



Stop LAPD Spying Coalition

May 8, 2018

Inspector General Mark P. Smith
Office of the Inspector General
350 S. Figueroa St., Ste. 1002
Los Angeles, CA 90071

Dear Inspector General Mark Smith:

On behalf of the Stop LAPD Spying Coalition we write to you with deep concern regarding the use of two Los Angeles Police Department's (LAPD) predictive policing programs- Predpol and Operation LASER (Los Angeles Strategic Extraction and Restoration). Due to the deeply embedded racism and the harm caused to our communities through these programs we are calling for the rescinding of LASER and Predpol along with a thorough audit of these programs to expose how Angelenos' human and civil rights have been violated.

LASER and Predpol ultimately hide behind the veneer of "science and objectivity," but these algorithms and data driven processes in practice do little more than reflect and reproduce the biases inherent in the data by decades of racist policing practices.¹ Predictive policing programs rely on historic crime data reported to and/or generated by LAPD. It is this data that encodes the racial bias that exists in generations of arrest reports,² crime reports, citations,³ stops/field interview cards, gang identification,⁴ and other measurements of crime or criminal intent. Pedestrian stop data released by LAPD from July 2012 to June 2014 shows of 484,371 stops, the Black community was stopped 33.2%, Latinx 45.9% compared to Whites at 17.6%.⁵ LAPD arrest data from January 2012 to end of June 2014 shows total arrests were 387,691 with the Black community arrested 28.1%, Latinx 44.5% compared to Whites at 18.8%.⁶ However, in the city of Los Angeles, Black people account for only 9% of the population while Latinx account for roughly 47% and whites, nearly 30%.⁷

Predictive policing technologies derive from military techniques used in foreign and domestic wars. Predpol, for instance, is a direct descendent of military-funded university research based on statistics from the 2003 Iraq insurgency.⁸ Predpol's founders originally developed algorithms to predict insurgent activity on Middle East battlefields, and the results influenced the algorithm used by PredPol six years later. Operation LASER, meanwhile, draws on technology provided by Palantir, a big data company that mines government and

¹ <https://gizmodo.com/study-finds-predictive-policing-no-more-racist-than-reg-1823733844>

² Ayres, I., & Borowsky, J. (2008). *A study of racially disparate outcomes in the Los Angeles Police Department*. Los Angeles, CA: ACLU of Southern California

³ <https://www.reuters.com/article/us-usa-homeless-losangeles-idUSTRE56E0MC20090715>

⁴ <http://www.latimes.com/local/lanow/la-me-ln-calgangs-audit-20160811-snap-story.html>

⁵ http://www.lapdonline.org/office_of_constitutional_policing_and_policy

⁶ http://www.lapdonline.org/office_of_constitutional_policing_and_policy

⁷ <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>

⁸ <http://newsroom.ucla.edu/releases/can-math-and-science-help-solve-153986>

corporate databases to build extensive profiles of individuals, ostensibly to search for signs of criminal and/or international terrorist activity. Palantir provides a platform and search engine for multiple databases, such as the FBI's and CIA's that were formerly siloed, creating one all-powerful, panoptic profiling system.⁹ The Palantir platform within LAPD can search multiple databases¹⁰ while also being supplemented by a surveillance network, a "web of who is related to, friends with, or sleeping with whom."¹¹

These predictive policing programs, that are stated as pre-emptive but in reality are speculative and hunch based, are creating and legitimizing conditions on the ground that pathologize and criminalize entire communities and locations: with the potential to cause great harm including the murder, incarceration, and displacement of our community members. The crime hot spots generated by PredPol and Chronic Offender Bulletins generated by the LASER program make people and their behaviors in a targeted location more suspicious in the eyes of the police. When an algorithm identifies the block or street corner where a person is hanging out as a hotspot for crime, the police are more likely to suspect a person on that corner of committing a crime. Because the Supreme Court has recognized that characterizing a location as a "high-crime area" counts toward the suspicion necessary to justify a stop, search, or arrest, predictive policing makes it easier for police to justify stopping and searching people in the community.¹² This is a dangerous perversion and weaponization of "reasonable suspicion." Because the police will interpret behavior and view individuals with greater suspicion when the algorithm predicts that the person, or the location, is crime prone, they may react more aggressively or fearfully and use deadly force sooner than they might otherwise have done so.

Predictive policing is a for-profit commodity driven by economic interests; as such, it leads to the marketization of public safety and policing. Predpol, for instance, works with municipalities for around \$30,000 to \$100,000 a piece per contract.¹³ Even though there is not yet significant proof that predictive policing works effectively, the lure of the claimed, but ultimately false objectivity of big data technologies is lucrative for PredPol shareholders and appealing to law enforcement. In regards to LASER, Justice Security Strategies (JSS), a private corporation, secured a business arrangement with LAPD wherein JSS would be monetarily compensated to analyze department records in order to make predictions about future criminals that then would inform the allocation of enforcement efforts.¹⁴

There is also a pattern of federal grant funding received in partnership with universities, particularly the University of California Los Angeles (UCLA),¹⁵ that are using Los Angeles communities as unaware and non-consenting testing grounds for experimental projects in the development of these new data driven policing practices. These programs are operating with little to no public disclosure regarding the mechanics of their operations and impact. Both LASER and Prepol were test run within the City of Los Angeles starting in 2011 and have only been examined by entities monetarily invested in their successful institutionalization. Since the inception of the LASER program 800 Chronic Offender Bulletins have been created.¹⁶

Due to the detrimental impact of these programs on our communities we are calling on the Office of Inspector General (OIG) to engage in an independent audit of both Predpol and Operation LASER. "The OIG's role

⁹ <https://www.theverge.com/2016/12/21/14012534/palantir-peter-thiel-trump-immigrant-extreme-vetting>

¹⁰ <https://stoplapdspying.org/wp-content/uploads/2018/05/Khan-Hamid-C17-0500027-Operation-LASER-1.pdf>

¹¹ <https://www.bloomberg.com/features/2018-palantir-peter-thiel/>

¹² *Illinois v. Wardlow*, 528 U.S. 119 (2000) (holding that the characteristics of an area, such as whether it is known for crime, can contribute to the reasonable suspicion necessary to stop an individual found in that area).

¹³ <https://www.forbes.com/sites/ellenhuett/2015/02/11/predpol-predictive-policing/#557fe3e94f9b>

¹⁴ Uchida, C. D., & Swatt, M. L. (2013). Operation LASER and the effectiveness of hotspot patrol: A panel analysis. *Police Quarterly*, 16(3), 287-304.

¹⁵ <http://www.math.ucla.edu/~bertozzi/papers/GovTech.pdf>

¹⁶ <https://stoplapdspying.org/wp-content/uploads/2018/05/Khan-Hamid-C17-0500027-Operation-LASER-1.pdf>

within the City of Los Angeles is to support the Board of Police Commissioners, a five member panel, and the public by providing information and analysis regarding the conduct and performance of the LAPD.” The community calls on the OIG to investigate the following:

Prepol is LAPD’s location based predictive policing program. The issues that need to be addressed and disclosed to the community include, but are not limited to, the following:

- Expose and detail the relationship between LAPD and UCLA in regards to the contracts and working agreements that were established in regards to the testing and implementation process of the Predpol model;
- Detail and explain if there has ever been an overlap between the training data of the Predpol model and the evaluation/validation/testing data;
- List the data access and sharing policies and procedure particularly addressing the Records Management System which is in charge of housing crime data that is processed by the Predpol model;
- Detail what training manuals and procedures exist for analyst and patrol officers who are responsible for the generation , interpretation, and policing, of hotspots created by Predpol;
- LAPD has claimed that Predpol uses only violent and property crime report data to generate hotspots, therefore an analysis should be completed to demonstrate what LAPD is actually citing people for within hotspots;
- Evaluate how many officer involved shooting and police murders are occurring in hotspots;
- What are the measures and indicators of success and demonstrated performance of Predpol. Any evaluation should be done by an independent body;
- Disclose the locations of last year’s hotspots within the city of Los Angeles;

LASER is LAPD’s person and location based predictive policing program. The issues that need to be addressed and disclosed to the community include, but are not limited to, the following:

- Disclose all the training and protocols manuals used to direct the Crime Intelligence Detail in the selection process of the chronic offender.
- Create a map delineating where the all LASER Zones were designated in the last year and the respective Anchor Points
- Detail how a person is able to inquire and contest the existence of a Chronic Offender Bulletin
- Disclose whether or not there is a quota designated for the creation of the Chronic Offender Bulletins- seeing that 12 COBs are created with back ups to replace those chronic offenders who are arrested, in custody, or moved from the area.
- Disclose how many areas were threatened or served with eviction notices and/or abatement notices due to the designation of the area as an Anchor Point
- Clarify if Palantir mobile is currently being used in the field.
- Reveal how many Community Safety Operating Centers¹⁷ are in existence and where they are located.
- Discuss the data access and sharing policies and procedure of the CSOC- ie) what local, state, and federal agencies have access to information in these centers

We write to you in good faith that you will uphold your duties and responsibilities as an independent watchdog that works to critically analyze the structure and operations of the Los Angeles Police Department. We

¹⁷ <https://stoplapdspying.org/wp-content/uploads/2018/05/No-Cost-Extension-for-Smart-Policing-June-2018.pdf>

anticipate a response from you in regards to our call for an audit of these program by May 22, 2018. Should you have any questions please feel free to email or call at 562-230-4578.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hamid Khan', written over a horizontal line.

Hamid Khan
Stop LAPD Spying Coalition

Cc:

Commissioner President Steven Soboroff
Commissioner Vice President Matt Johnson
Commissioner Sandra Figueroa-Villa
Commissioner Cynthia McClain Hill
Commissioner Shane Murphy Goldsmith

Richard Tefank - Executive Director, Los Angeles Police Commission