

**LOS ANGELES POLICE COMMISSION**

***REVIEW OF AUDIT DIVISION'S  
COMPLAINT, FORM 1.28,  
INVESTIGATIONS PHASE I AUDIT***

*Second Quarter, Fiscal Year 2005/2006*



Conducted by

**OFFICE OF THE INSPECTOR GENERAL**

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**OFFICE OF THE INSPECTOR GENERAL  
REVIEW OF AUDIT DIVISION'S  
COMPLAINT, FORM 1.28, INVESTIGATIONS AUDIT, PHASE I  
FISCAL YEAR 2005/2006**

**PURPOSE**

Pursuant to Consent Decree Paragraph 135, the Office of the Inspector General (OIG) reviewed Audit Division's Complaint, Form 1.28, Investigations Audit (Audit), Phase I Second Quarter, Fiscal Year 2005/2006. The Audit was received by the OIG on January 4, 2006. The OIG assessed the Audit's completeness, findings, and quality.

**BACKGROUND ON AUDIT DIVISION'S AUDIT**

In order to facilitate the timeliness of the audit process and the relevancy of the audit findings, Audit Division conducted its Complaint, Form 1.28, Investigations Audit in two separate phases. Phase I, evaluated the various systems and controls surrounding complaint investigations. Phase II, expected to be issued by the end of March 2006, will evaluate the quality of complaint investigations. Table No. 1 delineates the Consent Decree paragraphs and subparagraphs evaluated in Audit Division's Phase I Audit along with their assessment of compliance.

**Table No. 1 – Phase I Audit Results**

<b>Obj. No.</b>	<b>Consent Decree Paragraph</b>	<b>Description of Audit Objective</b>	<b>Compliance Percentage</b>
1	51	Evaluate the Use of TEAMS (Training Evaluation and Management System) Data for Decision Making:	
	(a)	Selection of Officers for Assignment as Internal Affairs Group Investigators	96% Compliant
	(d)	Document Consideration of Sustained Administrative Investigations, Adverse Judicial Findings or Discipline	100% Compliant
2	74	Evaluate the Initiation of Complaints:	
	(d)	<b>Distribution and Accessibility of Complaint Materials</b>	<b>94% Compliant</b>
	(f)	Assignment of a Case Number to Each Complaint	100% Compliant
	(g)	<b>Continuation of 24-Hour Toll-Free Complaint Hotline that Records All Calls</b>	<b>Non-Compliant</b>
3	76	City Notification to LAPD of Civil Lawsuits Alleging Misconduct of Officer or Employee	100% Compliant
4	79	Evaluate the Timeliness of Internal Affairs Group Review of Face Sheet	96% Compliant
5	83	Evaluate the Complaint Investigator Access to TEAMS	Compliant
6	<b>87</b>	<b>Evaluate the Timeliness of Complaint Investigations</b>	<b>Determination Withheld</b>
7	93 & 94	Evaluate the Assignment of Complaints	100% Compliant
8	95	Evaluate the Staffing of Internal Affairs Group Investigator Positions	Compliant
9	152	Evaluate the Notification of Complaint Intake to the OIG Within One Week	100% Compliant

Greater detail on Audit Division's methodology and findings can be found in their final Audit report.

## **FOCUS POINTS**

The OIG commends Audit Division for its quality assessments of the applicable Consent Decree paragraphs. Their Audit identified the following more significant concerns:

- **Consent Decree Paragraph 74(g), Continuation of a 24-Hour Toll-Free Complaint Hotline that Records All Calls**

The Audit reported the Department will not meet compliance with this Consent Decree mandate until there is an effective means to continuously record calls into the complaint hotline. The Audit also offered the following recommendations:

- (1) Assign the responsibility to maintain the complaint hotline to a single command.
- (2) Equip the complaint hotline to handle multiple calls and provide a voicemail or recording option in the event that personnel are unavailable to answer incoming calls in a timely manner.

- **Consent Decree Paragraph 83, Complaint Investigators Access to TEAMS**

The Audit reported that Internal Affairs Group did not have a centralized process for requesting TEAMS access for its investigators and therefore, not all investigators had access to TEAMS. Although Audit Division determined that the Department was in compliance with the mandate of this paragraph (because senior personnel had full and appropriate access to TEAMS for peer support), it expressed its concerns to Internal Affairs Group management, and a request was made to Information Technology Division to grant TEAMS access automatically to all detectives and sergeants assigned to Internal Affairs Group.<sup>1</sup>

- **Consent Decree Paragraph 87, Timeliness of the Completion of Investigations**

The Audit found that the date the investigator completes an investigation is not always indicated in complaint investigations. The Audit attempted to evaluate whether 51 percent of the complaint investigations were completed within 150 days from when the allegation was first reported to an uninvolved supervisor. The completion date generally used by Audit Division was the date of the Letter of Transmittal. However, as this date was not always present, Audit Division used several other alternative sources to identify a completion date. Although Audit Division performed a significant amount of testwork to assess the Department's adherence to this paragraph, it ultimately withheld a determination of compliance because 67 investigation files were not available for their evaluation. The OIG concurs with that decision. However, it appears that the Department needs to monitor this area to ensure that the investigation completion date is documented in all complaint investigations.

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<sup>1</sup> It was requested that these detectives and sergeants be granted Department-wide "lieutenant and below" TEAMS access.

## **REVIEW METHODOLOGY**

The OIG assessed the completeness, findings, and quality of the Audit by reviewing the final Audit report, related Audit work plan, supporting Audit work papers, and electronic files that supported Audit Division's findings.<sup>2</sup> The Appendix delineates the various populations and samples used by Audit Division to evaluate the Department's compliance with the applicable Consent Decree paragraphs and the sample sizes the OIG used to assess the Audit.

On March 28, 2006, the OIG provided a copy of our draft report to Audit Division and their response was received on March 30, 2006. At that time, Audit Division management indicated disagreement with the OIG's concerns related to the Audit's assessment of Consent Decree Paragraph 87, but was in general agreement with this review's overall findings.

## **REVIEW RESULTS**

### **COMPLETENESS**

To assess the Audit's completeness, the OIG reviewed the Audit to ensure applicable Consent Decree paragraphs were assessed and that the Audit selected its samples from complete populations.

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

Per the Department's Annual Audit Plan, Audit Division's Complaint, Form 1.28, Investigations Phase I Audit was to assess Consent Decree Paragraphs 51(a), (d), 74(d), (f), and (g), 76, 79, 83, 93, 94, 95, and 152. While not in the Annual Audit Plan for Phase I, Audit Division began its review for Consent Decree Paragraph 87, regarding the timeliness of completed complaint investigations.

The OIG determined that all applicable Consent Decree paragraphs were assessed. Audit Division ultimately withheld a determination of compliance related to Paragraph 87 due to the unavailability of 67 complaint investigations. The OIG agrees with that decision.

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

To evaluate the applicable Consent Decree paragraphs, Audit Division selected samples from more than ten audit populations. Based on the OIG's assessment, it appears that Audit Division selected its samples from complete populations. Regarding its assessment of Consent Decree Paragraph 74(d), the Audit indicated that 22 Department locations were visited (all 19 police

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<sup>2</sup> For Consent Decree Paragraphs 51(a) & (d), 79, 87, 93 and 94, the OIG calculated randomly selected one-tail sample sizes with a 95 percent confidence level, an expected error rate of six percent, and a plus precision of seven percent. For Consent Decree Paragraphs 74(d), (f) and (g), 76, 83, 95, and 152, the OIG reviewed Audit Division's entire samples and/or related workpapers.

stations, 1 traffic division, 1 substation, and the Police Administration Building) to assess the distribution and accessibility of complaint materials. Note that one substation was visited. Audit Division indicated that the Audit did not include inspections at substations in Little Tokyo and Chinatown because its last annual Audit found those substations in 100 percent compliance with this Consent Decree mandate, so another substation, in Southwest Area, was judgmentally selected. Yet, there are other substations (e.g., one in Koreatown and one at the Los Angeles International Airport) that are also easily accessible to the public. Since Paragraph 74(d) requires the distribution of complaint materials in easily accessible City locations throughout Los Angeles, it is suggested that Audit Division include these substations as part of its assessment of Paragraph 74(d) in the future.<sup>3</sup>

The OIG commends Audit Division for its visiting of City Council offices to determine whether the Community Complaint Commendation Poster was displayed, as required by Special Order No. 10, 2004, and sending correspondence to each City Council office on the availability of complaint materials and how to obtain them.

### **Conclusion**

Overall, the OIG determined the Audit assessed applicable Consent Decree mandates and appropriately withheld a compliance determination for Paragraph 87.

## **FINDINGS**

To assess the Audit's findings, the OIG reviewed Audit Division's supporting work papers to ensure there was adequate support for its findings and reviewed the report to ensure the findings were properly presented.

### **Support for Findings**

Based on the OIG's assessment, the Consent Decree compliance determinations were adequately supported.

### **Presentation of Findings**

The presentation of the Audit's findings was well organized and the Audit properly highlighted some significant areas of concern as mentioned in the Focus Points Section of this report. The OIG also agreed with the recommendations made in the Audit. There were only two noteworthy concerns with the Audit's presentation of findings.

- Regarding Consent Decree Paragraph 74(d), Audit Division visited 22 Department locations to evaluate whether applicable Community Complaint and Commendation Posters, Complaint Forms, commendation forms, and self-addressed envelopes were present. There were a total of 14 items that Audit Division looked for when it visited the locations. If a

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<sup>3</sup> If needed, Audit Division could select a sample of substations to ensure the distribution of complaint materials.

particular item was not in the lobby area, the auditors asked front desk personnel to provide the item and if they did, it was not counted as an anomaly. Front desk personnel did not provide a total of 19 of 308 items when requested, and therefore Audit Division determined the Department was 94 percent compliant with the mandate of the paragraph. While the OIG agrees with the Audit's method to calculate compliance with the Consent Decree, it would also be helpful to note the number of items initially missing, prior to requesting front desk personnel to provide the items. Since the public may not always ask front desk personnel for the items, if missing, the additional information may be useful for Department management consideration.

- Regarding Consent Decree Paragraph 83, complaint investigator access to TEAMS, the OIG noted that there were errors in a table presented by Audit Division (Table No. 5 – PSB Investigator TEAMS Access Status). The errors were minor but the correct figures are presented in Table No. 2 below.

**Table No. 2 – Corrected Table Information**

Audit Division's Reported Compliance			OIG's Adjusted Reported Compliance		
TEAMS Access	No. of PSB Investigators	Percentage	TEAMS Access	No. of PSB Investigators	Percentage
Active	45	24.4%	Active	46	22.9%
Expired	102	50.7%	Expired	102	50.7%
Insufficient	46	22.9%	Insufficient	46	22.9%
No Access	2	2.0%	No Access	3	1.5%
All Access			All Access	4	2.0%
<b>Total</b>	<b>195</b>	<b>100.0%</b>	<b>Total</b>	<b>201</b>	<b>100.0%</b>

## Conclusion

Overall, Audit Division's supporting work papers adequately supported its compliance determinations and its findings were properly presented in its Audit report.

## QUALITY

The OIG evaluated Audit Division's Audit and related Audit report for quality.

### Audit Quality

The Audit was properly supervised, and although many aspects of the Audit methodology were appropriate, the OIG identified two concerns with Audit Division's assessment of Consent Decree Paragraph 87, timeliness of completed complaint investigations, as follows:

- The OIG believes a different methodology should have been used to assess the Department's compliance with this paragraph. Audit Division identified its sample from a population of

complaint investigations initiated in March 2005. The sampled complaint investigations were then reviewed to identify whether they were completed within 150 days. Because 67 complaint investigation files were not available, Audit Division was unable to complete its assessment.<sup>4</sup> Because of the sheer number of unavailable complaint investigation files (e.g., complaint investigations not complete or files in review for adjudication) there appears to be a need for a different methodology. To ensure this problem is not encountered in its next audit, the OIG suggests that Audit Division consider selecting a sample from complaint investigations closed in a recent month, and then evaluate the timeliness of the completed complaint investigations.

- The OIG believes the Audit's interim compliance percentages for this paragraph requires clarification and appears to be slightly off by a few percentage points. Although Audit Division initially selected a valid sample size of 139 complaint investigations, it then randomly selected an additional ten Chain of Command and ten Internal Affairs Group complaint investigations and added them to its sample because they expected that some complaint investigation files would not be available. Although the Audit attempted to assess the timeliness of the 159 complaint investigations, the interim compliance percentages were based on the original sample size of 139 complaint investigations.

### **Report Quality**

The Audit report delineated the Audit's objectives, scope, and methodology. The report used a fair and unbiased tone and it was found to be convincing and concise. Although the OIG's review disclosed minor inaccurate language and numbers in the Audit report, they did not impact the Audit's overall reliability. Therefore, those concerns were provided separately to Audit Division.

### **Conclusion**

Overall, the Audit was properly supervised and reported in a quality manner.

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<sup>4</sup> Audit Division indicated that its Phase II Complaint Investigations Audit will provide a compliance determination for Paragraph 87.

**APPENDIX - AUDIT POPULATION AND SAMPLE SIZE**

<b>Objective</b>	<b>Consent Decree Paragraph</b>	<b>Purpose</b>	<b>Population Description</b>	<b>Audit Population</b>	<b>Audit Sample Size</b>	<b>OIG Sample Size</b>
<b>1</b>	51(a)	Selection of Officers as Internal Affairs Group Investigators	Internal Affairs Group Investigators for Deployment Period No. 8, 2005. Population of Officers Hired after Special Orders 23 and 24, Dated 7/10/2003.	81	45	19
	51(d)	Document Consideration of Sustained Administrative Investigations, Adverse Judicial Findings, or Discipline	Internal Affairs Group Investigators for Deployment Period No. 8, 2005. Population of Officers Hired after Special Orders 23 and 24, Dated 7/10/2003.	81	45	19
<b>2</b>	74(d)	Evaluate Initiation of Complaints	Complaint Materials	22 Locations	308	308*
	N/A	Evaluate SO No. 10, 2004 to Ensure Community Complaint and Commendation Posters are Publicly Displayed	Council District Field Offices	15 Council Districts	4	4*
	74(f)	Complaints are Issued Complaint Form Number	Complaints Received January through August 2005	Complaints without CF Number	25	25*
	74(g)	Operate a 24-hour Toll-free Telephone Complaint Hotline	Telephone Log for August, 2005	49	49	49*
<b>3</b>	76	City Notification to LAPD of Civil Lawsuits	List of Pending Lawsuits/Claims for July 2005	69	69	69*
<b>4</b>	79	Timeliness of Internal Affairs Group Review of Face Sheet	Complaints Initiated June 1 through August 31, 2005 (Audit Population Originally Reported as 1,554)	1,536	90	24
<b>5</b>	83	Complaint Investigator Access to TEAMS	Internal Affairs Group Investigators for Deployment Period No. 8, 2005.	201	201	201*
<b>6</b>	87	Timeliness of Completed Investigations	Closed Complaints Initiated in March 2005, Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collision complaints.	502	139 <sup>5</sup>	22
<b>7</b>	93 and 94	Assignment of Complaints to Chains of Command or Internal Affairs Group	Closed Complaints Initiated in March 2005, Excluding FTA, FTQ, and PTC.	502	139	22
<b>8</b>	95	Staffing of Internal Affairs Group Investigator Positions	IAG Positions for DP No. 13, 2005	207	207	207*
<b>9</b>	152	Notification of Complaints to OIG	Complaints (502) Initiated in March 2005	502	139	33*

\* The OIG's review of these sampled entailed a review of Audit Division's audit work papers and supporting documents.

<sup>5</sup> Of the 139 complaint investigations in Audit Division's sample, only 72 were completed and available for evaluation.