

**LOS ANGELES POLICE COMMISSION**

***REVIEW OF AUDIT DIVISION'S  
ARREST, BOOKING, AND  
CHARGING REPORTS AUDIT***



Conducted by the

**OFFICE OF THE INSPECTOR GENERAL**

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Inspector General

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# TABLE OF CONTENTS

## REVIEW OF AUDIT DIVISION'S ARREST, BOOKING, AND CHARGING REPORTS AUDIT

		PAGE No.
<b><u>EXECUTIVE SUMMARY</u></b>		<b>i</b>
<b><u>PURPOSE</u></b>		<b>1</b>
<b><u>BACKGROUND ON AUDIT DIVISION'S AUDIT</u></b>		<b>1</b>
<b><u>BACKGROUND ON THE OIG'S AUDIT SECTION</u></b>		<b>2</b>
<b><u>REVIEW METHODOLOGY</u></b>		<b>2</b>
<b><u>REVIEW RESULTS</u></b>		<b>3</b>
	<b>COMPLETENESS</b>	<b>3</b>
	Consent Decree Mandates Addressed	<b>3</b>
	Identification of a Complete Population	<b>3</b>
	Conclusion	<b>3</b>
	<b>FINDINGS</b>	<b>4</b>
	Support for Findings	<b>4</b>
	Presentation of Findings	<b>5</b>
	Conclusion	<b>5</b>
	<b>QUALITY</b>	<b>5</b>
	Audit Quality	<b>5</b>
	Report Quality	<b>6</b>
	Conclusion	<b>6</b>
	<b>OTHER RELATED MATTERS</b>	<b>6</b>

**EXECUTIVE SUMMARY**  
**Office of the Inspector General**  
**Review of Audit Division’s Arrest, Booking, and Charging Reports Audit**

**OVERVIEW OF AUDIT DIVISION’S AUDIT**

Audit Division conducted its sixth Arrest, Booking, and Charging (ABC) Reports Audit (Audit) and assessed the Los Angeles Police Department’s (Department) compliance with Consent Decree paragraphs 70(a)(b), 73, 106(e)(vii), 128, and 131(a)(c)(e). See Table No.1 for a brief description of the Audit’s objectives when assessing adherence to those paragraphs and the results of Audit Division’s assessments.

Audit Division’s Audit deviated from previous ABC Reports audits in that it assessed arguably higher-risk arrests involving certain California Penal Code and Health and Safety Code violations instead of assessing a Department-wide sample. The Office of the Inspector General (OIG) concurs with that decision. Two different samples were used to evaluate a total of eight audit objectives. One sample consisted of Department-wide arrests, excluding Gang Enforcement Details (GED), and the other sample consisted of GED arrests only. The samples were considered sufficient to evaluate the Department’s adherence to the Consent Decree.<sup>1</sup>

**TABLE NO. 1 – COMPLIANCE PERCENTAGES REPORTED BY AUDIT DIVISION**

Objective No.	Objective Description	CD ¶	Compliance Percentage	
			Department Wide <sup>2</sup>	GED
1	Review of Incidents Involving Charges for Interfering with Officers, Resisting Arrest, or Assault on Officers	70b	100%	100%
2	Watch Commander Inspection and Interview of Arrestee	73	99%	99%
3	Arrestee not Transported to Off-site Locations	106e(vii)	N/A	100%
4	Completeness of Arrest Package	128	92%	95%
5	No Evidence of Canned Language	128	100%	100%
	(a) No Evidence of Inconsistent Information	128	98%	100%
	(b) Articulation of the Legal Basis for the Applicable Action (e.g., detention, arrest, and search)	128	98%	99%
	(c) Authenticity Review	128	100%	100%
6	Conformance with Various Department Procedures	128	96%	98%
7	Supervisory Oversight	128	99%	99%
	(a) Post Incident Supervisory Review	128	80%	90%
8	Gang Enforcement Detail Supervisory Oversight	131e	N/A	99%

Pursuant to Consent Decree paragraph 135, the Office of the Inspector General (OIG) reviewed Audit Division’s Audit for completeness, findings, and quality.

<sup>1</sup> Not all Arrest Reports were applicable to be tested against each objective.

<sup>2</sup> These percentages do not include GED arrests.

## **OVERVIEW OF THE OIG'S REVIEW**

The review found that Audit Division conducted a complete and quality Audit and the findings were adequately supported and presented. However, the following more significant matters were noted:

- The OIG discovered that Audit Division duplicated its review of two multi-three arrest packages that involved six arrests. This could have slightly impacted Audit Division's reported compliance percentages.<sup>3</sup> Audit Division indicated this was an inadvertent error possibly due to the large sample evaluated. In its next Audit, the OIG suggests that Audit Division sort the booking numbers in its sample to ensure that this duplication does not occur again.
- The OIG performed a reconciliation of the time records for the time period of Audit Division's sample to a "GED Supervisor Roster" that Audit Division utilized to determine whether reports were approved by a GED supervisor. The reconciliation identified seven additional supervisors that should have been included in Audit Division's "GED Supervisor Roster." Although none of these supervisors were identified as having approved the reports in our sample, it is unknown if these seven GED supervisors approved any reports in the remaining arrest packages evaluated by Audit Division.

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<sup>3</sup> There is no evidence that Audit Division was aware of this duplication prior to the OIG's discovery.

**OFFICE OF THE INSPECTOR GENERAL  
REVIEW OF AUDIT DIVISION'S  
ARREST, BOOKING, AND CHARGING REPORTS AUDIT**

**PURPOSE**

The Office of the Inspector General (OIG), pursuant to Consent Decree paragraph 135, reviewed Audit Division's Arrest, Booking, and Charging (ABC) Reports Audit. The Audit was completed in the first quarter of Fiscal Year 2005/2006 and received by the OIG on October 4, 2005. The OIG assessed the Audit's completeness, findings, and quality.

**BACKGROUND ON AUDIT DIVISION'S AUDIT**

Audit Division conducted its sixth ABC Reports Audit (Audit) and assessed the Los Angeles Police Department's (Department) compliance with Consent Decree paragraphs 70(a)(b), 73, 106(e)(vii), 128, and 131(a)(c)(e). See Table No.1 for a brief description of the Audit's objectives when assessing adherence to those paragraphs and the results of Audit Division's assessments.

Audit Division's Audit deviated from previous ABC Reports audits in that it assessed arguably higher-risk arrests involving certain California Penal Code and Health and Safety Code violations instead of assessing a Department-wide sample. The OIG concurs with that decision. Two different samples were used to evaluate a total of eight audit objectives. One sample consisted of Department-wide arrests, excluding Gang Enforcement Details (GED), and the other sample consisted of GED arrests only. The samples were considered sufficient to evaluate the Department's adherence to the Consent Decree. Table No. 1, on the next page, summarizes the compliance percentages reported by Audit Division.<sup>1</sup>

The OIG noted that Audit Division's sampling technique went above and beyond the sample size needed to conduct a statistically valid Department-wide assessment. Specifically, Audit Division decided to round up the number of arrest packages for review to at least five per Area/Division (if applicable) resulting in a larger sample size. The minimum number of arrest reports the Audit needed to assess was 179. Due to the sampling technique, Audit Division reviewed a total of 473 arrest packages this year versus 270 arrest packages last year. Normally, the OIG would not endorse the examination of such a large sample. However, since the assessment provided a more extensive examination of individual Areas, including GEDs, and the Audit evaluated arguably higher-risk arrests, the OIG commends Audit Division for completing such an extensive audit in a timely manner.

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<sup>1</sup> Not all Arrest Reports were applicable to be tested against each objective.

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Objective No.	Objective Description	CD ¶	Compliance Percentage	
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5	No Evidence of Canned Language	128	100%	100%
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	(a) Post Incident Supervisory Review	128	80%	90%
8	Gang Enforcement Detail Supervisory Oversight	131e	N/A	99%

**Note:** The two arrest reports from Audit Division's original GED sample that could not be located were not included in Audit Division's reported compliance percentages.

Greater detail on Audit Division's methodology and findings can be found in Audit Division's Audit Report.

## **BACKGROUND ON THE OIG'S AUDIT SECTION**

As previously reported, the OIG hired a third Assistant Inspector General (AIG) and a Police Performance Auditor IV (PPA IV) in March and May 2005, respectively. Both the AIG and the PPA IV were assigned to Audit Division prior to accepting their positions with the OIG. Normally, the AIG and the PPA IV would refrain from conducting reviews of Audit Division audits for a certain period of time; however, as the Consent Decree required the OIG to conduct these reviews, that luxury was not available. Nonetheless, the AIG and PPA IV have refrained from supervising any reviews of Audit Division audits that they actively participated on while assigned to Audit Division. For this review, the PPA IV refrained from supervising as he had minor involvement in the planning phase of the Audit while assigned to Audit Division.

## **REVIEW METHODOLOGY**

The OIG assessed the completeness, findings, and quality of Audit Division's Audit by reviewing the final Audit Report, Audit Work Plan, and Audit Division's Microsoft Access

<sup>2</sup> These percentages do not include GED arrests.

Database. The database was used to compile and analyze Audit Division's findings, and supporting work papers.<sup>3</sup>

On December 21, 2005, the OIG met with Audit Division management to discuss the results of this review. At that time, Audit Division management indicated they are in general agreement with this review's findings.

## **REVIEW RESULTS**

### **COMPLETENESS**

To assess the Audit's completeness, the OIG reviewed Audit Division's Audit Report and supporting work papers to ensure all applicable Consent Decree mandates were addressed and that Audit Division selected a sample from a complete population.

#### **Consent Decree Mandates Addressed**

Per the Department's Annual Audit Plan – Fiscal Year 2005/2006, the ABC Reports Audit was scheduled for completion during the first quarter and was to assess Consent Decree paragraphs 70(a)(b), 73, 106(e)(i)(vii), 128, and 131(a)(c)(e), while meeting the requirement of Consent Decree paragraph 131(c). Paragraph 131(c) requires Audit Division to report its findings related to GED separately from the Department-wide results. The OIG determined the Audit sufficiently assessed those Consent Decree paragraphs and the Audit Report was issued in a timely manner, within one year of the last audit.<sup>4</sup>

#### **Identification of a Complete Population**

Based on the OIG's review of Audit Division's sampling documentation and a query of arrests the OIG obtained from Information Technology Division for the time period specified in Audit Division's methodology, it appears Audit Division selected its sample from a complete population.

#### **Conclusion**

Overall, the OIG determined the Audit addressed all applicable Consent Decree mandates and identified a complete population of arrests to select its sample.

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<sup>3</sup> The OIG's review of supporting work papers was based on a randomly selected one-tail sample size calculation with a 95 percent confidence level, an expected error rate of six percent, and a plus precision of seven percent, with samples selected from both the Department-wide and GED populations.

<sup>4</sup> Audit Division indicated that paragraph 106(e)(i) was not assessed since it was covered by the other assessed Consent Decree paragraphs.

## FINDINGS

To assess the Audit's findings, the OIG reviewed Audit Division's supporting work papers to ensure the findings adequately supported information presented in the Audit Report. The OIG also assessed the Audit Report's presentation of findings.

### Support for Findings

Based on the OIG's review of a sample of 56 arrest packages (29 Department-wide and 27 GED) of the 473 evaluated by Audit Division, the Audit's reported findings were adequately supported. However, the OIG noted a few additional issues that Audit Division should have identified and/or reported as the OIG believes they impacted the Department's compliance with the Consent Decree. Specifically, the OIG identified the following:

#### Objective 5(a) – No Evidence of Inconsistent Information

The OIG noted that the Arrest Report narrative for one arrest package (GED Southwest Area, Booking No. 8479881) indicated the arrestee made a spontaneous statement regarding possession of a knife on his person. However, the Juvenile Arrest Report Continuation narrative indicated the juvenile was responding to the officer's question when he made the statement. Although the OIG does not question the legality of the arrest, this inconsistency should have been identified and addressed by a supervisor. Audit Division did not identify this inconsistency.

#### Objective 6 – Conformance with Department Procedure, Part 6 – Juvenile Arrest Procedures

Department Policy states that if the arrestee is a juvenile, the arrestee has the right to complete three phone calls within three hours of the time of arrest. The first two calls should be within one hour. Audit Division identified, but did not report on four arrest packages (GED Rampart, Booking No. 8524110; GED Southwest, Booking No. 8479881; GED Hollywood, Booking No. 8496738; Narcotics Division, Booking No. 8501865) where the required number of calls were not made within the proper timeframes. During our exit meeting, Audit Division indicated that these anomalies were not reported because the Juvenile Arrest Report Continuation does not contain an area to document the reason for the phone calls being made late or if a juvenile refuses to make a phone call. Audit Division further indicated that this form is being revised; however, the OIG believes this issue should have been mentioned in Audit Division's Report.

#### Objective 8 – Conduct of GED Supervisory Oversight, GED Supervisor Approval

The OIG performed a reconciliation of the time records for the time period of Audit Division's sample to a "GED Supervisor Roster" that Audit Division utilized to determine whether reports were approved by a GED supervisor. The reconciliation identified seven additional supervisors that should have been included in Audit Division's "GED Supervisor Roster." Although none of these supervisors were identified as having approved the reports in our sample, it is unknown if

these seven GED supervisors approved any reports in the remaining population evaluated by Audit Division.

### **Presentation of Findings**

Audit Division presented the Audit's findings in a logical manner, organized by Consent Decree paragraph, and the narrative of the report supported all findings.

### **Conclusion**

The OIG determined that overall, the Audit's findings were adequately supported and properly presented.

## **QUALITY**

To assess the Audit's quality, the OIG evaluated the quality of both the Audit and the Audit Report.

### **Audit Quality**

Based on the OIG's review, the Audit was properly supervised and planned, in that the Audit's methodology allowed for proper assessments of Consent Decree mandates. However, the OIG did note a few areas where Audit Division can improve the quality of its next audit, as follows:

#### *Sorting of Booking Numbers*

The OIG discovered that Audit Division duplicated its review of two multi-three arrest packages that involved six arrests.<sup>5</sup> This could have slightly impacted Audit Division's reported compliance percentages.<sup>6</sup> Audit Division indicated this was an inadvertent error possibly due to the large sample evaluated. In its next Audit, the OIG suggests that Audit Division sort the booking numbers in its sample to ensure that this duplication does not occur again.

#### *Reconciliation of Findings*

The OIG noted that one arrest package (Anti-Terrorist Division, Booking No. 8497589) was missing a Firearms Supplemental Property Report. Department Policy requires officers booking any firearm into Department custody to complete the Firearms Supplemental Property Report. This report allows the Department of Justice to track and cross-reference the seizure of firearms. Audit Division noted this finding in its review of the arrest package but did not document the reason for not including the finding as a completeness issue. In addition, the OIG noted that Audit Division's database captured two additional arrest packages that were also missing the

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<sup>5</sup> Booking Nos. 8535410, 8535477, 8535500, 8535867, 8535890, 8535933.

<sup>6</sup> There is no evidence that Audit Division was aware of this duplication prior to the OIG's discovery.

report. The OIG believes these issues should have been reported as part of Audit Division's Completeness objective.

#### Documentation in Workpapers

The OIG identified issues that Audit Division identified but did not report on. During our exit meeting, Audit Division provided rationale as to why certain issues were not held out of compliance although the rationale was not documented in the workpapers. Going forward, the OIG feels that Audit Division should attempt to better document its rationale for not reporting a finding.

#### **Report Quality**

The Audit Report properly delineated the Audit's objectives, scope, methodology, and the status of prior audit recommendations. Additionally, the Audit Report was issued in a timely manner (within a year of Audit Division's last audit) and used a fair and unbiased tone. Finally, regarding clarity, the Audit Report presented its assessment of most of the Audit's objectives in a clear manner. Regarding the Audit's assessment of completeness of arrest packages, the OIG believes the report should have more clearly delineated the reports evaluated to assess that objective. Specifically, the OIG noted that missing City Attorney Disclosure Statements and Probable Cause Determination Forms were not used to evaluate completeness of arrest packages. The OIG also noted that the Audit Report's stated percentages in a summary chart did not include the two arrest reports that were unable to be located for review. In its next audit, the OIG would prefer that Audit Division clearly delineate the number of missing reports that were not included in their determinations of compliance.

#### **Conclusion**

Overall, the OIG determined that the Audit was properly planned and conducted, and the Audit results were reported in a quality manner.

#### **OTHER RELATED MATTERS**

Based on a review of Audit Division's database, Audit Division identified 56 arrest packages that did not have the City Attorney Disclosure Statement. Although not a Consent Decree compliance issue, this statement is pivotal to the discovery process. The OIG reports this matter to ensure management is aware of these Department policy deviations.