

LOS ANGELES POLICE COMMISSION

Review of the Department's Arrest, Booking, and Charging Reports Audit



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

ANDRÉ BIROTTE, JR.
Inspector General

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

PURPOSE

Pursuant to Consent Decree (CD) Paragraph 135, the Office of the Inspector General (OIG) reviewed the Los Angeles Police Department's (Department) Arrest, Booking, and Charging (ABC) Reports Audit (Audit) performed by Audit Division (AD). The Audit was completed in the first quarter of Fiscal Year 2008/2009 and received by the OIG on October 1, 2008. As required, the OIG assessed the Audit's completeness, findings, and quality.

BACKGROUND ON AUDIT DIVISION'S AUDIT

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

Audit Division's population consisted of Department-wide arrests made in Deployment Period (DP) Nos. 4 and 5 of 2008 (March 30 to May 24, 2008) stratified by geographic Areas/Divisions. From this population, AD randomly selected one sample of 92 Gang Enforcement Detail (GED) arrests and another sample of 113 of all other (Non-GED) arrests.¹ Audit Division reviewed these total 205 Arrest Report packages for compliance with the CD Objectives noted in Table No. 1.²

To ensure adequate representation of Consent Decree Paragraph 70(b) incident arrests for Objective No. 4b, AD selected a separate random stratified sample of 65 Consent Decree incident arrest packages from the same population noted above.³ The Arrest Report packages and associated Watch Commander's Logs were reviewed to determine whether the watch commander documented and evaluated the officers' actions for training, policy, or tactics. The OIG commends AD for expanding its sample.

¹ Consent Decree Paragraph 131(c) requires that AD report its findings related to GED separately from the Department-wide results.

² Not all Arrest Report packages were applicable to be tested against each sub-objective.

³ Consent Decree Paragraph 70(b) requires that supervisors shall evaluate each incident in which a person is charged with interfering with a police officer (California Penal Code Section 148), resisting arrest, or assault on an officer to determine whether it raises any issue or concern regarding training, policy, tactics.

**TABLE NO. 1
SUMMARY OF COMPLIANCE PERCENTAGES REPORTED
BY AUDIT DIVISION FOR THIS YEAR’S AUDIT**

Objective	CD ¶	Objective/Sub-Objective Description	COMPLIANCE PERCENTAGES / SAMPLES					
			GED		NON-GED		TOTAL	
1		Completeness						
a	128	Arrest Report is Complete	100%	92/92	98%	111/113	99%	203/205
2		Authenticity						
a	128	Arrest Report Information is Consistent	99%	91/92	99%	112/113	99%	203/205
b	128	"Canned" Language is not Used	100%	92/92	100%	113/113	100%	205/205
c	128	No Evidence of Inauthenticity	100%	92/92	100%	113/113	100%	205/205
3		Legality of Underlying Actions						
a	128	Reasonable Suspicion is Adequately Articulated	100%	92/92	100%	113/113	100%	205/205
b	128	Probable Cause is Adequately Articulated	100%	92/92	100%	113/113	100%	205/205
c	128	Legal Basis for Search is Adequately Articulated	97%	58/60	98%	64/65	98%	122/125
d	128	Legal Basis for Seizure is Adequately Articulated	98%	51/52	100%	52/52	99%	103/104
e	128	Miranda Rights are not Violated	100%	92/92	100%	113/113	100%	205/205
4		Conformance with Department Procedures						
a	73	Watch Commander Inspection and Interview	100%	83/83	97%	104/107	98%	187/190
b	70(b)	Incident Arrest Review by Watch Commander	71%	10/14	92%	47/51	88%	57/65
c	106(e)(vii)	No Use of Off-Site Locations	100%	92/92	100%	113/113	100%	205/205
d	128	Other Conformance with LAPD Procedures						
		i. Documentation of Miranda Responses	100%	70/70	97%	64/66	99%	134/136
		ii. Medical Treatment Provided	85%	17/20	97%	33/34	88%	57/65
		iii. Proper Recovery and Handling of Property	100%	52/52	100%	52/52	100%	104/104
		iv. Proper Issuance of Receipt for Property Taken into custody	100%	52/52	100%	52/52	100%	104/104
		Juvenile Arrest Procedures						
		(1) Juvenile Arrest Supplemental Report is Completed	100%	24/24	100%	8/8	100%	32/32
		(2) Parental Notification Completed	100%	24/24	100%	8/8	100%	32/32
		(3) Advisement of Telephone Calls	100%	24/24	100%	8/8	100%	32/32
		(4) Timeliness of Telephone Calls	92%	22/24	88%	7/8	91%	29/32
		(5) Length of Detention Less than Six Hours	100%	24/24	100%	8/8	100%	32/32
		(6) Correct Detention Area for Juveniles	100%	24/24	100%	8/8	100%	32/32
		(7) Questionnaire Completed for Juveniles Under 14 Years of Age	NA	NA	N/A	N/A	N/A	N/A
5		Supervisory Oversight						
a	70	Evidence of Proper Arrest Report Approval	100%	92/92	100%	113/113	100%	205/205
b	70	Evidence of Proper Booking Approval	100%	83/83	100%	105/105	100%	188/188
c	70(a)	Quality of Post-Incident Supervisory Review (Evidence of Completion of Required Forms)	88%	81/92	81%	92/113	84%⁴	173/205
d	128	Adequacy of On-Scene Supervision	100%	15/15	100%	24/24	100%	39/39

Note: Greater detail as to AD’s methodology and findings can be found in AD’s Audit Report.

⁴ The Quality of Post-Incident Supervisory Review showed a significant improvement to 84 percent from 68 percent in the prior audit.

REVIEW METHODOLOGY

The OIG assessed the completeness, findings, and quality of AD's Audit by reviewing the final Audit Report, Audit Work Plan, and workpapers.⁵

The OIG discussed the results of our review with AD. They indicated general agreement with the findings presented in this Report.

REVIEW RESULTS

COMPLETENESS

To assess the Audit's completeness, the OIG reviewed AD's Audit and supporting work papers to ensure that all applicable Consent Decree mandates were addressed and that AD selected a sample from a complete population. Per the Department's Annual Audit Plan (Fiscal Year 2007/2008), the ABC Reports Audit was to assess Consent Decree Paragraphs 70(a) and (b), 73, 106(e)(i)(vii),⁶ 128, and 131(a) and (e), while meeting the requirement of Consent Decree Paragraph 131(c). Additionally, based on the OIG's review of AD's sampling documentation, it appears AD identified a complete population from which they randomly selected their samples.

FINDINGS

To assess the Audit's findings, the OIG reviewed AD'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. Based on the OIG's review of 49 Arrest Report packages (25 Department-wide and 24 GED out of the 205 audited by AD), and on the OIG's review of 22 of the 65 Arrest Report packages related to Consent Decree Paragraph 70(b), the Audit's reported findings were adequately supported. Additionally, Audit Division presented the Audit's findings in a logical manner, organized by Consent Decree Paragraph, and the narrative of the Audit Report supported all findings.

QUALITY

To assess the Audit's quality, the OIG evaluated the quality of both the Audit and the Audit Report. Based on the OIG's review, the Audit was properly supervised and planned, in that the Audit's methodology allowed for proper assessment of Consent Decree mandates. The Audit Report properly delineated the Audit's objectives, scope, methodology, and status of prior audit recommendations. Additionally, the Audit Report was issued in a timely manner (within a year of

⁵ The OIG's review of supporting workpapers was based on 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.

⁶ Consent Decree Paragraph 106(e)(i) requires that gang unit supervisory and non-supervisory officers continue to be subject to existing procedures for uniformed patrol officers regarding detention, transportation, arrest, processing and booking of arrestees and other persons. Since AD assessed these areas in other objectives, a CD compliance percentage was not reported. As the OIG previously stated in its review of the Fiscal Year 2007/2008 Arrest, Booking, and Charging Reports Audit, the OIG suggests that AD delineate this explanation in their report.

AD's last audit), used a fair and unbiased tone, and the Audit's objectives were presented in a clear manner. Finally, the Audit Report delineated a risk assessment for objectives that were out of compliance (less than 95 percent), explaining the reasons for the low compliance percentages and providing additional insight.

CONCLUSION

Overall, the OIG determined that the Audit was complete, conducted in a quality manner and the findings were well supported.