



Stop LAPD Spying Coalition

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Los Angeles Board of Police Commissioners
100 West First Street, Suite 134
Los Angeles, California 90012

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To Data Driven Policing Committee Commission Members:

The Stop LAPD Spying Coalition writes with grave concern regarding the newly implemented “Data Informed Community Focused Policing (DICFP) program.”¹ DICFP sets out a roadmap for LAPD’s future that operationalizes the department’s vast Architecture of Surveillance,² creating a Stalker State³ that predictively and speculatively traces, tracks, and stalks community members. This is policing based on mass suspicion and wholesale criminalization of communities and of places. This concept originates in post-9/11 policing initiatives that helped expand a counter-insurgency approach to local policing, setting up systems of mass suspicion utilizing data mining, behavioral surveillance, and an infrastructure known as the Information Sharing Environment (ISE) that allows fluid sharing of suspicion across city, county, state, and federal agencies. These transformations created an operational and structural apparatus that legitimizes speculative, hunch-based policing. DICFP is the evolution and culmination. While presented as tactics that invoke relationship-building and more precise targeting of “criminality,” this approach of “intelligence-led policing” is the root of racial profiling, dissolution of privacy, and criminalization of association and residence. The community impact is people living in suspicion and fear, mass incarceration, displacement, assault, and even death. As LAPD speaks in the language of reform yet begins to operationalize DICFP, it falls short of addressing the harms of surveillance and preemptive policing.

Suspicious Activity Reporting - The Basis of “Speculative Policing”

The basis of speculative policing can be seen in LAPD’s Special Order 17 (previously SO 11 & SO 1) - and the iWATCH, “*See Something, Say Something*” program that are a part of the National Suspicious Activity Reporting (SAR) Initiative.⁴ These policies use “behavioral surveillance” and “reasonable indication” as an operational protocol that claims to predict crime. SAR proponents claim that “behavioral surveillance” is a science that can indicate an individual’s potential to engage in criminal behavior. This is contrary to findings of the National

¹ <http://assets.lapdonline.org/assets/pdf/data-informed-guidebook%20042020.pdf>

² <https://stoplapdspying.org/policing-strategies-and-tactics/>

³ <https://stoplapdspying.org/wp-content/uploads/2018/07/ISE-The-Stalker-State-.pdf>

⁴ <https://stoplapdspying.org/wp-content/uploads/2013/04/PEOPLES-AUDIT-UPDATED-APRIL-2-2013-A.pdf>

Academy of Sciences, which debunks speculative policing like this as pseudo-science.⁵ A Suspicious Activity Report, (SAR) is created when a person engages in “suspicious behavior,” which is defined as “observed behavior reasonably indicative of pre-operational planning of criminal and/or terrorist activity.”⁶ This creates the criminalization of thought, where officers and community members are encouraged to presume guilt and criminality. The suspicious behaviors targeted in this surveillance include taking a photo, using binoculars, drawing a map in public, asking a business its hours of operation, and many other benign activities. Reports of these behaviors are then sent to data analytic centers called Fusion Centers. The IG audit of SAR program released on June 7, 2019⁷ exposed continuing pattern of racial profiling of Black, Brown, and immigrant communities and the weaponizing of the iWATCH “*See Something, Say Something*” program by communities in LA with majority white populations. Out of a total of 348 SARs, 293 (84%) were filed by community informants, most frequently from majority white communities in the LAPD West and Valley Bureaus. Race was identified in 164 SARs and of this race data, 22% were Black, a 2.5 times disproportionate representation of LA’s 9% Black community. 176 (51%) of SARs did not even meet basic standards and were deemed unfounded. This clearly demonstrates how racial profiling is inherent in presumptive and speculative policing.

Architecture of Surveillance

Large amounts of information gathering by police departments is done through electronic surveillance equipment such as Stingrays, automatic license plate readers (ALPR), TrapWire, high definition cameras, body cameras, drones, CCTV, social media surveillance, and much more. Information collected by these surveillance tools criminalize a person’s daily lived experience. Documents obtained by the Stop LAPD Spying Coalition have repeatedly demonstrated that these programs inflict grave harm to community members. Without the massive amounts of surveillance equipment deployed by LAPD, creating ever-present surveillance within communities, the operationalization of programs like Data Informed Community Focused Policing could not exist. The now defunct LASER program is an example of how location-based policing and person-based policing was dependent on CCTV, ALPRs, risk assessments, crime databases, Field Interview (FI) cards, and ArcGIS, with plans to expand the use of Palantir mobile and social network analysis into the program.⁸

Offender-Based Policing

LAPD’s “Offender-Based Programs” throw communities into a cycle of constant re-criminalization, using the racism and discrimination of past policing to target the same people for continued abuse and surveillance. At its core, this appears to be a reorganization of the Chronic Offender program that was part of LAPD’s dismantled LASER system, now generalized into a broader approach of constantly suspecting, targeting, and tracking, previously criminalized individuals and their families, neighbors, and friends. Demonstrating how the Stalker State operates within the Information Sharing Environment, LAPD will pull information on everyone who is on parole, probation, or Post Release Community Supervision, as well as people with warrants and anyone with a previous conviction,⁹ then target them for increased surveillance. Just like with the Chronic Offender program, the goal is to maintain ongoing suspicion and surveillance of the same people who police have always wanted to target, weaponizing the speculation legitimized by a number of different local, regional, and national databases.

⁵ <https://stoplapdspying.org/wp-content/uploads/2013/03/Summary-National-Academy-of-Sciences-Report.pdf>

⁶ https://www.dhs.gov/sites/default/files/publications/15_0223_NSI_ISE-Functional-Standard-SAR.pdf

⁷ http://www.lapdpolicecom.lacity.org/061119/BPC_19-0157.pdf

⁸ <https://stoplapdspying.org/before-the-bullet-hits-the-body-dismantling-predictive-policing-in-los-angeles/>

⁹ http://www.lapdpolicecom.lacity.org/101519/BPC_19-0280.pdf, page 2

These “Offender-Based Programs” are a major part of how LAPD’s surveillance systems grow and expand: Every day, thousands of people are arrested and processed by police, and then police target those same people and their communities for continued surveillance. The data collected this way is used in conjunction with other information and speculation generated by daily police monitoring, questioning, and harassment. The recent scandal of LAPD officers exposed for falsifying Field Interview Cards – a key part of how police generate information for surveillance systems – suggests the immense discretion police have to use past criminalization, suspicion, exaggeration, and outright fabrication to target people. This scandal is indicative of the range of ways that LAPD generates information based on individual whim, bias, and systematic racism. “Offender-Based Programs” and other surveillance systems then weaponize that information to continue harming and criminalizing those people.

The section on “Offender-Based Programs” in LAPD’s DICFP report claims that “research suggests that targeted supervision” and surveillance of people who were arrested before will reduce “recidivism” and have “a significant impact on crime rates.” But the U.S. DOJ research cited¹⁰ in the handbook says none of this. All this research report discusses is rates of recidivism at different time ranges after incarceration for different types of offenses and different demographic characterizations. Unlike the LAPD, the report never claims there is a benefit of police targeting people based on past arrests. And the reality is that the more police officers stalk and target a person, the more likely they are to arrest those same people. At a minimum, police will keep generating, exaggerating, and building speculative suspicion about those people and then feeding that information into surveillance systems. More broadly, “recidivism” is more a function of policing than anything else. Re-arrest often just means that the same person police chose to target once is being targeted again. And “Offender-Based Programs” are an example of how that happens: if you were arrested once, police surveillance systems will single you out again.

Location-Based Policing

Location-based policing is not new in LA and has always been driven by LAPD’s decisions regarding what crimes to pursue and shaped by which communities they deem most criminal. In this way, LAPD’s historical record of arrests, patrols, and criminal reports reflect the organization’s own culture, beliefs, and biases, with LA’s Black, Brown, and poor communities being most heavily criminalized and policed. With this history of racist policing, the use of algorithms and/or “predictive” or “proactive” policing that relies on past policing behaviors mean police today continue to patrol the same streets and neighborhoods, continuing a cycle of criminalization, occupation, and trauma that does not benefit communities and does not make communities more safe.

In Santa Cruz, police started predictive policing as a pilot program in 2011, then halted the program in 2017. In June 2020, the Santa Cruz City Council banned predictive policing outright along with the use of facial recognition technology, naming how these technologies disproportionately harm Black and Brown folks.¹¹ LAPD however, continues to use “hot spots” and algorithms as weapons of segregation, displacement, and banishment. A study of hotspot data used by LAPD in 2015 and 2018¹² revealed hot spots mapped around the borders of Skid Row, but nowhere within it, effectively creating a quarantined area around which police make their presence highly visible in a clear indication of where Skid Row residents were to stay, and where they were not welcome.

LAPD plans to continue policing crime hot spots after ending Operation LASER. But instead of the term “hot spots,” DICFP refers to “micro geographic locations.” A check of the research cited¹³ in the DICFP guidebook reveals the

¹⁰ <https://www.bjs.gov/content/pub/pdf/18upr9yfup0514.pdf>

¹¹ [Santa Cruz PD Could Spark Change By Banning Predictive Policing](#) June 30, 2020

¹² [The People’s Response To OIG Audit of Data-Driven Policing](#), 2019

¹³ [Hot Spot Policing Effects on Crime](#)

term is the only thing new; the “recent” research is actually from 2011 and earlier, and gathered in consultation with some of the same actors¹⁴ that created and profited from LAPD’s previous predictive location-based programs - Operation LASER and Predpol - that were ultimately shuttered.

Data Analytic Centers

Data Analytic Centers, used for data gathering, analytics, and sharing, are core to intelligence-led policing operations. As stated before, the Suspicious Activity Reporting program utilizes Fusion Centers. The U.S. Senate’s Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs, released a highly critical report titled, “Federal Support for and Involvement in State and Local Fusion Centers,”¹⁵ warning about “Waste at State and Local Intelligence Fusion Centers.” The report found that fusion center intelligence was often: flawed, irrelevant or useless; inappropriate or unrelated to terrorism; had nothing of value; often outdated, duplicative and uninformative; could have violated privacy act protections; lacked adequate financial oversight; and a failure to hold officials accountable who reportedly violated guidelines. The Senate report also said that almost \$1.4 billion has been spent by the federal government on fusion centers.

LAPD through the now dismantled Operation LASER Program and the current DICFP project has incorporated mini fusion centers into our local communities called Community Safety Operation Centers (CSOC) located per bureau and Area Crime & Community Intelligence Centers (ACCIC) per area. Though the goal of each center claims to be one of building trust, their primary functions are to act as command centers, utilizing analytic tools like Palantir to spy on and stalk the community. The DICFP handbook speaks favorably of CSOCs, ignoring their deadly effect on the South Los Angeles Community during the initial launch from March to October of 2016. In 2016, LAPD killed 19 people. 13 people were killed between March and October 2016. Of these, eight killings by LAPD were related to LASER CSOC and/or “gang suppression” efforts. With the advent of ACCICs the expectation is the continuation of a legacy of surveillance, spying, infiltration, and violence.

Collective Efficacy

LAPD often refers to the SARA model of “problem solving” by police¹⁶ - this refers to the process of “scanning, analysis, response, and assessment” that is touted as an “evidence-based foundation” to crime control. Under Operation LASER, reference to the SARA model in grant and academic reports was frequent,¹⁷ and seemed designed to frame LAPD’s targeted surveillance and patrols as simply a clinical, unbiased step in this “evidence based, problem-solving” model.

Part of LAPD’s surveillance and analysis under SARA includes assessment of a community’s “collective efficacy,” or “the degree to which people trust their neighbors to provide a sense of safety, the extent that they care about their neighborhood, and their willingness to intervene if something problematic happens.”¹⁸ While no one questions whether collective efficacy exists, the issue here is police attempts to measure and assign value to a neighborhood’s collective efficacy, as well as to define and manipulate how collective efficacy should be performed.

¹⁴ Namely, George Tita and Craig Uchida, per [Appendix 12, page 67-69](#)

¹⁵ <https://www.documentcloud.org/documents/446073-10-2-12-psi-staff-report-re-fusion-centers.html>

¹⁶ LAPD Data Informed Community Focused Policing, April 2020, page 9

¹⁷ [Los Angeles, California Smart Policing Initiative Reducing Gun-Related Violence through Operation LASER](#)

¹⁸ LAPD Data Informed Community Focused Policing, April 2020, page 8

Under SARA, neighborhoods are assessed by their “physical conditions” and “signs of disorder.”¹⁹ “Land usage” as well as “empty lots, vacant buildings, trash, abandoned cars” are assessed, and “people in the neighborhood will be observed.” Neighborhoods with higher “signs of disorder” are deemed to have less collective efficacy, which LAPD links to a higher likelihood of crime; these areas are then more likely to be targeted by LAPD for “location based policing” or as a “Neighborhood Engagement Area” without acknowledging how poverty contributes to these physical conditions, and how additional policing and surveillance of poverty increases harm. The criminalization of poverty via “scanning” and assessments of also extends to residents; in a project report²⁰ from Justice & Security Strategies (the creators of Operation LASER) regarding social efficacy in Miami-Dade County, older residents who owned homes were viewed as having a higher collective efficacy - therefore, were considered by researchers to make neighborhoods more orderly - than younger residents, women, residents who used income assistance, and those who were renters.

Community Surveys

LAPD currently uses community surveys to gauge public “sentiment” about the police and about feelings of safety in a person’s own neighborhood, yet there is much about this process that remains opaque.

ELUCD is one company surveying Angelenos for “sentiment” for LAPD, and results are issued in the form of a report, listing the “top concerns” of respondents in each area. Notable here is that respondents can take the surveys anonymously, and that surveys are typically sent to a respondents’ smart device, tablet, or computer, which must have the GPS location turned on to get “pinged” by the company.²¹ ELUCD’s “data science” is proprietary, leaving questions about how surveys are distributed (what proportion are sent to smart devices?), who is responding, how it is verified that a respondent is a member of the neighborhood they are answering questions about, how results are used, and how the experiences of folks who don’t have access to surveys - or who would be disinclined to respond - are considered. In New York,²² ELUCD survey results are used by NYPD to map and consider neighborhoods based on changes of their trust of police. To what extent does LAPD also use the unproven and opaque tactic of “sentiment mapping” from ELUCD surveys, and in what way?

It is also important to understand all the ways the public has previously given feedback to LAPD, and how this feedback is routinely overlooked or twisted - such as in the case of formal complaints (of thousands of complaints of biased policing filed since 2010, zero have been sustained), as well as the 2016 community survey administered by LAPD, in which Black respondents’ answers were framed as unreliable perceptions, while the answers of non-Black respondents were credited as their experiences.²³ These are just a few examples demonstrating that demonstrate LAPD is not truly seeking to know the experiences of community members, but rather eliciting specific responses. In this way, surveys become yet another prop under the banner of “building trust” and “neighborhood policing.”

Conclusion/ Demands

It is no surprise that the LAPD is deceitfully promoting its recent forms of data-driven policing as “community focused” or “location-based” and thus devoid of bias or racism. LAPD routinely denies its own history of violent

¹⁹ [Smart Policing in Los Angeles: Targeting Gun Violence](#)

²⁰ [Neighborhoods and Crime: Collective Efficacy and Social Cohesion in Miami-Dade County](#), page 89

²¹ Page 30 [LAPD OIG Review of Selected LAPD Data-Driven Strategies, 2019](#)

²² [GovTech.com 2018](#)

²³ [LAPD report on biased policing finds problem is more perception than reality, November 2016](#)

policing and how land and location will always be racially fraught, particularly given the legacy of policing and development in Los Angeles. These programs do not operate in a vacuum. Local histories, state and municipal codes, private industry interests, and administrative imperatives are part of this policing ecology.

In a place as violently segregated as Los Angeles, location functions as a proxy for race and class. Data driven policing therefore emerges from a historical context of segregation and racialized targeting. As the community calls for abolition and defunding of police, programs like Operation LASER and Data Informed Community Focused Policing are part of the LAPD brutality that the community is rebelling against. As the death of Breonna Taylor in Louisville, Kentucky – caused by a location-based policing program that sent an armed police raid to her home – shows, location-based policing means Black and brown will never be safe. The Stop LAPD Spying Coalition documented the correlation of murders by LAPD in and around LASER Zones as well as attempts to displace Black owned businesses located in Anchor Points. Hotels like the Alexandria in Downtown LA, that serve low income community members, are also documented as Anchor points meant for further surveillance by law enforcement.

Policed landscapes are marked by the history of what happens when a city's land is presided over by police. Tracts of land are deemed "criminal," inciting vicious feedback loops of punitive zoning regulation and environmental racism. Public space is engineered to facilitate police control over civic life. Public housing complexes are stripped bare of trees and foliage — referred to as "Crime Prevention Through Environmental Design" in the DICFP handbook — to enhance surveillance capacities. Neither land nor people are allowed to breathe in the hands of the police. It is time for the City of Los Angeles to stop the violent practices of policing race and poverty with pseudoscience and surveillance.

We demand that the LA Police Commission take immediate action to stop the implementation of Data Informed Community Focused Policing; dismantle LAPD's Architecture of Surveillance, including human and technology based programs such as SAR, iWATCH, Stingray, Trapwire, Digital Receiver Technology, Automated License Plate Readers, hi-definition cameras, drones, and body cameras surveillance; cancel the contract with Palantir and end all future ties; and end all Offender-Based Policing and Location-Based Policing programs.

These are the demands our communities have been making, louder and louder each day. We expect the Police Commission to answer these demands, and we expect to hear from the committee within two weeks.

Sincerely,



Hamid Khan
Stop LAPD Spying Coalition

Cc:

Michel Moore - Chief, Los Angeles Police Department
Richard Tefank - Executive Director, Los Angeles Police Commission
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