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PALMDALE UNIT ORDER 14-06

TITLE: SUPPLEMENTAL SUPERVISORY RESPONSIBILITIES

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AUGUST 19, 2019

PURPOSE:

The purpose of this Station Order is to establish supplemental supervisory procedures for field personnel.

SCOPE:

This Directive applies to all personnel assigned to Palmdale Station.

OVERVIEW

Palmdale Station will implement additional accountability and supervisorial practices as outlined below, and ensure that existing policies are followed.

General supervisorial procedures are covered under the Department's Manual of Policy and Procedures, Field Operations Directives, Newsletters, and Unit Orders. To supplement these procedures and achieve the proposed outcomes, Palmdale Station has implemented the requirements below.

FIELD PATROL SUPERVISION PROCEDURES

Supervisors will be held accountable for appropriately and thoroughly reviewing reports and documentation related to stops, searches, seizures, and requiring deputies to articulate sufficient rationale under law and policy.

Palmdale Station supervisors will ensure that all deputy investigatory stops and searches are adequately documented for tracking and supervision purposes.

Supervisors will ensure that existing policies are followed and ensure that unlawful stops, searches, and seizures are detected and effectively addressed.

Supervisors shall assess the reasonableness of deputies' use of back seat detentions.

The above may be accomplished by the use of live monitoring of deputies field performance, Deputy Daily Worksheet (DDWS) reviews, a review of deputies written work product or a combination thereof, including arrest reports and citations.

Prior to approval of any reports, supervisors shall ensure deputies use accurate and specific descriptive language and not rely solely on "boilerplate" or form language in any reports describing factual circumstances of investigatory stops, detentions, and searches.

DDWS REVIEW

Supervisors shall audit DDWS logs as outlined in the ***"Protocols for DDWS Review in the Antelope Valley"*** user guide. Sergeants assigned as raters shall audit their assigned deputies' stop, search, and seizure documentation for completeness, accuracy, and legal sufficiency. Sergeants shall audit at least one DDWS log ***involving stop, search and seizure activity (if any is conducted)*** for each deputy under their supervision each week. Sergeants shall conduct further review as needed utilizing Performance Recording and Monitoring System (PRMS) information and other indicia.

If a deputy's stop, search, or seizure documentation (DDWS, arrest report, Probable Cause Declaration) does not provide sufficient detail or articulate sufficient legal and policy justification for the action, the supervisor shall review the action with the deputy to determine whether there was sufficient legal and LASD policy justification.

Supervisors shall take appropriate action to address all violations or deficiencies in stops, searches, and seizures including non-disciplinary corrective action for the involved deputy, and/or referring the incident for disciplinary action. Antelope Valley supervisors shall track repeated violations or deficiencies and the corrective action taken.

Watch Commanders/Lieutenants shall thoroughly review the log audits to ensure the sergeants are accurately auditing the deputy DDWS logs and note any issues in the Watch Commander signature line area on the form. Repeated inability to identify errors by sergeants should be documented in a Performance Log Entry (PLE).

DDWS reviews shall be documented no later than 15 days from the day of the DDWS log entry, barring documented exigent circumstances.

The DOJ Liaison Sergeant shall be responsible for preserving DDWS review documents, audit materials, tracking and corrective action on the designated shared files for Monitor review

COMMUNITY COMPLAINTS

Supervisors shall ensure that all allegations of personnel misconduct are documented and are fully and fairly investigated, and that all personnel who commit misconduct are held accountable. The refusal to accept a personnel complaint, discouraging the filing of a complaint, or providing false or misleading information about filing of a complaint, shall be grounds for discipline.

Any Limited English Proficient (LEP) individual who wishes to file a complaint about a deputy or employee shall be provided with a complaint form and informational materials in the appropriate non-English language and/or be provided appropriate translation services in order to file a complaint. Personnel can refer to MPP section 3-09/004.00 LIMITED ENGLISH PROFICIENCY AND LANGUAGE ASSISTANCE regarding use of the Language Line Service.

Supervisors shall ensure that all personnel complaint allegations are accurately classified at all investigative stages, from intake through resolution and shall investigate every allegation of misconduct that arises during an investigation even if an allegation is not specifically articulated as such by the complainant.

Supervisors shall ensure that personnel complaints are not misclassified as service complaints.

All investigations of personnel complaints, including reviews, shall be as thorough as necessary to reach reliable, objective, and complete findings. In each investigation, supervisors shall consider all relevant evidence, including circumstantial, direct and physical evidence, as appropriate, and make credibility determinations based upon that evidence. There will be no automatic preference for a deputy's statement over a non-deputy's statement, nor will supervisors disregard a witness' statement merely because the witness has some connection to the complainant or because of any criminal history. Supervisors shall fully investigate each complaint, and make efforts to resolve any material inconsistencies between witness statements and/or the statements of deputies.

Supervisors shall interview each complainant in person, if practical and will conduct additional interviews as necessary to reach reliable and complete findings. If an interview is not done in person, the reason shall be articulated in the complaint memorandum. Interviews shall be recorded in their entirety, absent documented extraordinary circumstances. During the complaint process, it shall be documented that each complainant, witness and involved employee were interviewed separately.

Supervisors shall seek to identify all persons at the scene giving rise to a misconduct allegation, including all deputies. The supervisor shall note in the investigative report the identities of all deputies and other witnesses who were on the scene but assert

they did not witness and were not involved in the incident. The investigating supervisor shall conduct further investigation of any such assertions that appear unsupported by the evidence.

Any involved supervisor who is party to the complaint, or any supervisor who authorized the conduct that led to a complaint, shall not conduct the complaint investigation. Supervisors shall not use department personnel who are party to the complaint as an interpreter for LEP complainants or witnesses.

At the conclusion of the complaint investigation, each employee shall have their own disposition sheet for each allegation.

The Community Relations sergeant shall ensure the following locations have ample stock of complaint forms in both English and Spanish:

- Palmdale Station Lobby
- Littlerock (County) Library
- Acton/Agua Dulce (County) Library

Additionally, every vehicle assigned to Palmdale Station shall be stocked with complaint forms in both English and Spanish.

The complaint forms should be checked and re-stocked bi-monthly and noted in the Watch Commander's Daily Log.

COMMUNITY ENGAGEMENT

Supervisors will work to promote and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase community confidence in the Department.

Supervisors shall actively participate in community engagement efforts in Palmdale, including participating in local community meetings and making themselves and their personnel available for community feedback, while encouraging and creating opportunities for deputies to actively attend community meetings and events.

Supervisors shall ensure that all deputy personnel take reasonable steps to provide timely, meaningful language assistance services to LEP individuals they encounter per MPP section 3-09/004.00 LIMITED ENGLISH PROFICIENCY AND LANGUAGE ASSISTANCE.

BIAS-FREE POLICING

Supervisors shall incorporate bias-free policing and equal protection into the performance evaluation processes, including giving significant weight to an individual's history of sustained bias-related violations. The use of PRMS, DDWS, Performance Log Entries and deputies' written work product will be used to assess the individual's ability to effectively practice bias-free policing. The following language will be used in all Palmdale employees Annual Performance Evaluations;

"During this rating period Deputy Smith received (#) sustained bias-related complaint(s) and (#) sustained bias-related administrative investigation(s). This information, along with my weekly audits of Deputy Smith's DDWS indicate that he/she practices (or, may not yet be practicing) bias-free policing."

UNIT COMMANDER

The unit commander will regularly review and track "training and tactical review" related findings, recommendations and comments to ensure that informal supervisory feedback, including feedback documented in the "training and tactical review" portion of a Supervisor's Report on Use of Force, is documented in the PRMS.