

## **320 complaints of racial profiling and not one had merit, LAPD says**

**The report to the city Police Commission is greeted with skepticism. 'This is not a racist department,' Chief Bratton says in defending the report.**

By Joel Rubin  
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Los Angeles Police Department officials announced Tuesday that they investigated more than 300 complaints of racial profiling against officers last year and found that none had merit -- a conclusion that left members of the department's oversight commission incredulous.

It is at least the sixth consecutive year that all allegations of racial profiling against LAPD officers have been dismissed, according to department documents reviewed by The Times.

In 2007, the LAPD's Internal Affairs Group closed 320 investigations into allegations that officers stopped, questioned or otherwise confronted someone solely because of the person's race. Nearly 80% of the time -- 252 of the cases -- the claims were dismissed outright as "unfounded," according to an annual complaint report presented Tuesday to the civilian Police Commission. In the remaining cases, there was either insufficient evidence to reach a conclusion or no misconduct was uncovered.

"A big, fat zero," said a visibly flummoxed Commissioner John Mack, who is African American and the former president of the Los Angeles Urban League. "In my mind, there is no such thing as a perfect institution . . . I find it baffling that we have these zeros."

His disbelief, echoed by other commissioners, drew a quick response from Police Chief William J. Bratton. Unsolicited, he told the commission he would have his staff conduct a survey of other large, urban police departments, as well as the Los Angeles County Sheriff's Department, to back up his belief that the findings in the LAPD are similar elsewhere.

Allegations of racial profiling, he said, hinge on what the officer was thinking at the time and, so, are nearly impossible to prove without a confession.

"It goes to the officers state of mind. How do you get inside someone's mind?" he said in a brief interview.

Bratton rejected the notion that some allegations, while not proven, were legitimate. "This is not a racist department. It is not a homophobic department. It is not a brutal department," he said. "Does it have some officers that may be those things? Possibly. But we search very hard for them, and their numbers

are very small."

Tim Sands, president of the union that represents the department's 9,300 rank-and-file officers, had harsher words for the commissioners. "I am really outraged. They are using a circular logic that just because someone makes an allegation, then the officer has to be found guilty. That's mid-century thinking," Sand said. "They are supposed to be in a role of leadership. I'm sorry but that is not an attitude of leadership."

Sands, who himself was cleared of a racial profiling accusation about 20 years ago, said he plans to demand a meeting with commissioners to discuss the issue.

It is not the first time debate has flared around questions of how thoroughly the LAPD looks into profiling allegations. Last year, the commission approved a new set of rules for how such investigations should be handled to address concerns raised by the U.S. Justice Department and the commission's inspector general after they probed the issue.

The guidelines include a checklist to ensure that officers are asked basic questions, such as whether they knew the race of the motorist before making the traffic stop and whether race was a factor in the decision to pull over the motorist.

LAPD Cmdr. Rick Webb, who presented the report at the commission's weekly meeting, acknowledged shortcomings in previous investigations, including those closed in 2007 before the new guidelines were implemented. He declined to speculate whether any of the previous allegations would have been sustained under the new investigative practices. In November, around the time that the changes were adopted, the department stepped into another controversy when it launched and then quickly aborted a mapping program aimed at identifying the city's Muslim enclaves. Civil libertarians and Muslim groups angrily denounced the effort as racial and religious profiling.

The debate unfolded Tuesday amid the commission's broader concerns over how the department handles the thousands of complaints made each year against officers. In February, the inspector general released a report that concluded investigators frequently failed to fully investigate citizen complaints against allegedly abusive officers, often omitting or altering crucial information. The report, and extensive media attention, sparked calls by commissioners for a review of the complaint investigation process.

The issue of racial profiling reaches back into one of the department's darkest periods. Since 2000, the department has been working to implement scores of reforms included in a federal consent decree that stems from the Rampart corruption scandal. As part of the decree, the department is required to gather and analyze racial data involving vehicle and pedestrian stops.

But conclusive figures that might indicate whether systemic racial profiling is a problem in the LAPD have remained elusive. Department and city officials early on acknowledged that the raw data collected

by officers when they make a stop are unhelpful because they do not include factors such as the race of the officer, the predominant race of the neighborhood in which the stop was made, and whether the stop resulted in an arrest and conviction.

In 2006, the city contracted with an outside consulting group to look into the issue. The study found that Latino and African American motorists in most areas of Los Angeles are significantly more likely than whites to be asked to leave their vehicles and submit to searches when stopped by police. The firm concluded, however, that its analysis of the data was too broad to determine whether the disparities were a sign of racial profiling.

After years of delays, the first phase of a project to install video cameras in police patrol cars is expected to start in coming months. The cameras are expected to provide more telling information.