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### ***After 12 Years, Handcuffs Stay on LAPD Reform; Blame a resistant culture and Bratton--and don't spare the City Council.***

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The circumstances could not be better for transforming the scandal-plagued Los Angeles Police Department. The Police Commission, which oversees the department, is reform-minded, and the police chief, William J. Bratton, is a premier agent of change. Yet little that goes to the heart of the problem seems to have changed, at least according to U.S. District Judge Garry Feess. There is plenty of blame to go around.

After reviewing the 11th quarterly evaluation of the LAPD's compliance with the consent decree it was forced to sign with the U.S. Justice Department, Feess angrily declared that when he saw "such problems going on when [the LAPD] know[s] people are looking, [I] wonder what could possibly go on when no one is looking."

The two issues that aroused Feess' wrath are the same ones that led to the decree: officers' unlawful, sometimes brutal, treatment of suspects and the department's refusal to hold itself accountable for such conduct or submit to civilian authority.

Consider: The department still lacks an effective computerized complaint system to track officer misconduct. The current database, called TEAMS I, is dysfunctional and has a tortured history going back more than a decade. After the 1991 beating of Rodney King by four LAPD officers, Charter Amendment F was passed. It codified reforms recommended by the Christopher Commission, one of which was an officer-tracking system. Its absence, according to Merrick Bobb, the special counsel monitoring the Sheriff's Department, bore "directly on the [Rampart] scandal.... At the very least, such a system would have created questions about exactly why so many officers were involved in so many shootings, excessive force complaints and other incidents."

Inexcusably, nearly three years into the consent decree imposed after the Rampart scandal, there is still no top-flight database with easy linkage and full-text method of searching that can flag problem officers. Other than changing the LAPD's culture, there is nothing more crucial to reforming the department than such a tracking system. It was important enough for federal monitor Michael Cherkasky to have warned that unless the system were installed soon, the consent degree could be extended beyond its original five-year mandate, at a reported annual cost to the city of as much as \$50 million.

The second major failure of compliance cited in Cherkasky's report centers on LAPD investigations into officer-involved shootings and use of major force. "Deficiencies" in these investigations were so serious, according to Cherkasky, that they "undermined the monitor's confidence in the department's handling of [use-of-force] investigations." This failure, the report concluded, "must be rectified with the greatest of expediency."

What is amazing about these comments is their historical echo. Twenty-four years ago, a remarkably similar assessment was made in a study, commissioned by then-Dist. Atty. John K. Van de Kamp, on how the LAPD investigated officer-involved shootings. "What we found," said one of the investigators, "was that the primary purpose of the department's investigation[s]

was to protect itself from liability or embarrassment. They'd use irregular investigative procedures when interviewing civilian witnesses ... immortalizing their testimony on tape at their initial interview. But civilians ... surprised by what's happened [at a shooting], [are] often in a state of shock, so you can bet there'll be inconsistencies. But when the officers were interviewed, it was in a group with no tape. Questions were asked off the record -- and a version of events squared away. It gave them the opportunity to shoot holes in the civilians' stories and iron out inconsistencies in their own."

It was only recently, according to Cherkasky's report, that the LAPD complied with the monitor's requirement "that all involved and witness officers to an officer-involved shooting be separated immediately and remain separated until they provide a statement."

Why has the pace of reform moved so slowly? Why hasn't Bratton ensured the department's compliance? Other than the monitor's reports, why is there so little official information about the failures and successes of the reform process? What happens to that process when the federal monitor leaves? And when Bratton departs, what kind of police force will he leave behind?

No one doubts Bratton's intention to implement the provisions of the consent decree. The question is really about his focus. When he took office, Los Angeles was fast becoming the murder capital of America. There was tremendous pressure on him to make fighting crime his No. 1 priority at a time when the city would not provide the resources he needed to do the job adequately. Simultaneously, he had to deal with officer redeployment, departmental restructuring, command-staff weaknesses and placing his own people. In short, Bratton focused on creating a sense of competence and efficiency.

But the chief was hired primarily to institute the changes mandated by the consent decree. He should have found the time to do so. He apparently didn't. Fortunately, the city hired a monitor and investigative team that, despite having had close associations with Bratton, continue to demand that he implement reforms that hold cops and their leaders accountable for their performance on the street.

The City Council is also at fault. As a body, it has failed to forcefully criticize the LAPD even after the monitor's reports repeatedly warned about the Police Department's foot-dragging and noncompliance. One reason is city government's failure to prioritize reform at a time of fiscal crisis. "It's a zero-sum game," says Jack Weiss, one of the few council members to speak out on the issue regularly. "Does the department take officers and devote more resources to reform -- and give up a little short-term crime fighting for long-term reform?"

The answer is yes. The city had to pay out \$100 million to settle police-abuse suits during the 1990s, and the 1992 riot caused hundreds of millions of dollars in property damage. The remaking of the department has been going on for 12 years, and it's unlikely we'll ever have this kind of opportunity again.

Yet when the department's inspector general needed money to hire more staff to meet his decree mandate to be a strong monitor after the Justice Department bows out, he was forced to publicly beg for money to do his job. Can the mayor and council be serious about LAPD reform if they balk at funding the means to achieve it?

And when the inspector general replaces the monitor, will the public know what's going on? Will the inspector regularly publish reports on the department's performance? Or will the Police Commission insist, as it has in the past, that the inspector general not deliver any bad news about the chief it has chosen? Will the City Council hold hearings and issue its own assessments of LAPD performance? In short, will there be the kind of transparency that, with the exception of the federal monitor, is lacking today?

The model for public, independent review is in the Sheriff's Department. For more than a decade, Bobb has issued comprehensive reports filled with facts, no-nonsense analysis and recommendations. Simultaneously, the department's Office of Independent Review has published similar hard-hitting reports on deputy-involved shootings and abuse and civilian complaints. With that information in hand, the county Board of Supervisors, unlike the City Council, has been able to be factual and pointed in its public criticisms of the sheriff and his department.

Oversight has not been a panacea. All one has to do is look at the chaos and crime in the county's Central Jail. But in the end, public reports will be written, solutions recommended and implementation closely monitored.

Also critical to long-lasting reform is Bratton's performance beyond implementing the decree. He's been accessible, embraced modern technological methods of crime analysis and officer deployment, fought for more officers, reinvigorated morale and been committed to stopping the blood baths in L.A.'s poorest neighborhoods.

But that is not enough. Bratton has been unwilling so far to make fundamental cultural change within the department and mount his bully pulpit to declare that if we're really serious about a war on crime, we must do something other than simply put generation after generation of blacks and browns behind bars. If all he does is lower the crime rate and make his cops more fearful of violating departmental policy, he will have failed as a true reform chief.