

THIRD ASSESSMENT OF SETTLEMENT AGREEMENT
COMPLIANCE BY THE EVANGELINE PARISH SHERIFF'S OFFICE
September 2020 through November 2021



June 3, 2022

I. INTRODUCTION

In June 2018, the United States Department of Justice and the Evangeline Parish Sheriff's Office (EPSO) entered into a Settlement Agreement (Agreement) to ensure EPSO provides police services in a manner that complies with the Constitution and the laws of the United States. The Agreement is designed to end the use of arrests without probable cause in order to investigate crimes, termed "investigative holds," and improve EPSO's policies, procedures, training, interrogation practices, community policing practices, supervision, data collection, and transparency. This Report, the Third Enforcement Report, covers the period from September 5, 2020, through November 30, 2021.

Since issuing our November 2020 Report, we participated in bi-weekly meetings with the Sheriff, his executive staff, and members from EPSO's Patrol and Jail Operations. We observed use-of-force trainings provided by EPSO officials and an outside vendor. We assisted EPSO's efforts to create, develop, and implement a Field Training Program. We also reviewed documents and materials that EPSO provided, including: policies and procedures; training records; lesson plans; body-worn camera videos, and arrest and search warrant materials. We also worked closely with EPSO's Grant Manager and the Office of Community Policing Services to identify technical assistance and grant opportunities for EPSO.

We appreciate Sheriff Guillory's leadership as EPSO has continued to show improvement in many areas of the Agreement. During this reporting period, EPSO showed overall improvement in nearly two thirds of the provisions of the agreement. EPSO has implemented structures to ensure that officers did not use "investigative holds" or rely on materially false or incorrect information to justify law enforcement activities. We also found that law enforcement activities did not result in instances where civilians were arrested without probable cause. EPSO took meaningful steps toward developing and implementing policies and procedures that have resulted in improved practices throughout the office. EPSO ensured that officers consistently attended mandatory POST certifications courses throughout the year, and EPSO developed and implemented a field training program, enabling it to provide in-house instruction to newly hired officers. EPSO continued to use a web-based system to improve its practices of initiating, documenting, and submitting arrest warrants for approval. EPSO investigators demonstrated improvement in documenting and maintaining complete investigative files, and we were able to conclude that jail employees were not conducting strip searches. The progress that EPSO achieved during this reporting period is a positive step toward durable, sustainable reform.

We also identified some critical areas of the Agreement where EPSO did not improve and has yet to attain partial or substantial compliance. Shortcomings in the areas of supervision and community engagement continue to exist. We continue to find inadequate practices where supervisors failed to conduct thorough and objective assessments of officers' enforcement activities, and supervisors failed to detect and address officers' practices, including lengthening traffic stops, conducting warrantless searches, treating civilians unprofessionally, and conducting pre-arrest strip searches. We also identified a need in community engagement, finding that EPSO has not conducted meaningful outreach efforts since 2018, and EPSO has not devoted the time to give community stakeholders assurances that it is committed to investigating civilian complaints.

II. COMPLIANCE STATUS CATEGORIES

This assessment documents EPSO’s implementation efforts during the 14-month period beginning with the third year of the Agreement—from September 5, 2020, through November 30, 2021, and uses 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 to achieve substantial compliance.

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

III. SUMMARY

Settlement Agreement Topic Areas	Status of Compliance
FOURTH AMENDMENT ACTIVITY	
Public Interactions and Investigative Holds (Paragraphs 4, 5)	Beginning Compliance
Investigative Holds (Paragraph 6)	Partial Compliance
ARRESTS AND CITATIONS	
Probable Cause Arrests (Paragraphs 7, 8)	Partial Compliance
Obtaining Valid Arrest Warrants (Paragraph 9)	Partial Compliance
Probable Cause Affidavits (Paragraph 10)	Beginning Compliance
Prisoners Released without Probable Cause (Paragraph 11)	Pending/Insufficient Information
Communicating with friends and counsel while incarcerated (Paragraph 12)	Beginning Compliance
Quality of Life Arrests (Paragraph 13)	Partial Compliance
INVESTIGATORY STOPS	
Reasonable Suspicion Requirements (Paragraph 14)	Partial Compliance

Transporting Subjects (Paragraphs 15, 16)	Partial Compliance
Probable Cause Stops (Paragraph 17)	Partial Compliance
DOCUMENTATION OF FOURTH AMENDMENT ACTIVITIES	
System Development (Paragraph 18)	Beginning Compliance
Documenting Stops, Citations, and Arrests (Paragraphs 19, 20)	Beginning Compliance
Storing and Retaining Data Collected (Paragraph 21)	Beginning Compliance
SUPERVISION REGARDING FOURTH AMENDMENT ACTIVITIES	
Report Reviews (Paragraphs 22, 23)	Beginning Compliance
Addressing Policy Violations (Paragraphs 24, 25, 26)	Non-Compliance
CRIMINAL INVESTIGATIONS	
Interrogations (Paragraphs 27, 28)	Substantial Compliance
<i>Miranda</i> adherence (Paragraphs 29, 30, 31)	Substantial Compliance
Documentation of Interrogations (Paragraph 32)	Beginning Compliance
Recording Interrogations (Paragraph 33)	Beginning Compliance
Investigative File Creation and Maintenance (Paragraph 34)	Partial Compliance
Investigative File Identification and Tracking (Paragraph 35)	Substantial Compliance
Investigative File Management (Paragraph 36)	Partial Compliance
COMMUNITY ENGAGEMENT	
Community Outreach (Paragraph 37)	Partial Compliance
JAIL OPERATIONS	
Booking (Paragraphs 38, 39)	Pending/Insufficient Information
Detainee Searches (Paragraphs 40, 41)	Non-Compliance
Inmate Files (Paragraph 42)	Partial Compliance
Inmate Lists (Paragraphs 43, 44)	Partial Compliance
Jail Supervision (Paragraphs 45, 46)	Beginning Compliance
Providing Inmate Lists to Court (Paragraph 47)	Partial Compliance
Access Provisions (Paragraphs 48, 49)	Beginning Compliance
POLICIES	
Settlement Agreement Requirements (Paragraphs 50, 51, 52)	Partial Compliance

Policy Manual (Paragraph 53)	Partial Compliance
Publicly Available Policies (Paragraph 54)	Partial Compliance
TRAINING	
Basic Training and Certifications (Paragraphs 55, 56, 57, 58)	Substantial Compliance
Annual Training Requirements and Field Training Program (Paragraphs 59, 60)	Partial Compliance
Lateral and In-Service Training (Paragraphs 61, 62)	Partial Compliance
ACCOUNTABILITY AND OVERSIGHT	
Misconduct Reporting (Paragraphs 63, 64)	Non-Compliance
Body-Worn Cameras (Paragraph 65)	Partial Compliance
DATA COLLECTION AND REPORTING	
Eliminating Unlawful practices (Paragraph 66)	Beginning Compliance
Developing Data Collection System (Paragraphs 67, 68, 69, 70)	Beginning Compliance
Annual Reports (Paragraphs 71, 72)	Beginning Compliance
Status Reports (Paragraph 73)	Beginning Compliance
OUTCOME ASSESSMENTS	
Conducting Annual Outcome Assessments (Paragraph 74)	Beginning Compliance
Creating Outcome Assessments Plan and Protocol (Paragraph 75)	Beginning Compliance
Outcome Assessments Analysis (Paragraph 76)	Beginning Compliance
Outcome Assessments Status and Annual Reports (Paragraph 77)	Beginning Compliance

IV. ANALYSIS OF EPSO’S COMPLIANCE TO DATE

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.

Status (4,5)	Beginning Compliance
2020 Status	Beginning Compliance
Assessment	<p>During the prior reporting period, EPSO developed and implemented training for officers on a suite of new policies developed to ensure that officers’ contact with community members is consistent with the requirements of the Fourth Amendment and due process. These include policies regarding:</p> <ul style="list-style-type: none"> • Arrests; • Contacts, Stops and Weapons Pat Downs; • Fair and Impartial Policing; • Field Interview Cards; • Miranda Warnings; • Search Warrants; and • Vehicle Stops. <p>These were significant steps towards completing and implementing an updated policy manual to guide officers’ conduct in encounters with individuals in their community and complying with Agreement provisions. As of May 2022, however, EPSO has not provided DOJ or updated its website with copies of final, dated policies that have been distributed to and acknowledged by officers.</p> <p>DOJ reviewed over 75 body-worn camera videos and over 100 incident reports during this reporting period and did not detect any evidence that suggests officers have continued to use “investigative holds” or have relied on information known to be materially false or incorrect to justify law enforcement activities.</p> <p>However, in the course of its review, DOJ has identified failures by officers to follow these new EPSO policies in a number of other respects, including unnecessarily lengthening stops, conducting warrantless searches without justification, making inappropriate and unprofessional statements to civilians, and conducting pre-arrest strip searches in public areas.</p> <p>In particular, we reviewed six incidents in which officers violated EPSO policy and transformed routine traffic stops into needlessly invasive and burdensome encounters with motorists, and we reviewed three incidents where EPSO officers performed improper pre-arrest strip searches. For example:</p> <ul style="list-style-type: none"> • In June 2021, EPSO officers stopped a vehicle for traveling in the left lane for too long. Officers ordered the driver out of the vehicle, questioning her about her driving and then asking her whether the female passenger was “her partner.” Officers continued questioning the driver about things

	<p>unrelated to her driving, even making a racially insensitive comment about whether she played golf, saying that’s “some white people” stuff. The officers detained the driver and passenger for over 15 minutes before returning the driver’s and passenger’s identifications and releasing them without charges.</p> <ul style="list-style-type: none"> • An EPSO supervisor stopped a driver for improper lane usage in June 2021. The supervisor ordered the driver out of the vehicle and began questioning the driver about his driving record and criminal history. The supervisor then questioned the driver about whether drugs or weapons were in the driver’s vehicle before conducting a pat down search, touching the driver’s genitals during the search. The supervisor then questioned the passenger about drugs and conducted a pre-arrest search, pulling down the passenger’s underwear and exposing the passenger’s genitals in public. After the supervisor arrested the passenger for illegally possessing prescription drugs, the supervisor continued to search the interior and trunk area of the driver’s vehicle, extending the stop for nearly 25 minutes. The supervisor did not find any illegal contraband in the driver’s vehicle or on his person and issued the driver a citation for improper lane change. • In June 2021, EPSO officers stopped a driver for an improper display of license plate. Officers ordered the driver out of the vehicle and began questioning him about whether he possessed contraband and whether his vehicle was insured. After the driver told officers that he did not have drugs and his vehicle was insured, an EPSO officer – an EPSO supervisor – searched the driver, including pulling down the driver’s underwear and exposing the driver’s genitals. The search found no evidence of wrongdoing, and the driver and passenger were released without charges. <p>In December 2021, we raised concerns with the Sheriff about the pre-arrest strip searches and unprofessional conduct that we uncovered involving the EPSO supervisor mentioned above. Shortly thereafter, the Sheriff acknowledged the problematic conduct and informed us that EPSO no longer employed the supervisor. We applaud the Sheriff for recognizing the urgency and severity of these actions and confronting the supervisor. But we are concerned that EPSO failed to effectively monitor the supervisor’s activities beforehand, and that EPSO’s internal accountability systems failed to detect the supervisor’s conduct.</p>
Next Steps	<p>During the next reporting period, DOJ will: (1) evaluate whether officers consistently adhere to the new policies; (2) determine whether EPSO finalizes and updates its website with current, approved policies that have been distributed and acknowledged by EPSO officer and/or employees; (3) audit documentation of law enforcement activity to assess compliance with these Agreement provisions; and (4) continue to work with EPSO on developing additional policies required under the Agreement.</p>

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 (6)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	EPSO developed policies and conducted training that addressed the requirements of this provisions. EPSO should ensure that the most recent versions of the policies are updated on EPSO's website and distributed to EPSO personnel.
Next Steps	EPSO should finalize its updated policies, and DOJ will conduct further audits of documented law enforcement activity to assess compliance with these Agreement provisions.

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)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	As noted above, EPSO recently developed policies and conducted training that addressed the requirements of these provisions. We reviewed over 100 incident reports and over 50 stops and found no evidence during this reporting period that suggests officers are arresting people for the sole purpose of questioning the person regarding criminal activity of another person, or because of personal animus.
Next Steps	EPSO should finalize its updated policies, and DOJ will conduct further audits of EPSO officer 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)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	<p>EPSO continued to make strides toward substantial compliance. During this reporting period, EPSO continued to use its WarrantNow platform to create, approve, and generate its arrest and search warrants. WarrantNow is a web-based system, designed to expedite the process of having judges review and approve warrants that officers create for arrests and searches. We are pleased that EPSO replaced its manual-warrant process with this computerized system, expediting the process of officers drafting and judges approving warrants.</p> <p>EPSO employees received training on this system during the Second Reporting period, and they used this web-based system for course-of-business activities during this reporting period. We recently learned that EPSO discontinued using WarrantNow and implemented CloudGavel, a cloud-based electronic-warrant provider, to initiate, document, and submit warrants for rapid review and approval. We recommend that EPSO fully implement CloudGavel as its electronic-warrant system and provide periodic training to officers and jail personnel responsible for operating this system.</p>
Next Steps	During the next reporting period, DOJ will: (1) continue to audit EPSO's electronic-warrant system to ensure that warrant processing continues to comply with the Agreement; and (2) ensure that EPSO provides periodic training to both patrol and jail personnel responsible for using this system.

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)	Beginning Compliance
2020 Status	Beginning Compliance
Assessment	During the Second Reporting period, EPSO trained officers on proper implementation of new policies and new documentation systems consistent with those policies. However, for part of this reporting period, EPSO failed to keep records sufficient to enable DOJ to fully assess compliance with this provision.
Next Steps	EPSO has resumed using its electronic record-keeping system, which EPSO in part to satisfy the requirements of this Agreement, for all booking records and other applicable jail activity. DOJ encourages EPSO to continue using its electronic record system to enable DOJ to assess compliance with these provisions. During the next reporting period, DOJ will: (1) continue to monitor implementation of the new policies; (2) audit documentation of law enforcement activity to assess compliance with these Agreement provisions; and (3) ensure that EPSO finalizes its new policies.

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
2020 Status	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. However, for part of the reporting period, EPSO failed to maintain records sufficient to enable DOJ to fully assess compliance with this provision. Given this failure, we were unable to assess whether EPSO complied with this provision of the Agreement.
Next Steps	EPSO has resumed using its electronic record-keeping system, which it put in place in part to satisfy the requirements of this Agreement, for all booking records and other applicable jail activity. DOJ encourages EPSO to continue using its electronic record system to enable DOJ to assess compliance with this provision. During the next reporting period, DOJ will audit documentation of law enforcement activities to assess compliance with this 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)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	DOJ did not review any evidence during this reporting period that suggests that EPSO jail officials failed to ensure that arrested persons were allowed to use a telephone or send a message to family members, friends, or counsel after they were arrested. EPSO officials reported that arrested persons were allowed to use the telephone or send a message to friends or counsel after their arrests, unless EPSO officials identified evidentiary issues (i.e., multiple arrestees involved in a crime) that would delay access to these communication portals while EPSO staff members were gathering evidence.
Next Steps	EPSO shall update and implement policies and procedures that guide EPSO staff on arrest procedures, including jail communication-access protocols that staff will follow after arrested persons are brought into the jail.

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)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	Nothing in the materials that we have reviewed (including samples of incident reports and body-worn camera footage from October 2020, February 2021, and June 2021) indicates that officers have arrested people on quality of life offenses for purposes of questioning or interrogating on other offenses.
Next Steps	EPSO supervisors must review all quality of life arrests and explanations where the officer failed to seek prior approval. During the next reporting period, DOJ will (1) monitor implementation of the EPSO's Vehicle Stops, Field Interviews, Investigative Stops, Voluntary Contacts, and Quality of Life policies; and (2) audit documentation of law enforcement activity to assess compliance with these Agreement provisions.

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)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	EPSO uses E-Force as its web-based system to manage its computer-aided dispatch and records management systems. EPSO uses E-Force for accurately documenting investigative stops as part of its new policies, but it has not yet fully implemented this new system. DOJ audited samples of incident reports and body-worn camera footage from October 2020, February 2021, and June 2021, and officer activity appeared to comply with this provision. However, EPSO failed to document supervisory review of investigative stops to ensure that they were conducted lawfully and in compliance with EPSO policy and this agreement.
Next Steps	DOJ will: (1) conduct further audits of documentation of law enforcement activity to assess compliance with this Agreement provision; and (2) ensure that supervisors are completing random audits of stops to determine whether officers are complying with the constitution and EPSO policy.

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)	Partial Compliance
2020 Status	Beginning Compliance

Assessment	EPSO uses E-Force as its web-based system to manage its computer-aided dispatch and records management systems. EPSO uses E-Force for accurately documenting investigative stops as part of its new policies, but it has not yet fully implemented this new system. DOJ audited samples of incident reports and body-worn camera footage from October 2020, February 2021, and June 2021 and officer activity appeared to comply with these provisions.
Next Steps	DOJ will (1) evaluate whether fully implements its new policies, including the use of field interview cards; and (2) conduct further audits of documentation of law enforcement activity to assess compliance with this Agreement provision.

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)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	EPSO uses E-Force as a web-based system to manage its computer-aided dispatch and records management systems. EPSO uses E-Force for accurately documenting investigative stops as part of its new policies, but it has not yet fully implemented this new system. DOJ audited samples of incident reports and body-worn camera footage from October 2020, February 2021, and June 2021, and officer activity appeared to comply with this provision.
Next Steps	DOJ will evaluate whether EPSO fully implements its new policies, including the use of field interview cards and will conduct further audits of documentation of law enforcement activity to assess compliance with this Agreement provision.

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)	Beginning Compliance
2020 Status	Beginning Compliance
Assessment	EPSO continued to use E-Force as its web-based system to enable supervisors to easily access its computer-aided dispatch, records management, and jail management systems. During this reporting period, EPSO officials also used E-Force as a repository to maintain stop citations and arrest data. Although E-Force

	<p>has the capacity to store field interview data, EPSO did not provide any documents that confirmed that officers consistently documented field interviews. Although documentation of field interviews is required by the Agreement and EPSO’s policy on Field Interviews Cards, EPSO has not ensured that officers are following its Field Interview policy.</p> <p>In our review of over 75 videos showing officer interactions, we identified a pervasive practice of officers conducting field interviews yet supervisors did not ensure that Field Interview Cards, per policy, were completed in E-Force. When we asked about Field Interview Cards and whether EPSO maintains them in its web-based system, EPSO officials admitted that officers were not completing and filing them in E-Force.</p>
Next Steps	DOJ will: (1) continue to audit EPSO’s E-force system to ensure that EPSO continues to comply with the requirements of the Agreement; and (2) require EPSO to develop and implement field interview protocols that require officers to document field encounters and upload this data to E-Force. We will continue to audit data maintained in E-force to ensure that EPSO is using this data to satisfy data-reporting requirements under the Agreement.

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.

Status (22)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	In our review of E-Force data, we were able to determine that supervisors reviewed reports within 12 hours. However, these reviews were not thorough, objective and did not indicate that supervisors assessed narratives for legal sufficiency or policy compliance. Instead, EPSO supervisors appeared to review reports on the web-based system without determining whether officers’ activities were legally justified and in compliance with EPSO policy. In our review of incident reports and body-worn camera footage, we consistently found a pervasive practice where officers transformed short traffic stops into protracted encounters with motorists. And in several of these protracted encounters, we identified instances where EPSO officers were unprofessional - making inappropriate and unprofessional comments - and officers appeared to unreasonably intrude into motorists’ vehicles. These incidents are troublesome and raise Fourth Amendment concerns.
Next Steps	DOJ will continue to audit EPSO’s electronic-warrant system and ensure that EPSO documents supervisory reviews of officers’ activities and maintains thorough reports on these activities. We will also continue to monitor closely EPSO’s supervision of Fourth Amendment activities.

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 (23)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	<p>EPSO uses the WarrantNow platform to create, approve, and generate arrest and search warrant information. WarrantNow is a web-based system, designed to expedite the process of having judges review and approve warrants. We were able to review many of these court-approved warrants, and we found that supervisors appeared to review these warrants before they were submitted for court approval.</p> <p>While we are pleased that EPSO uses an electronic system to track and maintain warrant information, EPSO failed to provide any documentation verifying that supervisors consistently reviewed all documentation of Fourth Amendment activities (e.g., probable cause affidavits). EPSO also failed to provide any documentation that showed that it assessed and reported instances where persons were released because of lack of reasonable suspicion or probable cause.</p>
Next Steps	DOJ will continue to audit EPSO’s electronic-warrant system and ensure that EPSO documents supervisory reviews of warrants and maintains reports in its system, confirming that supervisors conduct thorough and objective reviews of officers’ reports. We will also continue to monitor closely EPSO’s supervision of Fourth Amendment activities. We recently learned that EPSO implemented CloudGavel, a cloud-based electronic-warrant provider, to initiate, document, and submit warrants to local judges for rapid review and approval.

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)	Non-Compliance
2020 Status	Pending/Insufficient Information
Assessment	<p>EPSO’s new policies include requirements for supervisory review and action. During this reporting period, EPSO was unable to provide documents that confirmed that supervisors had conducted thorough and objective reviews of officers’ enforcement activities. EPSO was also unable to provide any documentation confirming that supervisors were closely monitoring and effectively supervising patrol and criminal patrol officers. Given the issues that we observed in our video reviews of both patrol and criminal investigation officers’ activities, it is imperative that EPSO implements a system to ensure effective oversight at every level from first-line supervisors up to the Sheriff.</p>
Next Steps	DOJ will continue to audit EPSO’s implementation of these requirements in the next reporting period. DOJ will also ensure that EPSO develops and implements performance work plans that address performance evaluations in areas in which

	performance needs improvement and identify areas of growth and achievement during the next rating 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)	Non-Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO’s new policies include requirements for supervisory review and action. EPSO implemented these policies to assess the quality of supervisory reviews. In our reviews of various reports, we found that various EPSO supervisors failed to conduct thorough and objective reviews of officers’ law enforcement activity. And we identified instances where supervisors failed to meaningfully supervise officers’ activity. Given the failures that we identified in the quality of supervisory reviews and supervisory oversight, we did not find any evidence that showed that EPSO took corrective or disciplinary action against supervisors who failed to conduct thorough and objective reviews of officers’ activities.
Next Steps	DOJ will audit EPSO’s implementation of these requirements in the next reporting 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.

Status (27,28)	Substantial Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO has trained all personnel on how to conduct lawful interrogations and provide proper notification of <i>Miranda</i> rights. Our review of body-worn camera videos indicates that officers are consistently providing notification of <i>Miranda</i> rights to individuals. EPSO provided documents confirming that investigators used a standard <i>Miranda</i> Rights form during custodial interrogations. We reviewed the form and found that it comports with the requirements of these provisions.
Next Steps	DOJ will continue to audit EPSO’s implementation of these requirements in the next reporting period.

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 (29, 30, 31)	Substantial Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO has trained all personnel on how to conduct lawful interrogations and provide proper notification of <i>Miranda</i> rights. Our review of a sample of body-worn camera videos indicates that officers are consistently providing notification of <i>Miranda</i> rights to individuals. We saw no evidence in body-worn footage that officers were continuing interrogations after individuals invoked their <i>Miranda</i> rights, that individuals failed to understand their rights or waiver of those rights, or that officers were taking any coercive actions in interrogations.
Next Steps	DOJ will continue to audit EPSO's implementation of these requirements in the next reporting 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)	Beginning Compliance
2020 Status	Beginning Compliance
Assessment	EPSO is currently modifying forms to capture the required information.
Next Steps	DOJ will continue to audit EPSO's implementation of these requirements in the next reporting period.

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)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO reports that all interrogations are recorded by audio or video. The recordings are transferred to the secretary's computer and saved after transcription and the video is kept on the body camera footage computer. EPSO needs to take steps to ensure that the recordings are kept as part of the complete physical and electronic investigative file. EPSO will be in compliance once the recordings are stored in a comprehensive investigative file.
Next Steps	DOJ will continue to audit EPSO's implementation of these requirements in the next reporting 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)	Partial Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO takes steps to create an investigative file once an arrest has been made. EPSO should ensure that investigative files are appropriately organized and managed even when there is no arrest.
Next Steps	DOJ will continue to audit EPSO's implementation of these requirements in the next reporting 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)	Substantial Compliance
2020 Status	Beginning Compliance
Assessment	EPSO assigns unique case numbers at the beginning of an investigation. That unique case number is used through the duration of the investigation.

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)	Partial Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO takes steps to create an investigative file once an arrest has been made. EPSO should ensure that investigative files are appropriately organized and managed even when there is no arrest.
Next Steps	DOJ will continue to audit EPSO's implementation of these requirements in the next reporting 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
2020 Status	Partial Compliance
Assessment	In 2018, EPSO developed a community education document and met with community leaders to discuss the changes to EPSO policies and practices that are required by the Agreement. Since that time, EPSO has made numerous changes to policies and practices that were not part of the initial education document. EPSO

	should update its education efforts to reflect those changes and reiterate the constitutional limits of EPSO activity.
Next Steps	DOJ will audit EPSO's 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.

Status (38,39)	Pending/Insufficient Information
2020 Status	Pending/Insufficient Information
Assessment	EPSO maintains that no strip searches occur at the jail. Further documentation is required to validate this claim and confirm that a warrant or affidavit of probable cause has been completed before booking.
Next Steps	To be reviewed by DOJ in the next period.

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)	Non-Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO states that body cavity searches only occur at the hospital pursuant to a signed search warrant and are conducted only by medical professionals. However, as noted above, we observed multiple body-worn camera videos in which a supervisor pulled back a person's underwear during a search. Given that an EPSO supervisor was engaging in such conduct, which was not caught until DOJ pointed it out, and the fact that EPSO does not appear to have a policy that clearly articulates a standardized protocol for jail and patrol that includes all the requirements of Paragraphs 40 and 41, EPSO is not compliant.
Next Steps	EPSO to provide develop and train on search policy that includes requirements of these provisions.

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)	Partial Compliance
2019 Status	Pending/Insufficient Information
Assessment	EPSO has made significant efforts to improve organization of inmate case files and has taken steps towards complying with the unique identifier requirement as part of its new software system. The new system however still does not appear to document all of the requirements of this paragraph, such as classification, personal item allocation, and copies of the warrant or affidavit of probable cause. The jail case file should be cross-reference but be separate from the investigative file.
Next Steps	DOJ will continue to audit EPSO's progress in developing its computer system in the next reporting 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)	Partial Compliance
2019 Status	Pending/Insufficient Information
Assessment	EPSO's electronic database contains all of the information on persons incarcerated at the EPSO jail required by this provision except next court date. Although the information is contained in the database, there does not appear to be a single standard list that includes all the information.
Next Steps	DOJ will continue to audit EPSO's implementation efforts.

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, an 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)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO reported that supervisory employees review jail lists and files on a daily basis. EPSO also reported that these employees have consistently notified the Jail Lieutenant, Assistant Warden, or Warden when information is missing. Missing information is thereafter shared with the duty Judge and incarcerated persons are released once this information is confirmed and updated.
Next Steps	EPSO will provide additional documentation to DOJ.

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)	Partial Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO states that it provides the judges of the Evangeline Parish Court and the District Attorney’s Office with a list of incarcerated persons and related information including bond status on a biweekly basis.
Next Steps	EPSO will provide additional 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)	Beginning Compliance
2019 Status	Pending/Insufficient Information
Assessment	EPSO reports that the Public Defender’s Office sends daily emails, identifying incarcerated persons that it represents and scheduling visits that it plans to conduct on a weekly basis. EPSO maintains a visitation log, confirming the date, time, and persons visited at the jail. EPSO also reports that incarcerated persons have access to phones at the facility, and for those persons unable to afford phone cards, EPSO has a phone log request book for those persons to ensure that they have access to a telephone. Because of precautions associated with COVID-19 protocols, EPSO limited in-person family visits during this monitoring period.
Next Steps	EPSO will provide visitation logs and records of Public Defender Office visits.

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)	Beginning Compliance
2019 Status	Pending/Insufficient Information
Assessment	EPSO states that it provides sanitation supplies to all incarcerated persons weekly. Incarcerated persons also are able to purchase hygiene products through the commissary, and their family members are also permitted to bring sanitation supplies to the jail. EPSO reports that jail staff members search these supplies before they are distributed to incarcerated persons. EPSO further reported that it ensures that indigent persons receive “hygiene packs” weekly, which contain a toothbrush, toothpaste, soap, and shampoo.
Next Steps	EPSO is to provide additional 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 publicly 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)	Partial Compliance
2020 Status	Partial Compliance
Assessment	<p>EPSO has developed a suite of new 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 Weapons Pat Downs; • Fair and Impartial Policing; • Field Interview Cards; • Miranda Warnings; • Search Warrants; and

	<ul style="list-style-type: none"> • Vehicle Stops. <p>EPSO did not have a comprehensive set of law enforcement policies prior to entry of the Agreement. Adopting these new policies is a significant step towards developing a complete policy manual to guide officer conduct in every law enforcement encounter. However, while EPSO trained all officers on the policies in August 2020, it has not provided DOJ with copies of finalized policies or updated its website with copies of final, dated policies that have been distributed to officers.</p>
Next Steps	EPSO should prepare final, dated versions of its new policies, and distribute them to all members of the EPSO, and post them on its website. DOJ will continue to work with EPSO on developing additional policies in the next reporting 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.

Status (55,56,57,58)	Substantial Compliance
2020 Status	Beginning Compliance
Assessment	EPSO continued to ensure that officers attended mandated POST certification courses throughout the year. Each EPSO investigator, patrol officer, criminal patrol officer, traffic officer, and one dispatcher attended these courses during this reporting period. EPSO also assigned a Lieutenant to track and report when officers attended these courses and complete their annual training requirements.
Next Steps	DOJ will continue to audit POST certification attendance documents and work closely with EPSO to ensure that it provides the POST annual training calendar and officers' completion certificates on a rolling basis.

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 (59,60, 61, 62)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	<p>EPSO continued to ensure that its officers received training on its suite of policies. In August 2021, EPSO provided annual in-service training to its officers, including a block of instruction on the Fourth Amendment. In April 2021, EPSO implemented a Field Training and Evaluation Program. We reviewed EPSO’s policy covering this program before EPSO began training officers who served as field trainers. Once EPSO began implementing the program, EPSO provided bi-weekly reports, detailing how newly assigned officers were acclimating to the program and how instructors were adapting to their new roles.</p> <p>Creating a field training program and training field training officers are positive steps for EPSO to ensure training consistency throughout the department. EPSO has committed resources to making this training program a durable component of the agency, and it intends to expand field training opportunities to additional officers at the department in the future. EPSO plans to improve its selection criteria for identifying and selecting qualified and experienced officers to serve as training officers.</p> <p>During this reporting period, we did not review any evidence suggesting that EPSO failed to provide mandated training to lateral police hires during this reporting period.</p>
Next Steps	DOJ will continue to monitor and assess annual training and improvements to the field training selection process, focusing on selecting more experienced officers to serve as training officers. We also plan to audit all training records, including the records of lateral hires.

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 an 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)	Non-Compliance
2020 Status	Pending/Insufficient Information
Assessment	<p>EPSO offers a “citizen’s complaint form” on its website, which also states, “Louisiana law requires this agency to have a procedure to investigate citizens’ complaints. You have the right to a written description of this procedure.” However, EPSO does not share such a description on its website and lacks a detailed accountability policy sufficient to comply with these provisions and ensure that officers are held accountable for any violations of law or policy. While DOJ’s outreach efforts uncovered multiple examples of community members who report that they were mistreated by EPSO officers during this reporting period, EPSO received no civilian complaints, which suggests that community members may be unaware of EPSO’s assurance that it will accept and investigate civilian complaints, or may not believe such assurances.</p> <p>We reported several instances of possible misconduct that EPSO reviewed and addressed. If a robust accountability system had been in place, those instances likely would have been identified prior to our discovery of them. We also observed that EPSO’s response to the conduct, though notable, could have been more thorough in addressing the conditions that allowed the misconduct to occur.</p>
Next Steps	DOJ will work with EPSO to develop a robust accountability system, in compliance with these provisions.

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)	Partial Compliance
2020 Status	Beginning Compliance
Assessment	<p>DOJ reviewed a sample of body-worn camera videos and incident reports from October 2020, February 2021, and June 2021, confirming continued improvement in compliance with this provision. In the majority of cases that we reviewed, EPSO provided video footage reflecting body-worn camera use by each officer on the scene of the incident, and the cameras appeared to have been turned on and off at appropriate times and in accordance with EPSO policy. In some cases that we reviewed, however, there were incidents for which footage was not provided or was not provided for all personnel on the scene. We also reviewed some incidents for which some body-worn camera footage was provided, but it did not appear that cameras were activated at appropriate times in accordance with policy. Furthermore, we remain concerned that supervisors failed to routinely audit these videos to ensure that officers were complying with the constitution and EPSO policy. If supervisors had been auditing body-worn camera video, they might have discovered the instances of misconduct that we mentioned above and prevented unconstitutional conduct, and the deleterious effect on community trust, that occurred.</p>

Next Steps	We will continue to audit body-worm camera footage and ensure that first-line supervisors audit officers' activities on a consistent basis.
------------	---

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 publicly 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)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO has improved its data collection requirements through its newly adopted policies and has implemented a new software system that is capable of capturing all the relevant data. However, EPSO has not yet demonstrated that it is collecting all of the information that the new data collection and reporting provisions require. For example, officers are not consistently completing Field Interview Cards as required by policy. Any failure to complete a Field Interview Card for an investigative stop compromises the accuracy of EPSO’s data reporting and makes it harder to appropriately supervise officer conduct. EPSO must ensure that officers are adhering to the reporting practices policy before EPSO can rely on its data for accurate analysis and public reporting.
Next Steps	EPSO will ensure that it collects all data required by these provisions and use this data to assess its compliance with this Agreement and the Fourth Amendment, allowing for greater public access to information about its activities.

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)	Beginning Compliance
2020 Status	Pending/Insufficient Information
Assessment	EPSO has greatly improved its data collection practices through its newly adopted policies and new software system. However, it has not yet demonstrated that it is collecting all of the information required by these provisions and it has not yet conducted outcome assessments.
Next Steps	To be reviewed by DOJ in the next period.