

LOS ANGELES POLICE COMMISSION



BOARD OF
POLICE COMMISSIONERS

RICK J. CARUSO
PRESIDENT

ROSE OCHI
VICE PRESIDENT

HERBERT F. BOECKMANN II
DAVID S. CUNNINGHAM III
SILVIA SAUCEDO

JAMES K. HAHN
MAYOR

JEFFREY C. EGLASH
INSPECTOR GENERAL

FIGUEROA PLAZA
201 N. FIGUEROA STREET
SUITE 610
LOS ANGELES, CA 90012

(213) 202-5866 PHONE
(213) 482-1247 FAX

April 25, 2002

Honorable Board of Police Commissioners
Los Angeles Police Department
150 North Los Angeles Street
Los Angeles, California 90012

Dear President and Members of the Police Commission:

I am pleased to submit this annual report from the Office of the Inspector General ("OIG"). This report flows from one of the original recommendations of the Report of the Independent Commission on the Los Angeles Police Department (the "Christopher Commission") which, in proposing the creation of the Office of the Inspector General to assist the Police Commission in its oversight of the Department's disciplinary system, also recommended that the OIG produce an annual audit report. This is the first such report submitted by the OIG.

This report is the culmination of a year-long effort by the OIG to fulfill this obligation. As you will see, the report contains useful information not just on the discipline system, but on a range of other issues with which the OIG is concerned. The fact that this report covers much more than the discipline system reflects how the duties and responsibilities of the OIG have changed since the Christopher Commission issued its report.

The OIG is proud of the role we play in enhancing and strengthening civilian oversight of the LAPD, and serving as the "eyes and ears" of the Police Commission. We are committed, as are you, to establishing the Commission as the head of the LAPD in the truest sense, and we believe that the "watchdog" role that we play is vital to that goal. Our mission is to provide the Commission, and in a larger sense the community, with independent, objective investigation, review, and analysis of critical matters pertaining to discipline, use of force, retaliation, and implementation of the Consent Decree.

To fulfill that mission, our goal is to forge a constructive and harmonious working relationship with the Department, maintaining our independence, and characterized by acceptance and cooperation from the Department. With your continued support, we know that goal is in reach.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

JEFFREY C. EGLASH
Inspector General
Police Commission



**LOS ANGELES POLICE COMMISSION
OFFICE OF THE INSPECTOR GENERAL**



2001 ANNUAL REPORT

April 2002

TABLE OF CONTENTS

FOREWARD	1
OFFICE OF THE INSPECTOR GENERAL	3
BACKGROUND.....	3
EVOLUTION OF THE ROLE OF THE INSPECTOR GENERAL	3
THE RAMPART INDEPENDENT REVIEW PANEL.....	6
SPECIFIC DUTIES AND RESPONSIBILITIES OF THE OIG	8
<i>Monitoring and Reviewing Investigations of Complaints of Police Misconduct</i>	8
<i>Audits, Projects, and Investigations</i>	9
<i>Officer-Involved Shooting/Use of Force Reviews</i>	9
<i>Consent Decree Responsibilities</i>	11
<i>Pitchess Motions</i>	11
<i>Community Outreach and Education</i>	12
STAFFING.....	12
REVIEW OF DEPARTMENT POLICIES AND PROCEDURES.....	13
STATISTICAL OVERVIEW OF THE COMPLAINT SYSTEM	15
COMPLAINTS RECEIVED	15
CLOSED COMPLAINTS	16
TYPES OF ALLEGATIONS	17
<i>Complaints Received</i>	21
<i>Closed Complaints</i>	24
BUREAU COMPARISONS	30
<i>Complaints Received</i>	30
COMPLAINT DISPOSITIONS	36
<i>Bureau Comparisons</i>	39
<i>Claims of Disparity of Treatment Between Ranks</i>	44
<i>Externally-Generated v. Department-Initiated Complaints</i>	45
<i>Comparisons with Other Jurisdictions</i>	50
PENALTIES	52
BOARDS OF RIGHTS	55
THE CONSENT DECREE	57
RECENT OIG RECOMMENDATIONS REGARDING THE CONSENT DECREE.....	57
CONCLUSIONS	58
DATA AND INFORMATION SYSTEMS	58
COMPLAINT TRACKING	59
AREAS FOR FURTHER STUDY	59
RECOMMENDATIONS	61

LIST OF FIGURES

Figure 1 - Total Complaints Received 1997 - 2001	16
Figure 2 - Allegations of Misconduct Made in Incoming Complaints	22
Figure 3 - Most Frequently Alleged Misconduct for Closed Complaints	27, 26
Figure 4 - Most Frequent Types of Allegations Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collision	30, 29
Figure 5 - Complaints Received by Bureaus 1998 - 2001.....	31
Figure 6 - Comparison of Complaints Received and Other Indicators	34-35
Figure 7 - Dispositions based on Total Allegations.....	37
Figure 8 - Disposition of Complaints excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collisions	41,39
Figure 9 - Bureau Comparison of Sustained Rates for Externally Generated Complaints	43, 41
Figure 10 - Comparison Among Sworn Ranks -- Complaints Found Sustained/Guilty	45,43
Figure 11 - Dispositions – Department-Initiated and Externally Generated Complaints	49, 47
Figure 12 - Dispositions (based on Total Allegations excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collision.....	52, 53
Figure 13 - Comparison with Other Jurisdictions - Sustained Rates External Complaints	55
Figure 14 - Comparison with Other Jurisdictions -- Sustained Rates for Internal and External Complaints Combined	56
Figure 15 - Penalties Assessed Against Sworn Personnel	58
Figure 16 - Boards of Rights – Penalties Assessed	60, 61

FOREWARD

The discipline system is an integral part of the LAPD. It is the primary means by which the Department enforces not only its written rules and guidelines, but also its values, mores, and culture. But a police discipline system is not an end in and of itself. Rather, it is one way to help achieve a number of goals, such as honesty, integrity, respect for the community, and compliance with the law. The LAPD's discipline system is properly concerned with the question of whether a police officer has committed misconduct, and whether and to what extent discipline is warranted. This Annual Report goes into great detail analyzing these issues. But to be truly effective in improving the Department, a discipline system needs to serve other goals. It needs to prompt the Department to reflect on its own practices and procedures. It needs to vindicate the interests of community members who feel aggrieved by providing them with an open, fair, impartial, and efficient avenue for redress.

The OIG's overall assessment of the discipline system is that it is, by and large, successful in receiving, investigating, and adjudicating complaints of misconduct. To be sure, there are problems. The length of time it takes to resolve most complaints is unacceptable. The Department is aware of this problem and has been working to reduce delays. Too many cases are adjudicated after the statute has run, thereby preventing the imposition of meaningful discipline. The quality of complaint investigations is uneven, and while most are balanced and objective, others seem to be more of a quest to exonerate the officer than a search for truth. The sheer volume of complaint investigations raises concerns about whether the most significant and meritorious complaints will receive adequate attention because of the large number of trivial complaints.

The OIG has two major concerns with the discipline system. One is that the Department has not adopted a customer service mentality with respect to outside complaints. We think most complainants want something other than to see a complained-against officer suspended. Rather, complainants seek some form of justification, explanation, apology, or merely to vent frustration. Often, they want the Department to review its policies or procedures. But the system has become highly formalized and rigid. Command officers and Department supervisors lack discretion to informally resolve complaints by offering apologies or informal mediation. While the focus on officer misconduct is commendable, the Department suffers a community relations loss by its approach. As one high-ranking officer put it, "when you complain to McDonald's that your hamburger is cold, they don't send you a letter a year later telling you that an internal investigation failed to produce sufficient evidence to sustain the complaint – they give you a hamburger." Yet from the perspective of too many complainants, the above typifies the Department's response. The Chief of Police has many times properly recognized that the discipline system does not exist to serve the needs of officers but rather of the community. The Department must do a better job of treating complainants as customers, deserving timely and responsive action, and offering a discipline system that enables them to obtain objectives beyond merely punishing officers. We have been working closely with Internal Affairs to meet these goals.

The second and related concern is that complaints too often fail to trigger introspection. Often complaints, even though not sustained, will raise substantial questions about the wisdom of a particular Department policy or procedure. For example, the Department may reasonably determine that a complained-of detention, search, arrest, or interrogation was proper. But the analysis should not end there. Such a complaint should prompt the Department to look not only at

whether the officer's action was legally justified, but whether there was a better way to accomplish the same objective. For example, just because a search could be conducted without a warrant does not mean it should have been. Just because officers arguably could "prone out" a suspect at gunpoint does not mean they should have. Complaints must be viewed as valuable bits of feedback from the community and in many cases should trigger a review of relevant Department policies and procedures.

Finally, a cautionary note regarding the reliability of this data is in order. This Report contains numerous charts, statistics and tables. We have provided the most accurate data available. Whenever possible, the data has been double- and triple-checked against multiple sources. However, Internal Affairs Group ("IAG") databases are severely outdated. Multiple databases exist and are not compatible with one another. Computer crashes have impacted data retention and reliability. Varying definitions of when a case is officially "closed" can account for variations in results. These factors have combined to undermine the absolute reliability of the data presented herein.

OFFICE OF THE INSPECTOR GENERAL

Background

The creation of an Office of the Inspector General (“OIG”) within the Los Angeles Police Commission was first proposed in 1991 by the Independent Commission on the Los Angeles Police Department (“Christopher Commission”) that was formed in the aftermath of the Rodney King incident. Voters of Los Angeles adopted the Charter changes necessary to implement this proposal in 1995, and the Police Commission appointed the first Inspector General (“IG”) in 1996.

Additional Charter changes, which substantially clarified the duties and responsibilities of the Inspector General, were adopted in 1999, and became effective in 2000. Among the Charter amendments concerning the OIG were two significant changes. First, the IG now reports directly to the Police Commission. Previously, the IG worked under the direction of the Executive Director of the Police Commission. Further, the IG now has independent authority to initiate any investigation relating to the Police Department, subject to the Police Commission’s ability to direct that an investigation not be commenced or that an ongoing investigation be stopped. Prior to the amendment, the IG’s authority in this area had been subject to challenge. (See [Appendix 1](#), City Charter Provisions, in the Report Data Book, under separate cover.)

Two recent events have highlighted the importance of the OIG. The first is the Rampart corruption scandal. The Department convened an internal “Board of Inquiry” which reviewed a wide range of management practices and policies. In response to community demand for an independent, external review of Department operations, policies, and procedures, the Police Commission appointed a broad-based Independent Review Panel which issued its own report and recommendations. (See p. 6 for an additional discussion of the Rampart Independent Review Panel). The OIG, together with the Executive Director and Police Commission staff, organized and coordinated the work of this Panel. The gravity of the Rampart corruption scandal and the resulting reports and recommendations underscored the need for strong and independent civilian oversight by the Police Commission and the OIG.

The second significant recent event is the Consent Decree between the City of Los Angeles (“City”) and the United States Department of Justice (“DOJ”). In response to allegations of widespread civil rights violations by LAPD, the DOJ advised the City in May 2000 of its intention to bring a federal court action to obtain injunctive and declaratory relief to eliminate the pattern and practice of misconduct. Negotiations between the parties resulted in a consent decree, which was approved by a United States District Court judge in June 2001. The Consent Decree includes provisions for the appointment of an independent monitor and regular reporting to the court to oversee compliance with the terms and conditions of the Decree. The Consent Decree, with its heavy emphasis on monitoring and auditing, further defines and expands the role of the OIG with respect to governance of the Department. (See p. 11 and p. 57 for additional information about the Consent Decree.)

Evolution of the Role of the Inspector General

The main duty of the Inspector General, as envisioned by the Christopher Commission, was to “oversee the Los Angeles Police Department’s (LAPD) disciplinary process and to participate in the adjudication and punishment of the most serious cases.” As finally enacted by the 1995 Charter Amendment, the duties were both broader and more circumscribed. The creation of the

OIG did not alter the exclusive power of the Chief of Police over disciplinary matters, and hence, the OIG was not intended to replace the function of Internal Affairs in investigating or adjudicating complaint investigations, or to decide punishment in particular cases. On the other hand, the OIG was authorized to “perform such other duties as may be assigned by the Board.”

Within six months of the appointment of the first Inspector General, the Police Commission issued a statement defining the duties and authority of the Inspector General. In addition to restating the IG’s duties as set out in the Charter, the Board also specified that the Inspector General was to have: complete and unrestricted access to all LAPD records, reports, and audits; direct and prompt access to any LAPD employee; the power to subpoena witnesses; and the authorization to make available to appropriate law enforcement officials any information or evidence relating to criminal acts.

The Police Commission then engaged the services of Merrick J. Bobb, Deputy General Counsel to the Christopher Commission, to lead a group in evaluating the Department’s progress in implementing the reforms proposed by the Christopher Commission report five years after its release. In May 1996, Bobb’s report, *Five Years Later: A Report to the Los Angeles Police Commission on the Los Angeles Police Department’s Implementation of Independent Commission Recommendations* (“Five Years Later”), reiterated the importance of the five major functions of the OIG in strengthening the Police Commission’s effectiveness in overseeing the LAPD. That report pointed out that both the IG’s and the Commission Executive Director’s authority is as broad as that of the Police Commission itself. Bobb recommended that the Police Commission support the OIG actively – providing staffing, physical and technological resources, and, to “support the Inspector General should there be any resistance to the unprecedented level of scrutiny that he or she will necessarily undertake.”

In January 1999, the Police Commission adopted a second motion regarding the IG that reiterated the language of its earlier statement. In June 1999, the voters approved another Charter amendment strengthening the role of the OIG. The amendment specifically granted the IG the same access to Department information as the Police Commission and conferred the authority to initiate any investigation of the Department without prior Police Commission authorization, but subject to a Commission directive not to commence a new investigation or not to continue an existing investigation. The amendment also resolved the reporting relationship between the Police Commission and the Executive Director by clarifying that the IG would report directly to the Commission.

Following the Charter amendments, the Police Commission again took up the issue of creating “work rules” governing the OIG. Because the Charter broadened the investigative authority of the OIG, the City Attorney and the Police Commission believed that rules or protocols should be promulgated with respect to such investigations. As the OIG evolved from an office that performed largely an audit function to one equipped with greater investigative authority, there was a concern that rules needed to be promulgated to address the issue of potentially duplicative or overlapping investigations by the OIG and the Department.

In November 2000, after consultation with the City Attorney, the Commission passed a resolution, which implemented a comprehensive set of work rules. These rules codified the Charter changes and various City Attorney opinions, and provided for the following:

- The Inspector General shall report directly to the Board of Police Commissioners.
- Employees of the Department have an affirmative duty to cooperate fully with the Inspector General and to provide complete, unrestricted and prompt access to inspect and/or photocopy all records accessible to the Board.
- The Inspector General shall have prompt access to any employee of the Los Angeles Police Department, subject to limitations imposed by law or collective bargaining agreement.
- The Inspector General shall maintain the confidentiality of complainants and witnesses unless disclosure is unavoidable in order to investigate an allegation effectively or is otherwise required by law.
- The Inspector General has the power to subpoena witnesses, administer oaths, take testimony, and compel the production of relevant books, papers, records or documents.
- The Inspector General is empowered to initiate and conduct investigations of the Department without limitation as to the type of activity of the Department, unless specifically directed by the Commission to cease the investigation.
- The Inspector General is not required to provide access to the Department of files of the Office of the Inspector General unless ordered to do so by the Board or required by law.

(See Appendix 2, Work Rules of the Inspector General, in the Report Data Book, for the complete text.)

This statement of duties and responsibilities of the IG reflected the expanded role of the OIG, except in one material respect: Under the new rules, the OIG is not permitted to refer criminal matters to outside law enforcement or prosecutorial agencies. If the OIG believes a matter should be so referred, it must first advise the Chief of Police, and ultimately the Police Commission.

These rules, for the most part, have worked to the satisfaction of all involved. The direct reporting relationship to the Board allows the IG to bring to the Board issues and concerns without having to go through an additional layer. In routine matters, the OIG has been able to access the necessary documents and information to perform its duties. Thus, obtaining relevant materials for completed personnel complaint investigations and officer-involved shootings is usually not problematic. However, when the OIG has requested access to materials in non-routine matters, some obstacles have arisen. There have been disagreements over access to matters that the Department considered “pending” or “active” rather than closed, and as to matters which the Department considers sensitive or highly confidential. Substantial delays in receiving a response are common. On occasion, restrictions have been placed as to the time, place, or manner of reviewing materials, such as being required to review a document under the direct supervision of a Department employee, or at a particular location. Our view, emphatically, is that unfettered access to Department records is critical to carrying out the Inspector General function effectively.

Confidentiality has long been a major area of controversy. The present rules reflect a compromise. The OIG is not empowered to offer assurances of confidentiality, and Department employee complainants are so advised. However, the OIG is legally required to maintain the confidentiality of complainants to the maximum degree possible, subject to the authority of the Board or the City Attorney's Office to order disclosure. While the Department does not have unfettered access to the files of the OIG, the OIG does report misconduct to Internal Affairs, or asks the Board for permission to follow an alternate course of action.

The Board has never invoked its authority to direct the OIG not to investigate a matter that we have sought to investigate. In a few instances, the Board has indicated potential areas of concern. For example, the Board may express its view that an investigation should not be unduly protracted, or that it shall be coordinated with a prosecuting agency so as not to interfere with a related criminal probe. In such cases, the OIG has conducted its investigation while remaining sensitive to such concerns.

The City Attorney's Office has issued a series of opinions defining and clarifying the role and duties of the Inspector General. On January 6, 1997, the City Attorney opined that the IG could review and copy any internal misconduct investigation, as well as issuing any necessary subpoenas. On January 25, 1999, in an opinion to the City Council, the City Attorney proposed amending the City Charter to clarify the role of the Inspector General, specifically its direct relationship with the Board of Police Commissioners, its ability to offer confidentiality to any complainant or witness, its power to initiate any audit, review or investigation it deemed appropriate without prior Board approval, and its authority to publicly release reports. The next month, the City Attorney presented a draft ordinance emphasizing the Department's policies prohibiting retaliation, especially with respect to employees contacting or contacted by the OIG. A May 5, 1999, City Attorney opinion issued to the Commanding Officer of the Department's Administrative Group suggested possible revisions to the Department's requirement that an employee must report misconduct to a supervisor, to instead allow an employee to report any such misconduct directly to the IG.

However, in a September 9, 1999, opinion issued to the Police Commission and the Chief of Police, the City Attorney declared that the Police Commission could not issue a directive allowing employees to report misconduct to the IG instead of a supervisor. Rather, the IG could be an additional report recipient. In an October 22, 1999, opinion to the Public Safety Committee, the City Attorney opined that, under the new City Charter, though the IG had the authority to conduct its own independent investigations into misconduct or uses of force, it could not assume the role of Department staff in conducting said investigations. On October 6, 2000, the City Attorney provided an opinion to the Police Commission which stated that the Commission could require employees to cooperate with the IG, but the IG could not refer criminal matters directly to outside prosecutorial agencies. The City Attorney, clarifying an earlier opinion, indicated that the IG could not guarantee anonymity or absolute confidentiality to a complainant who was a Department employee.

The Rampart Independent Review Panel

The Rampart Independent Review Panel (the "Panel") was formed by the Police Commission in the wake of the Rampart scandal to provide both an independent review and investigation and to analyze and respond to the findings and conclusions contained in the Department's Board of

Inquiry report. The Panel ultimately grew to more than 170 members, and included leading professionals in fields ranging from law and criminal justice, to accounting and community relations. The Panel represented a cross-section of community perspectives and professional expertise. The Panel, which was divided into eight subject-specific working groups, spent months conducting interviews, and reviewing and analyzing existing information, as well as gathering additional information from both inside and outside the Department, before presenting its lengthy and comprehensive report to both the public and the Commission. The Panel ultimately addressed and made recommendations regarding a wide range of issues, including civilian oversight of the Department; risk management; officer-involved shootings; the discipline system; personnel and training; and Special Order 40.ⁱ

Although the Panel was completely independent of both the Commission and the OIG in terms of its areas of inquiry and analysis, as well as its conclusions, the OIG provided the Panel with necessary staff support, coordination, and assistance. OIG staff was involved in recruiting the participants, facilitating requests for information, and cataloging the tens of thousands of pages of documentation, which were ultimately reviewed by Panel members. OIG staff acted as the liaison between the Panel on the one hand, and the Department, the Commission, and other municipal entities on the other hand.

The Panel's findings regarding the OIG include:

- The OIG is severely understaffed and “cannot except in the most extraordinary cases,” independently investigate the Department’s handling of a complaint. “[S]taff must rely on the summaries prepared by Internal Affairs Group and are not able to ensure that those summaries accurately reflect the evidence.”ⁱⁱⁱ The Panel updated the Christopher Commission’s view of the OIG’s operational needs as follows:

To carry out its responsibility – and to allow the Police Commission to carry out *its* responsibilities – the OIG needs a significantly larger staff, with the skills, training, and experience to conduct investigations, interview witnesses, analyze documents and physical evidence, compile statistical data, and identify trends or warning signs of misconduct. . . . to determine whether the Department conducted a thorough and unbiased investigation; to conduct its own investigations to identify officer misconduct or mishandling of public complaints; and to audit the Department’s overall handling and investigation of complaints.ⁱⁱⁱ

- The Department has seriously impeded the work of the Office of Inspector General by failing to cooperate with the Office’s requests. The Panel cites the Department’s failure to comply with orders to provide “complete and unrestricted access”^{iv} as defined by the Police Commission, to all Department records, as well as to Department employees.

Subsequent to these findings, the Police Commission adopted the work rules discussed above.

ⁱ Special Order No. 40, originally issued in 1979 and later codified in the Department Manual, precludes LAPD officers from initiating police action with the objective of discovering the alien status of a person. LAPD Manual, 4/264.50.

ⁱⁱ Report of the Rampart Independent Review Panel, November 9, 2000, p. 34.

ⁱⁱⁱ Id.

^{iv} Id., at p. 36.

Specific Duties and Responsibilities of the OIG

Currently, the responsibilities of the OIG are divided into the following areas:

Monitoring and Reviewing Investigations of Complaints of Police Misconduct

The OIG plays an important role in the sensitive and crucial area of handling complaints of police misconduct and oversight of the internal discipline system of the LAPD. The OIG serves as an intake point for complaints of police misconduct from the general public and from Department employees. The OIG accepts complaints in person, by phone, fax, mail and e-mail. The OIG also maintains a website and a complaint hotline for the receipt of complaints. These complaint intake mechanisms supplement the Department's own comprehensive complaint intake systems, which include 24-hour complaint intake.

With some exceptions (see *Audits, Projects, and Investigations*, below), the OIG does not investigate allegations of misconduct. Instead, complaints are forwarded to the Internal Affairs Group ("IAG") which will either investigate the complaint directly or assign it to the concerned Department entity. For complaints that originated with the OIG, or where the OIG has been contacted by the complainant, the OIG will monitor the status of the complaint as it moves through the system, will review the completed investigation, and will advise the complainant concerning the outcome of the investigation and the OIG's concurrence or disapproval thereof.

With the exception of completed investigations involving Failures to Qualify (in shooting proficiency), Failures to Appear (in court), and Preventable Traffic Collisions, the OIG reviews all completed complaint investigations before they are officially closed out. OIG staff review the original complaint, the investigation, and the adjudication to determine if all issues were addressed, if the investigation was thorough, and if the adjudication appears appropriate. Depending on the concerns or issues raised by a particular complaint, the OIG may refer it back to IAG, bring it to the attention of the Police Commission, or take other action. In some cases, a complaint may result in OIG staff preparing a complete profile of the involved officer and recommending appropriate action which may include additional counseling, training, or referral to the Department's Risk Management Executive Committee ("RMEC").^v In other cases, the investigation may raise broader policy issues that OIG staff will analyze and present to the Police Commission.

During 2000, the OIG received complaints and inquiries from 328 members of the public and 69 Department employees. In response to these public and Department contacts, the OIG initiated 127 new personnel complaints.

During 2001, the OIG received complaints and inquiries from 241 members of the public and 41 Department employees. In response, the OIG initiated 127 personnel complaints.

One continuing area of concern has been the degree to which IAG is responsive to the OIG in cases where there is disagreement. The OIG may send a case back to IAG for a variety of

^v The Risk Management Executive Committee "reviews, processes and makes recommendations to the Chief of Police regarding Department-wide risk and liability issues." Human Resources Bureau Notice, January 7, 2002.

reasons: the OIG may disagree with the outcome, may find fault with the accuracy of paraphrased statements or object to the use of leading and suggestive questions, or may believe an investigation is incomplete or a rationale legally or factually flawed. In such cases, the OIG will send the case back to IAG with a memo outlining the disagreements. It is not unusual for such memos to go unanswered for a substantial length of time. Often, the OIG needs to follow up with a series of memos to prompt a response. In extreme cases, a year or more passes before the OIG's concerns are addressed. Fortunately, the management of IAG has expressed a willingness to work with the OIG and develop procedures to ensure timely responses to the OIG's inquiries. The OIG is hopeful that similar problems will not occur in the future.

A related issue is the adequacy of IAG's responses. IAG frequently disagrees with OIG recommendations. Often, they fail to adequately address OIG concerns. In one recent case involving a complaint of an illegal search, the OIG submitted a lengthy memorandum analyzing the legal issues presented and recommending training on search and seizure for the officers involved, including a sergeant who led the complained against operation. IAG responded by noting that "officers can always benefit from training," but noted that in their review of the case, "no significant issues were found."

The OIG also monitors the Board of Rights process by attending various Boards and reporting its observations to the Police Commission. The OIG has surveyed civilian Board of Rights members concerning their opinions about the process. Currently, the OIG is assisting the Police Commission in a comprehensive review of the Department's discipline system, including the Board of Rights process.^{vi}

Audits, Projects, and Investigations

The OIG conducts a wide range of audits, special projects, and investigations. When the OIG receives allegations against the Chief of Police, the OIG customarily conducts an investigation and forwards the results to the Police Commission. The OIG also conducts preliminary investigations of complaints alleging retaliation against Department employees, pursuant to Commission rules and the Consent Decree.

Other types of audits and special projects include reviews of the work history of specific Department employees, analyses of Department policies and procedures, and examinations of the performance of particular bureaus or units.

Officer-Involved Shooting/Use of Force Reviews

Following the 1979 *Report to the Board of Police Commissioners Concerning the Shooting of Eulia Love and the Use of Deadly Force*, the Police Commission now makes the final determination whether certain major uses of force are deemed in or out of policy. These include all incidents where an officer discharged his or her weapon (except at a shooting range), in-custody deaths, law enforcement related injuries, law enforcement activity related deaths, and use of upper body

^{vi} A Board of Rights ("BOR") is a quasi-judicial body which rules on charges of misconduct against an accused officer, finding the accused either guilty or not guilty. In the case of the former, the BOR also determines the appropriate penalty. A BOR is composed of two command officers and one civilian member chosen from a pool of qualified volunteers. (See "Boards of Rights" on p. 55 for additional information.)

control holds. (Pursuant to the Consent Decree, the scope of review has been expanded to include all “categorical” uses of force as defined by the Decree.) The OIG reviews the investigation and supporting documentation, attends the Use of Force Review Board where the case is presented and discussed, and after reviewing all the material including the recommendations of the Chief of Police, prepares an analysis for the Police Commission.

The OIG may conduct an independent investigation of the matter, or it may simply review, evaluate, and conduct follow-up research regarding specific areas. Thus, among other things, the OIG may listen to tape recordings of witness interviews to determine the accuracy of paraphrased or summarized witness statements, visit scenes, meet with investigators and with experts in areas of tactics, training, and firearms; speak to the coroner or medical experts; review Department training materials; review officer complaint and use of force histories; and may communicate with the City Attorney’s Office and plaintiffs’ counsel in any related civil litigation. The OIG also examines and researches any legal issues raised by the incident including consideration of relevant Fourth and Fifth Amendment issues.

The OIG reviewed 104 officer-involved shootings, law enforcement related injuries, or in-custody death cases for the Police Commission in 2001. Of these, 28 shootings were animal shootings and six were accidental discharges. In the vast majority of cases, the OIG concurred with the recommendations of the Chief of Police. There were two cases where the OIG recommended a different outcome. Only one of these two involved significant disagreement. In that case, an off-duty officer pursued, shot, and killed a disturbed motorist who was crashing his vehicle into numerous parked cars. The Chief of Police recommended that the officer receive training for tactics. The OIG believed that the actions of the officer were seriously deficient and warranted discipline. The Commission adopted the Chief’s recommendations.

In at least ten other cases, the OIG identified concerns or deficiencies in the investigation. By way of example, the OIG identified for the Commission cases revealing the following:

- A lack of proper supervisory oversight at the scene;
- The fact that involved officers made materially inconsistent statements, and the investigation had failed to address this issue;
- Insufficient time for the OIG and the Police Commission to review a particular case; and,
- The Department’s refusal to hold a Use of Force Review Board or submit to the Commission for review use of force incidents including incomplete upper body control holds and vehicle ramming incidents.

Under current policy and pursuant to the Consent Decree, the OIG receives immediate notification of officer-involved shootings and is authorized to respond or “roll out” to the scene. Periodically, the Inspector General and/or an Assistant Inspector General will roll out in order to view the scene, obtain a walk-through, and ensure that proper investigative procedures are being followed.

The OIG has begun rolling out to several major use of force incidents every month. The OIG has been pleased with the level of cooperation from Department personnel. The OIG has been receiving timely briefings and informative walk-throughs. To date, the OIG’s observations at these roll outs have not raised questions regarding the quality of the investigations or compliance with the Consent Decree.

Consent Decree Responsibilities

The Consent Decree between the City and the U.S. Department of Justice was entered into June of 2001 and will remain in effect for five years. The Consent Decree is a binding agreement between the parties entered into to improve police practices, promote police integrity, and prevent conduct that deprives people of their rights. The Consent Decree, among other aims, seeks to strengthen civilian oversight of the LAPD, and to do so it has enlarged and codified the role of the OIG in a number of areas. It requires the OIG to conduct a number of audits of Department investigations, such as investigations of citizen complaints and uses of force. It requires the OIG to evaluate for quality, completeness, and findings a number of additional audits to be conducted by the Department and to report on the OIG's findings to the Commission. It provides that the OIG shall conduct preliminary investigations into complaints of retaliation by Department employees. It guarantees the OIG the right to roll out to scenes of officer-involved shootings to observe investigative practices. In total, there are nearly 30 audits, reports, or ongoing duties outlined in the Decree which are assigned to the OIG. These are summarized in [Appendix 3](#) -- Office of the Inspector General Consent Decree Implementation Plan, in the Report Data Book under separate cover.

At the time of this writing, the OIG is actively involved in fulfilling its responsibilities pursuant to its responsibilities under the Consent Decree. The OIG reviews quarterly reports prepared by the Chief of Police summarizing the imposition of discipline in misconduct cases. The OIG has reviewed and evaluated Department audits relating to: (1) search warrants and affidavits; (2) arrest, booking, and charging reports; (3) confidential informant files; (4) operations of Special Enforcement (gang) units; and, (5) non-categorical use of force reports. The OIG investigates and reviews complaints alleging retaliation for reporting misconduct. The OIG has made a number of Consent Decree related policy recommendations which have been, for the most part, adopted by the Police Commission. (See "Recent OIG Recommendations Regarding the Consent Decree" on p. 57.)

The OIG attends weekly meetings of the City's Consent Decree Working Group, and monthly meetings with the Independent Monitor who oversees implementation of the Decree. The OIG reviews and comments on all proposed Department policies and procedures concerning implementation of the Decree.

Pitches Motions

In 2001, the OIG began receiving a large volume of discovery requests for police officer personnel records. These requests, primarily "*Pitches Motions*," seek information regarding the discipline and use of force histories of police officer witnesses, usually for criminal cases. For the most part, these motions are filed by criminal defense attorneys. The growing volume of these requests has severely impacted the OIG, as it was not created or envisioned as a discovery response unit. However, widespread concerns about inadequacies in the Department's record-keeping in the areas of discipline and use of force prompted defense attorneys to seek alternate ways to obtain relevant information about officers' discipline histories. As a result, the OIG receives about 90 *Pitches* motions, relating to an average of 240 police officers, per month. The OIG continues to work with the Department's Discovery Unit and the City Attorney's Office to meet this burgeoning

demand, to ensure that judges and attorneys receive the information concerning LAPD officers to which they are legally entitled, and to develop methods to minimize the burden on the limited resources of the OIG. Because of dramatic increases in the number of requests, responding to *Pitches* motions has now become a significant area of responsibility for the OIG, requiring the work of one staff member on a full-time basis and several others on a part-time basis. In addition, each motion also requires review by the IG or one of the Assistant IGs.

Community Outreach and Education

The OIG actively participates in a wide range of community outreach and education efforts to inform the public about its role in the governance of the LAPD and its oversight responsibility of the discipline system. The Inspector General and OIG staff participate in meetings with Community-Police Advisory Boards, homeowner and neighborhood association meetings, symposiums and panel discussions, and police roll calls. OIG staff also participate in meetings of leading organizations involved in civilian oversight of law enforcement. In September 2000, Inspector General Jeffrey Eglash gave the keynote address for the annual conference of NACOLE, the National Association for Civilian Oversight of Law Enforcement, and in September 2001, Assistant Inspector General Andre Birotte, Jr. participated in a panel discussion on police-union relations at NACOLE's annual conference. The IG and Assistant IGs also have attended use of force seminars at the FBI National Academy in Quantico, Virginia.

Outreach efforts also include providing informational materials to the public that explain how to file a complaint and how the police disciplinary system works. The OIG website (www.oiglapd.org) and hotline (1-888-846-6066) also seek to inform the public about the work of the OIG and to facilitate communication between the community and the OIG.

Staffing

The OIG began with a small staff even prior to the appointment of the first Inspector General, and was originally known as the Police Commission Audit Unit. By 1998, the OIG staff had increased to 12, including two sworn positions chosen for their independence and law enforcement expertise, and five management analysts. The City Council provided additional positions in support of the Rampart Independent Review Panel, and in July 2001, the OIG absorbed the function and personnel responsible for the review of officer-involved shootings and other major use of force incidents. As of September 2001, OIG staff had expanded to 32 positions including two Assistant Inspectors General with substantial legal and prosecutorial experience, and a special investigator – a new civilian job classification created largely for the OIG – and currently filled by a retired Drug Enforcement Administration supervisor with more than 30 years of law enforcement experience. The staff now includes a diverse workforce of sworn and civilian members, professional and clerical, with a range of backgrounds and experience both in and out of the LAPD. Three members of the OIG have gone on to become judges on the Los Angeles Superior Court. Former Inspectors General Katherine Mader and Deirdre Hill, and former Assistant Inspector General Barbara Scheper, all currently sit as Superior Court Judges in Los Angeles County.

As noted, the OIG staff includes two sworn members of the Department, a Sergeant II and a Detective III. The presence of sworn Department members within the OIG has at times been a point of controversy. Some have argued that the presence of sworn members undercuts the

independent oversight that the OIG was intended to provide. However, experience has shown that the presence of the sworn members is critical to the success of the OIG's mission. These members provide critical perspective and understanding of Department policies and procedures. Because they do so under the direction and authority of the Inspector General rather than the Chief of Police, the principle of independent oversight is not compromised. (See [Appendix 4](#), OIG Staffing and Organization, in the Report Data Book.)

Review of Department Policies and Procedures

One of the most important ways in which the OIG assists the Police Commission in providing strong and effective oversight is in its identification of a number of areas for policy revision and further study. For example, the OIG has analyzed existing policies and/or recommended changes in the following areas:

- Reviewing policies and procedures concerning “proning out” suspects during certain high-risk felony vehicle stops;
- Reviewing and recommending changes regarding whether officers should be allowed to retain their firearms when inside Boards of Rights hearing rooms;
- Reviewing policies and recommending that existing laws and Department policies be adhered to in cases involving the improper detention of witnesses. Selected complaint and use of force cases were reviewed which suggested that officers would detain and transport to the station for questioning witnesses to crimes, even though the witnesses were not themselves suspected of criminal activity. We have recommended that the Department take appropriate action to ensure that officer conduct in this area conforms to existing law;
- Reviewing and recommending changes to existing policies relating to probation or parole searches, so as to conform to federal law;
- Reviewing and recommending changes to rules regarding custodial interrogations following a suspect's invocation of *Miranda* rights;
- Reviewing and recommending changes to existing policies relating to gifts and travel reimbursements by city contractors to Department employees to guard against potential conflicts of interest;
- Reviewing work permits authorizing outside employment for Department employees assigned to sensitive positions;
- Reviewing and recommending revisions of letters to citizen complainants from Internal Affairs to: (1) provide periodic correspondence to complainants with pending complaint investigations over five months old; and (2) provide complainants with information regarding the OIG's availability to assist with independent review of the subject complaint investigation;

- Reviewing and recommending changes to Department policies concerning the inclusion of comprehensive complaint information on its employee tracking system (TEAMS) to ensure that TEAMS can be used effectively as a risk management tool;
- Examining alternative dispute resolution mechanisms for resolving certain minor citizen complaints in order to expedite resolution of such complaints and to strengthen understanding and awareness between the police and the community with respect to the complaint process;
- Reviewing Department practices concerning issuing “restricted duty letters” to officers with past sustained complaints for honesty or integrity related offenses, whereby such officers are removed from active field assignments; and,
- Reviewing and recommending changes to Police Commission policies regarding the amount of time available to the Commission for its review of officer-involved shootings.

Additionally, the OIG has moved toward greater involvement in two key areas – Use of Force Review Board and Risk Management. OIG staff attend every session of the Department’s Use of Force Review Board (“UOFRB”). The UOFRB is a five-member Department entity, consisting primarily of command staff who review, analyze and make recommendations concerning officer-involved shootings and other major uses of force. As a result of a recommendation from the Rampart Independent Review Panel, the OIG presently attends the evidentiary and deliberative phases of the UOFRB. Previously, the OIG had been excluded from deliberations. The OIG and the Rampart Panel have also urged the Police Commission to permit the OIG to ask questions during the UOFRB, but at present the Commission has taken no action on this request. The OIG has also ensured that additional reports and documentation are incorporated into Police Commission review of uses of force. For example, in those cases where the Chief of Police does not adopt the recommendations of the UOFRB, the Police Commission now reviews the recommendations that were made to and rejected by the Chief as well as those adopted by the Chief. This new practice ensures that the Commission has a wider range of views on which to base its decisions concerning uses of force.

With respect to Risk Management, in addition to the OIG’s ongoing review of complaints for risk management implications, the OIG attends and monitors all meetings of RMEC, as well as referring officers who present potential risk management concerns to RMEC.

There have also been a number of recommendations arising from the Inspector General’s review of Consent Decree mandated reports and audits. These are listed in the discussion of the Consent Decree found on page 57.

STATISTICAL OVERVIEW OF THE COMPLAINT SYSTEM

The data presented below is compiled from a variety of sources including Internal Affairs Group databases, OIG statistical records, and statistical reports from other jurisdictions. A more detailed description of these sources and the methodology used can be found in Appendix 5, Report Methodology, in the Report Data Book.

Complaints Received

According to Section 3/810.10 of the LAPD Manual, the definition of a complaint includes any public complaint, anonymous or identified, regarding Department service, policy or procedure, claims for damages which allege employee misconduct, or employee misconduct, regardless of whether the complaint specifically alleges misconduct as defined by Section 3/805.25 (Misconduct Defined), and any complaint of misconduct initiated by Department employees. Manual Section 3/805.25 defines misconduct as follows: commission of a criminal offense; neglect of duty; violation of Department policies, rules, or procedures; and conduct which may tend to reflect unfavorably upon the employee or the Department.

There have been two spikes in the number of personnel complaints in the past five years. In 1998 the number of complaints^{vii} nearly tripled as a result of a new disciplinary policy that required all complaints regardless of content or even applicability to LAPD to be documented as a formal personnel complaint. In 2000, after having remained relatively flat for two years, the number of complaints rose 18% from the previous year to 6,252. Presumably some of the increase is due to increased public awareness following the Rampart scandal, which became public in late 1999. Based on the latest statistics from Internal Affairs, the number of complaints received during 2001 decreased 9% from 2000 to 5,683.

^{vii} These numbers reflect the total number of complaints received, as opposed to the total number of allegations. Therefore, each personnel complaint counts as one complaint, regardless of how many separate allegations are included within the complaint.

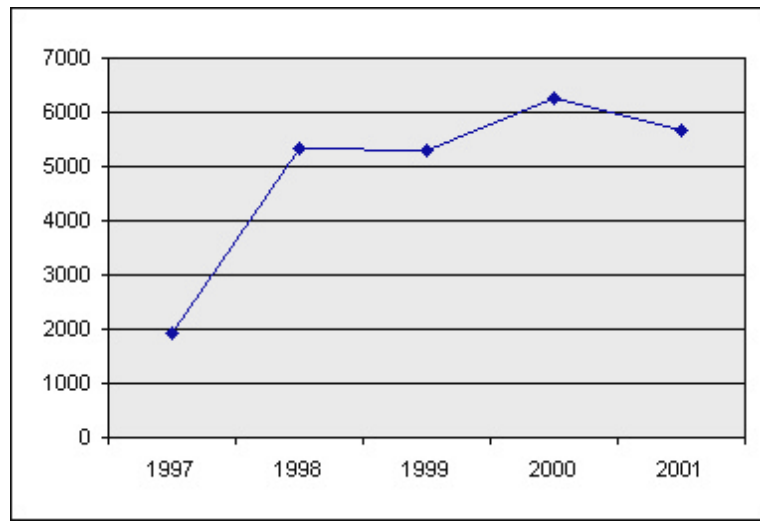


Figure 1 - Total Complaints Received 1997 - 2001

(See Table I - Total Complaints Received, found in the Report Data Book under separate cover, for additional details.^{viii})

Closed Complaints

The information in this section is based on data from the Personnel Complaint Statistical System ("PCSS"). The information is grouped according to the year in which the case was closed, regardless of the year when the complaint was initiated. Thus, closed cases for the year 2000 could include complaints that were initiated in any of the preceding years as well as in 2000.^{ix}

In dealing with closed complaints, caution must be exercised in identifying trends from year to year. For any given year, closed cases involve incidents that took place anywhere from months to several years before. Therefore, they do not constitute a snapshot of that year *per se*. For example, a review of data from the Complaint Tracking System for cases closed in 2000 showed

^{viii} Detailed tables, which correspond with the figures contained throughout this Report, appear in the Report Data Book under separate cover. The Data Book is available upon request.

^{ix} The "closed date" has historically been defined by the Department as the date when a case was administratively closed, i.e., when the case was approved by the IAG administrative lieutenant or by the IAG Review and Evaluation Section. Recently, the Department has begun to define the closed date as the date when the information is entered into the computer system. (This is the definition the Department has been using for the quarterly Consent Decree reports.) In order to maintain consistency with prior annual reports, this analysis will use the traditional "administratively closed" date parameters for the years 1998-2000. Although we recognize that there may be some duplication of information by adopting the new Department closed date, this Report incorporates the 2001 data using the new parameter. Because a case which was "administratively closed" in 2000 may not have been entered into PCSS until 2001, the 2001 data is segregated in this Report from that for the previous years.

that as of June 2001 only about one-third of the cases had been initiated in 2000. Workload backlogs may also result in distortions of the yearly total.^x

For these reasons, this Report will not analyze yearly differences in the number of complaints closed. Rather, the focus will be on the characteristics of closed cases as a whole, including types of misconduct alleged, demographic and geographic composition, dispositions and penalties. These will be discussed in the following sections.

Types of Allegations^{xi}

There are numerous types of misconduct allegations, and the list is subject to addition and refinement by the Department in an effort to provide more precise information. For example, until recently, "Failure to Report Misconduct" was included as a part of "Neglect of Duty;" today it is considered a separate type of misconduct. Similarly, "Retaliation" was considered a subset of "Unbecoming Conduct" but is now a separate category. Some types of allegations are extremely specific and refer to one type of act such as "Accidental Discharge," while others, such as "Neglect of Duty" and "Unbecoming Conduct," are generic categories and include many types of actions or behavior.

The following chart lists the various types of allegations along with brief definitions of each.

^x Under the current system, closeout and data entry backlogs may result in long delays before information appears in the database. As a result, an analysis of 1999 closed cases done six months after the end of the year will have significantly fewer cases than an analysis of 1999 closed cases done two years later. (This is the basis for the Department's decision to use the date of computer entry as the closed date. However, while solving the problem of changing totals, this also results in even greater year to year distortions. These problems in defining and using data will remain until the Department obtains the resources to input closeout data in a timely manner.)

^{xi} This Report uses the terms "allegation" and "misconduct" interchangeably. However, it is possible to have a complaint that involves an allegation about something that is not misconduct, such as a complaint by a citizen about the use of helicopters to search for a fleeing suspect. This is a complaint but one that involves an expression of dissatisfaction with an official policy or procedure, rather than misconduct *per se*. This allegation would be classified as "Other Policy/Rule." (See p. 19).

Allegations Defined

Misconduct/ Allegation	Definition
<i>Accidental Discharge</i>	Unintentional weapon discharge.
<i>Alcohol Related</i>	Behavior, on or off duty, adversely affected by consumption of alcohol.
<i>Discourtesy</i>	A statement uttered to or about a member of the public, which is deemed improper.
<i>Discrimination</i>	Any action believed to be discriminatory on the basis of race, color, religion, national origin, gender, age, disability, marital status, etc.
<i>Dishonesty</i>	Union of thought and action by an employee with the intent to obtain monetary value or benefits to which the employee is not entitled, including benefit abuse, fraud, etc.
<i>Domestic Violence</i>	Abuse against spouse, former spouse, partner, etc.
<i>Ethnic Remark</i>	Improper statement about another person which is based on ethnicity.
<i>Failure to Appear</i>	Failure to respond to properly served subpoena.
<i>Failure to Qualify</i>	Failure to qualify in use of weapon.
<i>Failure to Report Misconduct</i>	Failure to report misconduct as defined in Manual Section 3/805.25 either to a supervisor or Internal Affairs.
<i>False & Misleading Statements (now split into two categories)</i>	Made false and/or misleading statements while acting in official capacity.
<i>False Imprisonment</i>	Detention of another with the knowledge aforethought that the detention is unlawful.
<i>False Statements</i>	Any communication, made while carrying out duties, or related to Department mandates for truth or honesty, which is false and which the employee knew or should have known was false. (This was formerly part of the category "False and/or Misleading Statements".)
<i>Gender Bias (now known as Sexual Harassment)</i>	See Sexual Harassment.
<i>Improper Remark</i>	A statement uttered to or about another employee which is deemed improper.
<i>Insubordination</i>	Any behavior demonstrating an unwillingness to submit to lawful supervisory authority.
<i>Misleading Statements</i>	A false statement fabricated to mislead or deceive others. (This was formerly part of the category "False and/or Misleading Statements").
<i>Narcotics/Drugs</i>	Use, sales, distribution and/or transportation of narcotics.
<i>Neglect of Duty</i>	Behavior on- or off-duty indicating an insufficient regard or attention to any duty arising out of the employee's occupation with the Department.

Misconduct/ Allegation	Definition
Off-Duty Altercation	Off-duty altercation when an employee's status as a Department employee is not determined to be a factor in the altercation. (Otherwise, refer to Unbecoming Conduct.)
Other Policy/Rule	Alleged behavior not violative of Department policies or rules but results from appropriate and proper application of Department policy or procedures.
Preventable Traffic Collision	On- or off-duty preventable collision involving City owned or controlled vehicle.
Racial Profiling	Using 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 the investigation of appropriate suspect-specific activity to identify a particular person or group.
Retaliation	Harassing language, behavior or conduct, unwarranted punitive action or acts of discrimination in response to an employee bringing a complaint or grievance or testifying on behalf of an employee who has brought a complaint or grievance. Retaliation also includes acts by a supervisor as reprisal for legitimate and legally protected words or actions of a subordinate, including the subordinate's bringing a complaint alleging any misconduct, including retaliation.
Service	Delays in provision of service.
Sexual Harassment	Bias towards anyone on the basis of gender. Subcategories include discriminatory practices and/or retaliation for filing a complaint on basis of gender bias.
Sexual Misconduct	Misconduct involving sexual behavior excluding gender bias.
Shooting Violation	Intentional discharge contrary to the established shooting policy of the Department.
Theft	Unlawful taking of money or property, including City property, with the intention of permanently depriving the owner.
Unauthorized Force	Behavior which does not conform to Department policies governing the use and escalation of force.
Unauthorized Tactics	A tactical decision or choice which is deemed to be improper.
Unbecoming Conduct	Allegations not covered by other categories, such as criminal activity, improper relations with known criminals, improperly identifying oneself as an officer, etc.
Unlawful Search	Failing to meet legal standards for probable cause.

A single complaint may involve one or more allegations of misconduct. Consequently, information regarding categories of allegations is generally reported by the Department in one of two ways:

1. Total Complaints

This is the total number of complaints regardless of how many allegations are involved. The complaint is classified as being of a certain type, generally based on the most serious allegations. For example, if the complaint alleges that the officer was discourteous and also stole \$2,000, the complaint would be classified as a “dishonesty” complaint. Data in this format emphasizes the most significant allegations, and is also useful for comparisons with other jurisdictions that use this format. However, this format may also understate certain types of allegations which appear as the second or third allegations in a complaint.

2. Total Allegations

This is the total number of allegations for all complaints. Because of multiple allegations per complaint, this number will always be higher than the total number of complaints. Information in this format provides a complete picture of all the types of misconduct being alleged for every complaint. Because such a format provides a much broader picture, this Report will use Total Allegations as the basis for analysis wherever possible, especially with respect to closed complaints.^{xii}

^{xii} The Total Allegations basis occasionally may also produce some distortion in the event of “over charging,” i.e., breaking down an incident into too many allegations. For example, a complaint alleging excessive force against an officer who punched, struck, and kicked the complainant may be classified as three allegations, or as one.

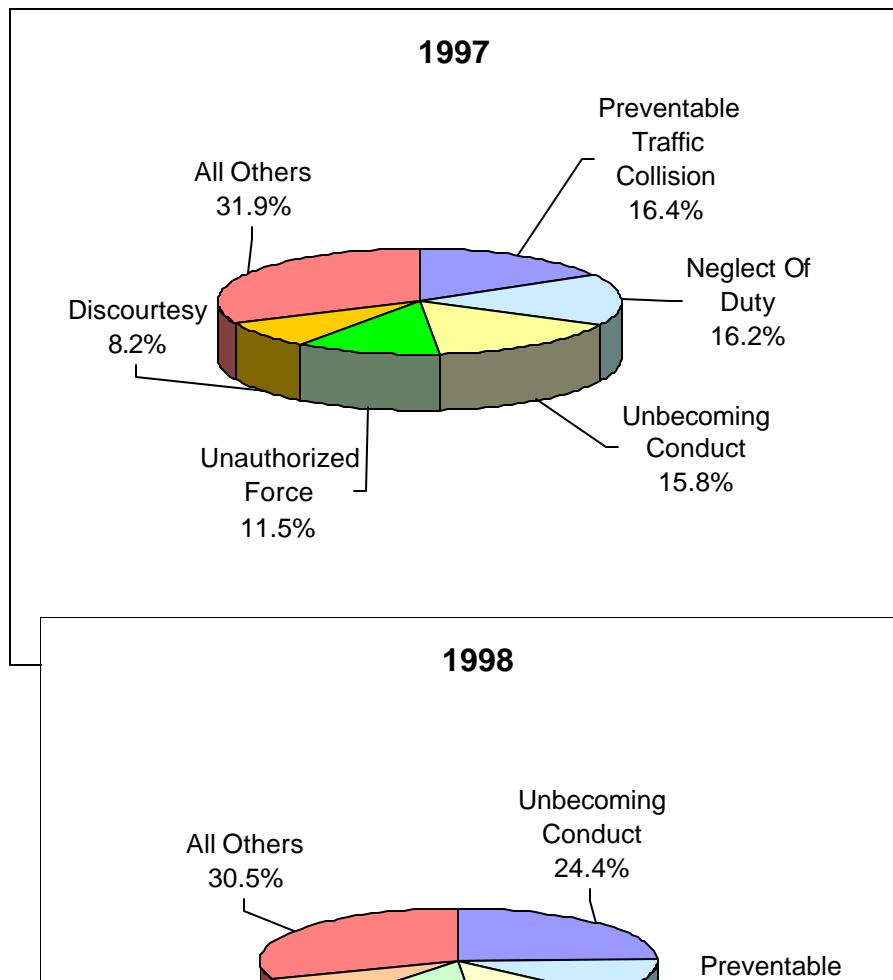
Complaints Received

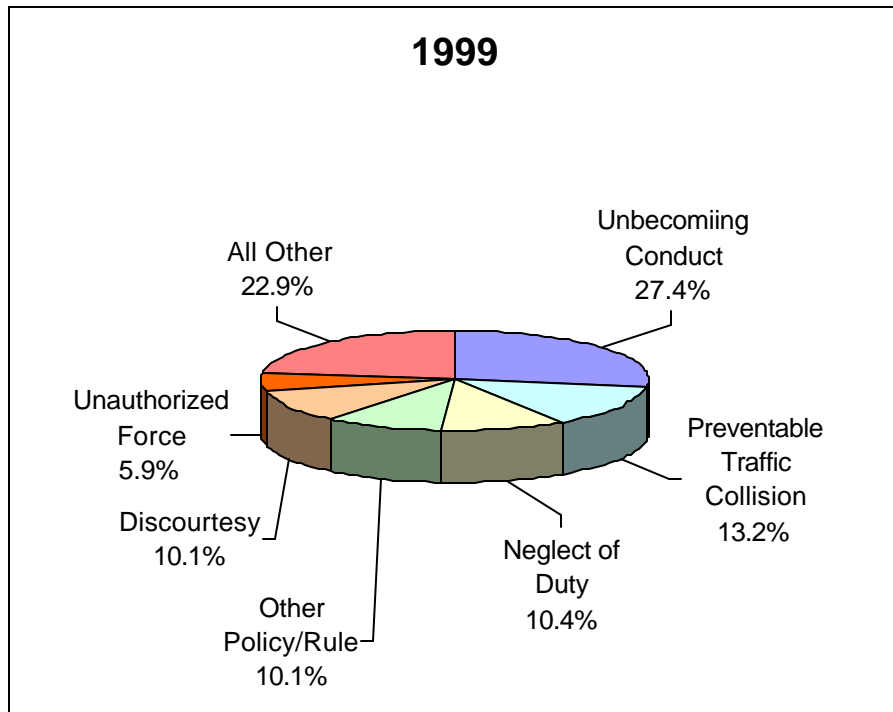
Complaints of misconduct can originate either from within the Department or externally. Department-initiated complaints are those that are brought against an employee by a supervisor or by another employee. Externally generated complaints are those that are brought against an employee from a source outside the Department, generally from a member of the public. Although typically referred to as “citizen complaints,” citizenship is irrelevant to the filing of such a complaint. When the complaint is received, IAG records a preliminary classification of the categories of allegations involved.

Although the percentages vary from year to year, Unbecoming Conduct and Neglect of Duty are the most commonly alleged types of misconduct, along with Preventable Traffic Collisions, Unauthorized Force, and Discourtesy. In 1997, Unbecoming Conduct accounted for almost 16% of all complaints received, while in 1999 it accounted for approximately 27%. Unauthorized Force was among the top five most common allegations for all years except 1999. In 2001, Neglect of Duty allegations represented the largest percentage of incoming complaints, at approximately 18%, followed by Discourtesy allegations which constituted 15% of all incoming complaints.

The following figures show the most common types of misconduct for incoming complaints.

**Most Frequently Alleged Misconduct for Incoming Complaints
1997 – 2000**





Most Frequently Alleged Misconduct in Incoming Complaints

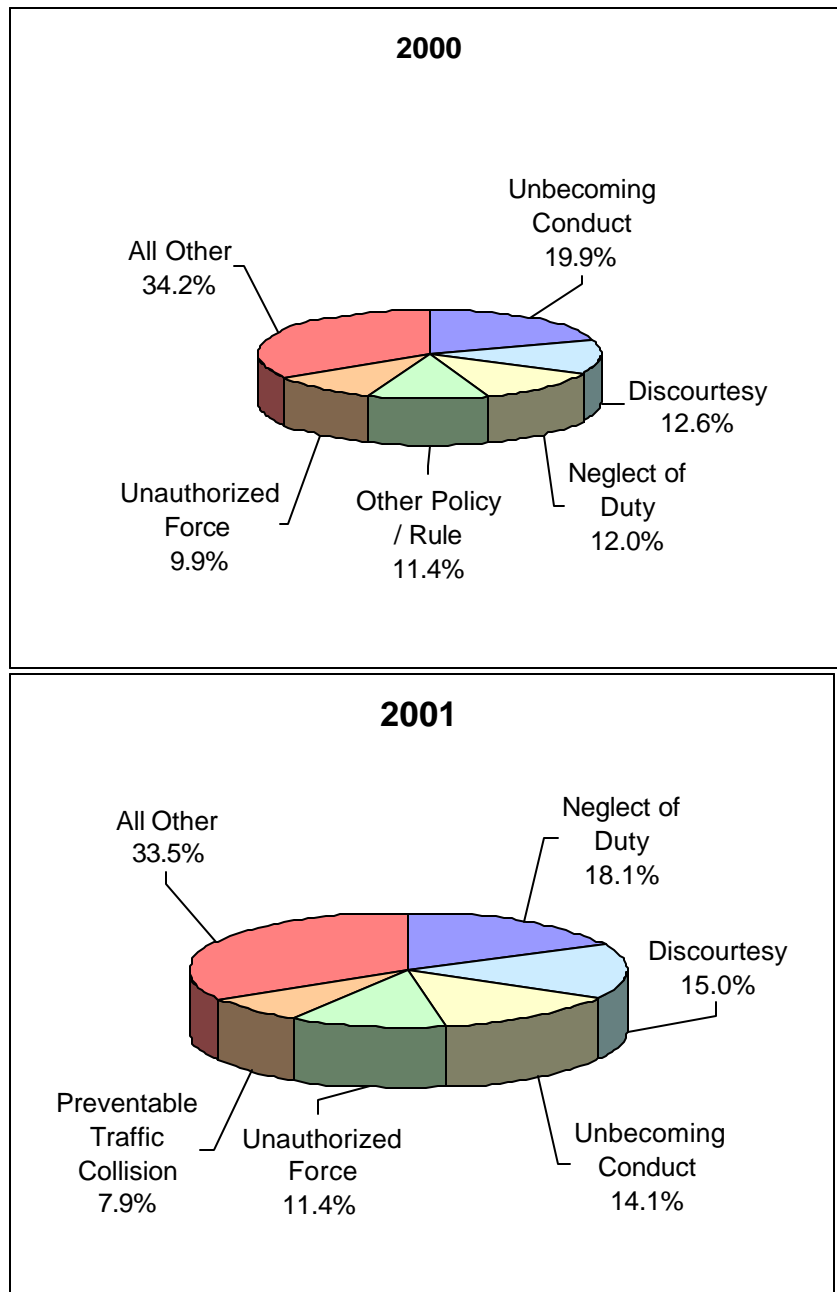


Figure 2 - Allegations of Misconduct Made in Incoming Complaints

(See Table II - Incoming Complaints - Types of Misconduct Alleged, in the Report Data Book, for additional details.)

When analyzing incoming complaints, one should keep in mind that the nature of the complaint frequently evolves over time as more witnesses are interviewed and more information is discovered. Thus, the classification assigned at the time of complaint intake may differ from the allegations that are ultimately identified and adjudicated.

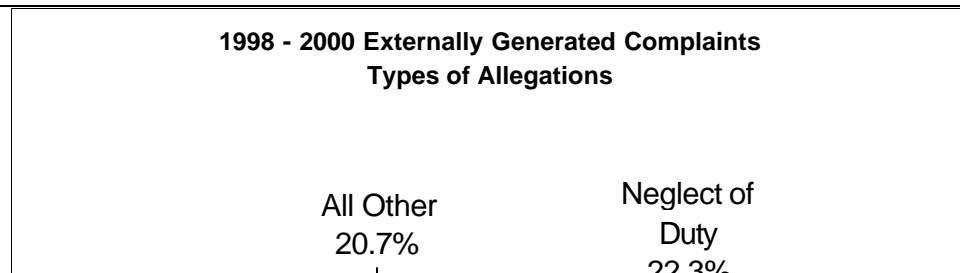
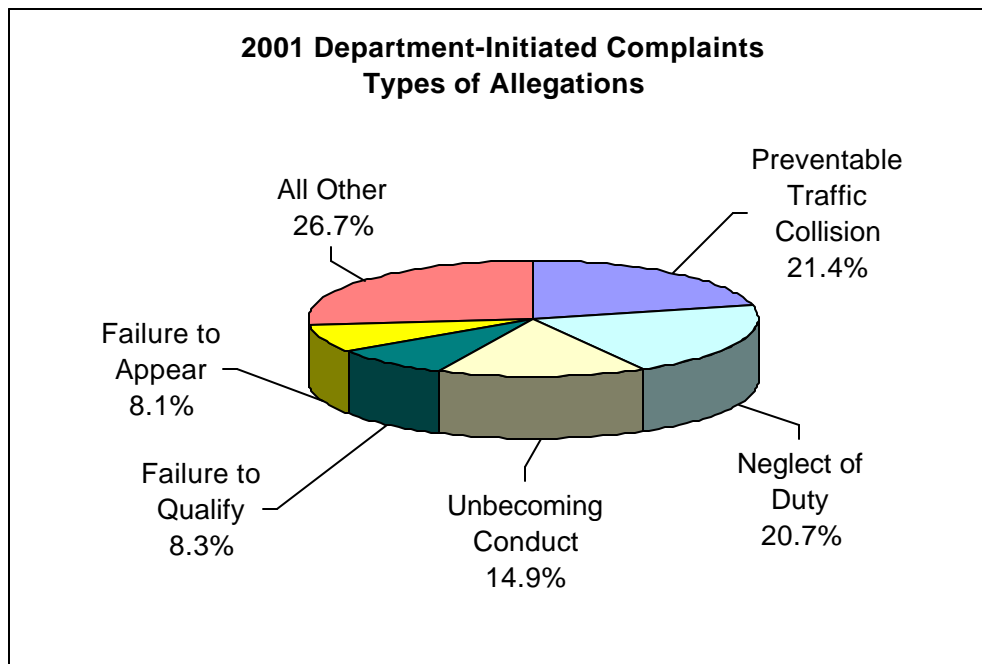
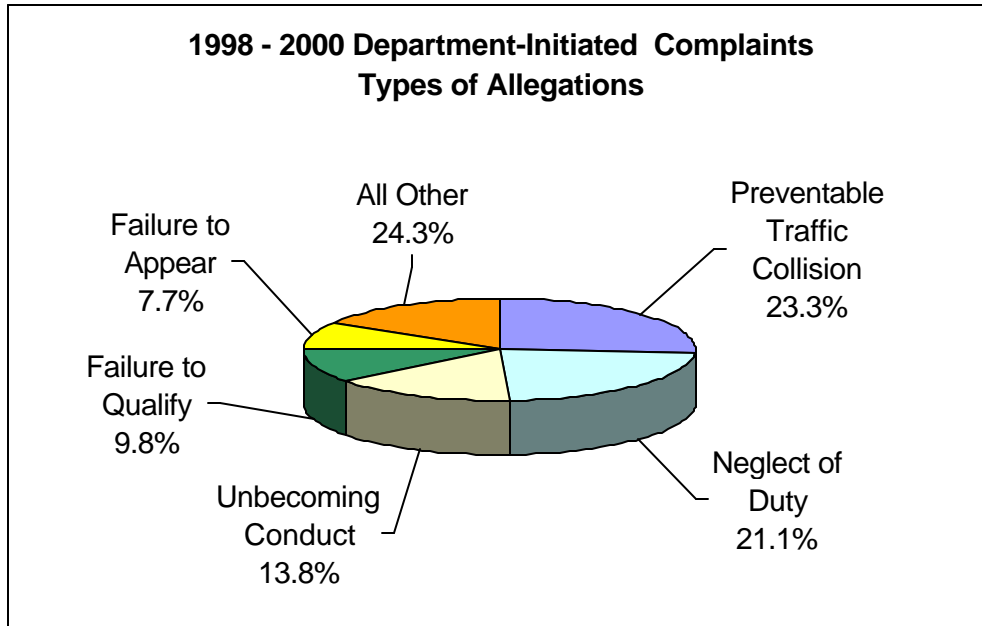
In an attempt to determine how allegations on a given complaint vary over time, a comparison was conducted between initial and closeout classifications for those cases in the Complaint Tracking System where the system had complete data. In about two-thirds of the records, at least one allegation of misconduct in the closed case matched an allegation as originally assigned at time of intake. About one-third had no match. The degree of match varied by type of allegation. For example, in 1999 and 2000 there was a significant increase in the number of complaints that were initially classified as "Other Policy/Rule," which is sometimes used as a generic or miscellaneous category. However, most of the complaints with an initial "Other Policy/Rule" allegation ultimately were reclassified with more specific allegations as the investigation progressed. Of those 1999 and 2000 cases for which closeout data was available, only about 8% had a corresponding "Other Policy/Rule" allegation when finally adjudicated.

Closed Complaints

Despite the shortcomings in using closed complaint data for analysis resulting from the long lag time between complaint intake and closeout (see page 16), an evaluation of closed complaint data is a critical part of any disciplinary system review because it provides the most complete picture of the types of misconduct alleged. In addition, closed complaint data is the only source for disposition and penalty information. However, to minimize distortions due solely to workload backlogs, this Report will combine the data for each of the years 1998-2000, and use summary totals or averages for these time periods. Again, the data for 2001 is presented separately, using the newer "Department closed" date, measured by the date of the data entry into PCSS. It should be noted that the increase in closed cases is a result of the work of an IAG task force to process the backlog of cases.

Of all the cases closed during 1998 – 2000, Neglect of Duty was the most frequently alleged type of misconduct, followed by Discourtesy, Unbecoming Conduct, and Unauthorized Force. In 2001, these four categories were still the most common allegations, with Neglect of Duty remaining the most frequent allegation, followed by Unbecoming Conduct, Discourtesy, and Unauthorized Force, in that order. The type of misconduct alleged often depends upon whether the complaint was initiated by the Department itself or by someone outside the Department. While Neglect of Duty is usually one of the most common allegations for both Department or externally generated complaints, Discourtesy and Unauthorized Force are alleged much more often in external complaints than in those initiated by the Department. For example, for 1998-2000, 20.3% of all externally generated allegations of misconduct involved Discourtesy, as compared to only 2.5% of all Department-initiated allegations. In 2001, the disparity was slightly larger, with Discourtesy allegations representing 21.8% of all externally generated allegations, versus only 2.5% of all Department-initiated allegations.

Closed Complaints - Most Frequently Alleged Misconduct (Based on Total Allegations)



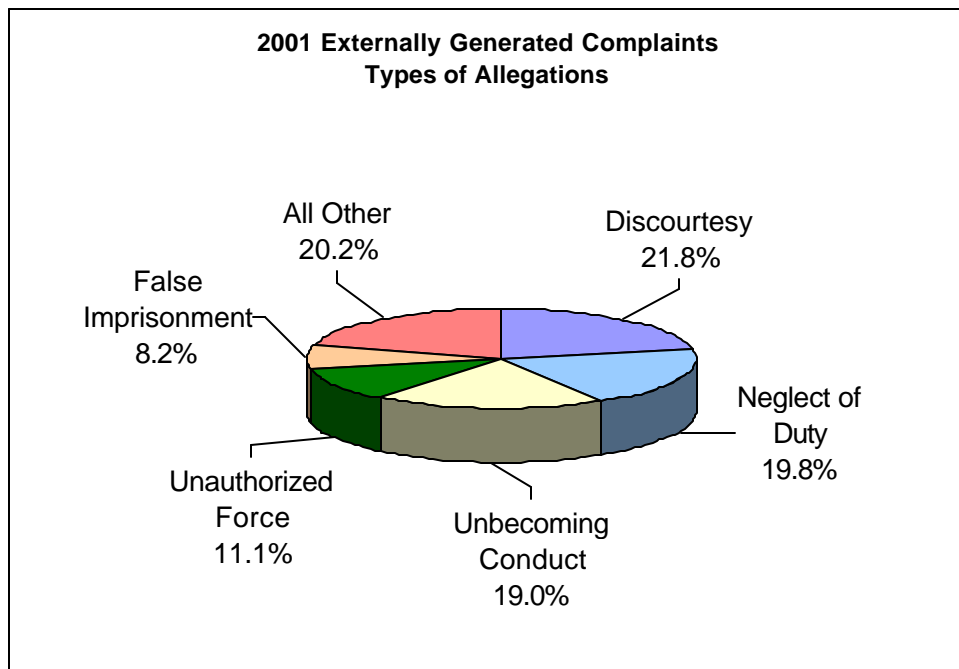


Figure 3 - Most Frequently Alleged Misconduct for Closed Complaints

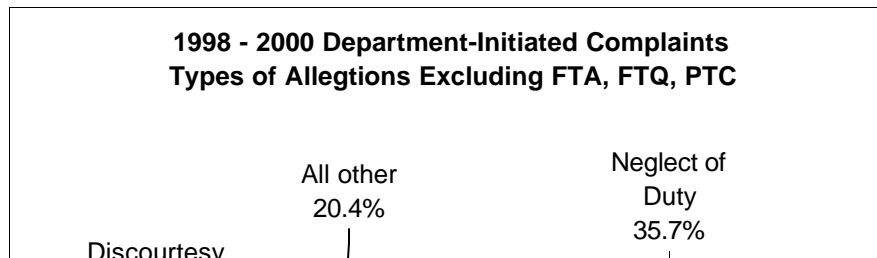
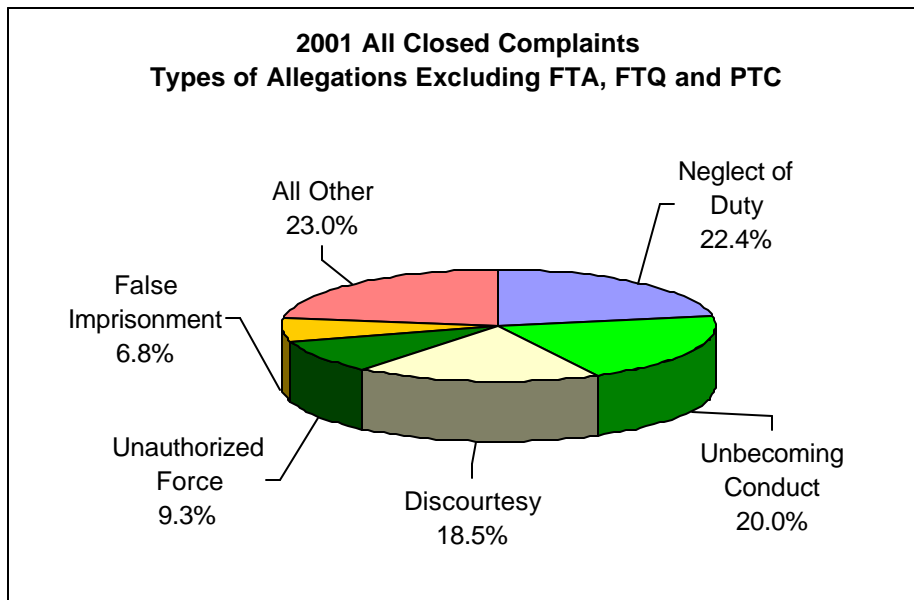
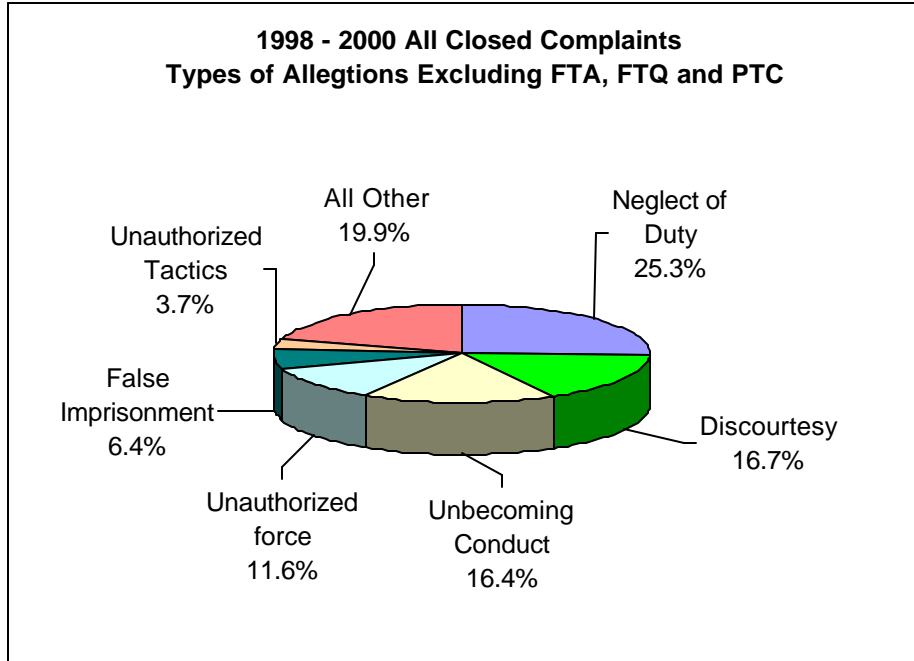
(See Table III - Alleged Misconduct in Closed Complaints, found in the Report Data Book, for additional details.)

A large number of Department-initiated complaints involve “automatic” violations such as Failure to Appear for a scheduled Court appearance (“FTA”), Failure to Qualify or meet shooting proficiency requirements (“FTQ”), or involvement in a Preventable Traffic Collision (“PTC”). To determine whether these types of complaints skewed the patterns, the data was re-analyzed without these three categories of misconduct. Although the relative percentages changed for Department-initiated and consequently total complaints,

there continued to be differences regarding the most common Department-initiated complaints versus externally generated complaints. For example, 14.4% of all externally-generated complaints involved allegations of Unauthorized Force, versus 2% of all Department-initiated complaints for the years 1998-2000, and 11.1% of all external complaints in 2001, versus 1.5% of all Department complaints. Furthermore, almost 20.3% of all externally generated complaints for 1998-2000 involved allegations of Discourtesy, as opposed to just 4.3% of Department-initiated complaints for the same time period. In 2001, the same general disparity appeared, with 21.8% of all external complaints in 2001 alleging Discourtesy, versus only 4.1% of Department-initiated complaints. [For additional details see Table IV - Allegations of Misconduct in Closed Complaints

(Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision), found in the Report Data Book.]

All Closed Complaints



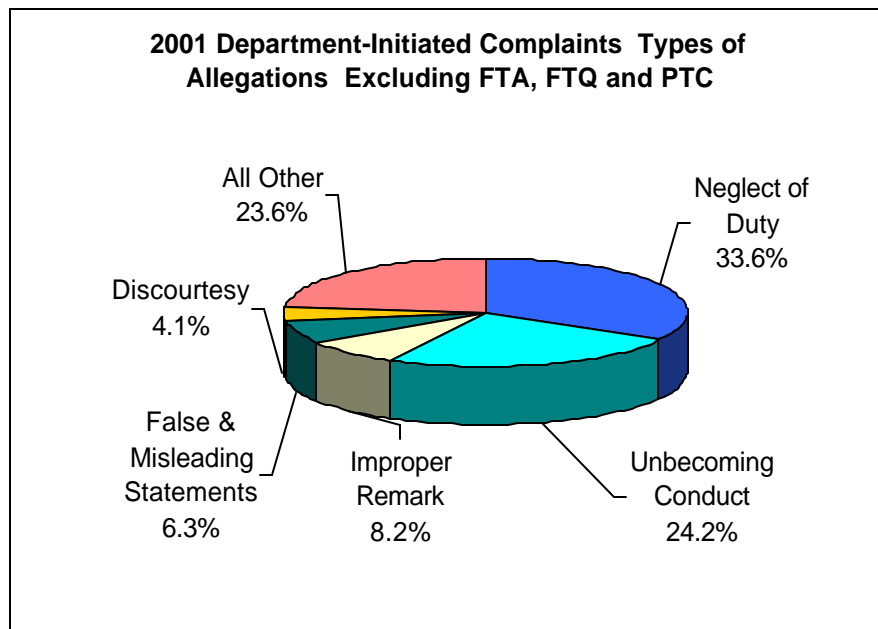


Figure 4 - Most Frequent Types of Allegations Excluding Failure to Appear, Failure to Qualify, & Preventable Traffic Collision

[See Table IV - Allegations of Misconduct in Closed Complaints
 (Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision), found in the Report Data Book, for additional details.]

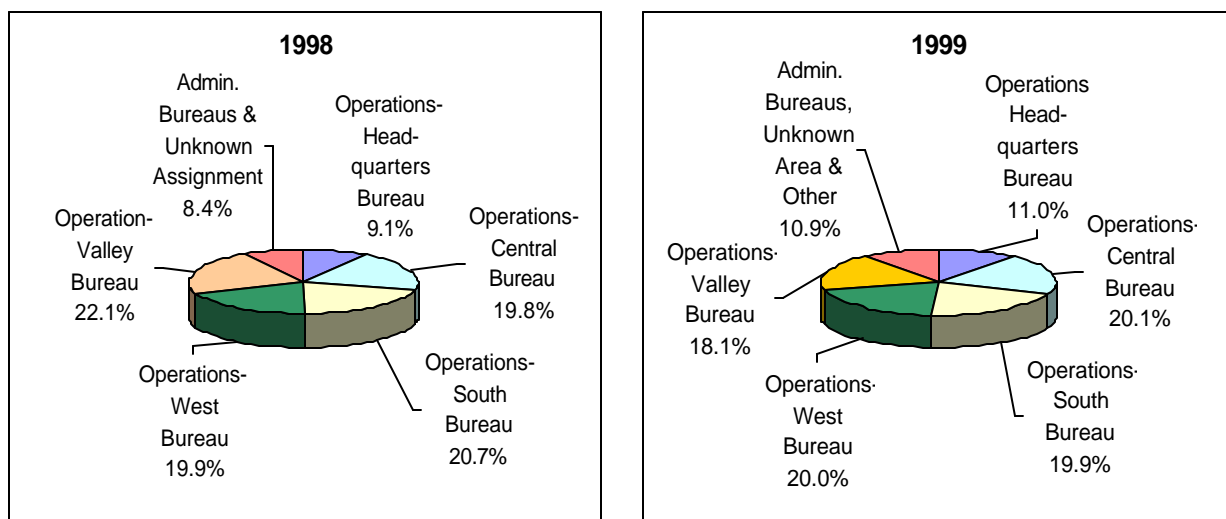
Bureau Comparisons^{xiii}

Complaints Received

Complaints against employees of the four geographic bureaus and Operations Headquarters Bureau, which includes Metropolitan Division, Narcotics and other specialized divisions, account for almost 90% of the all complaints received during 1998-2000, as well as in 2001. These bureaus have both the largest deployment and also the most field exposure.

There have been some variations over time. In 1998, Valley Bureau accounted for the largest proportion of complaints – almost 22% of all complaints received, while Central Bureau accounted for the smallest percentage of complaints received from geographic bureaus (19.4%). In 2000, these rankings switched: Valley Bureau accounted for the smallest proportion of complaints (17.2%) from all four geographic bureaus while Central Bureau employees accounted for 23.5% of all complaints received. In 2001, Valley Bureau still had the smallest proportion of complaints of all geographic bureaus, while Central Bureau again led the other geographic bureaus in most complaints.

Complaints Received by Bureaus



Complaints Received by Bureau
(continued)

^{xiii} A Bureau is the largest organizational segment of the LAPD. There are eight Bureaus plus the Office of the Chief of Police and the Police Commission. Although the latter two are not technically Bureaus, they are treated as such for the purposes of this Report. The other Bureaus are as follows: Fiscal and Support Services Division; Information and Communication Services Bureau; Human Resources Bureau, Operations Headquarters Bureau; and the four geographic Operations Bureaus -- Central, South, West and Valley.

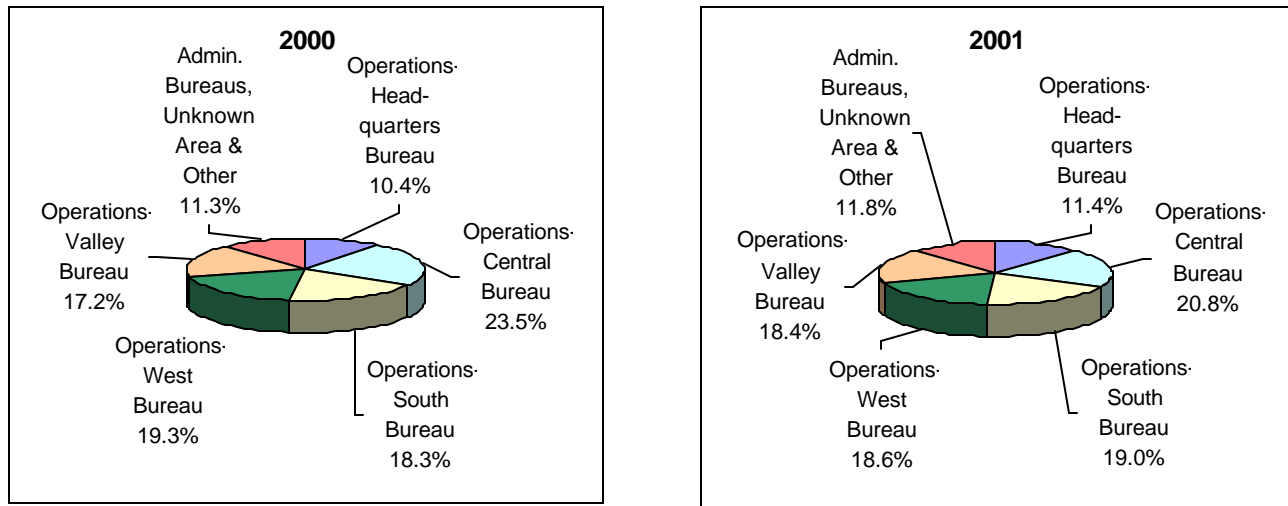
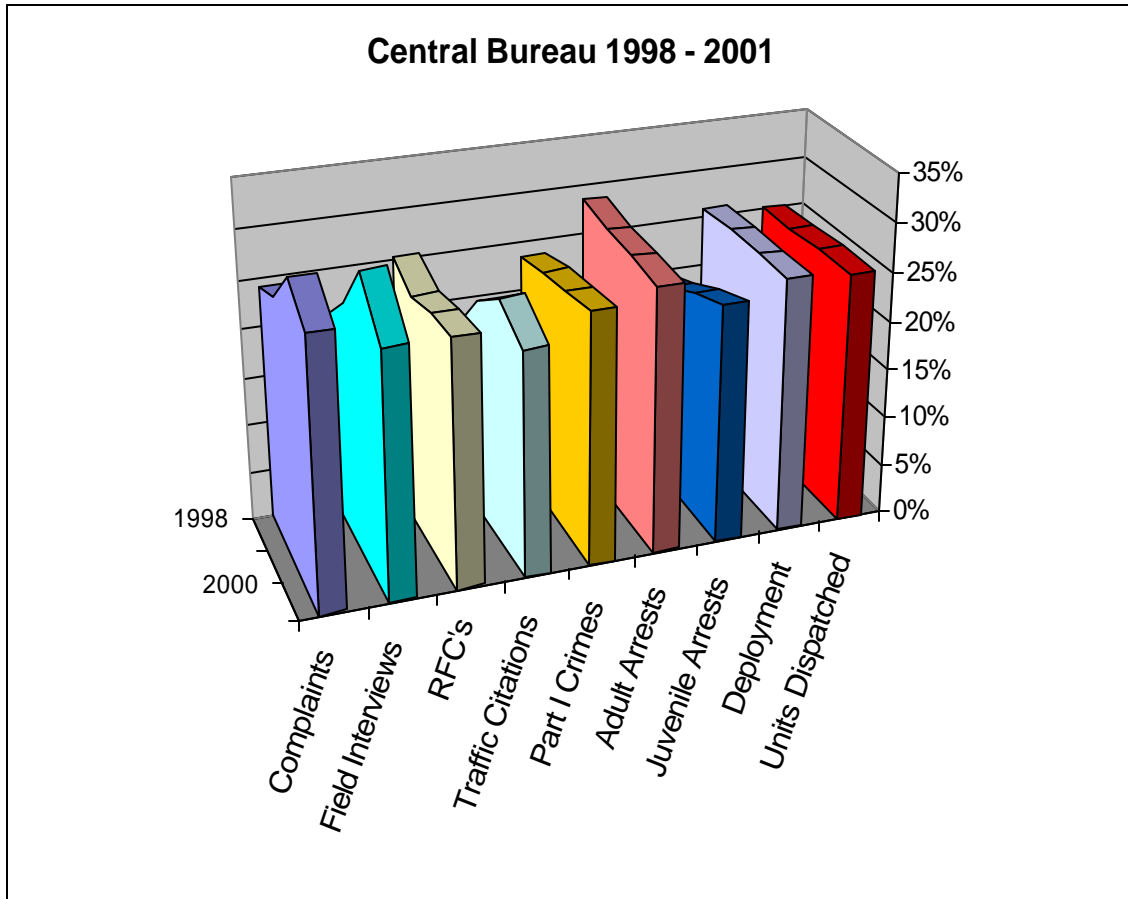


Figure 5 - Complaints Received by Bureaus 1998 - 2001

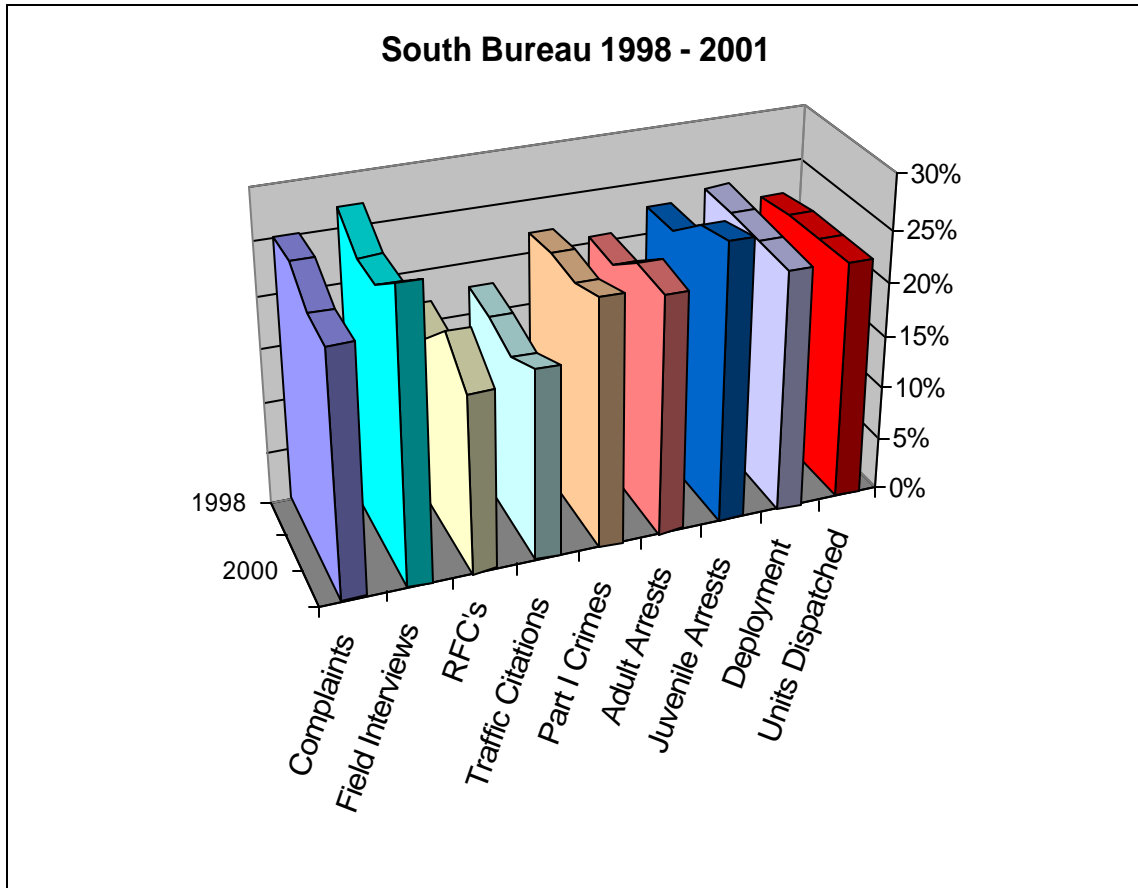
(See Table V- Complaints Received by All Bureaus, found in the Report Data Book, for additional details.)

To further analyze these comparisons, a number of indicators of police activity and enforcement were analyzed, including field interviews, field releases from custody, crime rates, arrests (juvenile and adult), traffic citations and deployment. Though a more in-depth study is clearly warranted, an apparent correlation was seen between complaints and field interviews, and, to a lesser degree, between complaints and adult arrests.

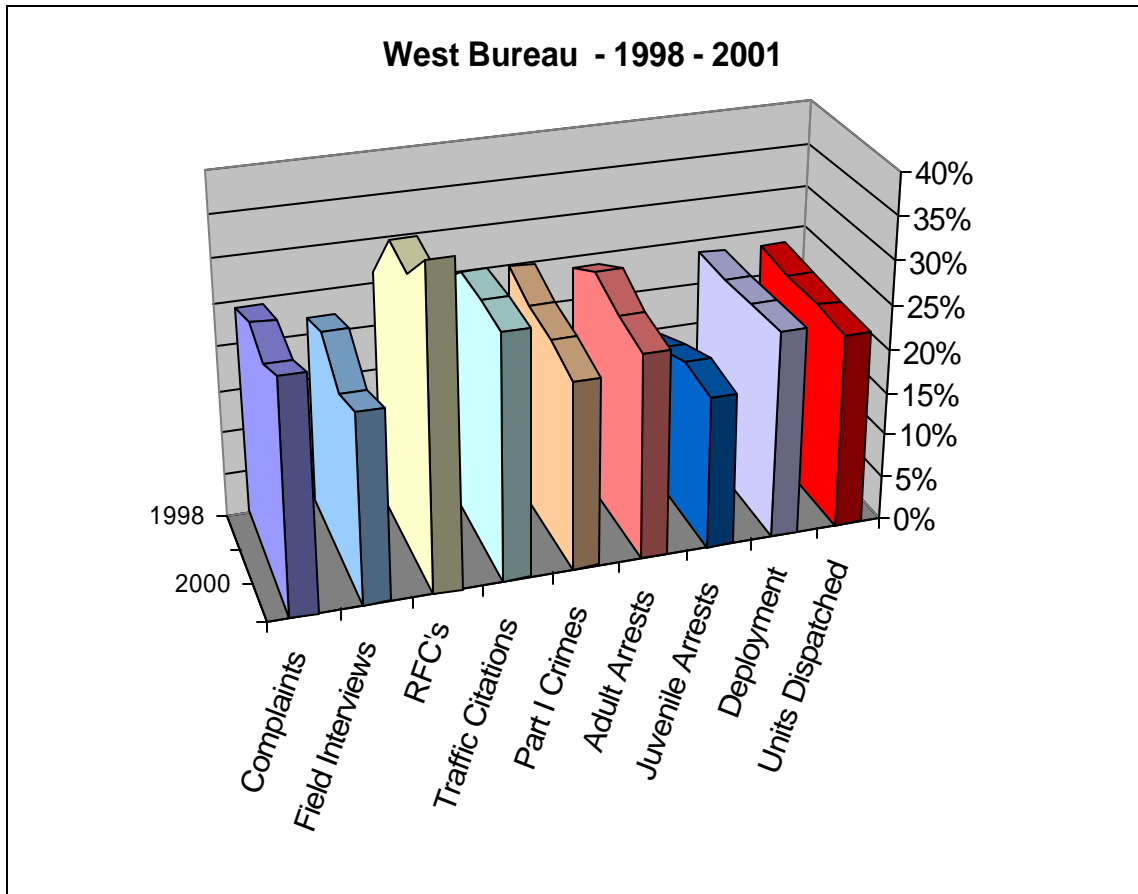
Comparison of Complaints Received and Other Indicators



Comparison of Complaints Received and Other Indicators



Comparison of Complaints Received and Other Indicators



Comparison of Complaints Received and Other Indicators

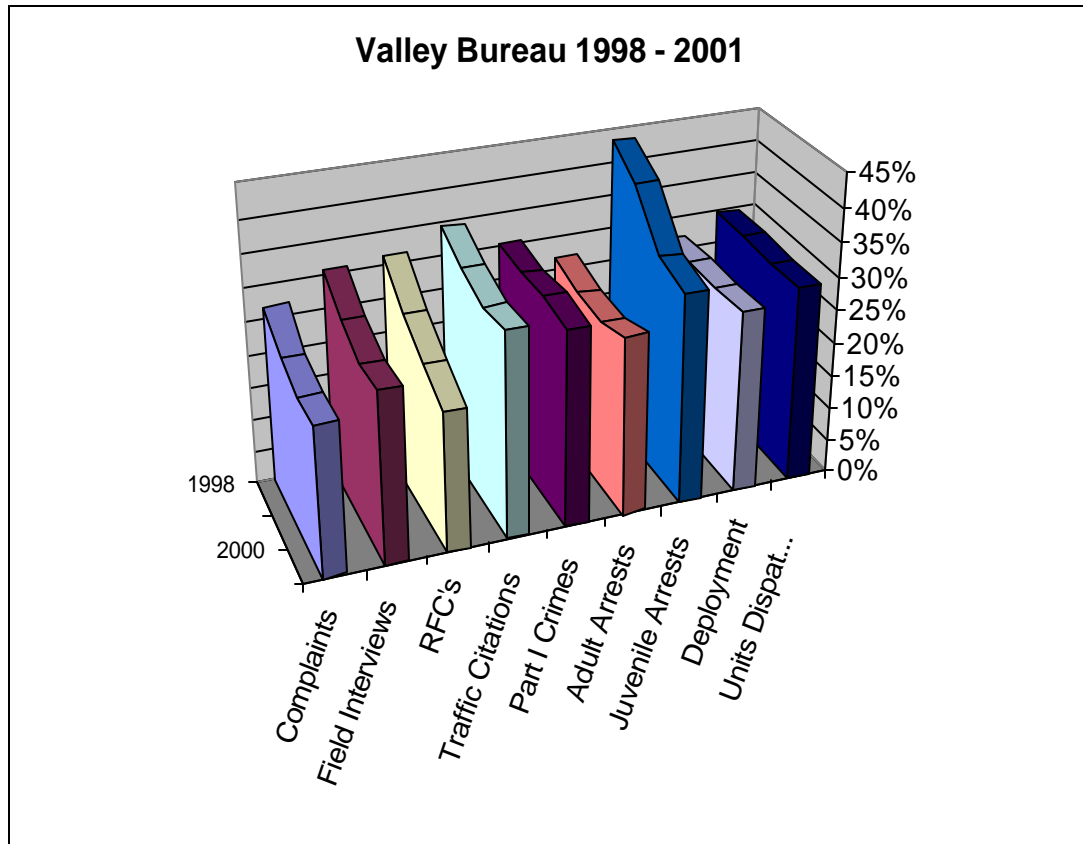


Figure 6 - Comparison of Complaints Received and Other Indicators

(See Table VI - Bureau Comparison Complaints Received and Other Indicators, found in the Report Data book, for additional details.)

Complaint Dispositions

The Department's discipline system includes a number of different complaint dispositions. These are as follows:

Description of Complaint Dispositions

Finding	Description
<i>Sustained</i>	The investigation discloses that the act complained of occurred and constitutes misconduct.
<i>Sustained/No Penalty</i>	The investigation discloses that the act complained of occurred and constitutes misconduct but is of a minor nature where training or counseling might be more appropriate.
<i>Not Resolved</i>	The investigation discloses insufficient evidence to adequately prove or disprove clearly the allegations.
<i>Guilty</i>	Can only be determined by a Board of Rights.
<i>Not Guilty</i>	Can only be determined by a Board of Rights.
<i>Exonerated</i>	The investigation indicates the act occurred but that the act was justified, lawful, and proper.
<i>Unfounded</i>	The investigation indicates the act complained of did not occur.
<i>No Misconduct</i>	The investigation of an employee's action or inaction does not identify any allegation of misconduct, as defined by Manual Section 3/805.25, or the complainant has been identified by IAG as a chronic/crank complainer and the investigation showed no evidence of any misconduct, or the allegation is demonstrably false and the complainant appears to have an obvious mental deficiency.
<i>Policy/Procedure</i>	When the investigation reveals that the nature of the complaint dealt solely with a Department policy or procedure.
<i>No Department Employee</i>	The investigation reveals that no Department employee was involved.
<i>Incomplete</i>^{xiv}	The investigation cannot be thoroughly or properly investigated. This may be caused by a lack of cooperation by the complainant and/or witnesses, or the absence of a critical interview which was necessary to proceed with the investigation, or the available physical evidence or witness statements are insufficient to adequately or properly adjudicate the complaint.
<i>Withdrawn by Chief of Police</i>	The Chief of Police may withdraw allegation(s) or charge(s) in the best interest of the Department when: on the advice of the City Attorney, imposing discipline is legally prohibited, or would subject the Department to civil liability; or, in the interest of justice and/or fairness, the allegation would be better adjudicated outside the Department, e.g., by a court of competent jurisdiction; the alleged act constitutes minor misconduct and/or significant time has passed; or evidence used to sustain a charge is unavailable or has been lost, stolen or destroyed. The rationale for withdrawal of an allegation must be articulated in writing.

^{xiv} Pursuant to Special Order No. 36 (October 29, 2001) this category was eliminated and replaced by a new category, "INSUFFICIENT EVIDENCE TO ADJUDICATE."

For all 1998 – 2000 closed complaints, as well as for 2001, less than one third of the allegations were Sustained and/or the employee was found Guilty in a Board of Rights. (This combined percentage will be referred to in this Report as the “sustained rate”). Nearly as many were determined to be Unfounded as were determined to be Sustained or Guilty for 1998 - 2000, and roughly 13% for all four years were classified as Not Resolved.

**1998 – 2000 Closed Complaints
Disposition of Allegations**

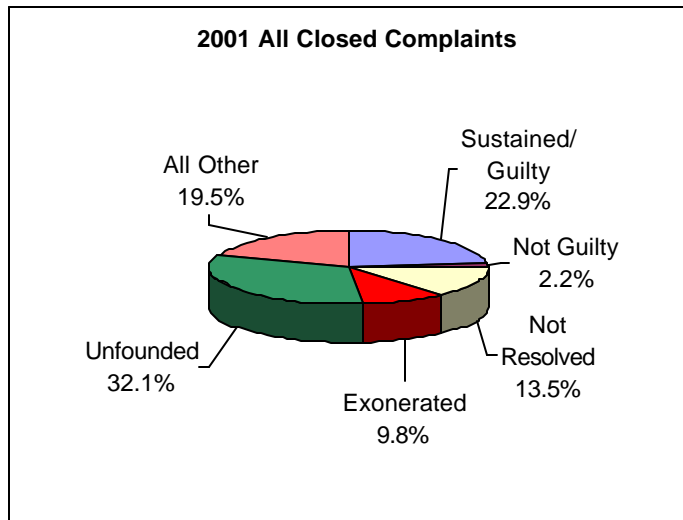
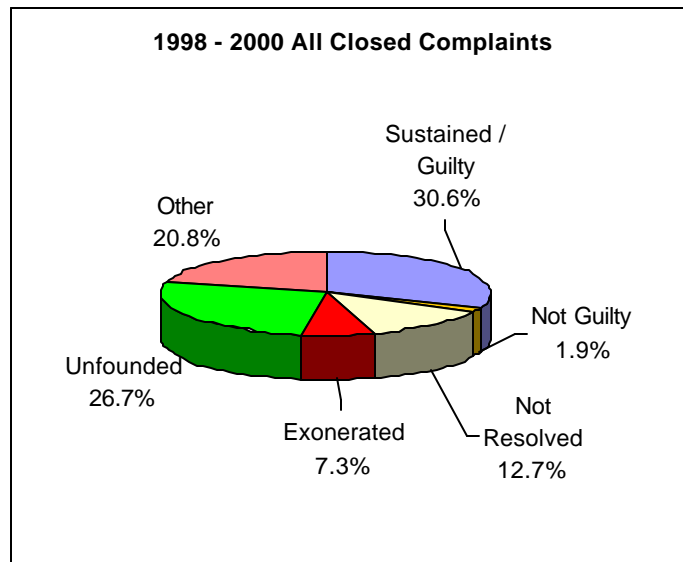


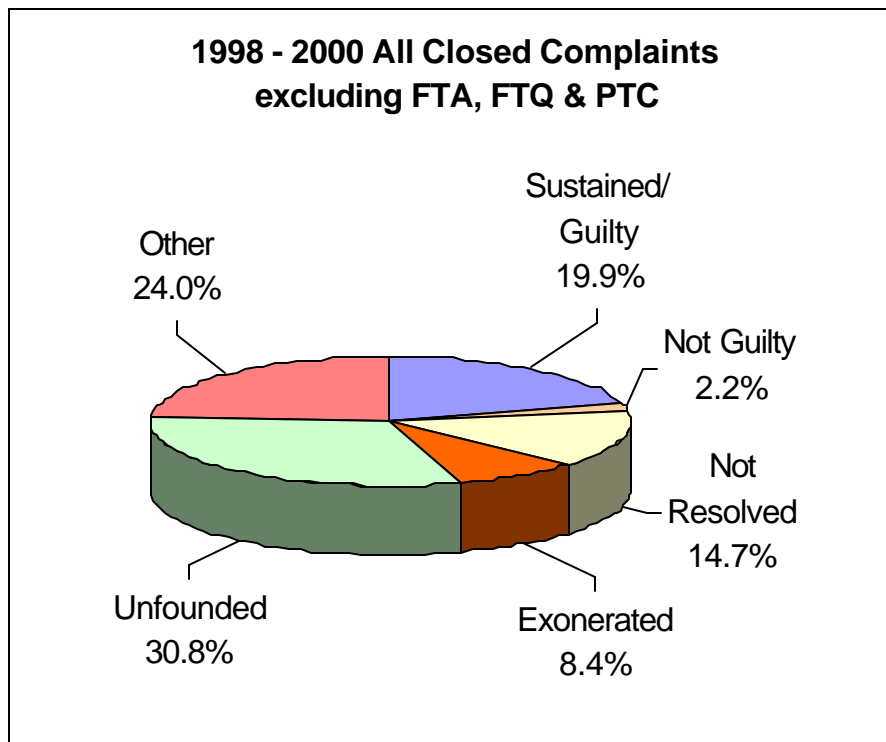
Figure 7 - Dispositions based on Total Allegations

(See Table VII - Disposition of All Closed Complaints, found in the Report Data Book, for additional details.)

There are some categories of allegations such as Failure to Appear, Failure to Qualify, and Preventable Traffic Collision that by their very nature are overwhelmingly sustained. If these cases are removed, the percentage of Sustained/Guilty allegations drops from approximately 30% for 1998-2000, to approximately 20% for the same time period.

Disposition of Allegations in Closed Complaints

(Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collisions)



Disposition of Allegations in Closed Complaints

(Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collisions)

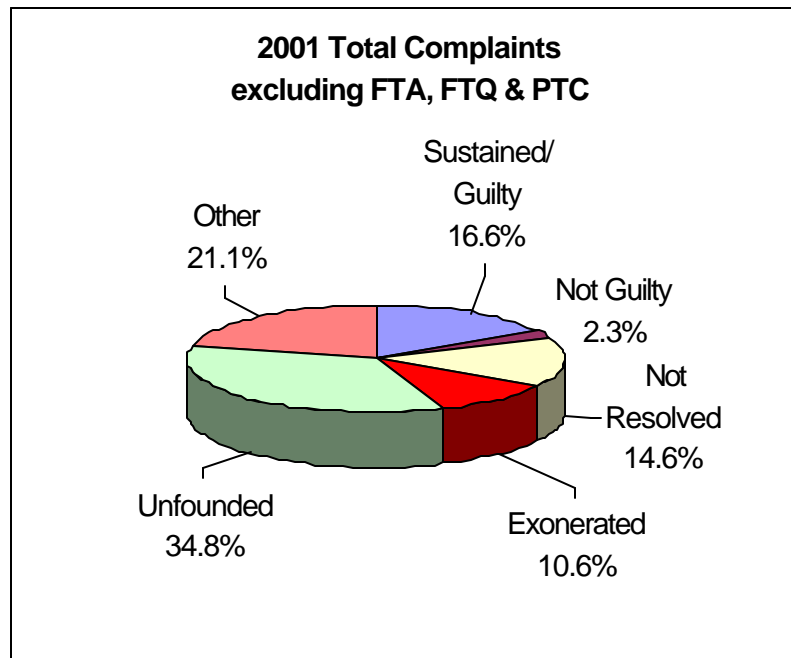


Figure 8 -- Disposition of Complaints excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collisions

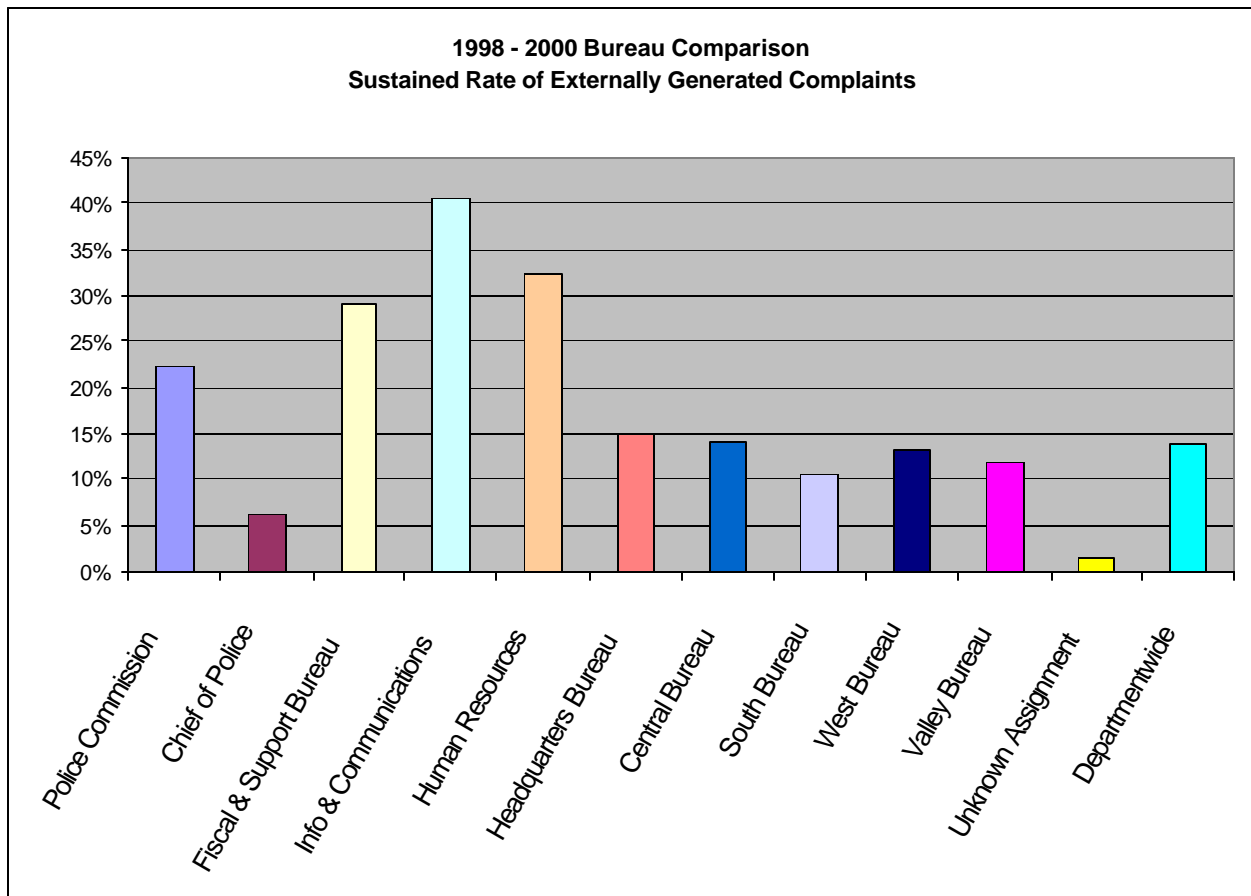
(See Table VIII - Disposition of All Closed Complaints Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision, found in the Report Data Book, for additional details.)

Bureau Comparisons

Summary data was available only for externally generated complaints. Therefore, the percentages in this section should not be compared to those in the preceding section of this Report. They are included here only to provide insight as to the relative values for the various bureaus. Additionally, caution should be used in evaluating sustained rates for those bureaus that receive relatively few complaints.

Among the geographic bureaus, Central Bureau had the highest sustained rate for the three-year period of 1998-2000, while South Bureau had the lowest, at 10.5% for the same period. However, Operations Headquarters Bureau, which includes Metropolitan Division, Narcotics and other specialized divisions, had a higher sustained rate for these three years than the four geographic bureaus. For 2001, West Bureau surpassed Central Bureau as the geographic bureau with the highest sustained rate, with Valley Bureau having the lowest sustained rate of geographic bureaus. Again, Operations Headquarters Bureau had a higher sustained rate than all the geographic bureaus.

Looking at the Department as a whole, the entity with the highest sustained rate for 1998-2000, as well as for 2001, was the Information and Communications Services Bureau (ICSB) with a sustained rate of over 40%. Many complaints to ICSB concern emergency operators within Communications Division. Because all incoming calls for assistance are automatically tape-recorded by Communications Division, determining whether or not a complaint should be sustained is a relatively straightforward process, and only a small percentage of complaints from this division are adjudicated as “not resolved.”



**Bureau Comparisons
Percentage of Total Externally Generated Complaints found Sustained/Guilty**

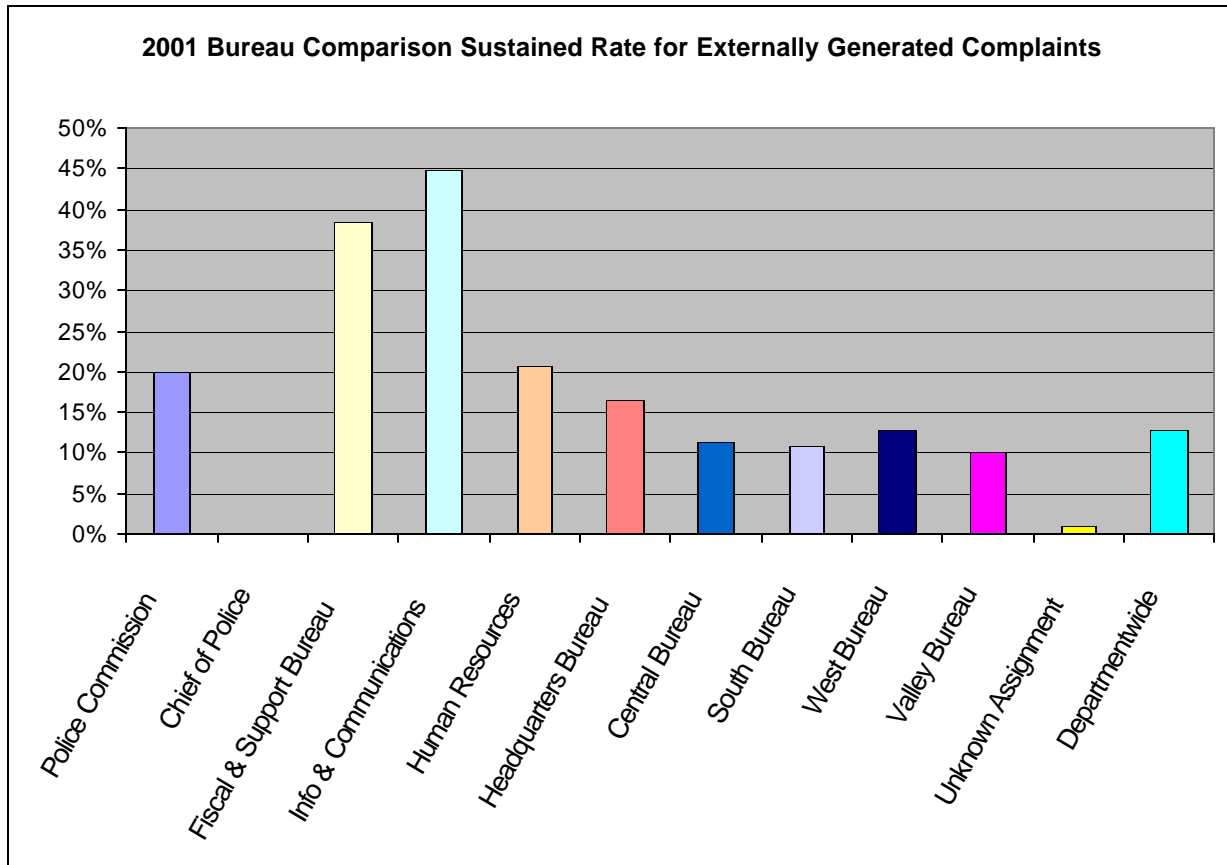


Figure 9 - Bureau Comparison of Sustained Rates for Externally Generated Complaints

(See Table IX - Bureau Comparison Sustained Rate of Allegations Made in Externally Generated Closed Complaints, found in the Report Data Book, for additional details.)

Comparisons by Rank

Police Officers I, II, and III account for roughly three-fourths of closed complaint allegations and consequently about the same proportion of all Sustained/Guilty complaints. However, if one looks at the sustained rates (i.e., the percentage of allegations found Sustained/Guilty) for each rank or group of ranks, some differences emerge. The sustained rates for Lieutenants, Sergeants and Detectives taken as group is higher than that for Police Officers -- approximately 35% v. less than 30%. At approximately 22%, the sustained rate for Captains and above is much lower, although caution should be used in drawing any conclusions because this latter group is statistically so much smaller than the others. The chart below illustrates comparative Sustained Rates. (For additional detail see Table X - Comparison among Sworn Ranks -- Sustained/Guilty Rate based on Total Allegations, found in the Report Data Book.)

Comparison among Sworn Ranks –

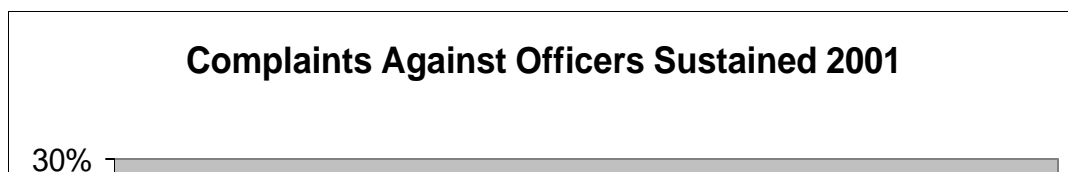
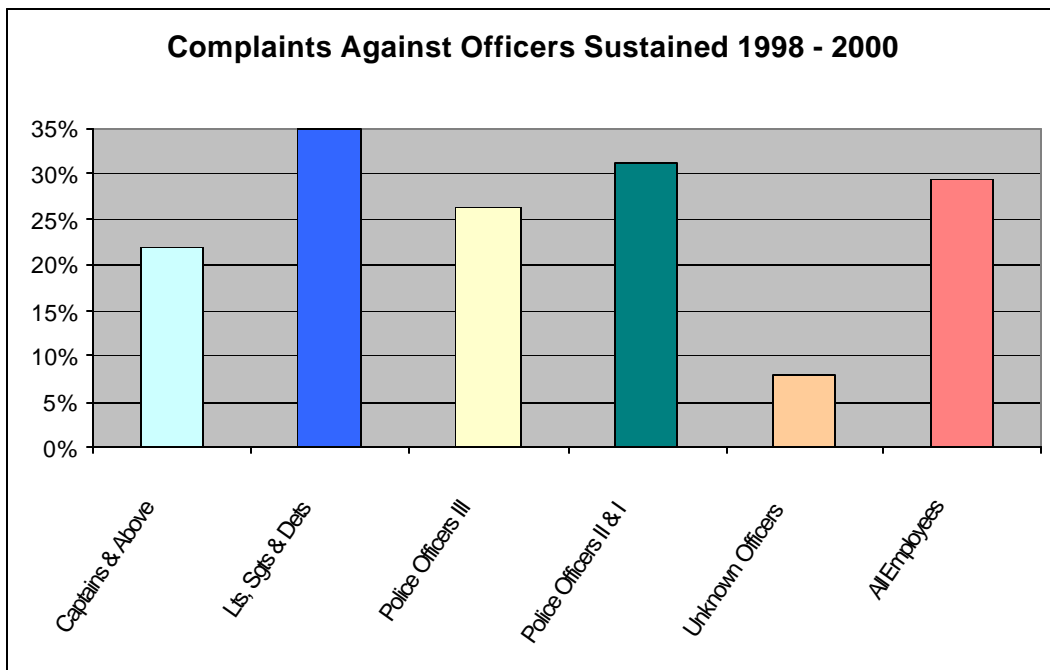


Figure 10 - Comparison among Sworn Ranks -- Complaints Found Sustained/Guilty

(See Table X - Comparison among Sworn Ranks -- Sustained/Guilty Rate based on Total Allegations, found in the Report Data Book, for additional details.)

Claims of Disparity of Treatment between Ranks

One of the frequent criticisms of the current discipline system is that it is marked by disparity. Some have argued that higher-ranking officers or those with connections to the command staff are punished less severely than low-ranking officers who have committed the same or similar offenses. Because concerns regarding disparity undermine confidence in the discipline system and negatively affect morale, the OIG is sensitive to these concerns. Accordingly, we attempt to analyze and compare cases raising potential disparity issues. Often, comparisons are difficult because police officers tend to receive complaints for different types of misconduct than command officers.

During 2001, the OIG analyzed a number of cases raising potential disparity concerns, including the following:

- A lieutenant and a sergeant failed to notify their commanding officer of a superior/subordinate personal relationship, in violation of Department policy. Each received an official reprimand. The penalties were compared to those imposed in seven other similar cases. The penalties in those matters ranged from a reprimand or admonishment to referral to a Board of Rights. The OIG determined that the penalties were lenient but that the Department reasonably identified certain mitigating circumstances justifying the penalties imposed in this case.
- In one case, a lieutenant (subsequently promoted to captain) had an accidental discharge. He received a reprimand. We reviewed 38 other cases involving negligent discharges, and found that six resulted in admonishments or reprimands, 28 resulted in suspensions, two in no action, one in termination, and one in resignation. Of the suspensions, most were from four to six days. Again, we found that the penalty in this lieutenant's (captain's) case was on the lighter side as compared with similar cases. However, it was noted that because the accused was a captain, he was subject to the command officers' "Memorandum of Understanding" with the Department whereby punishment can only be imposed in increments of five days, a provision not applicable to lieutenants and below.
- In one case, a sworn supervisor was involved in a minor traffic collision. When confronted about damage to the vehicle, he initially denied responsibility, but subsequently admitted to his responsibility. The supervisor is related to a member of the command staff. The sergeant was initially directed to a Board of Rights, but the Chief of Police reduced the penalty to 15 days. Although we concluded that the 15-day penalty was reasonable under the totality of the circumstances, we found that the manner in which the case was handled contributed to an appearance of favoritism. We believed the case should have proceeded to a Board of Rights, and that any action to reduce the penalty should have been deferred.
- In one case, it was alleged that a commanding officer took possession of an employee's firearm after the employee was arrested, and then failed to care for the weapon resulting in its loss. The Department initially classified the complaint as "No Misconduct." The OIG objected to this classification and suggested that there was a preponderance of the evidence to sustain the allegation. Internal Affairs conducted a supplemental investigation, and we anticipate a change in the final classification to "sustained."
- In one case, a command officer was addressing a large meeting and made an inappropriate racial/ethnic remark. Although a deputy chief recommended a ten-day suspension, the case

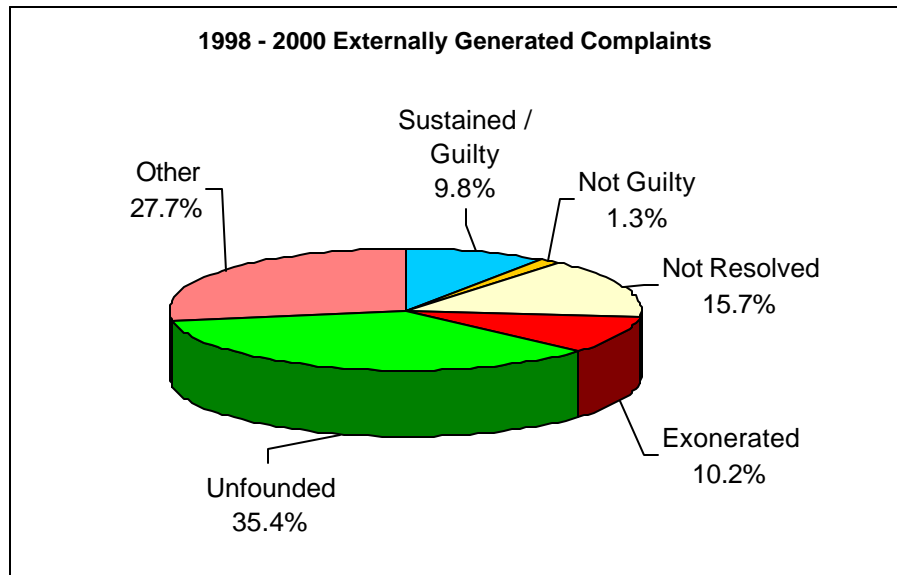
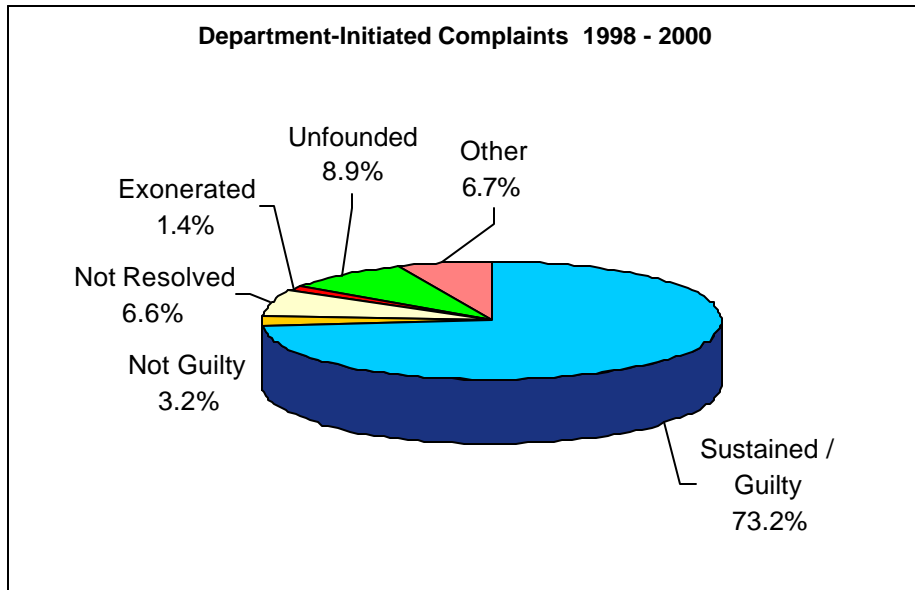
was allowed to run past the statute of limitations. The final disposition was an official reprimand. The Department's penalty guidelines call for a suspension ranging from five to nine days for such a remark.

- A command officer was disciplined for leaving his car running while he stopped for coffee. The car was stolen, along with the command officer's badge, identification, and weapon. The car was recovered but the property was not. The captain was subsequently promoted to commander. It was believed by some in the Department that the promotion occurred while the complaint was pending, contrary to custom and policy. In fact, we determined that the promotion occurred after resolution of the complaint. However, we also determined that the complaint process was expedited and the matter resolved much faster – in six weeks – than normal, which may take up to a year. With respect to the same command officer, several complaints had been lodged against him by Department employees for allegedly improper remarks. The Department classified them as “no misconduct.” We questioned whether these classifications were consistent with the Department's treatment of similar cases involving alleged improper remarks.

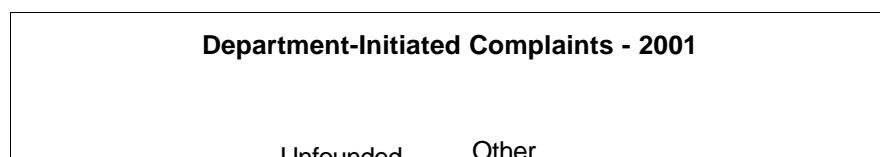
Externally Generated v. Department-Initiated Complaints

Department-initiated complaints are much more likely to be sustained than externally generated complaints, and fewer Department complaints are ultimately classified as Not Resolved. Nearly three-fourths of all Department-initiated allegations result in a finding of Guilty or Sustained, as compared to approximately 10% of externally generated complaints.

**Closed Complaints
Dispositions for Department-Initiated and Externally Generated Complaints**



**Closed Complaints
Dispositions for Department-Initiated and Externally Generated Complaints**



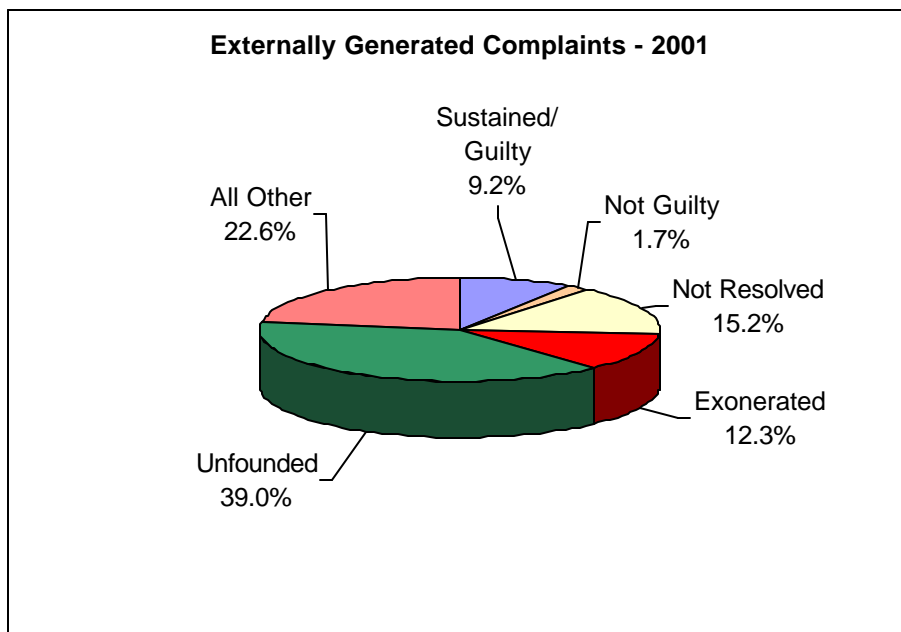
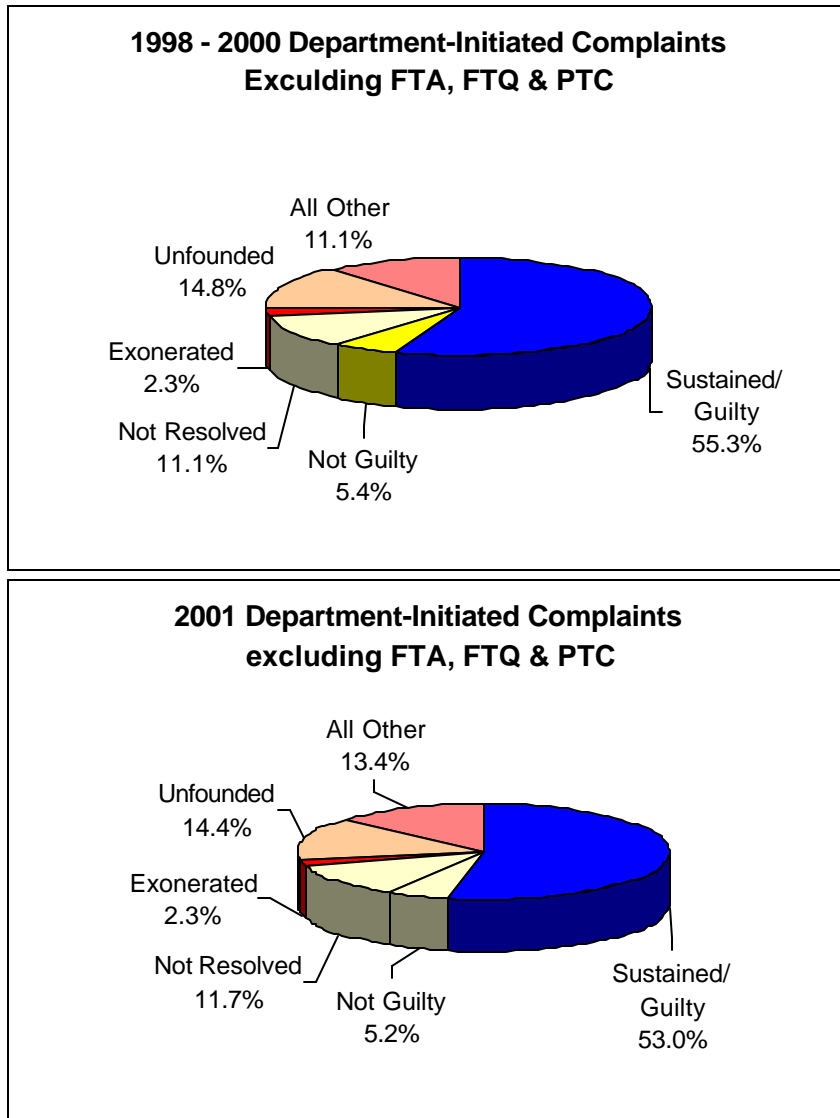


Figure 11 Dispositions – Department-Initiated and Externally Generated Complaints

(See Table VII - Disposition of All Closed Complaints, found in the Report Data Book, for additional details.)

In part, the discrepancies in sustained rates between Department and externally generated complaints are due to the nature of the complaints themselves. As mentioned earlier, approximately 40% of all Department complaints involve Preventable Traffic Collisions, Failures to Appear, and Failures to Qualify, allegations which by their nature are almost always sustained. Only a very small percentage of externally generated complaints fall into these categories. Yet even when these types of complaints are removed, the differences in dispositions between external and Department complaints are nonetheless substantial. This difference has led to allegations of Department bias against non-Department witnesses, and a number of previous studies have made recommendations regarding witness credibility and evidence assessment. (See [Appendix 6](#), Special Order No. 36, 2001, under separate cover in Report Data Book) It should be noted, however, that Los Angeles sustains a higher percentage of externally generated complaints than do a number of other jurisdictions. At this juncture, it is impossible to determine with any precision the underlying reasons for this difference. This is clearly an area for further study.

**Disposition of Closed Complaints
(excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collisions)**



**Figure 12 - Dispositions (based on Total Allegations
Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collision**

(See Table VIII - Disposition of All Closed Complaints

Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision, found in the Report Data Book, for additional details.)

Comparisons with Other Jurisdictions

To develop the comparisons used in this section, the OIG compared personnel complaint data to data supplied by the San Jose Independent Auditor, the San Francisco Office of Citizen Complaints, the San Diego County Citizens' Law Enforcement Review Board, and the Los Angeles County Sheriff's Department. Because San Francisco and San Diego review agencies handle only citizen complaints, the first set of comparisons was based on externally generated complaints. (The Sheriff's Department was not included in this first comparison since the available data did not differentiate between internally and externally generated complaints.) This comparison was also performed on a "Total Complaint" rather than the "Total Allegation" basis used elsewhere throughout this Report, because the Total Complaint basis was used most frequently in other jurisdictions.

Comparisons between jurisdictions are difficult because different jurisdictions define and record complaints in different ways. Some jurisdictions, like Los Angeles, define all expressions of dissatisfaction as a complaint, while other jurisdictions may pre-screen initial complaints to eliminate service complaints or complaints of a trivial nature. The types of complaints may also impact sustained rates because certain types of allegations, such as a one-on-one discourtesy allegation with no physical evidence, are almost often not resolvable. Finally, statistics can be based on the total number of allegations, the total number of complaints, or even the total number of officers. All of these factors can significantly impact sustained rates and serve as a cautionary note to any cross-jurisdictional comparisons.

Professor Samuel Walker, in his recently published book, Police Accountability -- The Role of Citizen Oversight, provides a detailed discussion of these issues. Professor Walker notes that for externally generated complaints, sustained rates range between 10% and 13%, regardless of the jurisdiction and regardless of whether the adjudication is performed by an internal review or an outside citizen complaint board. Professor Walker suggests that, in part because so many complaints involve one-on-one situations without forensic evidence, "citizen complaints are inherently difficult to investigate and even harder to sustain."^{xv} He concludes that "low sustain rates appear to be a universal phenomenon common to all complaint procedures . . . [and] it is unreasonable to expect high rates even in the best of circumstances."^{xvi} The sustained rates for the jurisdictions reviewed in this Report are consistent with this trend and generally fall within the range described by Professor Walker, although LAPD's sustained rate of nearly 14%^{xvii} for all externally generated complaints for 1998 – 2000 is slightly higher than the norm, while San Francisco's at roughly 9% is slightly lower.

^{xv} Walker, Samuel, Police Accountability -- The Role of Citizen Oversight, Wadsworth Group, 2001, p. 139.

^{xvi} Id., at p. 120.

^{xvii} Note, again, the difference between this sustained rate and the lower sustained rate for externally-generated complaints in Figure 11, *supra*, is likely explained by the fact that Figure 11 is based on a Total Allegations basis, versus Figure 14, which is based on a Total Complaint Basis.

**Comparison with Other Jurisdictions
Sustained Rates for Externally Generated Complaints^{xviii}**

Jurisdiction	1998	1999	2000	3Yr
Los Angeles	13.9%	13.6%	14.2%	13.8%
San Jose	8.3%	13.0%	9.6%	10.6%
San Francisco	10.4%	8.8%	8.2%	9.1%
San Diego County	2.7%	12.1%	9.9%	9.8%

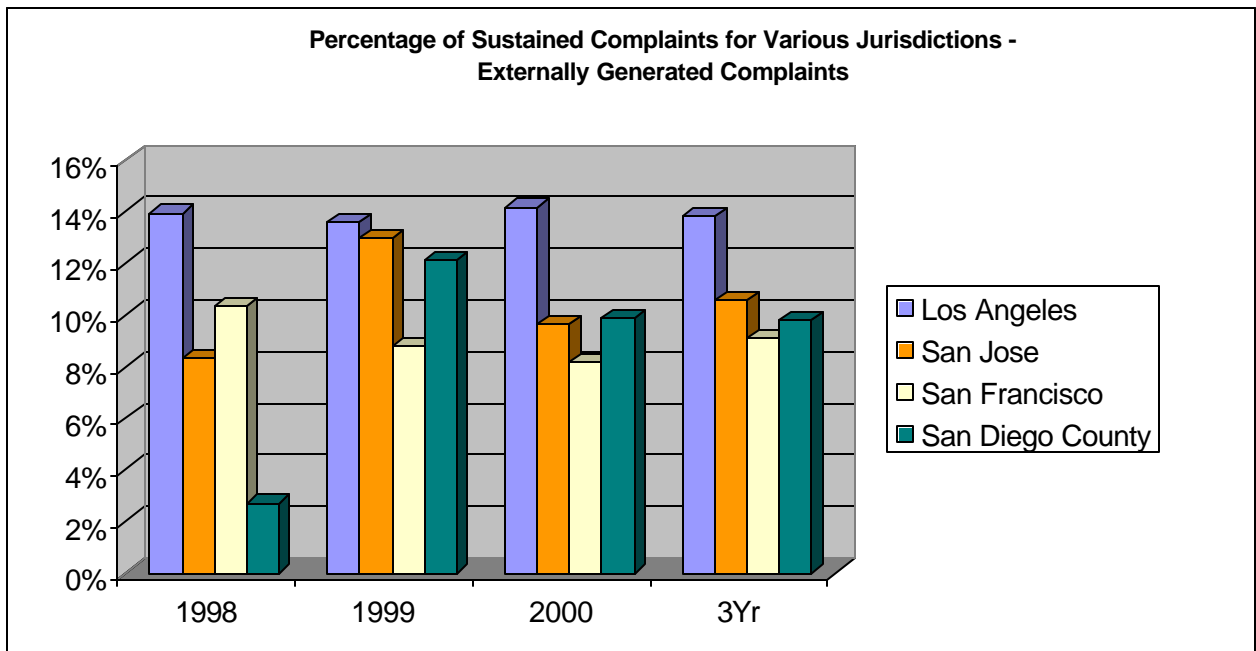


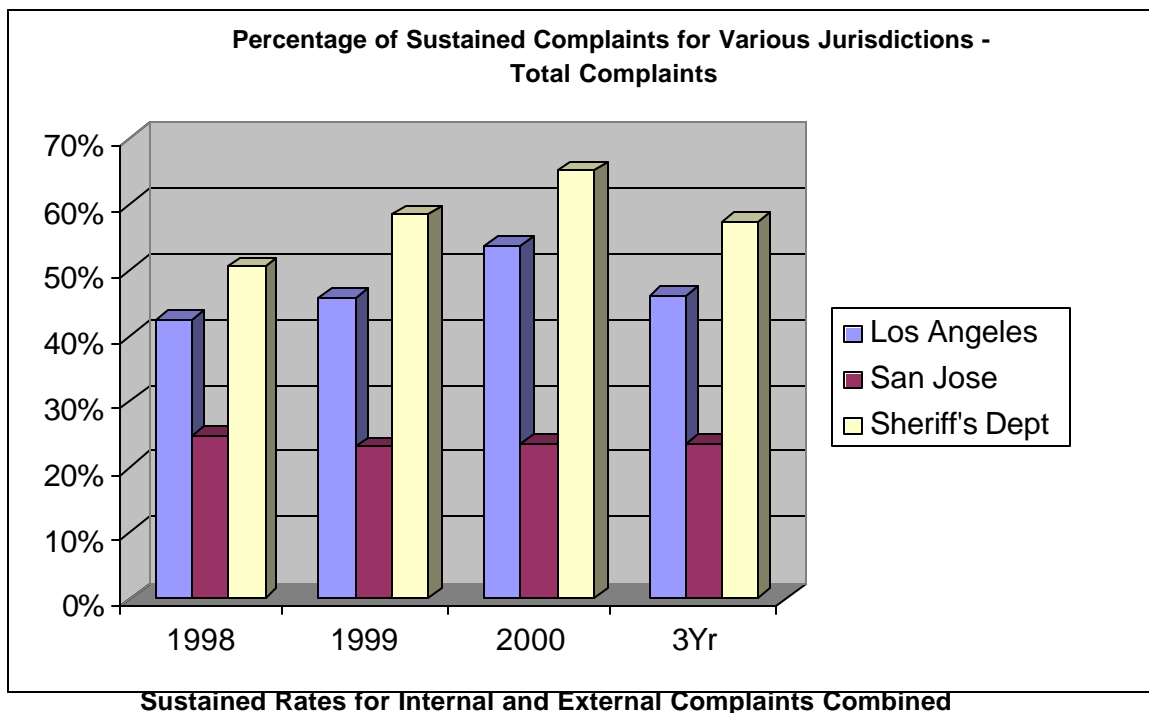
Figure 13 -- Comparison with Other Jurisdictions - Sustained Rates External Complaints

^{xviii} Basis is the percentage of complaints where any allegation is sustained.

Because San Jose and the Los Angeles Sheriff's Department also provided information on the combined total of external and internal complaints, a second comparison was made using this data.^{xix} With respect to total formal administrative complaints, based on an analysis of the information provided, the Los Angeles Sheriff's Department had a substantially larger sustained rate – 57% -- than LAPD's 46% sustained rate over a three-year average.^{xx}

Comparison with Other Jurisdictions - Sustained Rates for Total Complaints

Jurisdiction	1998	1999	2000	3Yr
Los Angeles	42.4%	45.9%	53.9%	46.3%
San Jose	24.8%	23.2%	23.6%	23.7%
Sheriff's Dept	50.6%	58.6%	65.3%	57.3%



Sustained Rates for Internal and External Complaints Combined

Penalties

^{xix} The Sheriff's Department uses slightly different terminology for their dispositions. This Report uses LAPD's classifications to avoid confusion.

^{xx} As noted above, the percentages in this section are different than those which appear elsewhere in this Report because they are based on a "Total Complaint" rather than "Total Allegation" basis. (See page 19 for a more detailed discussion of the two bases.) In this section, LAPD data was analyzed on a Total Complaint basis in order to ensure an "apples to apples" comparison with data provided by other jurisdictions. Because a sustained rate based on Total Complaints will usually be different from a sustained rate based on Total Allegations, percentages in this section should not be compared to those appearing elsewhere in this Report.

The penalties for a sustained complaint can range from a warning to discharge or termination. (The term “penalty” is used as a generic term to describe the disciplinary outcome of a sustained complaint.) The penalty should be based on a number of factors including the severity of the misconduct and the officer’s history. If the recommended penalty is more than 22 days, the complaint must be sent to a BOR. (See Boards of Rights discussion below). An officer may also elect to go before a BOR for any sustained complaint where a suspension of any length or termination is recommended.

The most commonly assessed penalty for 1998-2000 was an admonishment, followed by a suspension. However, in 2001, the most commonly assessed penalty was a suspension, followed by an admonishment. The average suspension for all types of sustained misconduct was just under four days for 1998-2000. This number jumped in 2001 to approximately 14 days.

In the following figure, “Removed/Discharged/Transferred” includes the following categories on Table XI: Discharged/Removed/Transferred, Removed on Prior Board, Discharged on Prior Complaint, and Terminated on Probation found in the Report Data Book.

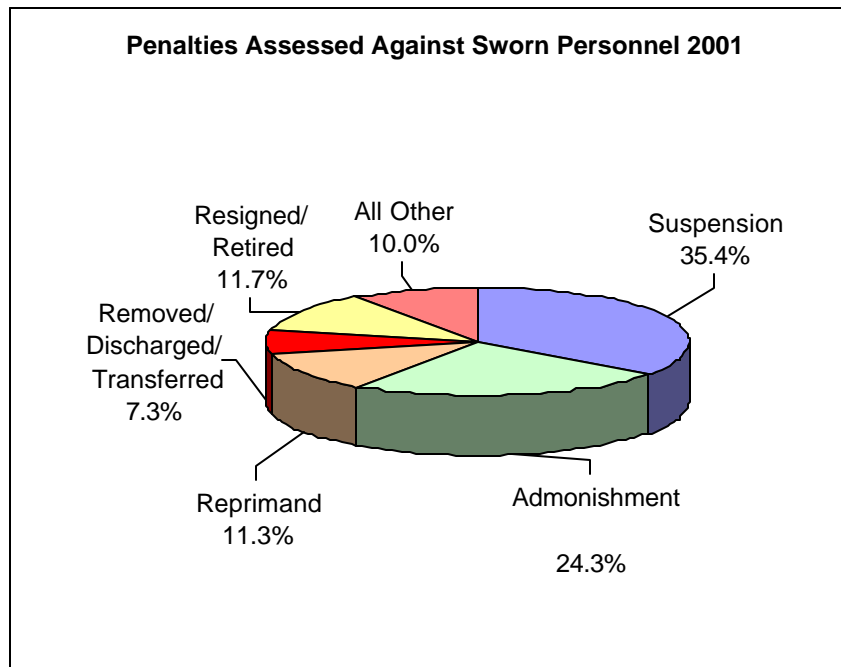
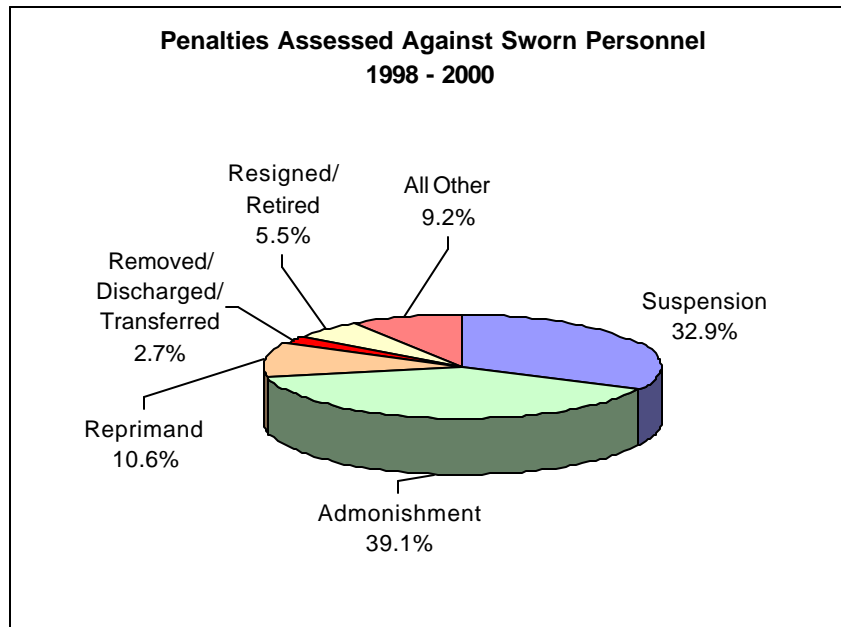


Figure 15 - Penalties Assessed Against Sworn Personnel

(See Table XI - Penalties Assessed Against Sworn Personnel, found in the Report Data Book, for additional details.)

In order to ensure uniformity of discipline and minimize possible subjective bias, recently the Department issued guidelines which suggest ranges of penalties for the various types of misconduct. The guidelines list types of misconduct, provide specific examples of each type of misconduct, and a recommended penalty range for each category. These guidelines also provide a suggested range of penalties for the first and subsequent offenses for each category of allegations. The OIG has begun to monitor actual penalties imposed in relationship to the ranges set out in the guidelines.

Boards of Rights

A Board of Rights (“BOR”) is an administrative hearing to determine whether a sworn member of the Department charged with misconduct should be found guilty or not guilty, and in the case of the former, to determine the appropriate penalty. A BOR is a quasi-legal tribunal composed of two officers of the rank of Captain and above, and one civilian member who is not a Department employee. According to State law and the Los Angeles City Charter Section 1070, an officer may not be demoted, suspended for more than 30 calendar days without pay, or terminated without a Board of Rights hearing, unless the hearing is declined by the accused.^{xxi} Any sustained complaint with a recommended penalty that falls within these parameters is, therefore, automatically directed to a BOR. In addition to these “directed” BORs, an officer may opt to appeal any sustained complaint involving a suspension to a Board, regardless of the length of suspension being recommended. About 70% of the Boards are directed and 30% opted.^{xxii}

The accused employee may be represented by a union defense representative and/or a private attorney. The Advocates Section within IAG is responsible for coordinating the evidence and presenting the case against the accused officer. If an accused is found guilty of the charges, the Board may impose a heavier or lighter penalty than that recommended by the Chief.

The Advocates Section put on an average of 240 BORs per year between 1998 and 2000. This number appears to have been on a slight downward trend recently, possibly due to the increasing complexity of the cases and the greater involvement of outside attorneys. In 2001, the Advocates Section put on approximately 221 BORs. (See Table XII - Number of Boards of Rights, found in the Report Data Book, for additional details.)

With respect to the type of misconduct adjudicated at Boards of Rights, from 1998 through 2001, the most common allegation for which the accused was initially charged was Unbecoming Conduct, followed by Neglect of Duty, and False and Misleading Statements. (See Table XIII- Boards of Rights – Types of Misconduct Involved, in the Report Data Book, for additional details.)

More than three-fourths of the officers who went before Boards of Rights from 1998-2001 were found Guilty. (Note: For statistical purposes, if an officer is found guilty on one or more counts, the finding for the officer is classified as Guilty.) Of those found Guilty, for the years 1998-2000, just under two-thirds received a suspension and a quarter were found to warrant removal. For those receiving a suspension, the average number of days was 30 days without pay. For 2001, the

^{xxi} Thirty calendar days has been interpreted to mean 22 working days.

^{xxii} In determining the number of Boards, this Report relies on the data from the Internal Affairs Group, Advocates Section.

percentage who received a suspension of any length rose to over 73%, with the average days suspended falling to 18.

Boards of Rights Penalties

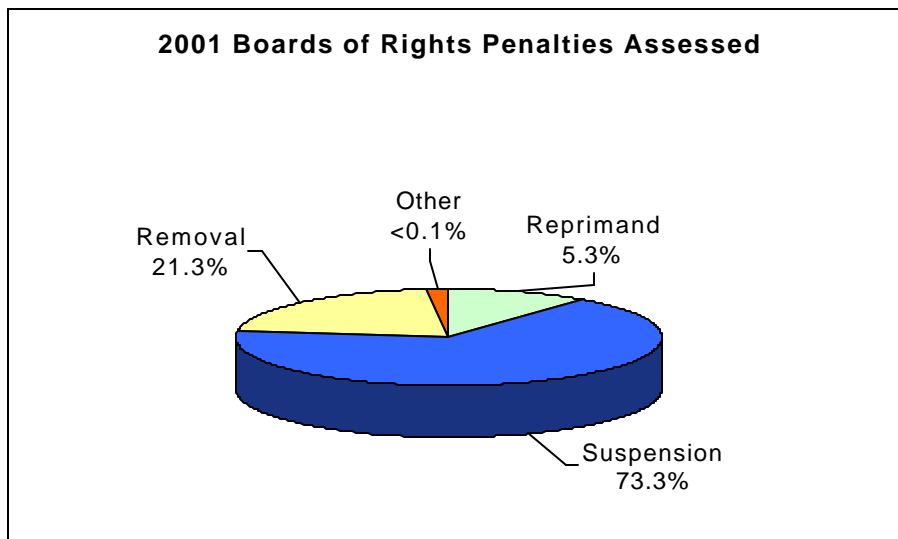
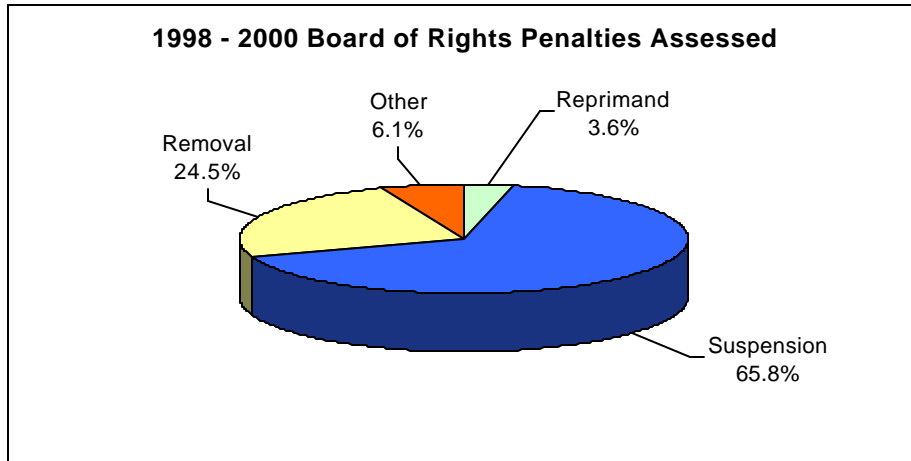


Figure 15 Boards of Rights – Penalties Assessed

(See Table XV - Boards of Rights – Penalties Assessed, found in the Report Data Book, for additional details.)

THE CONSENT DECREE

The implementation of the Consent Decree has placed increased demands on existing resources for the Police Commission, the OIG and the Department. Entities throughout the Department are working to respond to Consent Decree requirements while continuing to handle ongoing duties and responsibilities, as well as continuing to provide the highest possible level of service to the public. Additionally, the introduction of an Independent Monitor has added an additional element to the already dynamic interaction between Department management and civilian oversight. A Consent Decree Working Group, including the OIG, meets weekly to discuss ongoing issues, develop procedures, and resolve problems. (See Appendix 7, Summary of Consent Decree Provisions, found in the Report Data Book.)

Determining how to provide the information required by the Consent Decree and in what format has been one of the initial challenges in complying with the Consent Decree. The Department has begun providing quarterly disciplinary reports and the OIG has been analyzing them and presenting its findings to the Commission. There has been considerable discussion by the Commission and the OIG regarding the nature of the reports and compliance with the spirit as well as with the letter of the Consent Decree.

Recent OIG Recommendations Regarding the Consent Decree

The Inspector General's Office has made a number of recommendations regarding the various reports and audits that have come to the OIG for review to date. These are summarized below.

Audit of Search Warrant Applications and Affidavits

- The Department should establish a process to enable the OIG and the Independent Monitor to review the underlying documents that were the subject of the Department's audit.
- The Department should consult persons with appropriate expertise in order to develop a clear set of auditing instructions and guidelines to be followed by Department audit personnel regarding methodology, sampling, and protocol, among other directions.
- The Department should ensure that for future audits of search warrants, auditors should have adequate training and experience to enable them to appropriately analyze and review search warrants.
- The Department should develop a Department-wide tracking system to monitor all relevant information regarding a particular warrant. (The Department has already implemented a tracking system which largely satisfies the OIG's concerns.)
- The Department should implement a policy requiring that the following documents be contained in a search warrant package: the search warrant, the supporting affidavit, the game or tactical plan, the arrest report (if applicable), an employee report form 15.7 (containing, at a minimum, information regarding supervisory oversight and a narrative of what occurred during and after the execution of the search warrant), a property report, and a search warrant return with a property report of inventory attached or a notation that the search warrant was not executed.

Audit of Arrest, Booking, and Charging Reports

- Report writing classes should address the issue of inappropriate use of similar or “canned” language, and supervisors should ensure that the use of such language is kept to a minimum.
- Future audits should include additional sub-classifications of specialized operational divisions in addition to all geographic areas.

Audit and Supplemental Audit of Special Enforcement Units (“SEU”)

- The Police Commission should request that the City Attorney’s Office issue a written opinion as to whether future SEU audits shall include a review of the work product of all Area and Bureau SEUs. The Commission should ensure that appropriate staffing is available to carry out future audits.
- Future SEU audits should include an examination of Area CLEAR (“Community Law Enforcement and Recovery”) Teams to ensure that assigned personnel operate in compliance with Administrative Order No. 3, Activation of the Special Enforcement Unit. Alternatively, the Police Commission should request that the City Attorney’s Office issue a written opinion as to whether Area CLEAR Teams may be excluded from future audits.
- As resources permit, future audits should expand the sample size to review selection criteria for a greater number of SEU personnel hired after June 15, 2001.

Audit of Informant Packages

- The Police Commission should request that the City Attorney’s Office issue a written opinion as to whether the Department should include or exclude certain types of confidential informants from future audits of informant files as mandated by Consent Decree paragraphs 108 and 125(c).
- Photographs of active confidential informants should be periodically updated and filed accordingly.
- The Department, in consultation with the District Attorney’s Office, should consider whether search warrant affidavits relying in whole or in part on information from a confidential informant should identify the informant by his or her confidential informant number. Alternatively, this information could be listed in a separate log.
- The Department should consider whether to require that a copy of a “chit” or receipt acknowledging payment to an informant be maintained in the confidential informant package.

CONCLUSIONS

Data and Information Systems

In attempting to review the Department’s disciplinary system, one of the biggest challenges was obtaining accurate, timely, and consistent data. As a result, in preparing this Report, much of the

OIG's analysis relied on aggregate rather than yearly data. The issue of generating reliable tracking systems and data was an ongoing recommendation from previous reports and studies. It has never been adequately resolved because of the complexity of the task, lack of funds, and the challenges of coordination. Internal Affairs Group record keepers have been forced to use outdated computer equipment and software, requiring enormous duplication of effort on the part of IAG staff. However, the Department appears to have recognized the magnitude of the problem and is working to address it.

The challenge of keeping and compiling credible data is not unique to IAG. The OIG has also struggled with this problem, and a new integrated system is in its final testing phase. The results are promising. The new system will allow the OIG to both look at Department complaint trends and also monitor its own internal workflow. As a result, the OIG will be able to review and continue to upgrade its own operations.

Complaint Tracking

The Department has recently revised its personnel complaint processes to streamline the way in which complaints are handled and investigated. Along with data and record keeping issues, the need for increased efficiency has been the subject of a number of recommendations from both internal and outside reviews of the Department and, specifically, its disciplinary system. These revisions have the potential to reduce backlogs and allow IAG to focus on the most significant complaints. For example, one recent revision which should reduce the backlog entails excluding complaints about service which do not involve neglect of duty from the personnel complaint process. However, care must be taken to ensure that the removal of certain types of complaints from the discipline system does not undermine a central feature of the present system, namely, its ability to record and track all complaints.

However, by removing certain types of complaints from the disciplinary system, tracking of such complaints becomes more difficult. This makes any kind of overall auditing more complicated, and provides at least the potential for abuse. It was the fact that so many complaints were not centrally tracked which prompted the 1998 policy requiring that all complaints regardless of their nature be captured on the official 1.28 complaint form. This is an issue that IAG and the OIG must be sensitive to in the future.

Areas for Further Study

In the course of its analysis, this Report has identified a number of areas for further study, generally arising from the need for better data or more complex analysis of existing data. With the implementation of new data systems by the Department, the OIG should be able to address the following issues in future reports:

- Complaint issues:*
 - Discrepancies in sustained rates by rank
 - Reasons for variations by Bureau
- Use of Force:*
 - Use of force trends and patterns, based on the statistics and the insights provided by the OIG Use of Force Unit
- Work flow issues:*
 - Time and work flow analysis of the Department's complaint process
 - Time and work flow analyses of the OIG's own internal functioning

RECOMMENDATIONS

Recommendation 1: The Department should continue its efforts to upgrade its information and database management systems in order to provide accurate, timely, and reliable data concerning the disciplinary system.

Recommendation 2: The Department should continue its efforts, begun with the implementation of its three-tiered complaint classification system, to implement policies and procedures which ensure that the time and effort devoted to the investigation of each complaint varies according to the severity of the allegations.

Recommendation 3: The Department should be sensitive to the perception of disparity within the discipline system. The Department must recognize that concerns about disparity may be raised not only in cases involving members of the command staff, but also in cases involving other officers or employees who are related to or associated with command staff. Further, the Department must recognize that disparity concerns may be raised not only with respect to the final penalty, but also in other ways, including the speed with which such complaints are resolved, the awarding of promotions to people while a complaint of serious misconduct is pending, and other aspects by which such cases may appear to receive special treatment.

Recommendation 4: IAG should continue to work with the OIG to develop procedures to ensure timely and appropriate responses to the OIG's inquiries regarding those specific complaint investigations about which the OIG expresses disagreement or other concerns to IAG.

Recommendation 5: The Department should continue its efforts to expedite notifications to complainants regarding the dispositions of their complaints. The proposed Administrative Order No. 3, 2002, which incorporates suggestions previously made by the OIG, represents a step in the right direction by mandating that complainants receive "update correspondence" within five months (plus one week) of reporting the complaint to the Department. The Department should ensure strict compliance with Administrative Order No. 3 if and when it is finalized.

Recommendation 6: The Department, and IAG in particular, should adjust their focus when investigating and adjudicating complaints, so that issues beyond the guilt and appropriate punishment of the involved officers are also examined. Specifically, more time should be devoted to exploring what, if any, formal or informal Department policies, procedures or training deficiencies may have contributed to the conduct which led to the filing of the complaint initially, and what, if any, changes in Department policy, procedure, and/or training might prevent similar complaints in the future.

Recommendation 7: The Police Commission should adopt the recommendation of the Rampart Independent Review Panel and strengthen the Commission's oversight of the use of force review process by permitting the Inspector General (or an Assistant Inspector General) to ask questions at the Use of Force Review Board.

LIST OF TABLES

- Table I - Total Complaints Received
- Table II - Incoming Complaints - Types of Misconduct Alleged
- Table III - Alleged Misconduct in Closed Complaints
- Table IV - Allegations of Misconduct in Closed Complaints (Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision)
- Table V - Complaints Received by All Bureaus
- Table VI - Bureau Comparison Complaints Received and Other Indicators
- Table VII - Disposition of All Closed Complaints
- Table VIII - Disposition of All Closed Complaints Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision
- Table IX - Bureau Comparison Sustained Rate of Allegations Made in Externally Generated Closed Complaints
- Table X - Comparison Among Sworn Ranks -- Sustained/Guilty Rate based on Total Allegations
- Table XI - Penalties Assessed Against Sworn Personnel
- Table XII - Number of Boards of Rights
- Table XIII - Boards of Rights – Types of Misconduct Involved
- Table XIV - Board of Rights Findings
- Table XV - Boards Of Rights – Penalties Assessed

Table I - Total Complaints Received

	1997	1998	1999	2000	2001
Number of Complaints Received	1,912	5,339	5,280	6,252	5,683
Increase/Decrease Compared to Prior Year		+179%	-1%	+18%	-9%

Table II - Incoming Complaints - Types of Misconduct Alleged

Allegation (1 per Complaint)	1997	% of 1997	1998	% of 1998	1999	% of 1999	2000	% of 2000	Total	% of Total	2001	% of 2001
Accidental Discharge	1	0.1%	8	0.1%	14	0.3%	9	0.1%	32	0.2%	1	0.0%
Alcohol Related	22	1.2%	41	0.8%	35	0.7%	35	0.6%	133	0.7%	36	0.6%
Discourtesy	157	8.2%	635	11.9%	532	10.1%	786	12.6%	2,110	11.2%	854	15.0%
Discrimination	5	0.3%	5	0.1%	19	0.4%	81	1.3%	110	0.6%	151	2.7%
Dishonesty	35	1.8%	57	1.1%	52	1.0%	24	0.4%	168	0.9%	26	0.5%
Domestic Violence	57	3.0%	58	1.1%	52	1.0%	40	0.6%	207	1.1%	38	0.7%
Ethnic Remark	32	1.7%	73	1.4%	18	0.3%	33	0.5%	156	0.8%	13	0.2%
Failure To Appear	69	3.6%	183	3.4%	166	3.1%	149	2.4%	567	3.0%	182	3.2%
Failure To Qualify	63	3.3%	195	3.7%	267	5.1%	192	3.1%	717	3.8%	141	2.5%
Failure To Report Misconduct		0.0%		0.0%	0	0.0%	4	0.1%	4	0.0%	3	0.1%
False & Misleading Statements	32	1.7%	40	0.7%	82	1.6%	16	0.3%	170	0.9%		
False Imprisonment	1	0.1%	54	1.0%	19	0.4%	86	1.4%	160	0.9%	117	2.1%
False Statements							232	3.7%	232	1.2%	406	7.1%
Gender Bias	32	1.7%	8	0.1%	8	0.2%	7	0.1%	55	0.3%	15	0.3%
Improper Remark	50	2.6%	74	1.4%	55	1.0%	77	1.2%	256	1.4%	41	0.7%
Insubordination	21	1.1%	32	0.6%	16	0.3%	17	0.3%	86	0.5%	22	0.4%
Misleading Statements							5	0.1%	5	0.0%	4	0.1%
Narcotics/Drugs	24	1.3%	20	0.4%	33	0.6%	38	0.6%	115	0.6%	45	0.8%
Neglect Of Duty	310	16.2%	643	12.0%	549	10.4%	753	12.0%	2,255	12.0%	1,031	18.1%
Off-Duty Altercation	8	0.4%	9	0.2%	7	0.1%	8	0.1%	32	0.2%	8	0.1%
Other Policy/Rule	22	1.2%	119	2.2%	533	10.1%	715	11.4%	1,389	7.4%	93	1.6%
Preventable Traffic Collision	313	16.4%	650	12.2%	697	13.2%	614	9.8%	2,274	12.1%	448	7.9%
Racial Profiling											67	1.2%
Retaliation											8	0.1%
Service			196	3.7%	55	1.0%	51	0.8%	302	1.6%	42	0.7%
Sexual Misconduct	16	0.8%	16	0.3%	22	0.4%	16	0.3%	70	0.4%	23	0.4%
Shooting Violation	20	1.0%	23	0.4%	4	0.1%	16	0.3%	63	0.3%	13	0.2%
Theft	35	1.8%	96	1.8%	93	1.8%	150	2.4%	374	2.0%	104	1.8%
Unauthorized Force	219	11.5%	481	9.0%	309	5.9%	621	9.9%	1,630	8.7%	650	11.4%
Unauthorized Tactics	6	0.3%	54	1.0%	6	0.1%	72	1.2%	138	0.7%	173	3.0%
Unbecoming Conduct	303	15.8%	1,303	24.4%	1,446	27.4%	1,244	19.9%	4,296	22.9%	803	14.1%
Unlawful Search	1	0.1%	65	1.2%	42	0.8%	58	0.9%	166	0.9%	77	1.4%

Table II - Incoming Complaints - Types of Misconduct Alleged (continued)

Allegation (1 per Complaint)	1997	% of 1997	1998	% of 1998	1999	% of 1999	2000	% of 2000	Total	% of Total		2001	% of 2001
Other	58	3.0%	201	3.8%	149	2.8%	103	1.6%	511	2.7%		48	0.8%
Cancelled	16	0.8%	0	0.0%	1	0.0%	0	0.0%	17	0.1%		48	0.8%
Duplicate		0.0%	114	2.1%	147	2.8%	87	1.4%	348	1.9%		0	0.0%
Not Yet Determined	2	0.1%	1	0.0%	1	0.0%	16	0.3%	20	0.1%		0	0.0%
Confidential	40	2.1%	86	1.6%					126	0.7%		0	0.0%
Total	1,912	100.0%	5,339	100.0%	5,280	100.0%	6,252	100.0%	18,783	100.0%		5,683	100.0%

**Table III - Alleged Misconduct in Closed Complaints
(Based on Total Allegations Made in All Complaints)**

(1998 - 2000)

Allegation	Dept	% of Dept	External	% of Ext	3 Yr Total	% of Total
Narcotics/Drugs	24	0.4%	32	0.3%	56	0.3%
Alcohol Related	71	1.2%	39	0.3%	110	0.6%
Dishonesty	37	0.6%	43	0.3%	80	0.4%
Theft	52	0.9%	232	1.9%	284	1.5%
Insubordination	74	1.2%	28	0.2%	102	0.6%
Gender Bias	54	0.9%	5	0.0%	59	0.3%
Discrimination	19	0.3%	98	0.8%	117	0.6%
Domestic Violence	72	1.2%	139	1.1%	211	1.1%
Unauthorized Force	70	1.2%	1,774	14.4%	1,844	10.0%
False & Misleading Statements	246	4.1%	234	1.9%	480	2.6%
False Statements	6	0.1%	15	0.1%	21	0.1%
Misleading Statements	0	0.0%	1	0.0%	1	0.0%
Unbecoming Conduct	835	13.8%	1,770	14.3%	2,605	14.2%
Off-Duty Altercation	12	0.2%	26	0.2%	38	0.2%
Shooting Violation	10	0.2%	7	0.1%	17	0.1%
Unauthorized Tactics	44	0.7%	552	4.5%	596	3.2%
Ethnic Remark	43	0.7%	98	0.8%	141	0.8%
Sexual Misconduct	44	0.7%	74	0.6%	118	0.6%
Unlawful Search	5	0.1%	454	3.7%	459	2.5%
False Imprisonment	19	0.3%	1,003	8.1%	1,022	5.6%
Accidental Discharge	16	0.3%	4	0.0%	20	0.1%
Improper Remark	337	5.6%	102	0.8%	439	2.4%
Discourtesy	153	2.5%	2,501	20.3%	2,654	14.4%
Neglect of Duty	1,276	21.1%	2,748	22.3%	4,024	21.9%
Other Policy/Rule	57	0.9%	319	2.6%	376	2.0%
Failure to Appear (FTA)	465	7.7%	7	0.1%	472	2.6%
Failure to Qualify (FTQ)	592	9.8%	1	0.0%	593	3.2%
Preventable Traffic Collision (PTC)	1,411	23.3%	9	0.1%	1,420	7.7%
Service	1	0.0%	32	0.3%	33	0.2%
Miscellaneous Memo	0	0.0%	0	0.0%	0	0.0%
Total	6,045	100.0%	12,347	100.0%	18,392	100.0%

Table III - Alleged Misconduct in Closed Complaints (continued)

2001ⁱ

Allegation	Dept	% of Dept	Ext	% of Ext	Total	% of Total
Narcotics/Drugs	14	0.6%	25	0.4%	39	0.5%
Alcohol Related	29	1.2%	24	0.4%	53	0.6%
Dishonesty	11	0.5%	14	0.2%	25	0.3%
Theft	21	0.9%	120	1.9%	141	1.6%
Insubordination	29	1.2%	12	0.2%	41	0.5%
Gender Bias	17	0.7%	5	0.1%	22	0.3%
Discrimination	7	0.3%	105	1.7%	112	1.3%
Domestic Violence	20	0.8%	48	0.8%	68	0.8%
Unauthorized Force	22	0.9%	697	11.1%	719	8.3%
False & Misleading Statements	92	3.9%	126	2.0%	218	2.5%
False Statements	35	1.5%	67	1.1%	102	1.2%
Misleading Statements	6	0.3%	2	0.0%	8	0.1%
Unbecoming Conduct	351	14.9%	1,199	19.0%	1,550	17.9%
Off-Duty Altercation	4	0.2%	14	0.2%	18	0.2%
Shooting Violation	12	0.5%	9	0.1%	21	0.2%
Unauthorized Tactics	27	1.1%	267	4.2%	294	3.4%
Ethnic Remark	22	0.9%	66	1.0%	88	1.0%
Sexual Misconduct	14	0.6%	44	0.7%	58	0.7%
Unlawful Search	5	0.2%	194	3.1%	199	2.3%
False Imprisonment	13	0.6%	515	8.2%	528	6.1%
Accidental Discharge	23	1.0%	0	0.0%	23	0.3%
Improper Remark	119	5.0%	35	0.6%	154	1.8%
Discourtesy	60	2.5%	1,371	21.8%	1,431	16.5%
Neglect of Duty	487	20.7%	1,244	19.8%	1,731	20.0%
Other Policy/Rule	10	0.4%	54	0.9%	64	0.7%
Failure to Appear (FTA)	190	8.1%	4	0.1%	194	2.2%
Failure to Qualify (FTQ)	195	8.3%	0	0.0%	195	2.3%
Preventable Traffic Collision (PTC)	505	21.4%	4	0.1%	509	5.9%
Service	17	0.7%	30	0.5%	47	0.5%
Miscellaneous Memo	1	0.0%	2	0.0%	3	0.0%
Total	2,358	100.0%	6,297	100.0%	8,655	100.0%

ⁱ Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

**Table IV - Allegations of Misconduct in Closed Complaints
(Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision)**

Allegation	1998 – 2000					
	Dept	% of Dept	External	% of Ext	3 Yr Total	% of Total
Narcotics/Drugs	24	0.7%	32	0.3%	56	0.4%
Alcohol Related	71	2.0%	39	0.3%	110	0.7%
Dishonesty	37	1.0%	43	0.3%	80	0.5%
Theft	52	1.5%	232	1.9%	284	1.8%
Insubordination	74	2.1%	28	0.2%	102	0.6%
Gender Bias	54	1.5%	5	0.0%	59	0.4%
Discrimination	19	0.5%	98	0.8%	117	0.7%
Domestic Violence	72	2.0%	139	1.1%	211	1.3%
Unauthorized Force	70	2.0%	1,774	14.4%	1,844	11.6%
False & Misleading Statements	246	6.9%	234	1.9%	480	3.0%
False Statements	6	0.2%	15	0.1%	21	0.1%
Misleading Statements	0	0.0%	1	0.0%	1	0.0%
Unbecoming Conduct	835	23.3%	1,770	14.4%	2,605	16.4%
Off-Duty Altercation	12	0.3%	26	0.2%	38	0.2%
Shooting Violation	10	0.3%	7	0.1%	17	0.1%
Unauthorized Tactics	44	1.2%	552	4.5%	596	3.7%
Ethnic Remark	43	1.2%	98	0.8%	141	0.9%
Sexual Misconduct	44	1.2%	74	0.6%	118	0.7%
Unlawful Search	5	0.1%	454	3.7%	459	2.9%
False Imprisonment	19	0.5%	1,003	8.1%	1,022	6.4%
Accidental Discharge	16	0.4%	4	0.0%	20	0.1%
Improper Remark	337	9.4%	102	0.8%	439	2.8%
Discourtesy	153	4.3%	2,501	20.3%	2,654	16.7%
Neglect of Duty	1,276	35.7%	2,748	22.3%	4,024	25.3%
Other Policy/Rule	57	1.6%	319	2.6%	376	2.4%
Service	1	0.0%	32	0.3%	33	0.2%
Miscellaneous Memo	0	0.0%	0	0.0%	0	0.0%
Total	3,577	100.0%	12,330	100.0%	15,907	100.0%

**Table IV - Allegations of Misconduct in Closed Complaints
(Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision) (continued)**

Allegation	2001 ⁱⁱ					
	Dept	% of Dept	Ext	% of Ext	Total	% of Total
Narcotics/Drugs	14	1.0%	25	0.4%	39	0.5%
Alcohol Related	29	2.0%	24	0.4%	53	0.7%
Dishonesty	11	0.8%	14	0.2%	25	0.3%
Theft	21	1.4%	120	1.9%	141	1.8%
Insubordination	29	2.0%	12	0.2%	41	0.5%
Gender Bias	17	1.2%	5	0.1%	22	0.3%
Discrimination	7	0.5%	105	1.7%	112	1.4%
Domestic Violence	20	1.4%	48	0.8%	68	0.9%
Unauthorized Force	22	1.5%	697	11.1%	719	9.3%
False & Misleading Statements	92	6.3%	126	2.0%	218	2.8%
False Statements	35	2.4%	67	1.1%	102	1.3%
Misleading Statements	6	0.4%	2	0.0%	8	0.1%
Unbecoming Conduct	351	24.2%	1,199	19.1%	1,550	20.0%
Off-Duty Altercation	4	0.3%	14	0.2%	18	0.2%
Shooting Violation	12	0.8%	9	0.1%	21	0.3%
Unauthorized Tactics	27	1.9%	267	4.2%	294	3.8%
Ethnic Remark	22	1.5%	66	1.0%	88	1.1%
Sexual Misconduct	14	1.0%	44	0.7%	58	0.7%
Unlawful Search	5	0.3%	194	3.1%	199	2.6%
False Imprisonment	13	0.9%	515	8.2%	528	6.8%
Accidental Discharge	23	1.6%	0	0.0%	23	0.3%
Improper Remark	119	8.2%	35	0.6%	154	2.0%
Discourtesy	60	4.1%	1,371	21.8%	1,431	18.5%
Neglect of Duty	487	33.6%	1,244	19.8%	1,731	22.4%
Other Policy/Rule	10	0.7%	54	0.9%	64	0.8%
Service	0	0.0%	30	0.5%	30	0.4%
Miscellaneous Memo	1	0.1%	2	0.0%	3	0.0%
Total	1,451	100.0%	6,289	100.0%	7,740	100.0%

ⁱⁱ Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

Table V- Complaints Received by All Bureaus

	1998	% of 1998	1999	% of 1999	2000	% of 2000	3 Yr Total	% of Total
Police Commission	11	0.2%	13	0.2%	12	0.2%	36	0.2%
Office of the Chief of Police	29	0.5%	42	0.8%	57	0.9%	128	0.8%
Fiscal and Support Bureau	165	3.1%	125	2.4%	132	2.1%	422	2.5%
Information and Communication Services Bureau	171	3.2%	124	2.3%	188	3.0%	483	2.9%
Human Resources Bureau	105	2.0%	115	2.2%	111	1.8%	331	2.0%
Operations-Headquarters Bureau	474	8.9%	579	11.0%	652	10.4%	1,705	10.1%
Operations-Central Bureau	1,035	19.4%	1,060	20.1%	1,467	23.5%	3,562	21.1%
Operations-South Bureau	1,084	20.3%	1,049	19.9%	1,141	18.3%	3,274	19.4%
Operations-West Bureau	1,043	19.5%	1,058	20.0%	1,202	19.3%	3,303	19.6%
Operations-Valley Bureau	1,154	21.6%	957	18.1%	1,072	17.2%	3,183	18.9%
Unknown Division of Assignment	49	0.9%	63	1.2%	170	2.7%	282	1.7%
Other (Confidential, Duplicate, et. al.)	16	0.3%	99	1.9%	36	0.6%	151	0.9%
Department Total	5,336	100.0%	5,284	100.0%	6,240	100.0%	16,860	100.0%

Table V - Complaints Received by All Bureaus (continued)

	2001ⁱⁱⁱ	% of 2001
Police Commission	13	0.2%
Office of the Chief of Police	59	1.0%
Fiscal and Support Bureau	148	2.6%
Information and Communication Services Bureau	167	3.0%
Human Resources Bureau	153	2.7%
Operations-Headquarters Bureau	642	11.4%
Operations-Central Bureau	1,174	20.8%
Operations-South Bureau	1,070	19.0%
Operations-West Bureau	1,047	18.6%
Operations-Valley Bureau	1,039	18.4%
Unknown Division of Assignment	122	2.2%
Other (Confidential, Duplicate, et. al.)		
Department Total	5,634	100.0%

ⁱⁱⁱ Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

Table VI - Bureau Comparison Complaints Received and Other Indicators

Bureau	Complaints Received	Field Interviews	Field Release from Custody (RFC's)	Traffic Citations	PT I Crimes	Adult Arrests	Juvenile Arrests	Deployment	Units Dispatched
1998									
Central	24.0%	20.3%	25.3%	23.6%	23.5%	28.6%	19.7%	25.9%	25.1%
South	25.1%	26.9%	17.0%	17.6%	21.3%	20.5%	22.6%	23.5%	21.9%
West	24.2%	22.0%	26.4%	24.4%	25.0%	23.9%	14.4%	23.6%	23.5%
Valley	26.7%	30.7%	31.4%	34.4%	30.3%	27.0%	43.3%	27.0%	29.6%
Total	4,316	253,917	69,562	512,195	183,338	173,450	7,013	6,647	870,304
1999									
Central	25.7%	24.2%	23.8%	22.4%	24.4%	27.8%	21.0%	26.0%	25.3%
South	25.4%	24.7%	16.4%	17.4%	22.3%	20.4%	22.6%	23.4%	22.3%
West	25.7%	23.7%	33.0%	28.4%	23.5%	26.5%	16.3%	23.5%	22.9%
Valley	23.2%	27.5%	26.8%	31.8%	29.7%	25.3%	40.1%	27.1%	29.6%
Total	4,124	208,298	67,428	596,147	167,087	155,200	34,698	6,831	842,317
2000									
Central	30.1%	29.8%	24.8%	25.2%	24.9%	27.6%	22.9%	26.0%	25.7%
South	23.4%	24.8%	19.8%	16.2%	22.1%	23.1%	25.6%	23.1%	22.4%
West	24.6%	20.3%	32.2%	28.5%	22.9%	24.5%	18.3%	23.8%	22.7%
Valley	22.0%	25.1%	23.2%	30.2%	30.1%	24.8%	33.1%	27.1%	29.1%
Total	4,882	127,193	40,551	517,632	179,483	117,180	28,006	6,337	887,985
2001									
Central	27.6%	25.1%	25.2%	23.0%	25.6%	27.1%	24.4%	26.0%	25.6%
South	23.2%	27.5%	16.8%	18.0%	23.5%	22.6%	26.5%	22.8%	22.6%
West	26.7%	21.7%	36.8%	28.2%	21.5%	23.5%	17.5%	23.9%	22.3%
Valley	22.5%	25.7%	20.9%	30.8%	29.4%	26.7%	31.5%	27.4%	29.5%
Total	4,554	163,108	20856*	535,021	240,028	111,894	27,478	6,231	906,937
* Source: Monthly Report: A Summary of Crimes and Arrests for the City of Los Angeles for the Month of December 2001, page 21									

Table VII - Disposition of All Closed Complaints

	1998					
Total Allegations	Total	Dept	Ext	Total	Dept	External
Guilty	246	171	75	3.5%	7.8%	1.6%
Sustained	1,561	1,178	383	22.3%	53.7%	8.0%
Sustained/No Penalty	231	200	31	3.3%	9.1%	0.6%
Not Guilty	161	90	71	2.3%	4.1%	1.5%
Not Resolved	973	169	804	13.9%	7.7%	16.8%
Exonerated	484	28	456	6.9%	1.3%	9.5%
Unfounded	1,750	238	1,512	25.0%	10.8%	31.5%
No Misconduct	1,171	76	1,095	16.8%	3.5%	22.8%
Policy/Procedure	134	-	134	1.9%	0.0%	2.8%
No Department Employee	26	4	22	0.4%	0.2%	0.5%
Incomplete	179	16	163	2.6%	0.7%	3.4%
Withdrawn by COP	73	24	49	1.0%	1.1%	1.0%
Total	6,989	2,194	4,795	100.0%	100.0%	100.0%

	1999					
Total Allegations	Total	Dept	Ext	Total	Dept	External
Guilty	181	105	76	2.3%	4.1%	1.4%
Sustained	1,939	1,504	435	24.3%	59.1%	8.0%
Sustained/No Penalty	287	265	22	3.6%	10.4%	0.4%
Not Guilty	125	62	63	1.6%	2.4%	1.2%
Not Resolved	944	153	791	11.8%	6.0%	14.6%
Exonerated	590	41	549	7.4%	1.6%	10.1%
Unfounded	2,188	205	1,983	27.4%	8.1%	36.5%
No Misconduct	1,064	95	969	13.3%	3.7%	17.8%
Policy/Procedure	108	3	105	1.4%	0.1%	1.9%
No Department Employee	39	4	35	0.5%	0.2%	0.6%
Incomplete	329	15	314	4.1%	0.6%	5.8%
Withdrawn by COP	183	91	92	2.3%	3.6%	1.7%
Total	7,977	2,543	5,434	100.0%	100.0%	100.0%

Table VII - Disposition of All Closed Complaints (continued)

2000						
Total Allegations	Total	Dept	External	Total	Dept	External
Guilty	76	45	31	2.2%	3.4%	1.5%
Sustained	1,022	878	144	29.8%	67.1%	6.8%
Sustained/No Penalty	90	79	11	2.6%	6.0%	0.5%
Not Guilty	63	42	21	1.8%	3.2%	1.0%
Not Resolved	419	75	344	12.2%	5.7%	16.2%
Exonerated	269	18	251	7.9%	1.4%	11.9%
Unfounded	968	92	876	28.3%	7.0%	41.4%
No Misconduct	203	27	176	5.9%	2.1%	8.3%
Policy/Procedure	56	5	51	1.6%	0.4%	2.4%
No Department Employee	18	-	18	0.5%	0.0%	0.8%
Incomplete	181	17	164	5.3%	1.3%	7.7%
Withdrawn by COP	61	30	31	1.8%	2.3%	1.5%
Total	3,426	1,308	2,118	100.0%	100.0%	100.0%

3 Year						
Total Allegations	Total	Dept	Ext	Total	Dept	External
Guilty	503	321	182	2.7%	5.3%	1.5%
Sustained	4,522	3,560	962	24.6%	58.9%	7.8%
Sustained/No Penalty	608	544	64	3.3%	9.0%	0.5%
Not Guilty	349	194	155	1.9%	3.2%	1.3%
Not Resolved	2,336	397	1,939	12.7%	6.6%	15.7%
Exonerated	1,343	87	1,256	7.3%	1.4%	10.2%
Unfounded	4,906	535	4,371	26.7%	8.9%	35.4%
No Misconduct	2,438	198	2,240	13.3%	3.3%	18.1%
Policy/Procedure	298	8	290	1.6%	0.1%	2.3%
No Department Employee	83	8	75	0.5%	0.1%	0.6%
Incomplete	689	48	641	3.7%	0.8%	5.2%
Withdrawn by COP	317	145	172	1.7%	2.4%	1.4%
Total	18,392	6,045	12,347	100.0%	100.0%	100.0%

Table VII - Disposition of All Closed Complaints (continued)

Total Allegations	2001 ^{iv}					
	Total	Dept	Ext	Total	Dept	Ext
Guilty	287	158	129	2.3%	5.4%	1.4%
Sustained	2,299	1,635	664	18.7%	55.8%	7.1%
Sustained/No Penalty	231	166	65	1.9%	5.7%	0.7%
Not Guilty	266	106	160	2.2%	3.6%	1.7%
Not Resolved	1,663	240	1,423	13.5%	8.2%	15.2%
Exonerated	1,209	52	1,157	9.8%	1.8%	12.3%
Unfounded	3,957	296	3,661	32.1%	10.1%	39.0%
No Misconduct	1,103	103	1,000	9.0%	3.5%	10.7%
Policy/Procedure	202	6	196	1.6%	0.2%	2.1%
No Department Employee	91	8	83	0.7%	0.3%	0.9%
Incomplete	808	60	748	6.6%	2.0%	8.0%
Withdrawn by COP	192	98	94	1.6%	3.3%	1.0%
Total	12,308	2,928	9,380	100.0%	100.0%	100.0%

^{iv} Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

**Table VIII - Disposition of All Closed Complaints
Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision**

	1998					
Total Allegations	Total	Dept	External	Total	Dept	External
Guilty	245	170	75	1.6%	10.8%	1.6%
Sustained	1,122	742	380	17.6%	47.3%	7.9%
Sustained/No Penalty	50	20	30	0.8%	1.3%	0.6%
Not Guilty	161	90	71	2.5%	5.7%	1.5%
Not Resolved	973	169	804	15.3%	10.8%	16.8%
Exonerated	483	27	456	7.6%	1.7%	9.5%
Unfounded	1,746	234	1,512	27.5%	14.9%	31.6%
No Misconduct	1,168	74	1,094	18.4%	4.7%	22.8%
Policy/Procedure	134	-	134	2.1%	0.0%	2.8%
No Department Employee	26	4	22	0.4%	0.3%	0.5%
Incomplete	179	16	163	2.8%	1.0%	3.4%
Withdrawn by COP	73	24	49	1.1%	1.5%	1.0%
Total	6,360	1,570	4,790	100.0%	100.0%	100.0%

	1999					
Total Allegations	Total	Dept	External	Total	Dept	External
Guilty	180	105	75	2.6%	7.3%	1.4%
Sustained	1,087	655	432	15.8%	45.2%	8.0%
Sustained/No Penalty	46	25	21	0.7%	1.7%	0.4%
Not Guilty	123	61	62	1.8%	4.2%	1.1%
Not Resolved	943	152	791	13.7%	10.5%	14.6%
Exonerated	590	41	549	8.6%	2.8%	10.1%
Unfounded	2,184	204	1,980	31.8%	14.1%	36.5%
No Misconduct	1,062	93	969	15.5%	6.4%	17.9%
Policy	108	3	105	1.6%	0.2%	1.9%
No Department Employee	39	4	35	0.6%	0.3%	0.6%
Incomplete	329	15	314	4.8%	1.0%	5.8%
Withdrawn by COP	182	90	92	2.6%	6.2%	1.7%
Total	6,873	1,448	5,425	100.0%	100.0%	100.0%

**Table VIII - Disposition of All Closed Complaints
Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision (continued)**

	2000					
Total Allegations	Total	Dept	External	Total	Dept	External
Guilty	75	44	31	2.8%	7.9%	1.5%
Sustained	355	211	144	13.3%	37.7%	6.8%
Sustained/No Penalty	14	4	10	0.5%	0.7%	0.5%
Not Guilty	62	41	21	2.3%	7.3%	1.0%
Not Resolved	419	75	344	15.7%	13.4%	16.3%
Exonerated	267	16	251	10.0%	2.9%	11.9%
Unfounded	966	90	876	36.1%	16.1%	41.4%
No Misconduct	201	27	174	7.5%	4.8%	8.2%
Policy	56	5	51	2.1%	0.9%	2.4%
No Department Employee	18		18	0.7%		0.9%
Incomplete	180	16	164	6.7%	2.9%	7.8%
Withdrawn by COP	61	30	31	2.3%	5.4%	1.5%
Total	2,674	559	2,115	100.0%	100.0%	100.0%

	3 Year					
Total Allegations	Total	Dept	External	Total	Dept	External
Guilty	500	319	181	3.1%	8.9%	1.5%
Sustained	2564	1,608	956	16.1%	45.0%	7.8%
Sustained/No Penalty	110	49	61	0.7%	1.4%	0.5%
Not Guilty	346	192	154	2.2%	5.4%	1.2%
Not Resolved	2335	396	1,939	14.7%	11.1%	15.7%
Exonerated	1340	84	1,256	8.4%	2.3%	10.2%
Unfounded	4896	528	4,368	30.8%	14.8%	35.4%
No Misconduct	2431	194	2,237	15.3%	5.4%	18.1%
Policy	298	8	290	1.9%	0.2%	2.4%
No Department Employee	83	8	75	0.5%	0.2%	0.6%
Incomplete	688	47	641	4.3%	1.3%	5.2%
Withdrawn by COP	316	144	172	2.0%	4.0%	1.4%
Total	15,907	3,577	12,330	100.0%	100.0%	100.0%

**Table VIII - Disposition of All Closed Complaints
Excluding Failure to Appear, Failure to Qualify and Preventable Traffic Collision (continued)**

Total Allegations	2001 ^v					
	Total	Dept	External	Total	Dept	External
Guilty	285	156	124	2.5%	7.7%	1.3%
Sustained	1,540	879	662	13.6%	43.1%	7.1%
Sustained/No Penalty	59	45	64	0.5%	2.2%	0.7%
Not Guilty	265	106	159	2.3%	5.2%	1.7%
Not Resolved	1,661	239	1,422	14.6%	11.7%	15.2%
Exonerated	1,204	47	1,157	10.6%	2.3%	12.4%
Unfounded	3,952	294	3,658	34.8%	14.4%	39.1%
No Misconduct	1,101	103	998	9.7%	5.1%	10.7%
Policy	202	6	196	1.8%	0.3%	2.1%
No Department Employee	91	8	83	0.8%	0.4%	0.9%
Incomplete	807	59	748	7.1%	2.9%	8.0%
Withdrawn by COP	190	96	94	1.7%	4.7%	1.0%
Total	11,357	2,038	9,365	100.0%	100.0%	100.0%

^v Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

Table IX - Bureau Comparison Sustained Rate of Allegations Made in Externally Generated Closed Complaints

	1998 – 2000				2001		
	# Complaints Closed	# Complaints Sustained	Sustained Rate		# Complaints Closed	# Complaints Sustained	Sustained Rate
Police Commission	9	2	22.2%		5	1	20.0%
Office of the Chief of Police	16	1	6.3%		31	0	0.0%
Fiscal & Support Bureau	96	28	29.2%		52	20	38.5%
Information & Communication Services Bureau	173	70	40.5%		107	48	44.9%
Human Resources Bureau	62	20	32.3%		63	13	20.6%
Operations-Headquarters Bureau	471	70	14.9%		364	60	16.5%
Operations-Central Bureau	970	137	14.1%		808	91	11.3%
Operations-South Bureau	1,060	111	10.5%		733	80	10.9%
Operations-Valley Bureau	1,171	138	11.8%		761	78	10.2%
Operations-West Bureau	1,058	140	13.2%		726	93	12.8%
Unknown Assignment	74	1	1.4%		109	1	0.9%
Department Total	5,160	718	13.9%		3,759	485	12.9%
Unduplicated Count - 2001					3674	478	13.0%

Table X - Comparison among Sworn Ranks -- Sustained/Guilty Rate based on Total Allegations

1998 - 2000					Rank as % of Total			Rank as % of Total Less Reserve & Unknown	
Rank	Total # of Allegations	# Sustained/Guilty	% Sustained/Guilty	Deployment as of 7/21/01	Closed Allegations	Sustained Allegations	Deployment	Closed Allegations	Sustained Allegations
					Staff Officers				29
Chief of Police	2	0	0.0%	1	0.0%	0.0%	<0.1%	0.0%	0.0%
Deputy Chief of Police	7	1	14.3%	8	0.0%	0.0%	0.1%	0.0%	0.0%
Commander	20	2	10.0%	20	0.1%	0.0%	0.2%	0.1%	0.0%
Captains				66					
Captain III	66	11	16.7%	35	0.4%	0.2%	0.4%	0.4%	0.2%
Captain II	45	11	24.4%	14	0.2%	0.2%	0.2%	0.3%	0.2%
Captain I	20	10	50.0%	17	0.1%	0.2%	0.2%	0.1%	0.2%
Lieutenants				243					
Lieutenant II	146	46	31.5%	146	0.8%	0.9%	1.6%	0.9%	0.9%
Lieutenant I	122	31	25.4%	97	0.7%	0.6%	1.1%	0.7%	0.6%
Sergeants				1,120					
Sergeant II	329	117	35.6%	418	1.8%	2.2%	4.7%	2.0%	2.3%
Sergeant I	1,144	373	32.6%	702	6.3%	7.0%	7.8%	6.8%	7.2%
Detectives				1,591					
Detective III	251	87	34.7%	342	1.4%	1.6%	3.8%	1.5%	1.7%
Detective II	571	224	39.2%	659	3.1%	4.2%	7.3%	3.4%	4.3%
Detective I	569	218	38.3%	590	3.1%	4.1%	6.6%	3.4%	4.2%
Police Officers				5,927					
Police Officer III	3,891	1,026	26.4%	2175	21.4%	19.2%	24.2%	23.2%	19.9%
Police Officer II	8,637	2,671	30.9%	3395	47.4%	50.0%		51.5%	51.8%
Police Officer I	953	329	34.5%	357	5.2%	6.2%		5.7%	6.4%
Reserve Officer	139	79	56.8%		0.8%	1.5%			
Unknown	1,307	104	8.0%		7.2%	1.9%			
Total	18,223	5,344	29.3%	8,976	100.0%	100.0%	100.0%	100.0%	100.0%

Table X - Comparison among Sworn Ranks -- Sustained/Guilty Rate based on Total Allegations (continued)

2001^{vi}									
Rank	Total # of Allegations	# Sustained/Guilty	% Sustained/Guilty	Deployment as of 12/16/01	Rank as % of Total			Rank as % of Total Less Reserve and Unknown	
					Closed Allegations	Sustained Allegations	Deployment	Closed Allegations	Sustained Allegations
Staff Officers	31	1	3.2%	29	0.2%	0.0%	0.3%	0.2%	0.0%
Chief of Police				1					
Deputy Chief of Police				8					
Commander				20					
Captains	146	18	12.3%	67	0.9%	0.5%	0.8%	1.0%	0.5%
Captain III				35					
Captain II				14					
Captain I				18					
Lieutenants	285	62	21.8%	244	1.7%	1.6%	2.7%	1.9%	1.7%
Lieutenant II				149					
Lieutenant I				95					
Sergeants	1,322	320	24.2%	1,093	7.9%	8.3%	12.3%	8.7%	8.7%
Sergeant II				423					
Sergeant I				670					
Detectives	1,557	490		1,560	9.3%	12.7%	17.5%	10.2%	13.3%
Detective III				344					
Detective II				671					
Detective I				545					
Police Officers				5,912					
Police Officer III	3,542	691	19.5%	2,202	21.1%	17.9%	24.7%	23.3%	18.7%
Police Officer II	7,714	1,937	25.1%	3,710	45.9%	50.2%	41.7%	50.7%	52.4%
Police Officer I	632	176	27.8%		3.8%	4.6%		4.1%	4.8%
Reserve Officer	173	86	49.7%		1.0%	2.2%			
Unknown Officer	1,409	77	5.5%		8.4%	2.0%			
Total	16,811	3,858	25.6%	8,905	100.0%	100.0%	100.0%	100.0%	100.0%

^{vi} Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

Table XI - Penalties Assessed Against Sworn Personnel

Penalty	1998	% of 1998	1999	% of 1999	2000	% of 2000	3 Year Total	% of Total	2001 ^{vii}	% of 2001
Discharged/Removed/Transferred	4	0.3%	3	0.2%	1	0.1%	8	0.2%	142	5.1%
Resigned/Retired	100	7.6%	103	6.9%	1	0.1%	204	5.5%	329	11.7%
Removed on Prior Board	10	0.8%	13	0.9%	39	4.4%	62	1.7%	36	1.3%
Discharged on Prior Complaint	3	0.2%	2	0.1%	2	0.2%	7	0.2%	5	0.2%
Termination on Probation	12	0.9%	10	0.7%		0.0%	22	0.6%	21	0.7%
Suspension	372	28.4%	563	37.6%	279	31.6%	1214	32.9%	994	35.4%
Inactive	1	0.1%	2	0.1%		0.0%	3	0.1%	1	0.0%
Official Reprimand	142	10.8%	165	11.0%	83	9.4%	390	10.6%	318	11.3%
Admonishment	395	30.1%	585	39.1%	463	52.4%	1443	39.1%	682	24.3%
Warning	20	1.5%	12	0.8%	4	0.5%	36	1.0%	12	0.4%
No Penalty/No Action	45	3.4%	40	2.7%	11	1.2%	96	2.6%	268	9.5%
Charges Removed by COP	208	15.9%					208	5.6%		
Total Penalties	1312	100.0%	1498	100.0%	883	100.0%	3694	100.0%	2808	100.0%
Total Suspension Days	1642		2053		842		4537		9492	
Avg. Suspension Days per Employee	4.4		3.6		3.0		3.7		14.3 days	

^{vii} Unlike the data for 1998 – 2000, which is based on the “administratively closed” date, 2001 data is based on the total complaints entered as closed on the PCSS and may represent some duplication of prior years’ data.

Table XII - Number of Boards of Rights

	1998	% of 1998	1999	% of 1999	2000	% of 2000	3 Year Total	% of Total		2001	% of 2001
Total Boards	240		251		224		715			221	
Opted	73	30.4%	77	30.7%	56	25.0%	206	28.8%		63	28.5%
Directed	167	69.6%	174	69.3%	168	75.0%	509	71.2%		158	71.5%

Note: The data for the year 2001 does not reflect any duplication of earlier years' data.

Table XIII- Boards of Rights – Types of Misconduct Involved

	1998	%	1999	%	2000	%	3 Yr Total	%	2001	%
Accidental Discharge									1	0.5%
Alcohol Related	9	5.7%	6	3.8%	3	6.0%	18	5.6%	12	5.8%
Discourtesy	7	4.5%	8	5.0%					11	5.3%
Discrimination									1	0.5%
Dishonesty	2	1.3%			1	2.0%	3	0.9%	2	1.0%
Domestic Violence	12	7.6%	15	9.4%	6	12.0%	33	10.2%	13	6.3%
Ethnic Remark	1	0.6%	1	0.6%					1	0.5%
Failure to Appear									1	0.5%
False and Misleading Statements	13	8.3%	28	17.6%	3	6.0%	44	13.6%	21	10.1%
False Imprisonment	2	1.3%	1	0.6%	1	2.0%	4	1.2%		
False Statements									2	1.0%
Gender Bias	5	3.2%	3	1.9%	4	8.0%	12	3.7%	4	1.9%
Improper Remark	8	5.1%	6	3.8%	1	2.0%	15	4.6%	2	1.0%
Insubordination	6	3.8%	9	5.7%					9	4.3%
Narcotics / Drugs	1	0.6%								
Neglect of Duty	25	15.9%	31	19.5%	7	14.0%	63	19.5%	45	21.7%
Preventable Traffic Collision					1	2.0%	1	0.3%		
Sexual Misconduct	2	1.3%			1	2.0%	3	0.9%	1	0.5%
Shooting Violation			1	0.6%	1	2.0%	2	0.6%	2	1.0%
Theft	4	2.5%	2	1.3%						
Unauthorized Force	7	4.5%	7	4.4%	4	8.0%	18	5.6%	8	3.9%
Unauthorized Tactics	1	0.6%	3	1.9%					3	1.4%
Unbecoming Conduct	52	33.1%	38	23.9%	17	34.0%	107	33.1%	68	32.9%
Unlawful Search										
TOTAL	157	100.0%	159	100.0%	50	100.0%	323	100.0%	207	100.0%

Note: The data for the year 2001 does not reflect any duplication of earlier years' data.

Table XIV - Board of Rights Findings

	1998	1999	2000	3 Yr Total		2001
Not Guilty	36	42	10	88		55
Guilty	121	117	40	278		166
Total	157	159	50	366		221
% Not Guilty	22.9%	26.4%	20.0%	24.0%		24.9%
% Guilty	77.1%	73.6%	80.0%	76.0%		75.1%

Note: The data for the year 2001 does not reflect any duplication of earlier years' data.

Table XV - Boards of Rights – Penalties Assessed

Penalty	1998	%	1999	%	2000	%	3 Yr Total	%		2001	%
Reprimand	5	4.1%	5	4.3%	0	0.0%	10	3.6%		18	5.3%
Suspension	79	65.3%	76	65.0%	28	70.0%	183	65.8%		110	73.3%
Removal	29	24.0%	32	27.4%	7	17.5%	68	24.5%		35	21.3%
Other	8	6.6%	4	3.4%	5	12.5%	17	6.1%		3	0.0%
Avg. # of Days Suspended	38.5		24.6		22.9		30.3			18.2	
Total # of Officers	157		159		50		366			221	

APPENDICES

Referenced on Page:

Appendix 1	City Charter Provisions.....	3
Appendix 2	Work Rules Relative to the Inspector General.....	5
Appendix 3	Office of the Inspector General Consent Decree Implementation Plan.....	12
Appendix 4	OIG Staffing and Organization.....	14
Appendix 5	Report Methodology.....	16
Appendix 6	Special Order No. 36, 2001.....	49
Appendix 7	Summary of Consent Decree Provisions.....	58