

ANTELOPE VALLEY MONITORING TEAM

6th USE-OF-FORCE AUDIT

Cases Adjudicated by the
LASD Executive Force Review Committee



June 11, 2025

CONTENTS

- I. Scope of Review.....1
- II. Category 3 UOF Process.....2
- III. Prior EFRC Audit2
- IV. Methodology4
- V. Compliance Measures5
- VI. Findings.....5
 - Objective 1: The Use of Force.....5
 - Objective 2: Tactics and De-Escalation7
 - Objective 3: Reporting the Use of Force8
 - Objective 4: Use-of-Force Investigations 10
 - Objective 5: Management Review and Oversight 12
- VII. Conclusion 14
- Addendum 1.....A1
- Addendum 2.....B1

I. SCOPE OF REVIEW

The Los Angeles County Sheriff's Department (LASD, or the Department) separates use of force (UOF) into four categories:

- Non-Categorized Incident (NCI);
- Category 1 force;
- Category 2 force; and
- Category 3 force

The first three categories are investigated by station supervisors and adjudicated by station commanders. Category 2 uses of force are also reviewed by the division commander.

This review focuses on Category 3 uses of force to assess their compliance with the Settlement Agreement's (SA) UOF requirements, and in particular Paragraph 114, which requires that LASD:

"Continue to require that the Executive Force Review Committee review use of force incidents requiring response by the IAB Force/Shooting Response Team under current policy, and to review the incidents for any policy, training, or tactical concerns and/or violations."

That standard is also contained in the Department's Manual of Policy and Procedure (MPP), which requires the findings report of the Executive Force Review Committee (EFRC) to document "issues concerning tactics, training, and/or policy revisions . . . and a memorandum forwarded to the appropriate Department unit/bureau for consideration."¹

This review is also submitted as partial documentation of the Monitors' responsibilities under the following SA paragraphs.

- *The Monitor will assess the County's progress in implementing, and achieving compliance with, the Agreement; report on the status of implementation to the Parties and the Court. (Paragraph 146)*
- *In order to assess and report on LASD's implementation of this Agreement and whether implementation is resulting in constitutional policing, the Monitor shall conduct compliance reviews and audits and outcome assessments. (Paragraph 148)*
- *The Monitor shall conduct compliance reviews or audits as necessary to determine whether LASD has implemented and continues to comply with the material requirements of this Agreement. (Paragraph 149)*
- *The monitor will conduct an ongoing review and report on LASD use of force on restrained individuals, use of force in response to spitting, and use of [oleoresin capsicum] OC spray. (Paragraph 151)*

¹ MPP 3-10/140.00 Executive Force Review Committee.

This report addresses the second Monitoring Team (MT) audit of EFRC/Category 3 force. The MT has also conducted four audits of NCI, Category 1, and Category 2 force, the most recent of which was completed in May 2025. All MT audit reports can be found on the Monitors' website.²

II. CATEGORY 3 UOF PROCESS

Unlike the first three levels of force, the administrative investigation of Category 3 uses of force is conducted by the Internal Affairs Bureau's (IAB) Force/Shooting Response Team. Then each case is adjudicated by the EFRC. Category 3 force includes:

- Intentional shootings at a person;
- Force resulting in death or hospitalization;
- Head strikes with an impact weapon; and
- Canine bites.

Depending on injury and/or the type of force used, Category 3 uses of force are often investigated jointly by the IAB Force/Shooting Response Team and Homicide Bureau investigators. If there are indicia of criminal culpability on the part of a deputy, a criminal investigation may also be conducted by the Department's Internal Criminal Investigations Bureau (ICIB). In certain cases, the California Department of Justice also conducts an independent investigation.

Once the criminal investigation is completed and the district attorney's office has made a prosecutorial decision, IAB conducts an administrative investigation. When the investigation is complete, it is sent to the EFRC for adjudication. (A detailed description of this process was provided in our first EFRC audit.)

III. PRIOR EFRC AUDIT

In November 2019, the Monitoring Team (MT) issued a report on its first audit of the Department's EFRC process. The population for that audit consisted of all Category 3 uses of force occurring from January 1, 2015, through March 21, 2018. Fourteen of the 20 Category 3 cases that occurred during that period had been reviewed by the EFRC and were included in that audit.

The Monitors' first audit found the Department out of compliance with the following paragraphs.

- Paragraphs 102, 104, and 105 (use of force). In two cases, the force used was inconsistent with these paragraphs as well as Department policy. One of those cases involving the use of force on a handcuffed arrestee was never adjudicated. In a third case, the arrestee alleged the deputy used force in retaliation for having to chase him on foot. That allegation was completely ignored to the

² <http://antelopevalleysettlementmonitoring.info>

point that the IAB investigator told the deputy's attorney at the start of his client's interview that there was no allegation of misconduct.

- Paragraph 103 (de-escalation). In two cases, at least one deputy failed to use advisements, warnings, and verbal persuasion when it was available, and in those same two cases, at least one deputy failed to decrease force as resistance decreased.
- Paragraph 109 (accurate reports). In two cases the substantial errors in the deputies' reports made them unreliable. The shortcomings should have been addressed by Department managers, but they were not.
- Paragraph 111e (investigator review statements for completeness). In two cases, the involved deputy's statement was inconsistent with a video of the incident, but neither deputy was confronted with that inconsistency.
- Paragraph 125 (accept and investigate personnel complaints). Four cases clearly contained allegations of misconduct, but only one of the four was addressed in the investigation and adjudication.
- Paragraphs 113, 114, 115, and 116 (adjudication). The adjudication was deficient in seven of the cases. Four contained critical deficiencies, and three contained non-critical deficiencies.
- Paragraph 118 (training). In one case, the training directed by the EFRC was never provided to the deputy.

Note: In our 2025 review, we found the Department in compliance with all these paragraphs as well as all the other SA requirements pertaining to the EFRC.

After conducting our first EFRC audit in 2019, the MT realized the most effective way to monitor the EFRC process was to monitor each of their reviews regardless of when the incident under review may have occurred. This facilitated our monitoring of the EFRC's responsiveness to MT feedback.

So, from that point on, the MT began tracking all Category 3 uses of force and monitoring the management reviews for each incident. That included the initial risk-management review by the Critical Incident Review Panel as well as the EFRC review once each investigation was completed. The MT reviewed each case to assess the degree to which the Department complied with the SA's provisions governing the reporting, investigation, and adjudication of force incidents including whether:

- The force used by AV deputies was necessary, proportional, and consistent with Department policy (Paragraphs 102, 104 105, 106g);
- Appropriate tactics were used prior to and during the incident, including the use of advisements, warnings, and persuasion to defuse and de-escalate evolving situations and to de-escalate the UOF as control was achieved (Paragraph 103);
- Whether the force used involved a hard strike to the head with an impact weapon, and if so, whether the incident justified the need to use deadly force (Paragraph 107);
- Force incidents were accurately reported to a supervisor in a timely manner (Paragraphs 108, 109, and 110);
- The UOF was thoroughly investigated (Paragraphs 111 and 112);

- The investigations' findings and conclusions were supported by a preponderance of evidence (Paragraph 113);
- Review of training and tactical review–related findings, recommendations, and comments to ensure that informal supervisory feedback did not replace the need for formal discipline (Paragraph 118a).
- Whether deputies were held accountable for violation of Department policy and if managers held supervisors accountable for responding to force that was unreasonable or otherwise contrary to Department policy and/or the law and cases were referred to IAB and/or ICIB as appropriate (Paragraphs 113, 115, and 116).
- Service Comment Reports (SCRs) were initiated when allegations of misconduct arose during an investigation (Paragraph 130).

IV. METHODOLOGY

The Monitors reviewed every Category 3 use of force reviewed by the EFRC from May 2024 through April 2025. This time period was selected due to a significant change in the EFRC's review process that occurred in April 2024. The Monitors' semi-annual status reports preceding that documented a series of discussions the Monitors held with the Department and DOJ regarding the EFRC process. Chief among our concerns was that the EFRC all too often seemed to defer policy decisions to training personnel. We were also concerned that the virtual meetings necessitated by the COVID pandemic were inhibiting robust discussions among EFRC principals.

On April 16, 2024, the commander serving as the chair of the EFRC issued a directive dramatically revising the EFRC process. Those changes, which became effective on May 2, 2024, were designed to maximize the Department's policy and tactical reviews of Category 3 use-of-force and shooting incidents and promote a robust discussion among the concerned division chief, unit commander, EFRC panel, Office of Inspector General (OIG), and County Counsel. The changes included the following.

- A return to in-person reviews for the concerned division chief, unit commander, EFRC Commander Panel, IAB, OIG and County Counsel.
- The option to participate in person or remain remote, on a case-by-case basis, for Training Bureau, Advocacy, RMB-FOSS, and AV DOJ monitors, unless specifically asked to attend in person by the EFRC chair.
- Invitations limited to only essential Department personnel and oversight agencies.
- The pre-EFRC Wednesday meetings discontinued unless requested for a specific case by the EFRC panel, OIG, or County Counsel.
- Training Bureau to no longer provide an assessment but be available to field questions related to the incident should the EFRC panel, division chief, unit commander, OIG, or County Counsel require their expertise related to training and/or tactics; Training Bureau to also be available to assist in identifying remedial training recommendations.

The most significant aspect of this change was having the unit commander provide a detailed analysis of the incident following the investigator's overview of the incident. Unit commanders are uniquely

qualified to discuss the incident, its impact on the community and station, and the work history of the people involved. This has proven to be extremely insightful and helpful in achieving the EFRC's stated purpose.

In order to ensure the audit findings reflected this progress, the MT evaluated all 10 EFRCs occurring in the year after these revisions were made (April 6, 2024, through April 17, 2025). The MT has attended every one of those EFRCs, half in person and half remotely. Addendum 1 is a chart showing our findings on SA compliance for those 10 cases, and Addendum 2 is a brief summary of each case.

V. COMPLIANCE MEASURES

The Parties and MT established compliance metrics to assess Department compliance with the provisions in the SA. Compliance must be established through an audit or some other evaluation method (Paragraphs 148 and 149) and must be maintained for at least a year for the Department to be found in sustained compliance (Paragraphs 205 and 212). The relevant compliance metrics are listed under each objective.

VI. FINDINGS

OBJECTIVE 1: THE USE OF FORCE

The Settlement Agreement and LASD policy have the following requirements.

LASD agrees to continue to prohibit the use of force above [compliant] handcuffing to overcome passive resistance, except where physical removal is permitted as necessary and objectively reasonable. (SA Paragraph 102)

LASD agrees to clarify that Antelope Valley deputies may not use force against individuals who may be exhibiting resistive behavior, but who are under control and do not pose a threat to the public safety, themselves, or to other deputies. LASD agrees to continue to require that Antelope Valley deputies assess the threat of an individual prior to using force and emphasize that a use of force must be proportional to the threat or resistance of the subject. If a threat or resistance no longer exists, deputies cannot justify the use of force against a subject. (SA Paragraph 104)

LASD agrees to explicitly prohibit the use of retaliatory force, particularly against subjects who express criticism of, or disrespect for, LASD Antelope Valley deputies. (SA Paragraph 105)

LASD agrees to explicitly prohibit interfering, threatening, intimidating, blocking or otherwise discouraging a member of the public, who is not violating any other law, from taking photographs or recording video (including photographs or video of police activities) in any place the member of the public is lawfully present. . . . Seizing and/or searching a camera or recording device without a warrant; g. Using force upon that person; or, h. Detaining or arresting an individual for violating

any other law where the purpose of the detention or arrest is to prevent or retaliate for recording police activity. (SA Paragraph 106)

LASD will continue to require, and emphasize in its training, that a hard strike to the head with any impact weapon, including a baton, is prohibited unless deadly force is justified. (SA Paragraph 107)

Department members are authorized to use only that amount of force that is consistent with Department policy, and which is proportional, objectively reasonable, and reasonably appears necessary at the time to perform their duties. (LASD Policy 3-10/020.00)

FINDINGS

The EFRC determined that the force used in one of the cases was out of policy (EFRC-1). A deputy deployed a Taser on a man who was fleeing on a bicycle. The fleeing suspect did not pose a threat, and the force violated the Department's prohibition against deploying a Taser on someone who is on an elevated platform.

There were no cases in which deputies tried to inhibit someone from lawfully recording an incident, nor were there any indicia of deputies using retaliatory force. In two cases, deputies aimed a 40mm less-lethal projectile launcher at someone's chest, but the round they fired accidentally struck the person's head (EFRC-3 and EFRC-10). In one case, a deputy struck a suspect in the face with his fist, but a fist is not considered an impact weapon for these purposes (EFRC6).

The MT concurred with the EFRC's findings on the use of force for all 10 cases and that the corrective action recommended for the out-of-policy use of force was within reasonable management parameters.

SA COMPLIANCE

Metric: At least 95% of the Category 3 use-of-force incidents are assessed as compliant with SA Paragraphs 102, 104, 105, 106g, and 107. However, if one Category 3 use of force per calendar year is found to have violated these requirements, the Department will not be held out of compliance provided it identified the violation and took appropriate corrective action.

Findings: The Department is in compliance with Paragraphs 102 and 104. In one case, the use of force was inconsistent with Department policy, but the EFRC addressed it and took appropriate corrective action.

The Department is in compliance with Paragraph 105. There were no cases with any indicia of retaliatory force.

The Department is in compliance with Paragraph 106. There were no cases in which deputies tried to inhibit someone from recording an incident.

The Department is in compliance with Paragraph 107. There were two cases in which a 40mm less-lethal round inadvertently struck someone in the head, but both were accidental contact.

OBJECTIVE 2: TACTICS AND DE-ESCALATION

The Settlement Agreement requires the following.

LASD agrees to . . . use force as a last resort and de-escalate the use of force at the earliest possible moment. (SA p. 24, Preface to SA Use-of-Force section)

Deputies shall use advisements, warnings, and verbal persuasion, when possible, before resorting to force; and de-escalate force immediately as resistance decreases. (Paragraph 103)

Department Manual Section 3-10/005.00: Force Prevention Principles states the following about requirements to de-escalate.

Department members shall only use that level of force which is objectively reasonable, and force should be used as a last resort. Department members should endeavor to de-escalate confrontations through tactical communications, warnings, and other common-sense methods preventing the need to use force whenever reasonably possible. When force must be used, Deputies and staff shall endeavor to use restraint techniques when possible and use only that level of force necessary for the situation.

FINDINGS

The EFRC determined a deputy's tactics were out of policy in four cases.

- **EFRC-1.** The EFRC was critical of the deputy's decision to engage in a foot pursuit alone. He should have waited for backup before entering a vacant field and engaging the subject.
- **EFRC-2.** The EFRC was critical of the deputies' decision to contact a person they suspected to be armed while still seated in their patrol car. There were no force or de-escalation issues.
- **EFRC-5.** The EFRC was critical of the lack of coordination and communication among the deputies. There were no force or de-escalation issues.
- **EFRC-9.** The EFRC was critical of the deputies' tactics during the vehicle pursuit. There were no force or de-escalation issues.

In three cases, the EFRC was critical of tactics that were unrelated to force or de-escalation (EFRC-2, EFRC-5, and EFRC-9). As such, those incidents did not impact our compliance findings in this area. In one case, the out-of-policy tactics determination did impact this SA provision, but it fell under the exception allowing one case per year.

The MT concurred with the EFRC's findings on force for all 10 cases and agreed that the corrective action recommended for the out-of-policy tactics finding that impacted the use of force was within reasonable management parameters.

SA COMPLIANCE

Metric: In at least 95% of the Category 3 UOF incidents, deputies used advisements, warnings, verbal persuasion, and/or other de-escalation tactics, when possible, before resorting to force, and de-escalated the use of force immediately as resistance decreased. However, if one Category 3 use of force per calendar year is found to have violated these requirements the Department will not be held out of compliance provided it identified the violation and took appropriate corrective action.

Finding: The Department is in compliance with SA Paragraph 103. In one case, it appears that force was used prematurely, but the EFRC addressed it and took appropriate corrective action. In the other nine cases, de-escalation was used appropriately, including the three where non-force tactics were found to be out of policy.

OBJECTIVE 3: REPORTING THE USE OF FORCE

The Settlement Agreement has the following requirements.³

LASD agrees to continue to require deputies to report all uses of force above un-resisted handcuffing. (Paragraph 108 Part 1)

LASD agrees to continue to require deputies who use or observe force to notify their supervisors immediately following any reportable use of force incident. (Paragraph 110 Part 1)⁴

LASD shall continue to require AV deputies to completely and accurately describe the force used or observed, including describing in detail the actions of the suspect necessitating the use of force and the specific force used in response to the suspect's actions, any injuries or complaint of injuries, and any medical treatment or refusal of medical treatment. (Paragraph 108 Part 2)

The use of force reporting policy shall explicitly prohibit the use of conclusory statements without supporting detail, including "boilerplate" language in all statements and reports documenting use of force. (Paragraph 109 Part 1)

³ For compliance purposes we have separated SA Paragraphs 108, 109, and 110 into two parts as indicated.

⁴ SA Paragraph 110 Part 2 requires that deputies notify their supervisors of any allegations of excessive force, and if they fail to do so, they will be subject to discipline up to and including termination. Paragraph 110 Part 2 will be assessed in our next complaint audit.

Deputies shall be held accountable for material omissions or inaccuracies in their use-of-force statements, which may include being subject to disciplinary action. (Paragraph 109 Part 2)

The Department Manual also requires that UOF reports contain specific information.

Each member reporting force in a report or memorandum shall describe in detail the force incident, including the tactics leading up to the use of force, the actions of the suspect necessitating the use of force, and the specific force used in response to the suspect's actions. Any injuries or complaint of injuries, and any medical treatment or refusal of medical treatment, shall be documented in the first report, supplementary reports or memoranda. (MPP Section 3-10/100)

FINDINGS

In all 10 cases, deputies reported their having used force to a supervisor almost immediately. The deputies' reports were accurate and complete. None of the reports contained boilerplate language.

SA COMPLIANCE

There are no metrics for these provisions.

Requirement: *Deputies are required to report all uses of force above un-resisted handcuffing. (Paragraphs 108 Part 1 and 110 Part 1).⁵*

Finding: The Department is in compliance with the UOF reporting requirements of SA Paragraphs 108 Part 1 and 110 Part 1. Deputies reported their use of force as soon as possible, and their reports were complete and accurate.

Requirement: *Deputies are required to completely and accurately describe the force used or observed, including describing in detail the actions of the suspect necessitating the use of force and the specific force used in response to the suspect's actions, any injuries or complaint of injuries, and any medical treatment or refusal of medical treatment. (SA Paragraph 108 Part 2)*

Finding: The Department is in compliance with SA Paragraph 108 Part 2. In each of these cases, the reports fully described the subject's actions, the force used, and the medical treatment provided.

⁵ SA Paragraph 110 Part 2 requires that deputies notify their supervisors of any allegations of excessive force, and if they fail to do so, they will be subject to discipline up to and including termination. That aspect of Paragraph 110 will be assessed in our next complaint audit.

- Requirement:** *Deputies shall not make conclusionary statements in their use-of-force reports without supporting detail, including "boilerplate" language. (SA Paragraph 109 Part 1)*
- Finding:** The Department is in compliance with SA Paragraph 109 Part 1. None of the reports contained unsupported conclusionary statements or boilerplate language.
- Requirement:** *Deputies shall be held accountable for material omissions or inaccuracies in their use-of-force statements, which may include being subject to disciplinary action. (SA Paragraph 109 Part 2)*
- Finding:** The Department is in compliance with SA Paragraph 109 Part 2. There were no material omissions or inaccuracies in any of the reports.

OBJECTIVE 4: USE-OF-FORCE INVESTIGATIONS

The Settlement Agreement includes these requirements.

For all reportable uses of force, the investigating supervisor shall conduct a thorough investigation. This investigation will require supervisors to:

- a. Respond to the scene, examine the subject of the force for injury, interview the subject for complaints of pain, and ensure that the subject receives medical attention from an appropriate medical provider;*
 - b. Identify and collect all relevant evidence;*
 - c. Canvass for, and interview, civilian witnesses;*
 - d. Collect statements from witness deputies; and*
 - e. Review all deputy use-of-force statements for adequacy, accuracy, and completeness.*
- (Paragraph 111)

Following the investigation, each supervisor shall continue to complete a supervisory investigation documented in a "Supervisor's Report on Use of Force." This report shall include these elements.

- a. The supervisor's narrative description of the incident, including a complete and comprehensive description of the evidence that either justifies or fails to justify the deputy's conduct based on the supervisor's independent review of the facts and circumstances of the incident [emphasis added];*
- b. Documentation of all evidence;*
- c. Identities of all deputies witnessing the force;*
- d. The investigating supervisor's evaluation of force, including a determination of whether the deputy's actions appear to be within LASD policy and consistent with state and federal law, and an assessment of the incident for tactical and training implications;*

- e. *Documentation of any training or tactical concerns, and/or corrective action taken or recommended. (Paragraph 112)*

Paragraph 130 (partial) includes the SA requirements associated with complaints arising from UOF investigations.⁶

LASD shall investigate every allegation of misconduct that arises during an investigation even if an allegation is not specifically articulated as such by the complainant. (Paragraph 130 partial)

Department policy MPP 3-10/110.00, which was in place during the time when the UOF incidents in the audit population occurred, provides the Department's guidance on the standard that was to be used for investigating Category 1 and 2 uses of force.

After interviewing a suspect in incidents involving Directed Force, the Watch Commander/Supervising Lieutenant shall determine who should complete the initial investigation. When a Unit supervisor who did not direct the force is available, that non-involved supervisor should complete the initial investigation. If a non-involved supervisor is not available, the Watch Commander/Supervising Lieutenant should consider the totality of the initial factors, including the severity of the force and the suspect's interview in determining whether the supervisor who directed the force should complete the initial investigation or, if necessary, the initial investigation should be completed by the Watch Commander/Supervising Lieutenant. In instances in which a non-involved supervisor is assigned to complete the initial investigation, the supervisor who directed the force shall prepare a supplemental report, or memo, detailing their actions for inclusion with the force package.

FINDINGS

All 10 cases were investigated administratively by IAB's Force/Shooting Response Team. In several cases, there was a separate criminal investigation by Homicide Bureau and another by the California Department of Justice. All 10 of the investigations were conducted by investigators who were not involved in the incident, and all 10 investigations were complete and thorough enough to support reliable conclusions.

SA COMPLIANCE

The following previously agreed upon standards were used for the Monitors' findings in this objective.

- **Investigation With Critical Deficiencies.** The investigation was incomplete in that it did not address a substantive allegation(s) of misconduct or contained mistakes or omissions that cumulatively challenged the reliability of the investigation. Critical deficiencies may include failure to interview a key witness; failure to obtain a statement from the supervisor directing a UOF; failure to obtain a statement from a supervisor present during a UOF; unreasonable failure to obtain a written

⁶ Complaint investigations are evaluated for completeness in the MT's public complaints audits.

statement from an involved or witness deputy; failure to gather or analyze a crucial piece of evidence; or inaccurately summarizing a key witnesses' recorded statement in a material area.

- **Investigation With Non-Critical Deficiencies.** The investigation was complete in that it adequately addressed all significant issues; however, it contained mistakes and/or omissions that do not challenge the report's reliability but do raise concerns about the thoroughness of the investigation or the review process. Non-critical deficiencies may include failure to list a deputy who used minor force on the use-of-force form; failure to record the type(s) of force used by each deputy on the use-of-force form; or inaccurately recording minor aspects of the incident on the use-of-force form.
- **Satisfactory Investigation.** The investigation was complete, adequately addressed the significant issues, and did not contain material errors and/or omissions.

Metric: *At least 95% of the Category 3 investigations were not classified as investigations with critical deficiencies.*

Finding: The Department is in compliance with SA Paragraphs 111 and 112 for Category 3 cases. All 10 of the Category 3 investigations were classified as satisfactory.

Note: There were no unaddressed complaint allegations in any of the 10 cases. However, compliance with Paragraph 130, initiating a personnel complaint, is assessed in the MT and Audit and Accountability Bureau (AAB) audits of public complaints.

OBJECTIVE 5: MANAGEMENT REVIEW AND OVERSIGHT

The Settlement Agreement requires the following.

Upon completion of the Supervisor's Report on Use of Force, the investigating supervisor shall forward the report through their chain of command, which will review the report to ensure that it is thorough and complete, and that the analysis and findings are supported by a preponderance of the evidence. (Paragraph 113)

LASD agrees to continue to require that the Executive Force Review Committee review use of force incidents requiring response by the IAB Force/Shooting Response Team under current policy, and to review the incidents for any policy, training or tactical concerns and/or violations. (Paragraph 114)

LASD will hold deputies accountable for uses of force that violate policy or law, and continue to require station commanders to refer uses of force that may violate law or the Department's Prohibited Force policy, to the Internal Affairs Bureau or the Internal Criminal Investigations Bureau for further investigation or review. (Paragraph 115)

LASD will hold supervisors accountable for not detecting, adequately investigating, or responding to force that is unreasonable or otherwise contrary to LASD policy. (Paragraph 116)

LASD and Antelope Valley unit commanders will regularly review and track "training and tactical review" related findings, recommendations, and comments to ensure that informal supervisory feedback does not replace the need for formal discipline. (Paragraph 118 a)

LASD shall investigate every allegation of misconduct that arises during an investigation even if an allegation is not specifically articulated as such by the complainant. (Paragraph 130 partial)

FINDINGS

In all 10 cases, the management review was very thorough and addressed all of the policy, tactical and training concerns. The EFRC reviewed the investigation for each case to ensure it was thorough and would support a reliable adjudication. The EFRC's findings in each case were based on a preponderance of the evidence. In one case, the EFRC found the force to be out of policy, and in four cases, it found the tactics to be out of policy. In each of these cases, the EFRC recommended a penalty that was within the reasonable range of management discretion for the sustained offense. There were no personnel complaints by the public in any of the cases.

There were, however, two areas of concern.

- **Progressive Discipline.** In one case, a deputy received a suspension for another use of force (non-lethal) that occurred after the incident being reviewed by the EFRC. But because the suspension was for an incident that occurred after the incident under review by the EFRC, it could not be used for progressive discipline. And because the prior discipline occurred before the EFRC case, progressive discipline could not be applied to it either. So, the adjudication timing for these two cases prevented either one from triggering progressive discipline for the other. While unusual, this is not unique. The same thing occurred in another case where a deputy had two shootings in one year that were adjudicated in reverse order two years later. We have brought this issue to the Department's attention and will address it during our review of the Guide to Discipline.
- **Non-force policy violations.** Paragraph 114 requires that the EFRC *"review the incident for any policy, training or tactical concerns and/or violations."* The deployment of body-worn cameras (BWCs) now raises policy issues unrelated to the use of force such as driving speeds, use of seat belts, and compliance with uniform standards. After discussion with the EFRC chair, he decided that those issues and directions for addressing them will be included in the EFRC's Findings Memos. Our review of those memos since that decision was reached showed that they do address all policy, training, or tactical concerns and/or violations.

SA COMPLIANCE

The Parties and Monitors adopted the following criteria to evaluate the management review of UOF investigations and categorize their level of compliance with SA provisions.

- **Critical Deficiency.** The adjudication contained errors or omissions that quantitatively or qualitatively rendered it unreliable to adjudicate the incident. Critical deficiencies include basing the adjudication on an investigation containing a critical error; failure to adjudicate a case based on a

preponderance of the evidence; failure to recognize and adjudicate a substantive allegation of misconduct; failure to hold deputies accountable for uses of force that violate policy or law; failure to hold supervisors accountable for not detecting, adequately investigating, or responding to force that is unreasonable or against LASD policy; and failure to ensure that important information is recorded accurately on the UOF forms and in PRMS.

- **Non-Critical Deficiency.** The adjudication adequately addressed the significant issues and was based on a reliable investigation; however, it contained errors or omissions that raise concerns about the thoroughness of the management review or lack of attention to detail. Non-critical deficiencies include failure to ensure that all witnesses are identified and that an explanation is provided for anyone who was not interviewed; if the supervisor conducting the investigation was also present during the incident, a thorough explanation is provided; failure to identify and adjudicate a minor allegation of misconduct; and failure to ensure that all pertinent aspects of the incident were recorded accurately on the UOF form and in PRMS.
- **Satisfactory.** The adjudication was complete, adequately addressed the significant issues and did not contain material errors and/or omissions.

Metric: *At least **95%** of the Category 3 case adjudications do not contain a critical deficiency.*

Metric: *At least **85%** of the Category 3 adjudications do not contain a non-critical deficiency.*

Finding: The Department is in compliance with Paragraphs 113, 115, and 116 for Category 3 cases. All 10 Category 3 adjudications by the EFRC were classified as satisfactory.

Metric: *LASD will ensure that [PRMS] data is accurate and hold AV personnel accountable for inaccuracies in any data entered. (Paragraph 142)*

Finding: There were no indicia of inaccuracies in the PRMS data for any case in the audit population. However, compliance with Paragraph 142 is assessed in separate review processes designed to evaluate the accuracy of PRMS data.

VII. CONCLUSION

The Department has come a long way since our original audit of the EFRC process in 2018. That first audit found the Department out of compliance with 12 of the SA's use-of-force provisions, including using force only when necessary, de-escalating when appropriate, completing thorough investigations, and adjudicating cases based on a preponderance of evidence. In contrast, this audit found the Department in compliance with all the applicable use-of-force provisions. Most importantly, the process now in place is being institutionalized to ensure that the EFRC continues to review these incidents thoroughly.

ADDENDUM 1

FINDINGS FROM EFRC REVIEWS OCCURRING APRIL 16, 2024, TO APRIL 17, 2025

SA PARAGRAPH	SA REQUIREMENTS SORTED BY AUDIT OBJECTIVES	EFRC-1 05/30/24	EFRC-2 06/13/24	EFRC-3 06/27/24	EFRC-4 10/03/24	EFRC-5 10/17/24	EFRC-6 10/17/24	EFRC-7 01/30/25	EFRC-8 03/06/25	EFRC-9 03/27/25	EFRC-10 04/17/25
	Objective 1: The Use of Force										
102, 104, 105	The reasonableness of the use of force	Out policy	In policy	In policy	In policy	In policy	In policy	In policy	In policy	In policy	In policy
106 g	Using force on a person legally recording incident	None*	None	None	None	None	None	None	None	None	None
106 a–f & h	Inhibiting a person from legally recording incident	None	None	None	None	None	None	None	None	None	None
107	Head strike with impact weapon	None	None	40mm, accidental	None	None	None	None	None	None	40mm, accidental
	Objective 2: Tactics, Avoid Force, and De-Escalation										
103	Tactics, force used as a last resort, and de-escalation	Out policy	Out policy	In policy	In policy	Out policy	In policy	In policy	In policy	Out policy	In policy
In policy	Objective 3: Reporting Uses of Force										
108 Parts 1 & 2	Deputies reporting force incidents	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
109 Part 1	Accurate UOF reports without boilerplate language	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
110 Part 1	Immediate supervisory notification	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Objective 4: Supervisory Investigation										
111 a–d	Thorough UOF investigations	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
111 e	Review deputies' reports for completeness	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
112 a	Independent supervisory investigation	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
112 b–e	Completeness of investigation	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Objective 5: Management Review										
113	Management review of use-of-force investigation	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

SA PARAGRAPH	SA REQUIREMENTS SORTED BY AUDIT OBJECTIVES	EFRC-1 05/30/24	EFRC-2 06/13/24	EFRC-3 06/27/24	EFRC-4 10/03/24	EFRC-5 10/17/24	EFRC-6 10/17/24	EFRC-7 01/30/25	EFRC-8 03/06/25	EFRC-9 03/27/25	EFRC-10 04/17/25
114	Thorough review by EFRC	Yes	Yes	Yes	Yes	Yes	Yes	See note in summary	Yes	Yes	Yes
115	Hold deputies accountable for force violating policy	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	See note	N/A
	Refer cases as required to IAB or ICIB	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
116	Hold supervisors accountable for inadequate investigation	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
118 a	AV commanders ensure informal supervisory feedback does not replace formal discipline	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Throughout this table, "None" indicates that there was no activity directly relevant to the specified provision.

ADDENDUM 2

SUMMARY OF EFRC FORCE REVIEWS: APRIL 6, 2024 – APRIL 17, 2025

EFRC-1

EFRC Held: May 30, 2024 **Type:** Force (Taser, resulting in rib and vertebrae fractures)

The deputy was searching the area for an attempted robbery suspect when he saw the subject standing beside a bicycle. He notified other units that he located the subject, then he exited the police car. The subject fled on the bicycle, passed through a hole in a chain-link fence, and entered a field. The deputy followed and quickly located the subject. The man was now walking the bike, but when he saw the deputy, he mounted the bike and started riding away. The deputy deployed his Taser, causing the man to fall off the bike and hit the ground. Backup units arrived, and they took the subject into custody. The subject was taken to the hospital, where he was treated for fractured ribs and lumbar vertebrae. The EFRC found the use of force to be out of policy because the subject was on a bike, which constituted an elevated platform. They also found the tactics to be out of policy.

Note: This was the first EFRC held under the new rules.

EFRC-2

EFRC Held: June 13, 2024 **Type** Deputy-Involved Shooting (DIS) Death

Deputies received information from an unregistered informant that a man one of the deputies knew was carrying a loaded firearm. Later in their shift, the deputies saw the man walking with a woman. The deputies approached the couple and tried to engage them in conversation while seated in the patrol car. The subject reached for his waistband, so the deputies exited the car and engaged him in a physical altercation. When the man pointed a handgun at the deputies, one of the deputies fired at him. The man was transported to the hospital, where he expired from gunshot wounds. The EFRC found the use of force to be in policy, but the tactics out of policy and recommended a suspension for both deputies. The MT monitored the hearing remotely.

EFRC-3

EFRC Held: June 27, 2024 **Type:** Force (Taser and 40mm less-lethal projectile, injured ear)

Deputies were assigned a domestic disturbance call, and while they were en route, the suspect shot the caller's husband. The deputies deployed on the house and ordered everyone to exit. The caller and her husband, who was carrying the shotgun, exited, but the subject did not. Then the subject fled out the back door and ran toward a carport. A deputy deployed a Taser, but it was ineffective. The other deputy

fired a 40mm less-lethal projectile launcher, aiming for the subject's upper body, but the projectile struck her head. She was taken into custody and taken to the hospital where she was treated for a lacerated ear. The EFRC determined the tactics and use of force were in policy.

EFRC-4

EFRC Held: October 3, 2024 **Type:** Force (fractured arm)

Two deputies, in separate cars, were assigned a domestic violence call. An altercation occurred when the deputies tried to take the subject into custody, during which the subject's left arm was fractured. The EFRC found the tactics and use of force to be in policy but determined that desk personnel mishandled the call and recommended discipline.

EFRC-5

EFRC Held: October 17, 2024 **Type:** DIS Death

Deputies were providing security for a homicide scene in a remote area when they saw the homicide suspect walking nearby holding the knife used in the homicide. The deputies approached him, and for the next 25 minutes, they tried to persuade him to surrender. When the subject advanced on the deputies, they deployed two rounds from a 40mm less-lethal projectile launcher. One round struck the subject in the chest but did not stop his advancement. Finally, when he got within 10 yards, several deputies opened fire, killing the subject. The EFRC found the use of force to be in policy but found the deputies' tactics out of policy. They also found that the sergeant who arrived just before the shooting occurred should have arrived much sooner.

EFRC-6

EFRC Held: October 17, 2024 **Type:** Force (fist, orbital fracture)

Deputies were assigned a family disturbance call involving a large, intoxicated man. The man said he had a handgun under the seat of his car and began moving toward it. The deputies tried to control him verbally, but the subject was belligerent. The deputies grabbed the man, and then everyone fell to the ground. They struggled with the man but were unable to control him. Finally, one of the deputies struck the man in the face with his fist. The man sustained an orbital fracture. The EFRC found the tactics and use of force in policy, but recommended corrective action for several non-force issues, such as BWC activation and language.

EFRC-7

EFRC Held: January 30, 2025 **Type:** DIS Death

Under the supervision of a sergeant, a three-deputy team was searching a backyard at night trying to locate a domestic violence suspect. The subject suddenly stood up and began advancing on the deputies. The deputies saw that he was carrying a sword and ordered him to drop it. When the subject was about eight feet away and still advancing, one deputy fired a 40mm less-lethal projectile launcher while another deputy almost simultaneously fired one round from his handgun. The subject was taken to a hospital but succumbed to his gunshot wound. The EFRC found the tactics and use of force to be in policy.

Note: Paragraph 114 requires that the EFRC *"review the incident for any policy, training or tactical concerns and/or violations."* The deployment of body-worn cameras (BWCs) raises policy issues unrelated to the use of force, such as driving speeds, use of seat belts, and compliance with uniform standards. After discussion with the EFRC chair, it was decided that those issues and directions for addressing them will be included in the EFRC's Findings Memos from now on.

EFRC-8

EFRC Held: March 6, 2025 **Type:** DIS Injury

Patrol deputies were in a vehicle pursuit during which the two suspects in the car fired at them numerous times. When the pursuit terminated, a gunfight took place between the suspect and the deputies. One suspect was taken into custody at the car, and the other fled on foot across a freeway. Deputies went in foot pursuit, during which a deputy fired one additional round at the suspect. The fleeing suspect was then taken into custody. One suspect was not injured, but the other sustained gunshot wounds to both legs. No deputies were injured. The EFRC found the tactics and use of force to be in policy, but recommended training for an air unit deputy and the sergeant supervising the pursuit. The MT monitored the hearing remotely.

EFRC-9

EFRC Held: March 27, 2025 **Type:** DIS Death

Two deputies in separate cars were in pursuit of what they believed to be a man who had assaulted his domestic partner. When the pursuit turned into a cul-de-sac, one deputy was behind the subject's vehicle while the other deputy approached the subject's car head on. The deputy at the rear exited his car just as the subject revved the engine and began backing toward him. The deputy in front fired at the subject, who was pronounced dead at the scene. The EFRC found the use of force in policy but found the tactics out of policy, recommending a suspension for both deputies.

Note: One of the deputies in this case received a suspension for another use of force (non-lethal) that occurred after this incident. But because the suspension was for an incident that occurred after this one,

it could not be used for progressive discipline. And because the previous discipline occurred before this out-of-policy finding, progressive discipline could not be applied in this case either. So, the adjudication timing for these two cases prevented either one from triggering progressive discipline for the other. While unusual, this is not unique. The same thing occurred in another case where a deputy had two shootings in one year that were adjudicated in reverse order two years later. We have brought this issue to the Department's attention and will address it during our review of the Guide to Discipline.

EFRC-10

EFRC Held: April 17, 2025 **Type:** Force (40mm less-lethal projectile, injury to head)

Two deputies (one car) were assigned a family disturbance call. They determined that no crime had occurred and stood by while the subject's family left the residence until things calmed down. A while later they received a second call and returned but could not locate the subject. Then a third call was made and they returned to the residence again. This time the subject was standing naked in front of the residence holding a five-gallon bucket and threatening to hit people with an axe. The subject was acting erratically and was much larger than the two deputies. The deputies also believed he might have had a weapon in the bucket. When the subject would not follow commands, they deployed one 40mm less-lethal projectile round at his chest, but the round "sailed" and struck his head. He was taken to the hospital and treated for an orbital fracture and ruptured eye. The EFRC determined the tactics and use of force were in policy.