 106 are largely existing LAPD policy and procedures (Administrative Order 3).</p> <p>Written approval by the Chief of Police for exceptions to the existing procedures regarding SEU assignments (paragraph 106 (b-d)) have been identified as meet and confer items. Written approval from the Bureau Commanding Officer is currently required for such exemptions. The LAPD has prepared a draft order to assist with the meet and confer process and to expedite implementation of the provisions of paragraph 106 identified above should they turn out to be the result of the meet and confer process. The draft order naturally would be subject to modification should the meet and confer process lead to different resolutions.</p> <p>Audit Results: A focused audit of gang details was completed June 22, 2001 (see also paragraph 125). Although, due to the timing of the audit as mandated by the Consent Decree, the Consent Decree requirements were not in effect during the period covered by the audit, several of such requirements were current LAPD procedures during the period covered by the audit. The audit identified some deficiencies in the areas of use of force documentation and search warrant applications. The Inspector General reviewed the audit and submitted a review to the Police Commission on August 2, 2001 and a revised report on October 26, 2001, concurring with the findings of the audit (see also paragraph 135) and identifying some concerns with the auditing methodology and sample size. Recommendations to remedy deficiencies identified were included in the LAPD audit report and the Inspector General's review and were approved by the Police Commission on November 13, 2001.</p> <p>Concurrent with the booking and arrest audit conducted in the second quarter of FY 01-02 (October-December) pursuant to paragraph 131 (see paragraphs 70 and 131), an audit of SEU booking and arrest report work product was undertaken. Results of that audit are pending, but are anticipated to be available in February.</p> <p>SEU search warrants will be audited in the third quarter (January-March) of FY 01-02 (see also paragraphs 71 and 131).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>concerned Area station; and (vii) not use off-site locations at night other than LAPD primary area stations for holding arrestees (including interviews) or interviewing witnesses; provided, however, that the foregoing does not apply to interviews at the scene of a crime, interviews in connection with a canvass of a scene, or when the witness requests to be interviewed at a different location. Any exceptions from these requirements shall require the approval of the appropriate managers, and shall be for a specified, limited period of time.</p> <p>Exceptions to the requirements set forth in subparagraphs (ii) and (iii) shall be in writing.</p> <p>f. A unit supervisor shall provide a daily field presence and maintain an active role in unit operations. Unit supervisors shall brief the Area watch commander regularly regarding the activities of their unit, and shall coordinate unit activities with other Area supervisors.</p> <p>g. Area managers shall be responsible for ensuring that supervisors exercise proper control over these units, and for providing oversight over planned tactical operations.</p> <p>h. Each Bureau gang coordinator shall be responsible for monitoring and assessing the operation of all units in the Bureau that address gang activity. The coordinator shall personally inspect and audit at least one Area unit each month, and shall submit copies of completed audits to the pertinent Bureau and Area. OHB Detective Support Division Command office, and the LAPD Audit Unit created in paragraph 124 below. The coordinator may use bureau staff to conduct such audits who themselves serve in a Bureau or Area gang-activity unit and are deployed in the field to monitor or reduce gang activity.</p> <p>The provisions of this paragraph do not apply to the Detective Support Division's gang unit whose primary, gang-related responsibility is to provide administrative support."</p>	

Para. #	CONSENT DECREE PARAGRAPH	STATUS
107	<p>In addition to the requirements set forth in the preceding paragraph, the LAPD shall implement the following requirements, which shall be applicable to all LAPD units that are covered by the preceding Paragraph.</p> <p>a. The eligibility criteria for selection of an officer in these units shall require a positive evaluation of the officer based upon the officer's relevant and appropriate TEAMS II record. Supervisors shall be required to document in writing their consideration of any sustained Complaint Form 1.28 investigation, adverse judicial finding, or discipline for use of excessive force, a false arrest or charge, an improper search and seizure, sexual harassment, discrimination, or dishonesty in determining whether an officer shall be selected for the unit.</p> <p>b. The procedures for the selection of supervisors and non-supervisory officers in these units shall include a formal, written application process, oral interview(s), and the use of TEAMS II and annual performance evaluations to assist in evaluating the application.</p> <p>c. Without limiting -any other personnel authority available to the Department, during a supervisor's or non-supervisory officer's assignment tour in these units, a sustained complaint or adverse judicial finding for use of excessive force, a false arrest or charge, an unreasonable search or seizure, sexual harassment, discrimination, or dishonesty, shall result in the officer's supervisor reviewing the incident and making a written determination as to whether the subject officer should remain in the unit."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Current Practice; Department Gang Coordinator Notice, "Interim Special Enforcement Unit Selection Procedures," published October 15, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: Paragraph 107 (a) is current LAPD practice, which has been in place since June 2000. However, the practice was not codified in Administrative Order 3, June 2000. Therefore, the LAPD issued "Interim Special Enforcement Unit Selection Procedures" on October 15, 2001. These interim procedures will be finalized upon resolution of related Paragraph 107(a) and (c) provision which have been identified as meet and confer items.</p> <p>Paragraphs 107(a) and (c) have been identified as meet and confer items (see also paragraph 51(d)). The LAPD has prepared a draft order to assist with the meet and confer process and to expedite implementation of the provisions of paragraph 107 identified above should they turn out to be the result of the meet and confer process. The draft order naturally would be subject to modification should the meet and confer process lead to different resolutions.</p>
108	<p>The LAPD has developed and shall continue to implement procedures for the handling of informants. The procedures include and LAPD shall continue to require the following:</p> <p>a. The use of informants by LAPD personnel is limited to those non- uniformed personnel assigned to investigative units, such as Area Detective, Narcotics Division, and Specialized Detective Divisions. Personnel in uniform assignments shall not maintain or use informants.</p> <p>b. An officer desiring to utilize an individual as an informant shall identify that person by completing an informant control package.</p> <p>c. The officer shall submit that package to his or her chain-of-command supervisor for review and approval by the appropriate manager prior to utilizing that individual as an informant, which review shall be for completeness and compliance with LAPD procedures.</p> <p>d. Each informant shall be assigned a Confidential Informant ("CI") number.</p> <p>e. The commanding offices shall be responsible for ensuring that informant control packages are stored in a secure location that provides for restricted access and sign-out approval by the officer in charge or watch commander. There shall be a written record including each accessing officer's name and date of access in the informant control package.</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Operational Order No. 1, "Use of Informants by Department Personnel," 2000; paragraphs 8 and 184 Funding: NA Staffing: NA Space Needs: NA Activities: The confidential informant procedures included in paragraph 108, with the exception of the second sentence of paragraph 108(i), are current LAPD practice (Operational Order No. 1, "Use of Informants by Department Personnel," 2000).</p> <p>The second sentence of Paragraph 108(i), regarding supervisor's performance evaluation considering supervisor's oversight and adherence to confidential informant procedures, has been identified as a meet and confer item. A review of the LAPD Employee Evaluation Guide has been initiated and will include consideration of the provision 108(i) (see paragraph 54). To assist with the meet and confer process and to expedite implementation of paragraph 108 (i) should it turn out to be the result of the meet and confer process, the LAPD had developed a draft. The draft form naturally would be subject to modification should the meet and confer process lead to different resolutions.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>f. Informant control packages shall not be retained beyond end of watch without approval of the officer in charge or watch commander.</p> <p>g. Whenever information is supplied by an informant whom the investigating officer has not used as a source within the past three months, the officer shall check the Department-wide undesirable informant file and update the individual's informant control package prior to acting on such information.</p> <p>h. Investigating officers shall be required to confer with a supervisor prior to meeting with an informant; document all meetings, significant contacts, and information received from an informant in the informant control package; inform their supervisor of any contact with an informant; and admonish the informant that he or she shall not violate any laws in the gathering of information.</p> <p>i. Supervisors shall be required to meet with each confidential informant at least once prior to the information control package being submitted to the commanding officer. The quality of supervisors' oversight with respect to adherence to LAPD guidelines and procedure regarding informant use by officers under his or her command and such supervisors' own adherence thereto, shall be factors in such supervisor's annual personnel performance evaluation.</p> <p>j. Whenever an officer takes action based on information supplied by an informant, the officer shall document the information supplied, and the results of the investigation, in the individual's informant control package."</p>	<p>Audit Results: An audit of confidential informant files was completed on June 21, 2001 (see also paragraph 125). Although, due to the timing of the audit as mandated by the Consent Decree, the Consent Decree requirements were not in effect during the period covered by the audit, several of such requirements were current LAPD procedures during the period covered by the audit. The audit identified some deficiencies in confidential informant files, such as consistency in file format and content and the need to archive confidential informant files no longer used. Additional supervisory oversight after payment of a confidential informant was also recommended; an area not addressed in the Consent Decree. The Inspector General reviewed the audit and submitted a review to the Police Commission on August 2, 2001, and a revised report on October 26, 2001, concurring with the findings of the audit (see also paragraph 135) and identifying some concerns with the auditing methodology and sample size, and recommending that photographs included in the confidential informant files be updated. Recommendations to remedy deficiencies identified were included in the LAPD audit report and the Inspector General's review and were approved by the Police Commission on November 13, 2001.</p> <p>Confidential informant files are scheduled to be audited the third quarter of FY 01-02 (April-June).</p>
109	<p>The LAPD shall establish a permanent Department-wide confidential database or listing of all LAPD confidential informants except those listed by the Anti-Terrorist Division and those used in conjunction with another agency, containing the following information: Confidential Informant number, name, aliases, and date of birth."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Special Order 28, "Confidential Informant Tracking System," approved by the Chief of Police September 5, 2001, distributed September 17, 2001, approved by the Commission September 25, 2001 Funding: FY 00-01: \$2,840 equipment Staffing: NA Space Needs: NA Activities: The computer for the confidential informant database was available and installed, software program written, and staff responsible for maintenance of the confidential informant database by July 1, 2001. However, there was significant concern regarding the security of the information, including the process for obtaining existing confidential informant information for in-put and to update the data base as new confidential informants were identified. The City needed additional time to evaluate the potential options to address the security concerns identified. The Administrative Order implementing the Confidential Informant database and associated procedures was distributed September 17, 2001. LAPD has completed all historical data in-put into the database.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
110	<p>Within six months of the effective date of this Agreement, the LAPD shall publish a confidential informant manual which further expands and defines the procedures for identifying and utilizing informants, and which will include all of the requirements set out in paragraphs 108 and 109."</p>	<p>Due Date: December 15, 2001 Primary Compliance Status: Delayed Compliance Functional Compliance Status: Pending Compliance Action: In-progress Funding: FY 00-01: \$3,000 for printing Staffing: NA Space Needs: NA Activities: The City did not meet the December 15, 2001, compliance date for publishing of a Confidential Informant Manual. LAPD submitted the draft Confidential Informant Manual to the District Attorney's Office for review in mid-December. LAPD has received comments from the District Attorney's Office and has incorporated those comments, as appropriate.</p> <p>The Public Safety Committee of the City Council has been receiving regular updates on the development of the manual, since the December 15, 2001, Consent Decree implementation deadline. At the Committee's January 28, 2002, meeting the Police Protective League expressed concerns regarding the definition of "confidential informant." The LAPD will review the definition included in the Manual accordingly.</p> <p>The draft Confidential Informant Manual incorporates the recommendations approved in the Confidential Informant audit, as appropriate. (see paragraph 108)</p> <p>It is anticipated that the Confidential Informant Manual will be submitted to the Police Commission for consideration in early February. Upon approval by the Police Commission, the manual will be published and distributed.</p>
111	<p>Within one year of the effective date of this Agreement, the Department shall: (a) conduct an in-depth evaluation of successful programs in other law enforcement agencies across the United States dealing with police contacts with persons who may be mentally ill; and (b) conduct an in-depth evaluation of LAPD training, policies, and procedures for dealing with persons who may be mentally ill, including detailed reviews of at least ten incidents since January 1, 1999 in which a person who appeared to be mentally ill was the subject of a Categorical Use of Force and at least 15 incidents since January 1, 1999 in which the LAPD mental health evaluation unit was contacted."</p>	<p>Due Date: June 15, 2002 Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: In-progress; Contract for professional services Funding: FY 00-01: \$5,080, plus \$150,000 for Consultant services FY 01-02: \$19,851; plus \$140,000 Staffing: FY 00-01: 1 Lieutenant II FY 01-02: Continuation of FY 00-01 position Space Needs: NA Activities: Although not required by the Consent Decree, the City decided to engaged outside professional services to assist in the evaluation of other law enforcement programs and LAPD policies and procedures for dealing with persons who may be mentally ill required by paragraph 111. The City released a request for proposals (RFP) for professional services to assist the City in evaluating successful programs for dealing with potentially mentally ill persons on July 18, 2001. The DOJ and Independent Monitor were queried for entities which should be included on the City's RFP mailing list. Proposals were due on August 14, 2001. All proposals received were deemed non-responsive due to non-compliance with standard. The RFP was re-released on August 27, 2001, with a proposal due date of September 24, 2001. Proposers were interviewed the week of October 10, 2001. The Police Commission</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>approved the selection of the Lodestar on November 13, 2001. The Contract was executed December 10, 2001, with work on the project initiated on December 11, 2001. The contract provides for work to be completed within time frames consistent with that established in paragraph 111.</p> <p>The services contracted for have a cost of \$140,000 in excess of the \$150,000 allocated for consultant services. The City approved the allocation of the additional funds in November 2001.</p> <p>Meetings with four other law enforcement agencies with successful programs for dealing with persons who may be mentally ill have been scheduled as follows: 1) San Diego, California, January 15 and 16; 2) Memphis, Tennessee, January 29-31; 3) Seattle, Washington, February 4 and 5; and 4) New York, New York, February 20-21. The Contractor has previously evaluated the law enforcement program in Portland, Oregon, so a trip to review that program is not currently scheduled.</p> <p>The LAPD initiated a pilot program, Crisis Intervention Team, for first responders to better deal with people who may mentally ill in June 2001. The Crisis Intervention Team Program evaluation report regarding the pilot training program was approved by the Commanding Officer of Operation Central Bureau and forwarded to the Chief of Police for consideration on January 9, 2002. The report recommends that the appropriateness of implementation of the program be included in the larger mental illness program review required pursuant to paragraph 111. The Contractor has been provided a copy of the report for consideration in its study.</p>
112	<p>Within 13 months of the effective date of this Agreement, the LAPD, based upon its analysis required by the preceding paragraph, shall prepare a report for the Police Commission detailing the results of its analysis and recommending appropriate changes in policies, procedures, and training methods regarding police contact with the persons who may be mentally ill with the goal of de-escalating the potential for violent encounters with mentally ill persons. The recommendation shall include a proposal on potential methods for tracking calls and incidents dealing with persons who may appear to be mentally ill. The Police Commission shall forward its reports and actions regarding any appropriate new or modifications to existing policies, practices, or training methods regarding police contact with persons who may be mentally ill to the City Council and Mayor."</p>	<p>Due Date: July 7, 2002 Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: Pending completion of paragraph 111 review Funding: Unknown Staffing: Unknown Space Needs: no additional space needs anticipated Activities: Compliance with paragraph 112 is contingent upon completion of the in-depth evaluations required pursuant to paragraph 111. New or modified policies and procedures could potentially require financial and staff resources.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
113	<p>Within one year of the date of receipt by the Police Commission of the report required in the preceding paragraph, but in no case more than 32 months after the effective date of this Agreement, the Department shall complete an audit to evaluate LAPD handling of calls and incidents over the previous one year period involving persons who appear to be mentally ill. The audit and evaluation shall include any new policies, procedures and training methods implemented pursuant to the preceding Paragraph and shall specify any additional modifications necessary in the Department's policies, procedures or training to meet the objectives specified in the preceding paragraph."</p>	<p>Due Date: February 15, 2004 Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: Pending completion of paragraph 112 review Funding: Unknown Staffing: Unknown Space Needs: NA Activities: Compliance with paragraph 113 is contingent upon completion of the in-depth evaluations required pursuant to paragraph 111 and the review required by paragraph 112. New or modified policies and procedures could potentially require financial and staff resources.</p>
114	<p>The Department shall continue to implement formal eligibility criteria for Field Training Officers ("FTO"). The criteria require, inter alia, demonstrated analytical skills, demonstrated interpersonal and communication skills, cultural and community sensitivity, diversity, and commitment to police integrity. The criteria shall be expanded to require a positive evaluation of the officer based upon the officer's TEAMS II record. Managers shall comply with paragraphs 47(g) or 51, as appropriate, in selecting officers to serve as FTOs."</p>	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance/Paragraphs 8 and 184/Pending Functional Compliance Status: Compliance/Paragraphs 8 and 184/Pending Compliance Action: Employee Selection Manual; Paragraphs 8 and 184; RMIS Development Funding: Unknown Staffing: Unknown Space Needs: NA Activities: The provisions of paragraph 114, with the exceptions of the use of TEAMS II and compliance with paragraph 51, are existing LAPD practices (Employee Selection Manual pages 3-5 and 7-9).</p> <p>Paragraph 51 has been identified as a meet and confer item and therefore the provision of paragraph 114 which refers to paragraph 51 has been identified as a meet and confer item (see paragraphs 51 and 184). To assist with the meet and confer process and to expedite implementation of the provision of paragraph 114 identified above should it turn out to be the result of the meet and confer process, the LAPD had developed a draft form to assist Department managers in the review and consideration of personnel assignments. The draft form naturally would be subject to modification should the meet and confer process lead to different resolutions.</p> <p>The RMIS and its protocols for use under development and will include the provisions of paragraph 114 (see paragraph 47).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
115	Without limiting any other personnel authority available to the Department, FTOs may be removed during their tenure for acts or behaviors that would disqualify the officer from selection as an FTO."	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/763.55, 3/763.60, and 3/763.65 Funding: Unknown Staffing: Unknown Space Needs: NA Activities: LAPD Manual Section 3/763.55, 3/763.60, and 3/763.65 provide for assignment of an advanced pay grade to a lower grade.</p>
116	The LAPD shall continue to implement a plan to ensure that FTOs receive adequate training, including training to be an instructor and training in LAPD policies and procedures, to enable them to carry out their duties. FTOs' annual personnel performance evaluations shall include their competency in successfully completing and implementing their FTO training. The LAPD shall provide regular and periodic re-training on these topics."	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: FTO Training; LAPD Employee Evaluation Guide; Human Resources Bureau Notice, "Attendance at Field Training Officer Update School," approved by the Chief of Police April 18, 2002, distributed April 25, 200, approved by the Commission June 21, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: The 40 hour Basic Field Training Officer School conducted by the LAPD meets the provisions of paragraph 116 and is certified by the California Commission on Peace Officer Standards and Training (POST). In April, 2001 a 3-day FTO update school was planned by LAPD to specifically addresses legal issue updates, ethical decision-making, adult learning concepts and teaching skills, and probationary officer training and evaluation. With re-training planned triennially. Due to other training needs related to Consent Decree implementation, the FTO up-date training has been reduced to 8 hours. This will be re-evaluated as part of the training evaluation undertaken pursuant to 133.</p> <p>The LAPD Employee Evaluation Guide provided procedures for evaluating employee performance consistent with paragraph 116. Review of the LAPD Employee Evaluation Guide has been initiated and will re-affirm the evaluation provisions included in paragraph 166 (see also paragraph 54).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
117	<p>The LAPD shall continue to provide all LAPD recruits, officers, supervisors and managers with regular and periodic training on police integrity. Such training shall include and address, inter alia:</p> <p>a. the duty to report misconduct and facts relevant to such misconduct;</p> <p>b. what constitutes retaliation for reporting misconduct, the prohibition against retaliation for reporting misconduct and the protections available to officers from retaliation;</p> <p>c. cultural diversity, which shall include training on interactions with persons of different races, ethnicities, religious groups, sexual orientations, persons of the opposite sex, and persons with disabilities, and also community policing;</p> <p>d. the roll of accurately completing written reports in assuring police integrity, and the proper completion of such reports;</p> <p>e. Fourth Amendment and other constitutional requirements, and the policy requirements set forth in paragraphs 102-103, governing police actions in conducting stops, searches, seizures, making arrests and using force; and</p> <p>f. examples of ethical dilemmas faced by LAPD officers and, where practicable given the location, type, and duration of the training, interactive exercises for resolving ethical dilemmas shall be utilized.”</p>	<p>Due Date: June 15, 2001/July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: FTO Training; LAPD Employee Evaluation Guide; Human Resources Bureau Notice, “Attendance at Field Training Officer Update School,” approved by the Chief of Police April 18, 2001, distributed April 25, 2001, approved by the Police Commission June 21, 2001 Funding: Unknown Staffing: Unknown Space Needs: NA Activities: The LAPD Training Curriculum includes the training content delineated in paragraph 117. The training curriculum is certified by POST and are reviewed regularly for content and quality.</p>
118	<p>The Department shall train all members of the public scheduled to serve on the Board of Rights in police practices and procedures.”</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Hearing Examiner Training/Training Manual approved by Police Commission July 31, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: On December 4, 2001, 42 of the 55 Hearing Examiners were provided training. A training session for the remaining 13 Hearing Examiners was held in November 2001. All but one Hearing Examiner has been trained.</p> <p>The Commission coordinated with IAG and the City Attorney to develop enhanced Hearing Examiner training, including development of a manual. The enhanced training program was approved by the Commission on July 31, 2001. Additional training for Hearing Examiners will be provided on an annual basis, as well as on an as needed basis as significant issues arise.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
119	The City may establish a plan to annually provide tuition reimbursement for continuing education for a reasonable number of officers in subjects relevant to this Agreement, including subjects which will promote police integrity and professionalism. Such educational programs shall be attended while officers are off-duty."	<p>Due Date: None Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Human Resources Bureau Notice, "Tuition Reimbursement Program," approved by the Human Resources Bureau June 27, 2001, published July 2, 2001, approved by the Police Commission October 9, 2001 Funding: FY 01-02: \$250,000 Staffing: NA Space Needs: NA Activities: A tuition reimbursement program for courses related to job responsibilities was implemented beginning July 1, 2001. From October 1, 2002 to December 31, 2001, LAPD received 115 requests for tuition reimbursement. Seventy-nine requests have been approved to date.</p>
120	The LAPD shall establish procedures for supervisors and officers of the LAPD to communicate to the LAPD Training Group any suggestions they may have for improving the standardized training provided to LAPD officers, and to make written referrals to the appropriate LAPD official regarding suggestions about LAPD policies or tactics."	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: LAPD Manual Section 3/750; Human Resources Bureau (HRB) Notice, "Training Suggestion Program," approved by HRB May 25, 2001, published June 1, 2001, approved by the Police Commission July 10, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: LAPD employees were reminded of the existing LAPD suggestion program through an HRB Notice published June 1, 2001. The Continuing Education Division administers the program and will be evaluating the program over time.</p>
121	The LAPD shall provide all officers promoted to supervisory positions, up to and including the rank of Captain, with training to perform the duties and responsibilities of such positions. Such LAPD officers and supervisors shall be provided with such training before they assume their new supervisory positions, except for those officers promoted to the rank of Captain, who shall have at least commenced their Command Development training before they assume their new positions."	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Scheduling Training Funding: FY 000-01: \$30,000 FY 01-02: \$103,283 Staffing: FY 00-01: 1 Management Analyst; 1 Clerk Typist FY 01-02: continuation of FY 00-01 staffing Space Needs: NA Activities: The Continuing Education Division has developed a scheduling protocol to ensure that officers and supervisors are provided with appropriate training prior to assuming new supervisory positions. Several promotions were made in mid-January, 2002. These promotions are being reviewed to ensure compliance with paragraph 121.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
122	The LAPD shall provide regular and periodic supervisory training on reviewing the reports addressed in this Agreement, incident control, and ethical decision making.”	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Training curriculum; Human Resources Bureau (HRB) Notice, “Attendance at Supervisor Schools,” approved by HRB June 22, 2001, published June 22, 2001, approved by the Police Commission July 10, 2001 Funding: see paragraph 121 Staffing: see paragraph 121 Space Needs: NA Activities: Training regarding reviewing reports, incidents control, and ethical decision-making are contained within the curriculum of LAPD’s Watch Commander, Basic Supervisor, and Detective Supervisor Schools. Periodic training on these topics will be accomplished through quarterly supervisor training update classes developed by the Continuing Education Division (see also paragraph 117).</p>
123	The LAPD shall ensure that any supervisor who performs, or is expected to perform administrative investigations, including chain of command investigations of uses of force and complaints, receives training on conducting such investigations.”	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Training curriculum; Human Resources Bureau (HRB) Notice, “Administrative Investigation Training,” approved by HRB June 27, 2001, published July 2, 2001, revised September 13, 2001, approved by the Police Commission October 9, 2001; Human Resources Bureau (HRB) Notice, “Attendance at Supervisor Schools,” approved by HRB June 22, 2001, published June 22, 2001, approved by the Police Commission July 10, 2001 Funding: FY 01-02: \$41,855; also see paragraph 121 Staffing: FY 01-02: 1 Sergeant II; 1 Detective II; 1 Senior Management Analysts; also see paragraph 121 Space Needs: NA Activities: Training regarding administrative investigations also see paragraphs 55, 80, 81, and 100) are contained within the curriculum of LAPD’s Watch Commander, Basic Supervisor, and Detective Supervisor Schools. The curriculum has been enhanced to further highlight the investigative procedures consistent with the Consent Decree. . Periodic training on these topics will be accomplished through quarterly supervisor training update classes developed by the Continuing Education Division (see also paragraph 122).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
124	<p>By June 1, 2001, and prior to the beginning of each fiscal year thereafter, the Chief of Police shall submit to the Police Commission, with a copy to the Inspector General, a listing of all scheduled audits of the LAPD to be conducted by the LAPD in the upcoming fiscal year, other than sting audits (the "Annual Audit Plan"). The Annual Audit Plan shall include all specified audits required to be conducted by the LAPD, and any other audits required by this Agreement, including the audits required by paragraphs 111,113,133 and 134. The Police Commission shall review this Annual Audit Plan, and following consultation with the Chief of Police, shall make appropriate modifications, and approve it. The Chief of Police shall report to the Commission quarterly, with a copy to the Inspector General, on the status of audits listed in the Annual Audit Plan, including any significant results of such audits conducted by the LAPD ("Quarterly Audit Report"). The Department shall create and continue to have an audit unit within the office of the Chief of Police (the "Audit Unit") with centralized responsibility for developing the Annual Audit Plan; coordinating and scheduling audits contemplated by the annual Audit Plan and ensuring timely completion of audits, and conducting audits as directed by the Chief of Police. The Audit Unit shall be established effective July 1, 2001, in connection with the adoption of the City's 2001-2002 Budget, with positions to be filled as quickly as reasonably possible in accordance with applicable civil service provisions. Audits contemplated by the annual Audit Plan may be conducted by the Audit Unit or by other LAPD units, as appropriate, provided, however, that the Audit Unit shall take over responsibility for conducting those audits contemplated by paragraphs 128 and 129 once that Unit is established. The Audit Unit shall serve as a resource to other LAPD units in the conduct of audits and shall also periodically assess the quality of audits performed by other LAPD units. In the event the LAPD desires to amend the Annual Audit Plan, it may do so in the Quarterly Audit Report; provided, however, that the Annual Audit Plan shall include the specified audits to be conducted by the LAPD. Each audit conducted by the Department shall be documented in a report that provides the audit's methodology, data sources, analysis of the data and conclusions."</p>	<p>Due Date: June 1, 2001/July 1, 2001/ annually thereafter with quarterly reports Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Annual Audit Plan, submitted to Police Commission May 17, 2001, approved by Police Commission on June 5, 2001; Special Order 16, "Audit Division Established," approved by the Chief of Police July 6, 2001, published July 11, 2001, approved by Police Commission July 31, 2001; Audit Plan Quarterly Report Funding: FY 00-01: \$40,690 FY 01-02: \$866, 634, plus \$111, 823 lease space costs Staffing: FY 00-01: 1 Captain III; 2 Lieutenant II; 2 Sergeant II; 2 Detective I; 1 Senior Management Analysts; 1 Secretary; 1 Clerk Typist; 1 Management Analyst II FY 01-02: Continuation of FY 00-01 staffing plus: 4 Sergeant II; 4 Detective I; 4 Clerk Typist; 4 Management Analyst II Space Needs: Additional lease space needed Activities: In FYs 00-01 and 01-02 a total of 28 positions were allocated for the Audit Division. Eleven of those positions remain unfilled. Six positions were filled over the past quarter. Lease space for the Audit Division has been executed and funded.</p> <p>The Annual Audit Plan approved by the Police Commission on June 5, 2001, contains all Consent Decree mandated audits as well as 12 additional topics identified by the LAPD. Consent Decree required audits have priority over department initiated audits. The LAPD submitted the first FY 01-02 Quarterly Audit Report to the Police Commission on October 15, 2001. A separate report detailing planned activity for the second FY 01-02 quarter was concurrently submitted to the Police Commission. Seven audits were undertaken in the first FY 01-02 quarter; 6 were department initiated audits and one was the non-categorical use of force audit conducted pursuant to paragraph 126 (see also paragraph 68). Five department initiated audits and arrest booking and charging report audits pursuant to paragraphs 128 and 131 were planned for the second quarter of FY 01-02 (see also paragraphs 70, 106, 128, and 131). The second FY 01-02 Quarterly Audit Report to the Police Commission is pending, however as reported in paragraphs 70 and 106, arrest booking and charging report audits pursuant to paragraphs 128 and 131 were undertaken in the second quarter as planned.</p> <p>An auditing consultant was engaged by LAPD to assist in developing auditing methodology and sampling sizes. Improvement in LAPD auditing methodology continues as experience is gained.</p> <p>Training for the Audit Division staff is on-going. Thirty personnel are tentatively scheduled to attend a beginning level auditing course offered by the Institute of Internal Auditors in mid-February.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
125	<p>Prior to July 1, 2001, the LAPD shall conduct the following audits:</p> <ul style="list-style-type: none"> a. a stratified random sample of warrant applications and affidavits used to support warrant applications, consistent with paragraph 128; b. a stratified random sample of arrest, booking, and charging reports; consistent with paragraph 128; c. a stratified random sample of confidential informant control packages, consistent with paragraph 128; and d. the work product of all LAPD units covered by paragraph 106 consistent with paragraph 131." 	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Completion of 125 audits and submittal to the Police Commission on June 29, 2001 Funding: see paragraphs 124 and 131 Staffing: see paragraphs 124 and 131 Space Needs: see paragraphs 124 and 131 Activities: A search warrant application audit (paragraph 125 (a)) was completed on June 21, 2001, and submitted to the Police Commission on June 29, 2001. The Inspector General reported to the Police Commission regarding review of the audit on August 2, 2001 and October 26, 2001. The Commission approved the audit on November 13, 2001. The results of the audit are summarized in paragraph 71.</p> <p>An audit of arrest and booking reports (paragraph 125(b)) was completed on June 14, 2001, and submitted to the Police Commission on June 29, 2001. The Inspector General reported to the Police Commission regarding review of the audit on August 2, 2001 and October 26, 2001. The Commission approved the audit on November 13, 2001. The results of the audit are summarized in paragraph 70.</p> <p>An audit of confidential informant packages (paragraph 125(c)) was completed on June 21, 2001, and submitted to the Police Commission on June 29, 2001. The Inspector General reported to the Police Commission regarding review of the audit on August 2, 2001 and October 26, 2001. The Commission approved the audit on November 13, 2001. The results of the audit are summarized in paragraph 108.</p> <p>Consistent with the requirements of paragraph 131, an audit of Special Enforcement Units (paragraph 125(d)) was completed on June 22, 2001, and submitted to the Police Commission on June 29, 2001. The Inspector General reported to the Police Commission regarding review of the audit on August 2, 2001 and October 26, 2001. The Commission approved the audit on November 13, 2001. The results of the audit are summarized in paragraph 106.</p> <p>Regular and periodic audits of the various activities covered by paragraph 125 will be undertaken pursuant to paragraphs 128 and 131.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
126	By November 1, 2001, the LAPD shall conduct an audit of a stratified random sample of all use of force reports consistent with paragraph 128."	<p>Due Date: November 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Completion of 126 audit and submittal to the Police Commission on June 29, 2001 Funding: see paragraphs 124 and 131 Staffing: see paragraphs 124 and 131 Space Needs: see paragraphs 124 and 131 Activities: An audit of non-categorical use office investigations was completed on October 29, 2001, and submitted to the Commission on October 29, 2001. The Inspector General reported to the Police Commission regarding review of the audit on December 20, 2001. The Commission approved the audit on January 8, 2002. The results of the audit are summarized in paragraph 68.</p>
127	Sting audits shall not be reported in the Quarterly Audit Report, rather the results of all sting audits shall be reported to the Police Commission and the Inspector General by the Chief of Police within two weeks of the Chief's receipt of each sting audit report."	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Partial Compliance Compliance Action: Completion of integrity audits (see paragraph 97) Funding: see paragraph 95 Staffing: see paragraph 95 Space Needs: see paragraph 95 Activities: The first Ethics Enforcement Quarterly Report was reported to the Chief of Police on December 10, 2001, and subsequently communicated to the Police Commission and Inspector General on January 4, 2002. This exceeds the 14 -day reporting time frame provided in Consent Decree paragraph 12; however the time delay was experienced over the holiday period between Police Commission meetings (December 11, 2001 to January 8, 2002). The LAPD and the Police Commission are reviewing the integrity audit reporting process to ensure adherence to the 14-day reporting time-frame.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
128	<p>LAPD shall conduct regular, periodic audits of stratified random samples of 1) warrant applications and affidavits used to support warrant applications; 2) arrest, booking, and charging reports; 3) use of force reports; 4) all motor vehicle stops and pedestrian stops that are required to be documented in the manner specified in paragraphs 104 and 105; and 5) confidential informant control packages. The review of these documents shall entail, at a minimum, a review for completeness of the information contained and an authenticity review to include an examination for "canned" language, inconsistent information, lack of articulation of the legal basis for the applicable action or other indicia that the information is the document is not authentic or correct. The review shall also assess the information in the documents to determine whether the underlying action was appropriate, legal, and in conformance with LAPD procedures. To the extent possible from a review of such samples, the audit shall also evaluate the supervisory oversight of the applicable incident and any post-incident review."</p>	<p>Due Date: Per Audit Plan (see paragraph 124) Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Completion of audits consistent with Audit Plan; audits in progress in compliance with Audit Plan (see paragraph 124) Funding: see paragraph 124 Staffing: see paragraph 124 Space: see paragraph 124 Activities: On December 31, 2001, the Audit Division completed an audit of arrest, booking, and charging reports. The audit is currently being reviewed by the Inspector General. The results of the audit are summarized in paragraph 70.</p> <p>Search warrants and confidential informant file audits are scheduled for the third quarter of FY 01-02 (January-March).</p> <p>Pedestrian and Motor Vehicle Stops are scheduled to be audited in the third quarter of FY 01-02 (January-March). The LAPD is reviewing the appropriateness of the timing of this audit in light of the current data in-put backlog.</p>
129	<p>The LAPD shall conduct regular, periodic audits of random samples of (i) all Categorical Use of Force investigations; (ii) all Non-Categorical Use of Force investigations; and (iii) all Complaint Form 1.28 investigations. These audits shall assess:</p> <ul style="list-style-type: none"> a. the timeliness of completing the investigations, and satisfying the requirements of paragraphs 67, 69 and 87 where applicable; b. the completeness of the investigation file, including whether the file contains all appropriate evidence and documentation, or, if evidence is missing, as explanation of why the evidence is missing; c. a comparison of the officer, complainant, and witness statements with the investigator's summaries thereof where applicable; d. the adequacy of the investigation, including the application of the standards set forth in paragraphs 80-86; and e. the appropriateness of IAG's determinations under paragraph 79." 	<p>Due Date: Per Audit Plan (see paragraph 124) Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Completion of audits consistent with Audit Plan; audits in progress in compliance with Audit Plan (see paragraph 124) Funding: see paragraph 124 Staffing: see paragraph 124 Space: see paragraph 124 Activities: The LAPD completed an audit of non-categorical use office investigations on October 29, 2001, pursuant to paragraph 126. The Inspector General reported to the Police Commission regarding review of the audit on December 20, 2001. The Commission approved the audit on January 8, 2001. The results of the audit are summarized in paragraph 68.</p> <p>Categorical Use of Force investigations are scheduled to be audited in the third quarter of FY 01-02 (January-March). Due to the limited number of Categorical Use of Force investigations completed by the newly established CIID, the LAPD is considering performing a process audit for Categorical Use of Force investigations, rather than auditing actual investigations at this point in time.</p> <p>Complaint investigations area scheduled to be audited in the forth quarter of FY 01-02 (April - June).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
130	<p>The LAPD shall annually report to the Commission, with a copy to the Inspector General, the type of complaint allegations it receives and the disposition (including sustained rate) and discipline or lack of discipline resulting from each type of allegation. This report shall include both the allegations received and any collateral misconduct discovered during the investigation. This report shall list the above information for each type of allegation as well as summarize aggregate information by geographic division (department, bureau, area, and district), officer rank and type of assignment.”</p>	<p>Due Date: February 15, 2002 Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: In-progress Funding: see paragraph 124 Staffing: see paragraph 124 Space: see paragraph 124 Activities: The Quarterly Discipline Reports have been completed (see paragraph 88). The annual report will be based upon the quarterly reports.</p>
131	<p>The LAPD shall conduct regular periodic audits of the work product of all LAPD units covered by paragraph 106. These audits shall be conducted by OHB Detective Support Division. Each such audit shall include:</p> <ul style="list-style-type: none"> a. auditing a random sample of the work of the unit as a whole and further auditing the work of any individual officers whose work product the auditor has observed contains indicia of untruthfulness, other forms of misconduct, or otherwise merits further review; b. assessing compliance with the selection criteria set forth in paragraphs 106 and 107; c. an audit of the type set forth in paragraph 128; d. auditing the use of confidential informants by such units to assess compliance with paragraph 108; . e. auditing the roles and conduct of supervisors of these units; f. reviewing the incidents requiring supervisory review pursuant to paragraphs 62, 64, 68, 70 and 71, assessing the supervisor's response, and examining the relationships of particular officers working together or under particular supervisors in such incidents to determine whether additional investigation is needed to identify at-risk practices; and g. the audit shall draw conclusions regarding the adherence of the unit to the law, LAPD policies and procedures, and this Agreement, and shall recommend a course of action to correct any deficiencies found.” 	<p>Due Date: Per Audit Plan (see paragraph 124) Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Completion of audits consistent with Audit Plan; audits in progress in compliance with Audit Plan (see paragraph 124) Funding: FY 00-01: \$100,000 FY 01-02: \$271,869 Staffing: FY 00-01: 1 Lieutenant II; 1 Detective III; 2 Senior Clerk Typists FY 01-02: continued FY 00-01 staffing, plus: 2 Detective II; 2 Sergeant II Space: NA Activities: Eight additional staff were allocated to the Detective Support Division for auditing purposes. Five of those positions have been filled.</p> <p>Concurrent with the booking and arrest audit conducted in the second quarter of FY 01-02 (October-December) pursuant to paragraph 131 (see paragraphs 70 and 131), an audit of SEU booking and arrest report work product was undertaken. Results of that audit are pending, but are anticipated to be available in February.</p> <p>Search warrant applications for SEU's are scheduled to be audited in the third quarter of FY 01-02 (January-March), concurrent with the paragraph 128 search warrant audit.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
132	The LAPD shall require regular and periodic financial disclosures by all LAPD officers and other LAPD employees who routinely handle valuable contraband or cash. The LAPD shall periodically audit a random sample of such disclosures to ensure their accuracy. When necessary, the LAPD shall require the necessary waivers from such officers.”	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance/ Paragraphs 8 and 184 Functional Compliance Status: Paragraphs 8 and 184 Compliance Action: Paragraphs 8 and 184 Funding: see paragraph 124 Staffing: see paragraph 124 Space Needs: see paragraph 124 Activities: Paragraph 132 has been identified as a meet and confer item. The meet and confer process for this paragraph effects both sworn and civilian bargaining units.</p>
133	Within 18 months of the effective date of this Agreement, the Department shall audit police officer and supervisory officer training, using independent consultants who have substantial experience in the area of police training. The audit shall assess: ways in which LAPD training could be improved (i) to reduce incidents of excessive use of force, false arrests, and illegal searches and seizures and (ii) by making greater use of community-oriented-policing training models that take into account factors including paragraph 117(c).”	<p>Due Date: December 15, 2002 Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: In-Progress Funding: FY 01-02: \$150,000 Staffing: NA Space Needs: NA Activities: A Request for Proposal (RFP) for professional services to review LAPD training programs was released on December 18, 2001. The DOJ and Independent Monitor were queried for forms to provide the RFP to. A pre-bid conference was held on January 10, 2002. In response to termination of the RFP for automated pedestrian and traffic stop data collection (see paragraph 104) and the first RFP for review of policies/procedures for dealing with persons who may be mentally ill (see paragraph 111) due to proposer non-compliance with standard City requirements, staff from the Mayor's Office and the Board of Public Works Contract Administration group attended the pre-bid conference to present detailed information and documentation regarding standard City requirements. Proposals were due January 29, 2002. The City received two proposals.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
134	<p>Eighteen months after the effective date of this Agreement, the Department shall complete a review and audit of all uses of force resulting in skeletal fractures known to the LAPD. The audit shall review and evaluate: 1) the frequency of occurrence of skeletal fractures, by officers and groups of officers, and the types of force that produced the fractures; 2) medical care provided to persons who sustain such a fracture where the medical care is provided while the person is in the custody of the Department, or provided at another time and the Department knows of the fracture; 3) the quality, thoroughness, disposition, and timeliness of the chain of command investigation and review of uses of force resulting in fractures, pursuant to paragraph 68; and 4) frequency and outcome of complaints where the complainant allegedly received such a fracture. Such audit shall analyze the circumstances giving rise to the use of force and resulting fracture, and the Department's response to such injuries. The audit shall recommend potential reforms to Department policies and procedures with the goal of minimizing and promptly treating such fractures, including the feasibility and desirability of including uses of force resulting in fractures within the definition of a Categorical Use of Force, as appropriate."</p>	<p>Due Date: December 15, 2002 Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: Pending Funding: see paragraph 124 Staffing: see paragraph 124 Space Needs: see paragraph 124 Activities: It is anticipated that skeletal fracture use of force audit will be undertaken in FY 02-03</p>
135	<p>The Inspector General shall be provided with copies of all reports of specified audits prepared by the LAPD and audits prepared in compliance with paragraphs 111, 113, 125, 126, 133 and 134 within one week of the completion thereof and with copies of all sting audits as required by paragraph 127. The Inspector General shall evaluate all such audits to assess their quality, completeness and findings. Upon request from the Inspector General, the LAPD shall forward any other LAPD audit report requested to the Inspector General within one week of such request, and the Inspector General, at his or her discretion where he or she deems appropriate, or upon direction from the Commission, may evaluate these audits. The Inspector General shall deliver its evaluations in writing to the Police Commission."</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Review of LAPD audits Funding: FY 01-02: \$1 million Staffing: FY 00-01: 1 Special Investigator; 1 Assistant Inspector General; 1 Secretary; 1 Senior Management Analyst I; 1 Management Analyst II FY 01-02: Continuation of FY 00-01 staffing, plus; 2 Senior Management Analysts; 4 Management Analyst II; 2 Senior Clerk Typists; 1 Clerk Typist Space Needs: NA Activities: The Inspector General reviewed LAPD audits prepared in compliance with paragraphs 125, 126, 128, and 131 (see paragraphs 125, 126, 128, and 131). See paragraphs 68, 70, 71, 106, and 108 for a summary of the Inspector General audit reviews.</p>
136	<p>The Inspector General shall continue to review all Categorical Use of Force investigations. The Inspector General also shall conduct a regular, periodic audit and review of a stratified random sample of: (i) all Non-Categorical Uses of Force; and (ii) Complaint Form 1.28 investigations. Both of these types of reviews shall assess the quality, completeness, and findings of the investigations and shall include determinations of whether the investigations were completed</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to the Inspector General," approved by the Chief of Police February 9, 2001; Office of the Inspector General</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>in a timely manner, summarized and transcribed statements accurately match the recorded statements, all available evidence was collected and analyzed, and the investigation was properly adjudicated. The Inspector General shall promptly report its findings from these reviews in writing to the Police Commission."</p>	<p>Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001, approved by the Commission June 29, 2001 Funding: see paragraph 135 Staffing: see paragraph 135 Space Needs: see paragraph 135 Activities: It is the current policy and practice of the Commission that the Inspector General and the Commission review all Categorical Uses of Force consistent with requirements of paragraph 136 (see also paragraph 67 and 142).</p> <p>The Office of the Inspector General reviews every Complaint Form 1.28 investigation conducted by the LAPD, with the exception of failures to appear, failures to qualify, and preventable traffic collisions. In the event the Office of the Inspector General recommends additional investigation, reconsideration, or notes concerns a memo is submitted to IAG. A summary of the complaint investigation reviews is provided in the Office of the Inspector General's monthly activity report provided to the Commission, which are placed upon the Commission agenda for consideration.</p> <p>The Office of the Inspector General will audit a non-categorical uses of force in the third quarter of FY 01-02 (January-March). It is currently anticipated that complaints will be audited in the fourth quarter of FY 01-02.</p>
137	<p>The Inspector General, between 6-12 months following implementation of TEAMS II and on a regular basis thereafter, shall audit the quality and timeliness of the LAPD's use of TEAMS II to perform the tasks identified in the protocol described in paragraph 47 above."</p>	<p>Due Date: Post TREAMS II Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: Pending Funding: see paragraph 135 Staffing: see paragraph 135 Space: see paragraph 135 Activities: Protocols for use of TEAMS II are being developed (see paragraph 47).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
138	<p>The Inspector General shall periodically use TEAMS II to conduct audits of the LAPD and to review LAPD unit specific and officer specific audits conducted by the LAPD. Such audits and reviews shall include procedures that:</p> <p>a. examine and identify officers demonstrating at-risk behavior as determined by their history of (i) administrative investigations, (ii) misconduct complaints, (iii) discipline, (iv) uses of lethal and non-lethal force, (v) criminal or civil charges or lawsuits, (vi) searches and seizures, (vii) racial bias, (viii) improper arrests or (ix) any other matter requested by the Police Commission or, subject to Charter section 573, any other improper conduct or at-risk behavior the Inspector General has reason to believe exists;</p> <p>b. examine and identify at-risk practices or procedures as determined by trends within a unit or between and among units using, at a minimum, the criteria in subsection (a) above.”</p>	<p>Due Date: Post TREAMS II Primary Compliance Status: Pending Functional Compliance Status: Pending Compliance Action: Pending Funding: see paragraph 135 Staffing: see paragraph 135 Space: see paragraph 135 Activities: Protocols for use of TEAMS II are being developed (see paragraph 47).</p>
139	<p>The Inspector General may receive complaints from LAPD employees alleging retaliation for reporting possible misconduct or at-risk behavior. The Inspector General shall record and track the allegations in such complaints. If the Inspector General determines that such complains indicate possible retaliation in the Police Department's handling of complaints, the Inspector General shall conduct an investigation and forward its findings to the Police Commission. The Police Commission shall work with the Inspector General to develop and implement retaliation complaint investigation protocols that will protect, to the maximum extent permitted by law, the confidentiality of the identity of the person reporting retaliation to the Inspector General.</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to the Inspector General, approved by the Chief of Police February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001, approved by the Commission June 29, 2001 Funding: NA Staffing: NA Space: NA Activities: The Office of the Inspector General receives complaints and conducts investigations pursuant to the policies established by the Commission, which are consistent with the requirements of paragraph 139. The Office of the Inspector General Consent Decree Implementation Plan includes confidentiality procedures. A summary of the complaint received by the Inspector General is provided in the Office of the Inspector General's monthly activity report provided to the Commission, which are placed upon the Commission agenda for consideration. See also paragraph 136.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
140	<p>The Police Commission may identify subjects for audits and direct either the LAPD or the Inspector General to conduct such audits. The LAPD and Inspector General shall conduct such audits as directed by the Commission and shall report the audit results to the Commission within the time frames established by the Commission. Subject to Charter Section 573, the Inspector General shall continue to have the authority to initiate other audits."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to the Inspector General" approved by the Chief of Police February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001, approved by the Commission June 29, 2001 Funding: NA Staffing: NA Space: NA Activities: It is current practice of the Police Commission to identify audits to be completed by the Inspector General to keep the Commission informed as to his activities and audit results.</p>
141	<p>This Agreement sets forth obligations of the Commission, Inspector General and Chief of Police; however, it in no way constrains them from exercising their powers and satisfying their duties set forth in the Charter and other applicable law."</p>	<p>Due Date: NA No Mandate.</p>
142	<p>The Commission and Inspector General shall continue to review and evaluate all Categorical Uses of Force. The Commission shall determine whether the officer's conduct conforms with LAPD policies, procedures, and the requirements of this Agreement, and so inform the Chief of Police. The Commission shall annually issue a publicly available report detailing its findings regarding these incidents."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: March 6, 2001, Commission Motion regarding Categorical Use of Force; Human Resources Bureau (HRB) Notice entitled "Categorical Use of Force Classifications and Investigative Responsibility" approved and distributed July 30, 2001, Use of Force Section March 6, 2001 Commission Motion July 30, 2001, Use of Force Review Section process re-affirmed by the Police Commission July 17, 2001. Funding: see paragraph 135 Staffing: see paragraph 135 Space: see paragraph 135 Activities: The Use of Force Review Section process, which includes investigation time lines, was re-affirmed by the Police Commission July 17, 2001. The Police Commission continues to review Categorical Uses of Force. Work on the annual report regarding Categorical Uses of Force incidents is being initiated.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
143	<p>The Commission shall review the specified audit reports, the sting audit reports, and the audits required by paragraphs 111, 113, 125, 126, 133, and 134 to determine whether any changes or modifications in LAPD policies are necessary. In addition, the Police Commission shall consider the results of such audits in its annual evaluation of the Chief of Police. The Police Commission shall exercise its authority to review and approve all new LAPD policies and procedures or changes to existing LAPD policies and procedures that are made to address the requirements of this Agreement. Review and approval of procedures, or changes to existing procedures that are made to address the requirements of this Agreement, by the Chief of Police (or his or her designee) affecting only procedure (and not policy) may be obtained on a ratification basis by placement of such item on the Commission agenda within 14 days of the date of the action by the Chief or designee, and the Commission must approve, disapprove, or require modification of such item within 14 days of receipt. All new policies, or changes to existing policies, must be reviewed and approved by the Commission prior to implementation.”</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Partial Compliance Compliance Action: Review and approval of LAPD Policies and Procedures; review of LAPD Audits Funding: FY 00-01: \$25,000 FY 01-02: \$60,671 Staffing: FY 00-01: 1 Management Analyst FY 01-02: FY 00-01 staffing continued Space Needs: NA Activities: The City has continued to experience difficulty functionally complying with the provision of paragraph 143 which requires that procedures approved by the Chief of Police be placed on the Agenda within 14-days. However, the level of compliance has improved over the last quarter. Procedures approved by the Chief of Police and required for Consent Decree implementation have largely been adopted by the Police Commission. However, as documented in the “Compliance Action” section of paragraphs 95, 101, and 107 of this report the IAG investigation transition plan, the Department Criminal Filing Review Procedures for Employees Accused of Prima Fascia Misconduct, and Department Gang Coordinator Notice, “Interim Special Enforcement Unit Selection Procedures” are pending Police Commission consideration and exceed the 14-day period established by paragraph 143.</p> <p>The LAPD and the Police Commission have established a process to track procedures approve by the Chief of Police related to Consent Decree implementation to ensure timely consideration by the Police Commission. The City continues to refine these procedures.</p> <p>The Commission has acted to approve policy changes, consistent with the provisions of paragraph 143.</p> <p>The Police Commission has reviewed/considered the audits completed pursuant to paragraphs 125, 126, 128, and 131 and the Inspector General's review of those audits (see 124, 125, 126, 128, 131, and 135).</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
144	Under the Charter, the Commission is required to conduct an annual review of the Chief of Police. Such a review is intended to be an overall assessment of the Police Chief's performance as the chief administrative officer of the LAPD, including as it relates to satisfaction of universal performance goals applicable to chief administrative officers, budgeting goals and other goals determined by the Commission. In conducting such review, the Commission shall also consider the Police Chief's responses to use of force incidents and complaints of officer misconduct, assessment and imposition of discipline and those matters described in paragraphs 67, 88, 89, 106, 124, 127, and 143."	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Revision of Chief of Police Evaluation Form, October 9, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: The Commission, at its October 9, 2001 meeting, acted to modify the Chief of Police evaluation form to include consideration of the implementation of the Consent Decree and the Chief's responses to use of force incidents and complaints of officer misconduct, assessment and imposition of discipline and those matters described in paragraphs 67, 88, 89, 106, 124, 127, and 143. Procedures to track Police Commission assessments of Chief of Police actions required by the Consent Decree have been implemented. The Chief of Police annual evaluation is scheduled to occur prior to July 2002.</p>
145	The Commission shall investigate all misconduct complaints against the Chief of Police and may use its staff, the Inspector General, or authorized contractors to conduct such investigations."	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 571; Special Order 17, "Complaint Investigation Procedures-Revised," approved by the Chief Of Police July 17, 2001, distributed July 23, 2001, approved by the Commission September 18, 2001; Funding: NA Staffing: NA Space Needs: NA Activities: It is the current practice of the Commission to investigate misconduct complaints lodged against the Chief of Police. See also paragraph 96.</p>
146	The Commission shall continue to review and approve the LAPD's budget requests."	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Commission approval of LAPD budget requests. Funding: NA Staffing: NA Space Needs: NA Activities: The Police Commission approved the staffing and budget requests for the "new" LAPD Management System Re-Engineering Program on December 11, 2001 and re-affirmed its action on January 8, 2002. It is anticipated that the Police Commission will consider additional budget requests for the program in February (see also paragraph 39)</p> <p>The Police Commission approved the FY 02-03 LAPD budget request on December 11, 2001. The Commission is anticipated to consider a supplemental FY 02-03 LAPD budget request for Consent Decree related activities in early February 2002.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
147	<p>The Inspector General shall be notified in a timely manner of all Categorical Uses of Force and be entitled to be present, at his or her discretion, as an observer on all Categorical Use of Force "roll outs". The Inspector General shall report to the Commission in the event that the Inspector General's observations at the scene of an incident raise issues regarding conformance with LAPD policies, procedures, and the requirements of this Agreement."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Department Command Post Procedures; ; Special Order 39, Critical Incident Investigation Division – Established," approved by Chief of Police December 7, 2001, published December 7, 2001, approved by the Commission December 11, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: The Department Command Post is responsible for notifying appropriate entities regarding Categorical Use of Force incidents. The Inspector General has been notified of such incidents as required (see also paragraph 56). The Inspector General rolled-out to three Categorical Use of Force incidents between October 1, 2001 to January 28, 2002.</p>
148	<p>The Inspector General may attend any Use Of Force Review Board meeting. The Inspector General may interview any participant in such hearing after the conclusion of the hearing."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "policies and Authority Relative to Inspector General," approved by the Police Commission February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001; approved by the Police Commission June 29, 2001. Funding: NA Staffing: NA Space: NA Activities: The policies established by the Commission provide access to the Inspector General consistent with the provisions of paragraph 148.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
149	<p>The LAPD shall promptly provide the Inspector General with any documents or other information requested by the Inspector General related to the Inspector General's responsibilities under this Agreement. The Inspector General shall develop and provide the LAPD with a list of reports, complete with time-frames and frequency of their production, that the LAPD shall provide to the Inspector General on a specified schedule in order for the Inspector General to fulfill his or her responsibilities under this Agreement, which list may be updated from time to time by the Inspector General."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to Inspector General," approved by the Police Commission February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001; approved by the Police Commission June 29, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: The policies established by the Commission provide access to the Inspector General consistent with the provisions of paragraph 149. The Inspector General has provided LAPD with a list of requested audits that should be forwarded to the Inspector General upon completion by LAPD. LAPD has forwarded audit as requested by the Inspector General and as required by paragraph 149.</p>
150	<p>The Inspector General shall accept complaints from LAPD officers regarding matters which the Inspector General has authority to investigate, and the Inspector General shall not disclose the identity of an individual without the consent of the employee from whom a complaint or information has been received, unless such disclosure is unavoidable in order to effectively investigate an allegation or is otherwise required by law or the Los Angeles Office of the City Attorney; provided, however, that the Inspector General shall disclose the identity of such individual to the Police Commission, upon request."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to Inspector General," approved by the Police Commission February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001; approved by the Police Commission June 29, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: The Office of the Inspector General receives complaints and conducts investigations pursuant to the policies established by the Police Commission, which are consistent with the requirements of paragraph 150. See also paragraph 139.</p>
151	<p>Paragraphs 139 and 150 do not relieve officers of their obligations described in paragraphs 65, 77, 78 and 82."</p>	<p>Due Date: NA No Mandate</p>
152	<p>The LAPD shall continue to provide the Inspector General with all complaint intake information, including the assignment for investigation, within one week after its receipt by IAG. The Inspector General shall review such information to ensure that complaints are being received in a manner that complies with LAPD policies and procedures, and the terms of this Agreement."</p>	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to Inspector</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>General," approved by the Police Commission February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001; approved by the Police Commission June 29, 2001; Special Order 17, "Complaint Investigation Procedures – Established," approved by the Chief of Police July 17, 2001, published July 23, 2001, approved by the Police Commission September 18, 2001.</p> <p>Funding: NA Staffing: NA Space Needs: NA Activities: The procedure of LAPD providing the Inspector General with all complaint information and the Inspector General reviewing such information is current practice (City Charter Section 573).</p> <p>The City is in compliance with the 7-day time frame for IAG to provide complaints to the Inspector General. In October LAPD complied with the 7-day time frame 93% of the time, in November 100% of the time, and in December 93% of the time. Over the Thanksgiving and Christmas holidays delays due to City mail not being delivered resulted in some complaints not being delivered within the 7-day time frame.</p> <p>Paragraph 79 further requires that Commanding Officers forward complaints to IAG within 10 days of initiating a complaint (see paragraph 79).</p>
153	The Inspector General shall keep the Commission informed of the status of all pending investigations and audits to be performed by the Inspector General hereunder.	<p>Due Date: October 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: City Charter Section 573; Los Angeles Board of Police Commissioners Policies and Authority Relative to the Inspector General, approved by the Commission November 21, 2000; Special Order No. 5, "Policies and Authority Relative to Inspector General," approved by the Police Commission February 9, 2001; Office of the Inspector General Consent Decree Implementation Plan, approved by the Inspector General June 20, 2001; approved by the Police Commission June 29, 2001 Funding: NA Staffing: NA Space Needs: NA Activities: The policies established by the Police Commission regarding Inspector General communication and reporting responsibilities to the Commission are current practice and are adhered to by the Inspector General.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
154	Reviews, audits and reports required hereunder to be made by the Commission, the Inspector General or the Department may contain recommendations to correct deficiencies. The identification of deficiencies in such reviews, audits or reports shall not be a breach of this Agreement, rather the City, including the Department, shall take appropriate, timely and reasonable steps to remedy such deficiencies."	<p>Due Date: NA</p> <p>No Mandate</p>
155	<p>For the term of this Agreement, the Department shall conduct a Community outreach and Public Information program for each LAPD geographic area. The program shall require the following:</p> <p>a. at least one open meeting per quarter in each of the 18 geographic Areas for the first year of the Agreement, and one meeting in each Area annually thereafter, to inform the public about the provisions of this Agreement, and the various methods of filing a complaint against an officer. At least one week before such meetings the City shall publish notice of the meeting (i) in public areas; (ii) in at least one newspaper covering the City of Los Angeles; (iii) in one or more local community newspaper(s) that services the Area, taking into account the diversity in language and ethnicity of the area's residents; (iv) on the City and LAPD website; and (v) in the primary languages spoken by the communities located in such area.</p> <p>b. the open public meetings described above shall include presentations and information on the LAPD and LAPD operations, which presentations and information are designed to enhance interaction between officers and community members in daily policing activities."</p>	<p>Due Date: September 30, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Administrative Order 8, "Consent Decree Required Community Meetings," approved by the Chief of Police July 25, 2001, published July 30, 2001, approved by the Police Commission August 23, 2001; 18 geographic meetings noticed and held Funding: FY 01-02: \$144,000 public notices/printing Staffing: NA Space: NA Activities: Public meetings to inform the public about the provisions of the Consent Decree and the various methods of filing a complaint against an officer were held in all 18 geographic areas in the second quarter of FY 01-02. Meetings were noticed consistent with the requirements of paragraph 155. In addition, meeting times and locations were posted on the LAPD web site. LAPD coordinated with the various City Council Offices providing an opportunity for additional outreach efforts. Attendance at the second quarter meetings ranged from 10-200.</p> <p>The meetings for the next quarter have been scheduled and initiated.</p> <p>The City is investigating additional outreach opportunities regarding the quarterly meetings via forming neighborhood councils.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
156	<p>The LAPD shall prepare and publish on its website semiannual public reports required by this paragraph. Such reports shall include aggregate statistics broken down by each LAPD geographic area and for the Operations Headquarters Bureau, and broken down by the race/ethnicity/national origin of the citizens involved, for arrests, information required to be maintained pursuant to paragraphs 104 and 105, and uses of force. Such reports shall include a brief description of each of the following that was completed during that period: (i) report of a specified audit completed, audits completed pursuant to paragraphs 111, 113, 125, 126, 130, 133 and 134, and any significant actions taken as a result of such audits or reports, (ii) a summary of all discipline imposed during the period reported by type of misconduct, broken down by type of discipline, bureau and rank, and (iii) any new policies or changes in policies made by the Department to address the requirements of this Agreement. Such reports shall also include the reports prepared pursuant to paragraphs 173 and 175."</p>	<p>Due Date: January 1, 2002 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Web Site Posting Funding: NA Staffing: NA Space: NA Activities: On October 2, 2001, the LAPD posted on its web site aggregate statistics broken down by each LAPD geographic area and for the Operations Headquarters Bureau, and broken down by the race/ethnicity/national origin of the citizens involved, for arrests and uses of force from January through June 30, 2001. Summaries of: (1) paragraph 125 audits; (2) discipline imposed during the period reported by type of misconduct, broken down by type of discipline, bureau and rank, and (3) new policies or changes in policies made by the Department to address the requirements of the Consent Decree through September 1, 2001. This information is scheduled for updated, consistent with the requirements of paragraph 156, by March 1, 2002, and will include aggregate statistics from July 1 through December 31, 2001. Depending upon the availability of electronic pedestrian and traffic stop data by March 1, 2002, a supplemental posting of that data at a later date may be required.</p>
157	<p>The LAPD shall continue to utilize community advisory groups in each geographic Area and to meet quarterly with the community they serve. The Department shall establish a media advisory working group to facilitate information dissemination to the predominant ethnicities and cultures in Los Angeles."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Meetings held; Administrative Order 8, "Consent Decree Required Community Meetings," approved by the Chief of Police July 25, 2001, published July 30, 2001, approved by the Police Commission August 23, 2001 Funding: NA Staffing: NA Space: NA Activities: The LAPD continues to utilize Community Police Advisory Boards in each geographic area and meets with these groups monthly. A summit meeting with all Community Police Advisory Boards is held annually and is currently scheduled for March 2002.</p> <p>Administrative Order 8, published July 30, 2001, established the media advisory group. Representatives from each City Council District and print and electronic media are invited to the meetings. The first meeting of the media advisory group was held on October 15, 2001. Meetings are scheduled quarterly, occurring prior to the next quarterly meeting outreach efforts.</p> <p>The group met on November 16, 2001, and participated in the shaping of the content of the FY 01-02 third quarterly meetings held pursuant to paragraph 155 and assisted in the design of outreach material. The group recommended that the meetings begin to highlight subjects</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
		<p>of interest in an effort to generate greater participation, as the Consent Decree requirements in total can be overwhelming. The third quarter meetings will highlight pedestrian and traffic stop data collection.</p> <p>A Media Advisory Group meeting will be scheduled in February to assist in development of fourth quarter outreach efforts.</p>
158	<p>By March 1, 2001, the City and the DOJ shall together select as Independent Monitor, acceptable to both, who shall monitor and report on the City's implementation of this Agreement. The selection of the Monitor shall be pursuant to a method jointly established by the DOJ and the City. If the DOJ and City are unable to agree on a Monitor or an alternative method of selection, the DOJ and the City each shall submit two names of persons to the Court who shall have the following attributes: (i) a reputation for integrity, evenhandedness, and independence; (ii) experience as a law enforcement officer, expertise in law enforcement practices, or experience as a law enforcement practices monitor, (iii) as absence of bias, including any appearance of bias, for or against the DOJ, the City, the Department, or their officers or employees; and (iv) no personal involvement, in the last eight years, whether paid or unpaid, with a claim or lawsuit against the City or the Department or any of their officers, agents or employees, unless waived by the parties. The DOJ and the City shall also submit to the Court the resumes, cost proposals, and other relevant information for such persons demonstrating the above qualifications, and the Court shall appoint the Monitor from among the names of qualified persons so submitted; provided, however, that if the Court so selects the Monitor, then the maximum sum to be paid the Monitor, including any additional persons he or she may associate pursuant to paragraph 159 (excluding reasonable costs or fees associated with non-compliance or breach of the Agreement by the City or the Department), shall not exceed \$10 million, plus out-of-pocket costs for travel and incidentals, for the first five years after the effective date of this Agreement."</p>	<p>Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Contract with Kroll Associates, Inc. Funding: FY 00-01: \$817,300 Staffing: FY 01-02: \$2.25 million Space: NA Activities: The Court concurred with the City's and DOJ's selection of Michael Cherkasky as Independent Monitor on June 15, 2001. The City executed a contract with Kroll Associates, Inc. on June 26, 2001, for a not to exceed amount of \$11,010,000 for a five-year period. The contract was amended on September 5, 2001, to allocate funding for FY 01-02.</p> <p>The City has timely paid all Kroll invoices.</p>
159	<p>The Monitor, at any time, may associate such additional persons or entities are art reasonably necessary to perform the monitoring tasks specified by this Agreement. Any additional persons or entities associated by the Monitor shall possess the following attributes: a reputation for integrity, evenhandedness, and independence; absence of bias, including any appearance of bias for or against the DOJ, the City, the Department or the officers or employees; and no personal</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Review of additional Kroll staff Funding: NA Staffing: NA Space: NA</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>involvement in the last five years, whether paid or unpaid, with a claim or lawsuit against the City or the Department or any of their officers, agents or employees unless waived by the parties, which waiver shall not be unreasonably withheld. The Monitor shall notify in writing the DOJ and the City if and when such additional persons or entities are selected for association by the Monitor. The notice shall identify the person or entity to be associated and the monitoring task to be performed, and if a waiver is being requested, the notice shall indicate if the person had any such involvement in the last five years, whether paid or unpaid, with a claim or lawsuit against the City or the Department or any of their officers, agents, or employees. Either the DOJ or the City may notify in writing the Monitor within 10 days (excluding weekends, and federal or state holidays) of any objection either may have to the selection. If the parties and the Monitor are unable to resolve any such objection, and the Monitor believes that the specific person or entity in question is needed to assist the Monitor and such person or entity satisfies the qualifications and requirements in this paragraph, the Monitor may seek Court authorization to hire such person. For purposes of all paragraphs of this Agreement other than the preceding paragraph, the term Monitor shall include any and all persons or entities that the Monitor associates to perform monitoring tasks and such persons shall be subject to the same provisions applicable to the Monitor under this Agreement.”</p>	<p>Activities: Kroll has added several staff. The City reviews the additional staff proposed by Kroll as information is received.</p>
160	<p>The City shall bear all reasonable fees and costs of the Monitor. The Court retains the authority to resolve any dispute that may arise regarding the reasonableness of fees and costs charged by the Monitor. In selecting the Monitor, DOJ and the City recognize the importance of ensuring that the fees and costs borne by the City are reasonable, and accordingly fees and costs shall be one factor considered in selecting the Monitor. In the event that any dispute arises regarding the payment of the Monitor's fees and costs, the City, DOJ and the Monitor shall attempt to resolve such dispute cooperatively prior to seeking the Court's assistance.”</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Payment of Independent Monitor Invoices. Funding: see paragraph 158 Staffing: NA Space: NA Activities: The City has paid all Kroll invoices in a timely manner.</p>
161-172	<p>The Monitor shall be an agent of the Court and shall be subject to the supervision and orders of this Court, consistent with this Agreement. The Monitor shall only have the duties, responsibilities and authority conferred by this Agreement. The Monitor shall not, and is not intended to, replace or take over the role and duties of the Mayor, City Council, Commission, Chief of Police or the Inspector General. In order to monitor and report on the City's and the Department's</p>	<p>Due Date: July 1, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Cooperation with the Independent Monitor Funding: NA Staffing: NA Space: NA</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>implementation of each substantive provision of this Agreement, the Monitor shall conduct the reviews specified in paragraph 162 and such additional reviews as the Monitor deems appropriate. At the request of the DOJ or the City, based on the Monitor's reviews, the Monitor may make recommendations to the parties regarding measures necessary to ensure full and timely implementation of this Agreement."</p> <p>162-171: Independent Monitor access provisions</p>	<p>Activities: As of January 16, 2002, the City has received a total of 49 Kroll Requests. The City has responded by providing approximately 340 documents totaling approximately 8,900 pages. In some instances the "items" in Kroll Requests are documents readily available, while in other instances "items" requested are comprehensive in nature and require substantial research by LAPD. In other instances the "items" included in Kroll Requests involve requests for unique information rather than documents. The time to respond to such information requests is greater and in some instances has required substantial LAPD staff resources. The average City response time to Kroll requests has been approximately 16 working days. The longest period for the City to respond to a Kroll information/document request has been 39 working days. However, some items are still pending.</p> <p>In response to the concerns regarding City processing of Kroll Requests expressed to City by Kroll in early January, the City has revised its procedures for reviewing, responding, and tracking Kroll Requests. Although responding to Kroll Requests in total is more resource efficient from the LAPD's perspective, LAPD has modified its Kroll Request tracking system to better accommodate "piece meal" responses to Kroll Requests. In addition, LAPD has implemented a weekly "tickler" to ensure that documents that have been requested by Kroll, but were not available at the time of the request, are forwarded to Kroll upon their completion. Finally, the Consent Decree Workgroup will review pending Kroll Requests and progress made in responding to such requests at its weekly meetings.</p> <p>In some instances, concerns regarding protection of sensitive information has arisen as Kroll Requests and/or LAPD responses are being processed. To facilitate early resolution of such issues and concerns, Kroll has been requested to copy the City Attorney's Office on future Kroll Requests. In addition, Kroll has been requested to assist the City in tracking outstanding and duplicate requests and to facilitate coordination between LAPD and Kroll staff to ensure timely resolution of issues if and when they arise.</p> <p>The Monitor has raised an issue of access to City meetings. The City has notified the Monitor that it has issues regarding such access. The City and the Independent Monitor are cooperatively working to discuss their concerns and resolve this issue in a mutually acceptable manner.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
175	Between 90 and 120 days following entry of this Agreement and no later than every August 1 st and February 1 st thereafter until this Agreement is terminated, the City shall file with the Court, with a copy to the Monitor and to DOJ, a status report delineating the steps taken by the City and the Department during the reporting period to comply with each provision of this Agreement. The City shall also file such a report documenting the steps taken to comply with each provision of this Agreement during the term of this Agreement 120 days before five years from the effective date of this Agreement."	Due Date: October 15, 2001; Semi-annually thereafter Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Submittal of Status Report to the Court. Funding: NA Staffing: NA Space: NA Activities: This status report is the second status report on implementation of the Consent Decree submitted to the Court, consistent with the requirements of paragraph 175.
176	During the term of this Agreement, the City and the Department shall maintain all records necessary to document its compliance with the terms of this Agreement and all documents expressly required by this Agreement. The Department shall maintain all Complaint Form 1.28 investigation files for at least ten years from the date of the incident. The City and the Department shall maintain an officer's training records during the officer's employment with the LAPD and for three years thereafter (unless required to be maintained for a longer period of applicable law)."	Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Record retention Funding: NA Staffing: NA Space: NA Activities The City is maintaining records as appropriate.
177	Within a reasonable time following notice to the City or the Department, as applicable the DOJ shall have access to all City staff, facilities and documents reasonably necessary to enable the DOJ to evaluate compliance with the Agreement, except that, absent Court order, access to any such staff, facilities and documents shall be limited to the same extent the Monitor's access is limited under paragraphs 163, 165, 166, 167, 168, 169, 170, and 171 and as to any such documents protected by the attorney-client privilege shall be consistent with the requirements of those paragraphs. DOJ shall retain any Sensitive Data and non-public information in a confidential manner and shall not disclose any Sensitive Data or non-public information to any person or entity, other than the Court or the Monitor, absent written notice to the City and either written consent by the City or a court order authorizing disclosure. In the event that DOJ intends to introduce Sensitive Data or non-public information to the Court, DOJ shall provide reasonable notice to the City.	Due Date: June 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: Cooperation with DOJ. Funding: NA Staffing: NA Space: NA Activities The City has responded to DOJ requests for documents in a timely fashion.

Para. #	CONSENT DECREE PARAGRAPH	STATUS
184	<p>The following shall be the implementation of paragraph 8:</p> <p>a. As part of any meet and confer or consulting process demanded by an employee bargaining unit (as described in paragraph 8), the City shall discuss and seek to resolve with such bargaining unit any disputes or uncertainties regarding which provisions are subject to such process. The City will identify and provide to such bargaining unit, with a copy to the DOJ, the provisions of this Agreement that it believes are subject to the process being demanded. The City shall report to the Court and the DOJ on the results of any such discussion on this question within 30 days of the date the Complaint in this action is filed. In the event that the City and such bargaining unit are unable to resolve the list of the provisions of the Agreement that are subject to that process, the City shall seek declaratory relief from this Court to resolve such issue, provided that such bargaining unit shall receive notice and an opportunity to be heard by the Court on this issue.</p> <p>b. Following the resolution of say dispute or uncertainty regarding the issues subject to a demanded process, the City shall continue with that process and shall report to the Court and DOJ on the progress every 30 days, and (i) shall attach proposed agreements with the applicable bargaining wait relating to provisions of this Agreement as they are resolved or unilateral actions (as defined by subpart (f) of this paragraph) by the City arising from the meet and confer process as they are determined and (ii) shall identify provisions identified pursuant to subpart (a) of this paragraph that are scheduled for implementation within 45 days. With regard to a matter that is not a subject of mandatory bargaining, the City shall not propose or enter into any such agreement with a bargaining unit that will adversely affect the City's timely implementation of this Agreement. With regard to all such agreements with a bargaining unit and all such unilateral actions, the City shall not make them effective before the expiration of 45 days after such proposed agreement or unilateral action is reported to the Court and DOJ. The time for implementation of any provisions of this Agreement affected by such agreement with a bargaining unit concerning a mandatory subject of bargaining or such unilateral action shall be extended for such 45-day period. Upon receipt by DOJ of any such proposed agreement or unilateral action, the parties shall consult to determine whether, and if so to what extent, such proposed agreement or unilateral action would adversely affect the City's ability timely to implement any provision(s) of this Agreement. If the parties determine that implementation of such proposed agreement or unilateral action would not significantly impact the City's ability to implement the affected provision(s) of this Agreement, DOJ shall waive some or all of such 45-day period, and the City shall initiate such implementation. If such determination is not made, the parties shall discuss appropriate clarifications or modifications to this Agreement. Where the parties believe that a modification of this Agreement is appropriate, they shall present such modification to the Court for</p>	<p>Due Date: July 15, 2001 Primary Compliance Status: Compliance Functional Compliance Status: Compliance Compliance Action: In-Progress Funding: FY 00-01: \$17, 735 FY 01-02: \$24,892 Staffing: FY 00-01: 2 Sergeant II FY 01-02: continuation of FY 00-01 staffing, plus: 2 Sergeant II Space: NA Activities: Consistent with the requirements of paragraph 184 (a), on July 13, 2001, the City provided the appropriate bargaining units, with a copy to DOJ, a list of the provisions of the Consent Decree that are subject to the meet and confer process. Subsequently meetings between the City and the bargaining units were held. The City has reported to the Court on a monthly basis regarding the meet and confer process.</p> <p>The pendency of the meet and confer process has impaired the City's ability to timely implement of all or portions of paragraphs 51, 62, 70(c), 77, 98, 106(b), (c), and (d), 107(a) and (c), 108(i), 114, 116, and 132.</p> <p>Despite these delays, however, and consistent with its legal obligation to meet and confer in good faith, the City has prepared certain orders and forms to assist with the meet and confer process and to expedite implementation of some of the provisions identified above should they turn out to be the result of the meet and confer process. Such orders or forms naturally would be subject to modification should the meet and confer process lead to different resolutions. Information regarding such preliminary implementation activities is presented in the "activities" discussion for each specific paragraph.</p> <p>The City will consult the DOJ in regard to: 1) impairment of the City's ability to timely implement of all or portions of Consent Decree paragraphs; 2) any additional meet and confer items that may be identified by the City, and; 3) the position the City will take in regard to provisions identified by the Los Angeles Police Protective League as subject to the meet and confer process.</p>

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>its consideration pursuant to paragraph 180, and the implementation date for the affected provision(s) of this Agreement shall be extended while the matter is before the Court unless the Court orders earlier implementation. Any motion concerning a proposed bargaining agreement or unilateral action shall be brought during the 45-day period and shall not be governed by the notice requirements of paragraph 186.</p> <p>c. In the event that the City believes the meet and confer process, consultation, or any such proposed agreements with the applicable bargaining units or such proposed unilateral actions resulting from the meet and confer process, will impair the City's ability timely to implement one or more provisions of this Agreement, and the DOJ and the City are unable to agree on an appropriate resolution, then the City shall so report to the Court and shall seek appropriate declaratory or injunctive relief (including specific performance) on such provision(s). The DOJ also may seek relief from the Court in the event that DOJ believes the meet and confer process, consultation, or any such proposed agreements with the applicable bargaining units or such proposed unilateral actions will impair the City's ability timely to implement one or more provisions of this Agreement, and the DOJ and the City are unable to agree on an appropriate resolution. Any such motion shall demonstrate how the City would be so impaired.</p> <p>d. In ruling on a motion under this paragraph, paragraph 8, or in regard to any meet and confer issue identified pursuant to subpart (a) of this paragraph, the Court shall consider, inter alia, whether the City's proposed agreements with the applicable bargaining units or proposed unilateral actions that address provision(s) of this Agreement are consistent with the objectives underlying such provision(s) and whether the City has satisfied its labor relations obligations under state and local law. On any such motion, if the City has engaged in good faith efforts (including consideration of the manner in which the City carried out any applicable meet and confer or consulting obligations) to be able to implement this Agreement in a timely manner, the City (i) shall not be in contempt or liable for any other penalties, and (ii) may be potentially held in breach for such provision(s) only for the limited purpose of the issuance of declaratory or injunctive remedies (including specific performance), but may not be regarded as in breach for any other purpose.</p> <p>e. In the event that DOJ believes the meet and confer process, consultation, or any such proposed agreements with the applicable bargaining units or unilateral actions resulting from the meet and confer process, will impair the City's ability to implement one or more material provision of this Agreement, the DOJ may alternatively file a motion seeking to dissolve this Agreement, which motion shall be granted if the Court finds that the meet and confer process, consultation, or such proposed bargaining agreements with the applicable bargaining units or such proposed unilateral actions will preclude meaningful implementation of one or more material</p>	

Para. #	CONSENT DECREE PARAGRAPH	STATUS
	<p>provisions of this Agreement as contemplated on the date the DOJ's Complaint was filed. Should the Court grant a motion by the DOJ to dissolve this Agreement, the DOJ may commence litigation in this case to seek relief based on its Complaint.</p> <p>f. The term "unilateral action" shall mean an action taken by the City as management at the conclusion of the meet and confer process on a mandatory subject of bargaining to implement its last, best, and final offer where (i) agreement could not be reached in the negotiations, (ii) any required impasse resolution procedure has been followed, and (iii) management has decided to make a unilateral implementation at the point of ultimate impasse."</p>	