

COMPLIANCE ASSESSMENT – September 2019

The United States Department of Justice conducted an investigation into the policies and practices of the Evangeline Parish Sheriff's Office (EPSO) under the authority granted by the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601 (formerly 42 U.S.C. § 14141). At the end of its investigation on December 19, 2016, the DOJ issued a Report concluding there is reasonable cause to believe that EPSO engages in a pattern or practice of conducting arrests without probable cause for the purposes of investigating crimes, termed "investigative holds" by EPSO. The DOJ also determined that these investigative holds resulted in problematic interrogation practices. Further, the DOJ determined that systemic deficiencies contribute to these patterns or practices, including deficiencies in EPSO's policies, training, interrogation practices, community-policing practices, supervision, data collection, and transparency. On June 4, 2018, the DOJ entered into an agreement with the Evangeline Parish Sheriff's Office to remedy the deficiencies.

This assessment documents the EPSO's implementation efforts during the first year of the Settlement Agreement and utilizes the following categories of compliance to describe the status of each provision:

Non-Compliance: This level indicates that the EPSO has not met most or all of the requirements of the provision.

Pending/Insufficient Information: This level indicates 1) that the provision is not ready for evaluation, or 2) that DOJ has not been able to fully assess compliance due to insufficient documentation or a need for additional analysis or observation.

Beginning Compliance: This level indicates that the EPSO has made initial efforts to implement the required reforms and achieve the outcome envisioned by the provision but significant work remains.

Partial Compliance: This level indicates that the EPSO has made progress with implementation but specific areas need further attention in order to achieve substantial compliance.

Substantial Compliance: This level indicates that the EPSO has implemented the specific provision as required by the Settlement Agreement, and that the EPSO has an ongoing obligation to sustain implementation in order to remain in compliance.

II. FOURTH AMENDMENT ACTIVITY

4. The Sheriff will ensure that EPSO officers conduct all interactions with the public consistent with the requirements of the Fourth Amendment of the Constitution of the United States.
5. The Sheriff will ensure that EPSO officers do not rely on information known at the time of reliance to be materially false or incorrect to justify an investigatory stop, search, interrogation, citation, or arrest.
6. EPSO will explicitly prohibit the practice of “investigative holds,” and will make clear in policy and training that investigative holds without probable cause violate the Constitution and will subject officers to discipline, including possible termination.

Status (4,5,6)	Pending/Insufficient Information
Assessment	<p>EPSO developed a suite of policies to ensure that officers’ contact with community members is consistent with the requirements of the Fourth Amendment and due process. The policies include:</p> <ul style="list-style-type: none"> • Arrests • Contacts, Stops and Citations • Field Interview Cards • Miranda Warnings • Search and Seizure • Search Warrants • Vehicle Stops <p>The department’s development of these policies is a significant step towards completion of an updated policy manual to guide deputy conduct in encounters with individuals in their community.</p>
Next Steps	<p>EPSO is currently preparing the new policies for adoption and implementation. EPSO is also developing officer trainings on basic Fourth Amendment requirements and all newly developed policies. All deputies should receive the trainings during the next reporting period.</p> <p>During the next reporting period, DOJ will 1) monitor implementation of the new policies; 2) evaluate the development and administration of the trainings on the new policies; and 3) audit documentation of law enforcement activity to assess compliance with these Agreement provisions.</p>

A. Arrests and Citations

7. The Sheriff will ensure that all arrests made by EPSO officers, including detentions that rise to the level of de facto arrests, are supported by probable cause that a person has committed or is committing a crime, based on reliable facts and evidence known to the officer at the time of the arrest. EPSO’s need or desire to question a person about a crime will not be considered in determining whether probable cause exists for the arrest of that person.
8. Officers will not arrest persons for the sole purpose of questioning the person regarding criminal activity of another person, or because of personal animus.

Status (7,8)	Pending/Insufficient Information
Assessment	As noted above, EPSO recently developed policies that address the requirements of these provisions. DOJ did not review any evidence during this reporting period that suggests officers are arresting people based on personal animus or a desire to question them about a crime unrelated to the detention.
Next Steps	EPSO will adopt and implement new policies, as well as train officers on the new policies. During the next reporting period, DOJ will 1) monitor implementation of the new policies; 2) evaluate the development and administration of the trainings on the new policies; and 3) audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

9. The Sheriff will ensure that officers obtain a valid arrest warrant signed by a judge prior to making an arrest, unless an offense was committed in the officer’s presence, or the officer has positive and reliable information establishing probable cause that an offense was committed outside the officer’s presence.
 - a. If the arrest takes place inside a person’s home, the Sheriff will ensure that officers obtain a valid arrest warrant signed by a judge prior to making the arrest, unless exigent circumstances exist.
 - b. Individuals may be arrested as material witnesses only pursuant to a valid court order for their arrest.
 - c. If a warrantless arrest is made, EPSO will ensure that the arresting officer fills out an affidavit of probable cause as soon as reasonably possible after the arrest, and in no case later than 6 hours after the arrest or at the conclusion of the officer’s shift, whichever is earlier.
 - d. Once an affidavit of probable cause has been filled out, EPSO will ensure that it is immediately reviewed by a supervisor.
 - e. If a warrantless arrest is made, EPSO will ensure that the arresting officer also completes an arrest report that describes, in non-boilerplate language, the facts and circumstances leading up to and justifying the arrest.
 - f. Once approved by a supervisor, EPSO will ensure that the affidavit is immediately transmitted to a judge or magistrate for review. The transmission may be either physical or electronic.

Status (9)	Pending/Insufficient Information
Assessment	EPSO has made significant progress in developing systems to document the information required by newly developed policies. EPSO sought and obtained funding to purchase

	new software and hardware to support these new systems. Within the next two months, all EPSO employees will be trained on the new policies and software.
Next Steps	EPSO will train officers on proper implementation of new policies and finalize new documentation systems consistent with those policies. During the next reporting period, DOJ will 1) monitor implementation of the new policies, 2) evaluate the development and administration of the trainings and 3) audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

10. EPSO will not book any person who was arrested without a warrant into the jail unless the affidavit of probable cause is filled out and approved by a supervisor.

Status (10)	Pending/Insufficient Information
Assessment	To be reviewed by DOJ in the next review period.
Next Steps	EPSO will train officers on proper implementation of new policies and finalize new documentation systems consistent with those policies. During the next reporting period, DOJ will 1) monitor implementation of the new policies; 2) evaluate the development and administration of the trainings on the new policies; and 3) audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

11. EPSO will immediately and unconditionally release any person who is held at the jail or in EPSO’s holding cell(s) if the judge or magistrate rejects the EPSO officer’s affidavit of probable cause in support of that person’s arrest, unless the court authorizes continued detention pending a timely submission of an affidavit supporting probable cause.

Status (11)	Pending/Insufficient Information
Assessment	Information obtained by DOJ suggests that EPSO is not continuing to keep people in custody once an affidavit is rejected by a judge. EPSO must improve its documentation systems and communication practices with the courts to ensure that people are released in a timely manner once an affidavit is rejected.
Next Steps	EPSO will finalize documentation systems and improve communication protocols with the courts to ensure that people are released in a timely manner. During the next reporting period, DOJ will 1) monitor implementation of the new policies; 2) evaluate the development and administration of the trainings on the new policies; and 3) audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

12. EPSO will ensure that all arrested persons are allowed to use a telephone or send a messenger for the purposes of communicating with friends or with counsel, as soon as reasonably possible.

Status (12)	Pending/Insufficient Information
Assessment	EPSO has provided partial documentation to support its compliance with this provision.
Next Steps	EPSO to provide additional documentation to DOJ for compliance review.

13. Officers will not arrest a person in lieu of issuing the person a citation for a quality of life offense for the purpose of subjecting the person to questioning or interrogation. EPSO will require officers to

obtain supervisory approval, where reasonably practical, prior to making a custodial arrest for a quality of life offense. If an officer cannot obtain supervisory approval prior to making an arrest for a quality of life offense, he or she will obtain supervisory approval as soon as possible after the arrest and will explain why the officer could not obtain prior approval.

Status (13)	Pending/Insufficient Information
Assessment	We have not received materials indicating that officers have arrested people on quality of life offenses solely for purposes of questioning or interrogation on other offenses. The specific documentation requirements for this provision will be included in EPSO’s new policies.
Next Steps	EPSO supervisors must review all quality of life arrests and explanations where the officer failed to seek prior approval. EPSO must also develop a tracking mechanism to demonstrate compliance with this provision.

B. Investigatory Stops

14. EPSO will ensure that officers do not conduct investigatory stops unless they possess reasonable suspicion, based on specific and articulable facts, that a person has committed, is committing, or is about to commit a crime. EPSO will prohibit officers from relying on gossip, rumors, or hunches to justify an investigatory stop. EPSO’s need or desire to question a person about a crime will not be considered in determining whether reasonable suspicion exists for the investigatory stop of that person.

Status (14)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting investigative stops. This was part of the policies that have been developed, and the department is acquiring a new software system in the next few months to facilitate better documentation of investigatory stops.
Next Steps	This will be audited by DOJ in the next review period.

15. Officers will not transport the subject of an investigatory stop to a different location for questioning or any other investigatory purpose unless the officer has probable cause to make an arrest or the stopped person requests to speak with officers in a different location. Where such a request is made, officers will document the request in writing and ask the person to sign the documentation verifying that the request was made.

16. Officers will not transport a person to jail or otherwise incarcerate a person as part of an investigatory stop unless there is probable cause that the person has committed a crime.

Status (15,16)	Pending/Insufficient Information
Assessment	EPSO needs to provide documentation to support its compliance with this provision.
Next Steps	This will be audited by DOJ in the next review period.

17. Officers will not stop a vehicle unless there is probable cause that the driver has committed a traffic violation, or reasonable suspicion based on specific and articulable facts that the vehicle or an occupant of the vehicle has been, is, or is about to be engaged in the commission of a crime.

Status (17)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting investigative stops. This was part of the policies that have been developed, and the department is acquiring a new software system in the next few months to facilitate better documentation of investigatory stops.
Next Steps	This will be audited by DOJ in the next review period.

C. Documentation of Fourth Amendment Activities

18. EPSO will develop systems to ensure that all stops citations, arrests, and field interviews are properly documented and that the documentation for each type of activity includes all pertinent information, including the information required in the Data Collection section of this Agreement. EPSO will require officers to document the justification for the particular activity under the relevant legal standard for that activity, where applicable, and specific, individualized descriptions of the facts and circumstances in support of that justification.
19. EPSO will require officers to use specific, individually tailored descriptions of facts in their documentation of all stops, citations, and arrests.
20. EPSO officers will complete their documentation of their activities by the end of the officer’s shift in which the activity occurred.
21. EPSO will develop systems for the storage and retention of this documentation, consistent with the Data Collection paragraphs of this Agreement [See Section VIII].

Status (18,19,20,21)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting investigative stops. This was part of the policies that have been developed, and the department is acquiring a new software system in the next few months to facilitate better documentation of investigatory stops.
Next Steps	This will be audited by DOJ in the next review period.

D. Supervision Regarding Fourth Amendment Activities

22. Absent exceptional circumstances, within 12 hours of receiving a report documenting a stop, citation, or arrest, a supervisor will conduct a review to determine whether the activity was based upon legally sufficient grounds and complied with EPSO policy, and document the results of their review in writing.
23. If an EPSO officer arrests a person and no warrant was previously issued, the supervisor will review the officer’s probable cause affidavit immediately and prior to the person being booked into the jail, consistent with Paragraph 38 of this Agreement. If the activity resulted from an insufficient factual basis, such as a lack of reasonable suspicion or probable cause, the supervisor will immediately release the person and take additional remedial measures, as appropriate. The supervisor will document the review in a report.

Status (22,23)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting investigative stops. This was part of the policies that have been developed, and the department is acquiring a new software system in the next few months to facilitate better documentation of investigatory stops.
Next Steps	This will be audited by DOJ in the next review period.

- 24. Supervisors will take appropriate action to address all violations or deficiencies in law enforcement activities or the documentation thereof, including recommending non-disciplinary corrective action for the involved officer, and/or referring the incident for administrative or criminal investigation.
- 25. Supervisors will track each violation or deficiency and the corrective action taken to identify officers needing repeated corrective action. Supervisors will ensure that any deficiencies, or patterns of deficiencies, are considered in officers’ performance evaluations, as appropriate.

Status (24,25)	Pending/Insufficient Information
Assessment	EPSO’s new policies include requirements for supervisory review and action.
Next Steps	This will be audited by DOJ in the next review period.

- 26. EPSO will take into account the quality and completeness of supervisory reviews in the supervisor’s own performance evaluations and will take appropriate corrective or disciplinary actions against supervisors who fail to conduct complete, thorough, and accurate reviews of officers’ law enforcement activity.

Status (26)	Pending/Insufficient Information
Assessment	This will be audited by DOJ in the next review period.

III. CRIMINAL INVESTIGATIONS

A. Interrogations

- 27. The Sheriff will ensure that all interrogations conducted by EPSO employees occur in accordance with the Constitution and laws of the United States.
- 28. Prior to conducting a custodial interrogation, officers will provide a clear and understandable notification of *Miranda* rights to the person. Prior to any custodial interrogation, officers will have the person read a written waiver of rights form and provide a signature indicating whether the person will waive the rights.
- 29. If a person who has been notified of their *Miranda* rights indicates that they wish to speak to an attorney or does not wish to answer questions, officers will immediately stop the interrogation and will not ask any further questions.
- 30. If the person does not appear able to understand the rights or waiver form, or declines to waive the *Miranda* rights, officers will immediately stop the interrogation and not ask any further questions. Officers will not make threats, promises, inducements, or take any other coercive actions in order to obtain a waiver of *Miranda* rights.
- 31. If a person who has declined to waive their rights informs an officer of their own volition that they have changed their mind and wish to participate in an interrogation, officers may restart the process described in Paragraph 28.

Status (27,28,29,30,31)	Pending/Insufficient Information
Assessment	To be reviewed by DOJ in the next period.

B. Documentation of Criminal Investigations

32. EPSO will develop systems to ensure that all interrogations are documented, including the date, time, location, and duration of the interrogation, and all persons present for the interrogation.

Status (32)	Pending/Insufficient Information
Assessment	EPSO is currently documenting the information required by this provision.

33. EPSO will continue to record all interrogations on audio or video and ensure that all recordings are preserved in the investigative file.

Status (33)	Pending/Insufficient Information
Assessment	To be reviewed by DOJ in the next period.

34. EPSO will ensure that an investigative file is created and maintained for all criminal investigations, to contain all reports and documentation associated with the investigation, including all recordings of interrogations. Investigative files will be maintained in good order, preserved in a secure manner, and effectively organized to provide for accessibility by EPSO employees.

Status (34)	Pending/Insufficient Information
Assessment	EPSO has taken steps towards compliance with this provision.
Next Steps	To be reviewed by DOJ in the next period.

35. EPSO will ensure that every investigative file contains a unique tracking number that may be cross-referenced with other associated files and documents.

Status (35)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting investigative stops using new software and a Field Interview Card system. This was part of the policies that have been developed, and the department is acquiring a new software system in the next few months to facilitate better documentation. A tracking number protocol will be implemented as part of the new system.
Next Steps	To be reviewed by DOJ in the next period.

36. EPSO will ensure that a copy of all documentation related to investigatory stops, interrogations, citations, arrests, interrogations, and *Miranda* waivers, and all documents related to court proceedings, including all affidavits, warrants, reports, and supervisory reviews, are included in the corresponding investigative file(s).

Status (36)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting all activity in this provision. This is part of the policies that have been developed, and the department is acquiring a new software system in the next few months to facilitate better documentation of law enforcement activity.
Next Steps	To be reviewed by DOJ in the next period.

C. Community Engagement

37. Within 120 of the Effective Date, EPSO will develop a public education effort to notify the public about changes to EPSO’s practices, including that it will no longer conduct investigative holds. As part of this effort, EPSO will also educate the public on EPSO’s practices and the constitutional limits on EPSO’s ability to stop, search, and arrest members of the Ville Platte community.

Status (37)	Partial Compliance
Assessment	EPSO developed a community education document and met with community leaders on September 6 and 25, 2018 to discuss the changes to EPSO policies and practices that are required by the Agreement. At those meetings, EPSO also distributed information about the principles of “Community Policing” and affirmed EPSO’s commitment to implementing those principles throughout its operations.
Next Steps	EPSO acknowledged that the meetings were an initial step in building strong relationships with the community. EPSO plans to expand community engagement efforts during the next review period. DOJ will audit their progress in the next period.

IV. JAIL OPERATIONS

- 38. Prior to booking any person into the EPSO jail, EPSO employees will ensure that either a valid arrest warrant was issued prior to arrest, or an affidavit of probable cause has been completed by the arresting officer and approved by a supervisor.
- 39. Absent exigent circumstances, EPSO will not conduct a strip search or book the person into the jail before an affidavit of probable cause is entered in the case file or an arrest warrant is issued.
- 40. Strip searches may only be conducted pursuant to a standardized protocol for persons admitted to jail.
- 41. No body cavity search, other than the mouth, may be performed without a warrant, unless the search is part of a standardized protocol for persons admitted to jail and a body cavity search is determined to be necessary for security of the facility. Unless exigent circumstances exist, all body cavity searches must be conducted by qualified, trained personnel of the same gender as the individual being searched, or if such personnel are unavailable, by a trained medical professional. Opposite-gender supervisors and staff or other non-medical personnel will not be permitted to observe the search.

Status (40,41)	Pending/Insufficient Information
Assessment	EPSO maintains that no body cavity searches, other than mouth, occur at the jail.
Next Steps	To be reviewed by DOJ in the next period.

42. For each arrested person detained in the EPSO jail, EPSO will maintain a case file that contains copies of the warrant or affidavit of probable cause with documentation of supervisor approval and all other documentation related to the person’s incarceration, such as booking forms, transportation logs, hygiene and bedding allocation, health and screening forms, and classification. The case file will be assigned a unique identifying number that will allow it to be cross-referenced with the investigative file and other relevant files. EPSO will maintain case files for a period of no less than 10 years from when they are released from the EPSO jail.

Status (42)	Pending/Insufficient Information
Assessment	EPSO has made significant efforts to improve organization of inmate case files. EPSO will develop a system with unique identifiers to use with the new software system.
Next Steps	To be reviewed by DOJ in the next period.

43. Within 60 of the Effective Date, EPSO will create an electronic list or spreadsheet of all persons incarcerated in the EPSO jail. The list will be updated every time a person is booked into or released from the jail. The list will contain, at a minimum, the following information:

- a. Name;
- b. Date of birth;
- c. Sex;
- d. Race and/or ethnicity;
- e. Case status (e.g. pre-trial, post-conviction, parole revocation, etc.);
- f. Offense(s) for which the person is detained, along with applicable statute or code provision;
- g. Date and time of booking;
- h. Amount of bond, if any;
- i. Next court date; and
- j. Release date, if known.

44. EPSO’s list of incarcerated persons will be maintained so that information on incarcerated persons, including the information listed above, may be reviewed and audited for a period of no less than 10 years from the date the person is released from EPSO jail.

Status (43,44)	Pending/Insufficient Information
Notes	EPSO did a lot of work during this period to improve its data collection and records management systems. They applied for and obtained a grant to purchase new computer software and hardware. In July 2019, EPSO began using the new systems in the jail as well as in the patrol field.
Next Steps	To be reviewed by DOJ in the next period.

45. EPSO will ensure that, at least once per day, a supervisory employee of EPSO reviews the list of incarcerated persons to ensure that each person’s incarceration is consistent with EPSO policy and the Constitution and that the database contains all information required by EPSO policy and this Agreement. The supervisory employee also will review the case file of each person arrested that day to ensure that documentation of probable cause exists.

46. If, at any time, a EPSO employee becomes aware that information required to be kept on the list of incarcerated persons is missing, that a person is improperly detained, or that the case file of an arrested person does not contain a warrant or affidavit of probable cause, the employee will immediately notify the Chief of Police or the Chief’s designee. The Chief of Police or designee will take immediate and appropriate action, up to and including immediate release of the incarcerated person. EPSO will ensure that the notification and responsive action is made part of the case file.

Status (45,46)	Pending/Insufficient Information
Assessment	To be reviewed by DOJ in the next period.

47. Once per week, EPSO will provide the list of incarcerated persons and related information, including bond status and amount, to Ville Platte and Evangeline Parish judges for review.

Status (47)	Pending/Insufficient Information
Assessment	EPSO maintains that it provides the judges of the Evangeline Parish Court with a list of incarcerated persons on a weekly basis.
Next Steps	EPSO to provide documentation to DOJ.

48. EPSO will ensure that all incarcerated persons in the EPSO jail are provided with reasonable access to a telephone, or other means to contact friends, family members and/or counsel. Efforts to procure a statement or other information from the person will not be considered a legitimate reason to restrict access to a telephone or other means of contact.

Status (48)	Pending/Insufficient Information
Assessment	To be reviewed by DOJ in the next period.
Next Steps	EPSO to provide documentation to DOJ.

49. EPSO will ensure that all incarcerated persons in the EPSO jail are provided with access to appropriate sanitation supplies, including toilet paper, prescription medications, and menstrual supplies (where applicable).

Status (49)	Pending/Insufficient Information
Assessment	To be reviewed by DOJ in the next period.
Next Steps	EPSO to provide documentation to DOJ.

V. POLICIES

50. Within 270 days of the Effective Date, EPSO will ensure that its policies incorporate the requirements of this Agreement, and that the policies related to this Agreement comply with applicable law and are consistent with best practices. EPSO policies will be plainly written, logically organized, use clearly defined terms, and sufficiently instructive to effectively guide employees’ conduct. To the extent that existing policies meet the requirements of this Agreement, they do not need to be revised. If policies do not yet exist, EPSO will work with DOJ to identify model policies that may be adapted to fit the needs of EPSO and the terms of this Agreement. EPSO will implement all policies required by this agreement.

- 51. The Sheriff will submit all policies related to this Agreement, as well as any proposed policy revisions, to DOJ for review and approval prior to publication and implementation, which approval will not be unreasonably withheld. DOJ will approve policies based upon consistency with this Agreement, best practices, and applicable law.
- 52. The Parties will act with reasonable diligence to timely draft and respond to proposed policies.
- 53. EPSO will maintain a complete, up-to-date, indexed policy manual. Employees will have ready access to hard or electronic copies of the manual. EPSO will promptly incorporate policy revisions or updates in their manuals.
- 54. The Sheriff will make all EPSO policies publically available on its websites, except for policies that are reasonably deemed sensitive, such as procedures regarding undercover officers or operations.

Status (50,51,52,53,54)	Pending/Insufficient Information
Assessment	<p>EPSO has developed a suite of policies to ensure that officers’ contact with community members is consistent with the requirements of the Fourth Amendment and due process. The policies include:</p> <ul style="list-style-type: none"> • Arrests • Contacts, Stops and Citations • Field Interview Cards • Miranda Warnings • Search and Seizure • Search Warrants • Vehicle Stops <p>EPSO did not have a comprehensive set of law enforcement policies prior to entry of the Agreement. The department’s development of these policies is a significant step towards development of a complete policy manual to guide officer conduct in every law enforcement encounter.</p>
Next Steps	Once final, EPSO must make these policies public in accordance with this provision. DOJ will continue to work with EPSO on its development of additional policies in the next review period.

VI. TRAINING

- 55. EPSO will ensure that its officers receive basic training and certification prior to commencing work, as well as ongoing in-service and remedial training in order to ensure that officers are aware of their Fourth Amendment obligations and all policies incorporating the terms of this Agreement.
- 56. No EPSO employee, whether full-time or part-time, will be allowed to perform the full duties of a law enforcement officer until they have successfully completed all requirements for POST certification under state law, including training requirements. Duties performed by employees without POST certification may include non-law enforcement functions, such as administrative work or augmenting neighborhood policing efforts, that the employee has been trained to perform. Uncertified officers may not interact with members of the community while armed with a service weapon, respond to calls for service, or perform or issue any stop, search, interrogation, citation, or arrest. Part-time officers who are firearm qualified and whose duties are restricted to paper service may perform

paper service while armed with a service weapon. EPSO will comply with this paragraph within 270 days of the Effective Date.

- 57. EPSO’s two current non-certified, full-time officers will be POST certified by February 1, 2019 and may continue their current duties until that time.
- 58. The Parties may agree that full and part-time officers who are not POST certified may temporarily perform some law-enforcement functions if they have received additional training sufficient to allow them to perform those tasks. The law enforcement functions and training will be subject to DOJ review and approval.
- 59. In addition to POST-required training, prior to commencing service involving the full duties of a law enforcement officer, all EPSO employees will receive at least eight hours of EPSO-specific supplemental training on EPSO policies. EPSO will ensure that officers understand the requirements of the Fourth Amendment, including prohibitions on “investigative holds.”
- 60. Within 365 days of the Effective Date, EPSO will ensure that its field training program incorporates best practices for police training officer programs in similarly-sized agencies. EPSO will ensure that there are sufficient and appropriate policies governing the operation of the field training program.
- 61. EPSO, will train all lateral police hires, within 30 days date of joining the EPSO, on EPSO policy and ensure that they understand the requirements of the Fourth Amendment, including prohibitions on “investigative holds.”
- 62. EPSO will ensure its officers receive at least eight hours of annual in-service training.

Status (55,56,57,58,59,60, 61, 62)	Pending/Insufficient Information
Assessment	EPSO has employed an instructor who is currently developing a training. EPSO is in the process of developing a training curriculum and schedule, to include trainings on new policies.
Next Steps	To be reviewed by DOJ in the next period.

VII. ACCOUNTABILITY AND OVERSIGHT

- 63. Within 180 days of the Effective Date, EPSO will develop and implement policies to ensure that all allegations of misconduct, whether internally or externally generated, are courteously received by a EPSO supervisor, centrally documented and tracked, and fully and fairly investigated as required by best practices.
- 64. Where allegations of misconduct are sustained, EPSO will ensure that discipline is imposed fairly and consistently and that officers and complainants are provided information as appropriate and consistent with best practices.

Status (63,64)	Pending/Insufficient Information
Assessment	EPSO does not currently have a robust accountability or complaint tracking system. EPSO is developing policies for accountability.
Next Steps	To be reviewed by DOJ in the next period.

65. EPSO currently equips its officers with body-worn cameras. If EPSO continues to equip its officers with body-worn cameras, it will utilize this technology consistent with best practices, and to ensure officers are complying with this agreement.

Status (65)	Pending/Insufficient Information
Assessment	DOJ reviewed a sample set of 300 body-worn camera videos from October 2018 and February-March 2019. We found that officers do not consistently turn cameras on and off at appropriate times in accordance with EPSO policy. Body-worn camera footage is not routinely audited by supervisory personnel.
Next Steps	EPSO must ensure that officers are trained and supervised in the appropriate use of body worn cameras. We will continue to evaluate the department’s progress in its implementation of this tool.

VIII. DATA COLLECTION AND REPORTING

- 66. Elimination of the harmful and unlawful practice of arrests for investigative purposes without probable cause requires ongoing and active collection of data, analysis, and periodic review to ensure that the practice has been eliminated and does not recur. EPSO will collect and maintain all data and records necessary to review EPSO’s compliance with this Agreement, and to ensure transparency and wide public access to information related to the lawfulness of EPSO’s field interviews, investigatory stops, interrogations, and citations as permitted by law.
- 67. Within 365 days of the Effective Date, EPSO will develop a data collection system that will provide for the review of officer investigatory stops, citations, arrests, and interrogations to ensure that officers comply with constitutional standards and this Agreement.
- 68. EPSO will regularly analyze the data collected to ensure that all stops, arrests, and interrogations are lawfully conducted and meet constitutional standards, and to inform necessary changes to policies and training.
- 69. Within 90 days of the Effective Date, EPSO will develop a system to track interrogations conducted by EPSO officers or detectives. The system will include documentation of the person interrogated, the date and time of the interrogation, the length of the interrogation, the officer(s) present, and the corresponding investigative file number.
- 70. EPSO’s data collection system will require officers to document the following for investigatory stops and arrests:
 - a. The identity of the person(s), if known;
 - b. The officer’s name and badge number;
 - c. The date, time, and location of the stop;
 - d. The approximate duration of the stop;
 - e. If a non-vehicle stop (e.g., pedestrian or bicycle), the number of persons stopped;
 - f. The reason for the stop, including a specific, individualized description of the facts creating reasonable suspicion;
 - g. If a vehicle stop, whether the driver or any passenger was required to exit the vehicle, and reason;
 - h. Whether any person was asked to consent to a search and whether such consent was given;

- i. Whether officers conducted a weapons frisk during the stop and, if so, the specific and articulable facts establishing reasonable suspicion that the person was armed and dangerous;
 - j. Whether officers conducted a search based on probable cause and, if so, the facts establishing probable cause to conduct a search;
 - k. Whether any weapon, contraband or evidence was seized from any person, and nature of the weapon, contraband or evidence;
 - l. The outcome of the stop, including whether officers issued a civil or criminal citation, made an arrest, or issued a warning; and
 - m. A unique identifying report number, allowing the documentation to be matched with the investigative file and documentation of any criminal or civil citations or arrests that result from the stop.
71. The Sheriff will produce an annual report describing EPSO activity and will make that report publicly available on the Sheriff’s website and also upon request. The Sheriff will not be required to make public information that must remain confidential to protect public safety. The annual report will further provide information regarding the Sheriff’s implementation and status of this Agreement.
72. Subject to applicable law, the annual report will address:
- a. Stop and arrest data and any analysis of that data that was undertaken;
 - b. Data related to complaints of improper stops, arrests, or interrogations, including but not limited to the number of misconduct complaints made and investigated; the outcome of the investigations; and the mode of resolution, as well as analysis of that data to identify trends;
 - c. Additional topics as deemed appropriate by the Sheriff in its discretion to promote transparency and identify the accomplishments, actions, and continuing needs of the Sheriff.
73. Within six months of the Effective Date, the Sheriff will publically post a status report. This report will delineate the steps taken by the Sheriff during the reporting period to implement this Agreement; the Sheriff’s assessment of the status of its progress; and plans to correct any problems. Following this initial status report, EPSO will file a status report every six months thereafter while this Agreement is in effect, in which it will additionally respond to any concerns raised by the DOJ or identified in the previous report.

Status (66,67,68,69,70,71,72,73)	Pending/Insufficient Information
Assessment	EPSO is developing a system for accurately documenting all activity in this provision. This is part of the policies that have been developed, and the department has acquired a new software system that will facilitate better documentation of law enforcement activity.
Next Steps	To be reviewed by DOJ in the next period.

IX. OUTCOME ASSESSMENTS

74. The Sheriff will conduct Outcome Assessments on an annual basis, as specified by this section of the Agreement, to measure whether EPSO’s revised practices and procedures are achieving the purposes of this Agreement and are having an overall beneficial effect on policing in Ville Platte. Outcome Assessments should be conducted in a reliable, cost-effective manner based on accepted and trustworthy means and methods. Any statistical analysis used as part of an Outcome Assessment must conform to statistical techniques that are accepted in the relevant field. The Sheriff will provide DOJ with the underlying data, analysis, methods, and sources relied upon in the Assessments.
75. The Sheriff will develop a plan and protocol within 365 days of the Effective Date to conduct these assessments. The plan and protocol will be subject to the approval of DOJ, which approval shall not be unreasonably withheld.
76. The outcome assessments will include analysis:
- a. To determine whether EPSO is conducting stops consistent with the Constitution and this Agreement, analysis of the rate at which stops uncover criminal activity;
 - b. To determine whether arrests are consistent with the Constitution and this Agreement, analysis of the rate at which arrests are found to lack probable cause or otherwise violate the Fourth Amendment; the number of probable cause affidavits rejected by supervisors or the criminal courts; and a qualitative analysis of the sufficiency of probable cause affidavits and other documentation supporting arrests;
 - c. To determine whether EPSO officers are providing adequate Miranda warnings and conducting interrogations consistent with the Constitution and this Agreement, an analysis of data related to the length and frequency of interrogations and documentation of Miranda warnings and waivers; and analysis of the rate at which motions to exclude confessions are granted by the criminal courts;
 - d. To assess whether EPSO officers receive sufficient training on the Fourth Amendment and proper interrogation techniques, an analysis of the rate of completed trainings, performance evaluations from field trainings, and qualitative analysis of the content, structure, adequacy, and efficacy of trainings provided under this Agreement; and
 - e. To determine that all detentions are appropriately documented and supported by probable cause, audit data of all investigative files and jail detention files to ensure there is a file on each person detained by EPSO and that files contain adequate documentation in support of the detention.
77. The Sheriff will include the results of all outcome assessments in its status reports and in its annual report published pursuant to Paragraph 71, above.

Status (74,75,76,77)	Pending/Insufficient Information
Assessment	These provisions are not ready for review.
Next Steps	To be reviewed by DOJ in the next period.