

By the Numbers

Tracking LAPD abuse

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AFTER A DECADE OF STOP-AND-START REFORM, of investigative commissions, a court-imposed consent decree and, most recently, the debate over whom the mayor should name as the city's new LAPD chief, the natural questions arise: Are things getting better or worse in the LAPD? Are police-abuse levels going up or down?

The short answer: We don't know.

If the cash paid out by the city on LAPD-related settlements is any measure, the situation seems grim. The payout from 1997 through 2001 topped \$87 million, with the highest price tag, in 2000, coming close to \$45 million. Those figures, however, included "the Rampart effect" — payouts on the scandal that involved unlawful arrests, planted evidence, false testimony, the shooting of a handcuffed man — and so are considered misleading by some.

But other department statistics abound. Indeed, for the sake of clarity there might even be too many numbers. The LAPD keeps them; the Office of the Inspector General, created by voters in 1995 to strengthen civilian oversight of the department, analyzes and reports on them. Stats are also collected and posted on the LAPD Web site by the independent monitor appointed by a federal judge to oversee LAPD reform central to the post-Rampart federal consent decree.

But the credibility of the numbers supplied by the department — which are the basis for all these compilations — has been questioned by civilian monitors for years. Consent-decree independent monitor Michael Cherkasky has issued four reports since November 2001, each stronger than the last in its critique of the LAPD's number crunching.

His most recent one found that during three reporting quarters of 2001, the Internal Affairs Group submitted fewer than half the civilian complaints for investigation within the 10 days required by regulation. Delays ranged from one day to, in one case, 1,620 days, "making it less likely that Internal Affairs will be able to resolve the issue due to problems of stale evidence," according to the report.

In addition to insufficient computer systems, the monitor's report also notes that LAPD logs that track non-categorical uses of force such as leg sweeps or use of chemical spray hadn't been synched up with corresponding use-of-force investigation reports since 1989. "This lapse leaves unanswered the question of whether there have been incidents of 'Non-Categorical Use of Force' that went unreported. If so," the report argued, "misconduct might have occurred."

This same analysis by the independent monitor found that LAPD reporting practices in general showed "a serious failing in the process of tracking use-of-force incidents," the crucial baseline needed to evaluate behavior.

For his part, Jeff Eglash, inspector general since 1999, says, "It's hard to draw hard and fast conclusions in statistics." The number of officer-involved shootings, for example, has declined since 1999, when there were 97 incidents, 79 in 2000, and 66 in 2001. And while Eglash warns such fluctuations tend to be cyclical, he hastens to add that there are presently "better

investigations, better oversight, greater scrutiny of use-of-force" than ever before.

The independent monitor's report says that over the past three years the number of categorical uses of force has remained relatively consistent (124 in 1999, 116 in 2000, 118 in 2001). But shifting methods of counting and categorizing make it tough to take a figure from one year and compare it against a number from another year.

Defense attorney and high-profile LAPD antagonist Stephen Yagman, for example, says that excessive-force complaints are often buried in other categories of complaints. "They put things in the wrong categories; excessive force they stick in with 'discourtesy,'" he says. "Unless you look at individual complaints and see the content, you can't tell what's in there."

LAPD officials say that the department's "ongoing mission" is the development of a computer system that can integrate complaint information with other reports and generate the complete profile of an officer. It's been 11 years now since the Christopher Commission called for such a system that could flag problem officers and establish a clear behavior pattern by including even "minor offenses" in their profile.

Yet that system is still not fully in place. The current computer tracking system provides only a cryptic, rudimentary summary of an officer's background; further information such as the details related to a sustained complaint must be sought out by enterprising command officers with the time and initiative to drive downtown and dig through files. Even the department's own Rampart review report observes that the synopsis provided by the current system "of an officer's discipline history will be bare bones . . . a far cry from the automated tracking system that permits management to make informed decisions about officers or to identify and manage at-risk employees as envisioned by the Christopher Commission."

The more comprehensive tracking system, known as TEAMS II, has been on the drawing boards since the early '90s, foundering in bureaucratic delays and departmental foot-dragging only winked at by the city's political leadership. As far back as 1998, Gary Greenebaum, former Police Commission president, recalled both hostility from some department staff toward his efforts to push through a sophisticated tracking system and his sense that it had been sandbagged. "They could have built a rocket to the moon from the time we started until now," Greenebaum marveled. And that was four years ago.

The federal consent decree is explicit in requiring steady movement toward completion of TEAMS II, but by all accounts its implementation is still far off.

Inspector general Jeff Eglash, who must monitor police management and conduct, cites the LAPD's inadequate data systems, the length of time it takes to adjudicate complaints and the lack of department personnel to work through a backlog as good reason to move ahead with more independent means of tracking. He says, "We are trying to change methods so we are not so dependent on the department." In the meantime, fully reliable tracking of LAPD behavior — both its ups and downs — remains both elusive and uncertain.