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March 26, 2024

TO: Supervisor Lindsay P. Horvath, Chair
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FROM: Max Huntsman
Inspector General

SUBJECT: **TENTH REPORT BACK ON IMPLEMENTING BODY-WORN CAMERAS
IN LOS ANGELES COUNTY**

Purpose of Memorandum

On September 24, 2019, the Board of Supervisors passed a motion directing the Office of Inspector General, in consultation with other County Departments, to monitor and report on: (1) the progress of the implementation of technology infrastructure upgrades at patrol stations and other locations as needed for body-worn cameras; and (2) the receipt of a final body-worn camera policy from the Los Angeles County Sheriff's Department's (Sheriff's Department), with such policy to address the elements raised by the Board of Supervisors. This is the Office of Inspector General's tenth report back on the progress of the Sheriff's Department's implementation of body-worn cameras.

Body-Worn Camera Equipment Procurement and Deployment

As of February 26, 2024, the Sheriff's Department has issued 4,195 body-worn cameras (BWCs) to patrol deputies — the same number it reported for the Office of Inspector General's last report in September 2023. While the number of cameras issued remains unchanged, the Department is in the process of making updates to the hardware by upgrading the older Axon brand BWC 3 cameras to the new Axon BWC 4 cameras. The Department estimates 3,836 personnel have been outfitted with the Axon BWC 4, and there are a remaining 1,893 members who are still working with the older Axon BWC 3. The Department anticipates getting all personnel updated to the Axon BWC 4 within the next month or so.

The Sheriff's Department repeatedly delayed the planned deployment of BWCs to its Community Colleges Bureau and County Services Bureau with an original estimate for deployment at the end of 2022 and a current estimate of summer 2024. Delays in the receipt of equipment for necessary infrastructure upgrades to older buildings and the necessity for approvals for infrastructure upgrades in buildings owned by other entities are the reason deployment to these bureaus has been postponed.

Body-worn Cameras in Custody

The Sheriff's Department purchased 2,068 BWC for all of its Custody Operations deputies, sergeants, and custody assistants working at Twin Towers and Inmate Reception Center.¹ Before deploying them, the Department reports that it must build out the infrastructure in its aging custodial facilities, including building dock rooms in each facility where personnel can dock their BWCs and installing fiber optic cables so that staff can upload videos to Evidence.com, Axon's online service that the Department uses to store, tag, and share BWC videos. The Department has set a tentative target deployment date for Twin Towers and the Inmate Reception Center for summer 2024. The Department does not have a current timeline for completion of the upgrades in the remaining custodial facilities.

Discipline

The Department reports that between August 2, 2023, and February 1, 2024, it opened and imposed discipline in 71 administrative investigations where employees violated the Department's BWC policies. The discipline ranged from written reprimand to suspension.

Policy

The Sheriff's Department provided the Office of Inspector General with a draft copy of proposed revised BWC policies. The Office of Inspector General reviewed the document and provided comments on the proposed revisions for consideration by the

¹ In the next few years, the Sheriff's Department plans to deploy additional BWCs in phases to all the other jail facilities. The Department is seeking additional funding to purchase 2,573 BWCs for employees working at Men's Central Jail, Century Regional Detention Facility, and Pitchess Detention Center.

Sheriff's Department. As of the date of this report, the draft policies have not been implemented.

The Department's current BWC policy appears in Volume 3, Chapter 6 of the Department's Manual of Policy and Procedures (MPP). The policies dictate when deputies must activate the BWC, when they have discretion to leave it off, and when they may turn the BWC off at the end of an incident.² After being trained on BWC, personnel have a 90-day grace period, during which the Department will not discipline them for any violations.³ A deputy is in compliance if they activate their camera in a timely fashion for the calls enumerated in the policies and do not truncate the video by switching off the recording before it captures the entire incident.

Sheriff's Department's Creation of BWC Compliance Software

In past reports, the Office of Inspector General noted several instances in which deputies have failed to activate their BWCs or delayed activation until after an incident was in progress. Over the past three years, the Sheriff's Department's Body Worn Camera Unit (BWC Unit) built and deployed software tools to help deputies and supervisors monitor and improve BWC use and compliance with Department's policies on BWC activation. The Department reports that these measures have increased compliance from approximately 68% in 2021 to roughly 95% today.⁴ This section of the report details these tools and their use.

In November 2021, the Lieutenant of the BWC Unit convened a small team of his staff and systems analysis from Data Services Bureau to explore ways to develop in-house software to compare entries in the Sheriff's Department's Computer-Aided Dispatch (CAD) system with the BWC video uploaded to Evidence.com, in order to pinpoint incidents in which a deputy may have failed to activate a BWC as required by Department policy.⁵ The Department's CAD system creates entries for each call a

² See MPP Section 3-06/200.08 "Body Worn Camera Activation," MPP Section 3-06/200.13 "Recording of Entire Contact," MPP Section 3-06/200.18 "Body Worn Camera Recording Exceptions."

³ See MPP Section 3-06/200.58 "Guidelines for Administrative Reviews of Body Worn Camera Recordings."

⁴ Since 2021, the Department has exempted various types of calls from BWC activation requirements. The Office of Inspector General has not independently verified these statistics.

⁵ The Department initially reached out to Axon to enquire if the manufacturer could provide any solutions to help increase compliance. While Axon markets software to track compliance, it is not compatible with the Sheriff's Department's CAD system. In previous reports, the Office of Inspector General addressed the problems riddling the Sheriff's Department's antiquated CAD system. *The Sheriff's Department's Underreporting of Civilian Stop Data to the California Attorney General*

deputy handles, as well as deputy-initiated actions and station activities. The CAD system includes codes describing the nature of the call or activities, as well as codes for how the call or activity resolved, and a narrative for additional information. The video storage system on Evidence.com allows deputies to upload videos and to tag them with additional information. The Department requires that deputies tag each video on Evidence.com with an event identifier that links it to the incident number in CAD. The team settled on using a data federation and visualization platform from Microsoft Power BI, to compare data from the antiquated CAD system to data in the newer digital Evidence.com system to determine whether each CAD entry for a deputy had a corresponding video.

Identifying Failures to Activate BWCs or Delayed Activation

The system continuously scours millions of CAD entries in the Department's systems — including about 45,000 new entries the Department makes each week⁶ — and compares them to Evidence.com uploads to identify any calls without associated BWC videos. The team incorporated exceptions into the software for CAD entries that would not require BWC activation, such as codes for station activities that did not involve public contact, responses to calls that were cancelled before the deputy ever arrived, or CAD narratives that contained phrases that would indicate no BWC activation was required. When the system finds a CAD entry without a corresponding video that does not fit within any exception, the system marks the incident as possibly missing a video.

The system also searches for delayed activation by determining whether the length of the video uploaded in Evidence.com falls short of expected length benchmarks for the particular type of call. When the system identifies a possible delayed activation, it marks it as a short video.

Three times each week, the system automatically sends emails notifying deputies of any problems it has identified with their calls and notifying supervisors of any problems with their supervisees' activations. The system sends roughly 3,300 such emails each week. Once notified, the deputies can resolve an issue in one of several of ways, depending on the type of error. For a failure to upload a video, a deputy could go into the call entry and update the narratives to explain why the call did not require BWC activation, or could upload the video or correctly tag it with incident information. The system will clear any issue that has been corrected, but will continue to send notification emails about an issue until it is resolved.

⁶The Department's data show 2,319,710 CAD entries created in 2023, or roughly 45,000 per week.

The system also provides a visual dashboard for the data that can show graphs of compliance and exemption rates over time Department-wide, or at the level of a particular division, station, shift, unit, or even individual deputies. The system can show the records of individual deputies call by call, including the call type and clearance code, allowing supervisors to readily identify sources of noncompliance and allowing deputies to easily review any of their own calls missing video. The visual dashboard can also display contacts with potentially short videos across the department or by division, station, or deputy.

Identifying Mis-tagged Videos

In 2023, the BWC Unit identified a related problem of deputies sometimes tagging videos in Evidence.com with incorrect incident information. A video tagged with inaccurate incident information does not become associated with the incident file and so does not get passed on to the prosecutorial agency, depriving prosecutors of potential evidence and criminal defendants of potentially exculpatory information. The Sheriff's Department notified the Los Angeles District Attorney's Office, the Public Defender's Office, and the Alternate Public Defender's Office that some of their investigative files may be incomplete due to the misidentification of videos.

Using a feature of Evidence.com that can identify videos recorded at the same time and in the same vicinity, the BWC Unit created software to email the handling detective assigned to a case a list of any videos created at the same time and location as the incident they were investigating, but which were not attached to their case, thus notifying the detective of potential missing BWC video evidence and helping assure that the Department provides all relevant BWC video to the prosecution.

Randomized Supervisor Review of BWC Videos

In about April 2021, the assistant sheriff over patrol operations ordered watch commanders to review one BWC video each shift to ensure compliance with BWC policies.⁷ Initially, watch commanders selected the videos themselves. The Department's BWC compliance software team created a review tool, integrated in the computerized watch commander's log, which presents watch commanders with two videos each shift, randomly selected from the videos uploaded by the same shift the previous day. Watch commanders must mark whether each video complies with

⁷ The Sheriff's Department has not yet codified this order into any written directive or policy, although the Department's current draft revision of its BWC policy would do so.

Sheriff's Department policy on BWC activation and deactivation and was properly tagged with the appropriate call information.

The Department's Use of the Compliance Software

The BWC Unit and Sheriff's Department system analysts have created a powerful tool to identify, analyze, and monitor potential noncompliance with the BWC policy. But how effective that tool will be depends on how the Department chooses to use it.

Currently, the Sheriff's Department has no policies or directives in place dictating how employees or supervisors must respond to the BWC compliance emails. While the Department does require watch commanders to conduct randomized review of BWC video every shift, supervisors retain discretion on how to handle their supervisees' failures to follow BWC policy. And the Department has no policies or orders in place on how supervisors should use the BWC dashboard to review patterns of BWC compliance through the dashboard, or what measures they should take to address noncompliance. One supervisor may choose to focus on repeated offenders, while another may choose to look the other way so long as the station overall shows compliance above 90%.

The Department reports that even in the absence of policy mandates, compliance with BWC activation policy has climbed to between 93% and 96%, and that employees are accurately tagging videos with correct incident information nearly 99.9% of the time. These compliance rates are dramatically better than in 2021. While this increase in compliance with activation of BWCs is certainly laudable, deputies may have still failed to activate their BWCs on average 4% to 7% of the time. At these rates, over time, significant numbers of incidents, possibly including serious uses of force, may not be captured on BWC video.

During the time period of August 2, 2023, to February 1, 2024, the BWC dashboard shows more than 18,000 instances in which a deputy may have failed to activate their BWC, which did not fall into any exception to the activation requirements, as well as a number of deputies with compliance rates below 50% over dozens of incidents, and more than 3,700 incidents with short videos. The BWC Unit expressly noted that many of the features of the software tool encourage compliance through monitoring and follow-up, rather than discipline. That approach may work for many compliance issues. But the Department must hold deputies accountable if they persistently fail to follow BWC activation policy despite training, notification, and counseling on the issue. It must also hold supervisors accountable for failing to address body camera activation issues in their supervisees.

The Department's compliance software provides a powerful tool to monitor BWC compliance and identify problems. The Sheriff's Department should provide supervisors clearer guidance on how they should use that tool and the measures they should take to correct BWC noncompliance. The Sheriff's Department's policies should ensure that supervisors identify and correct any pattern of noncompliance or there is a risk that serious incidents may occur without being recorded on BWC video.

If you have any questions concerning this report, please contact me at (213) 974-6100.

c: Robert Luna, Sheriff
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