

LOS ANGELES POLICE COMMISSION

*Supplemental Report On Ethics
Enforcement Section Third and
Fourth Quarter 2005 Complaint
Intake Audits*



Conducted by

OFFICE OF THE INSPECTOR GENERAL

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**OFFICE OF THE INSPECTOR GENERAL
SUPPLEMENTAL REPORT ON ETHICS ENFORCEMENT SECTION
THIRD AND FOURTH QUARTER 2005 COMPLAINT INTAKE AUDITS**

PURPOSE

In the OIG's review of Ethics Enforcement Section's (EES) Second Quarterly Report, 2005 (dated November 4, 2005), the OIG raised a concern regarding the accuracy/completeness of complaint face sheets generated by audited employees (based on listening to the tape-recorded complaint information provided by EES' undercover officers). As a result, EES began evaluating this area of concern during the fourth quarter of 2005. Since EES was not testing for these concerns in its third and most of its fourth quarter complaint intake audits of 2005, the OIG elected to perform a global assessment of all complaint intake audits completed during these two quarters to identify the extent of this concern. While conducting this assessment, the OIG also evaluated the overall complaint intake audit process, and ideas to improve the process are provided hereon.

This report has been revised to omit confidential and sensitive information.

BACKGROUND ON EES' "COMPLAINT INTAKE" AUDITS

Consent Decree paragraph 97 requires the Department to conduct complaint intake audits to identify and investigate employees that either discourage or fail to take a complaint of misconduct. Professional Standards Bureau's EES is the entity that performs these audits. The audits are conducted either telephonically, through mail or email, or an undercover officer may go to an Area police station to initiate a complaint. If the audited employee generates a complaint face sheet, the audit is classified as "Pass." If the audited employee attempts to dissuade the undercover officer from making a complaint or a complaint face sheet is not generated, the audit is classified as "Fail" and the Department initiates a complaint of misconduct against the audited employee. Occasionally, EES will note other substandard performance by an audited employee during a complaint intake audit (e.g., the employee is discourteous to the undercover officer) and those audits will be classified as "Pass-Substandard." When an audit is classified as "Pass-Substandard," the Commanding Officer of EES notifies the audited employee's commanding officer to take appropriate action. This notification is documented in EES' Final Report.

METHODOLOGY

For this supplemental review, the OIG evaluated all 96 complaint intake audits completed in the third and fourth quarters of 2005 (47 and 49, respectively). The primary focus of the OIG's review entailed comparison between complaint face sheet information generated by the audited employees and information provided to the audited employees by the EES undercover officers.

On May 5, 2006, the OIG discussed the results of this review with the Commanding Officer of EES.

REVIEW RESULTS

Based on the OIG's evaluation of 96 complaint intake audits, 15 (16 percent) were identified in which the audited employee generated a complaint face sheet that had inaccuracies/omissions of pertinent information provided by the undercover officer.

Since the audited employees for all 15 complaint intake audits generated a complaint face sheet, the audits were classified as a "Pass," but given that inaccurate/omitted information on a complaint face sheet can serve to undermine the spirit of EES' audits (i.e., not only the intake of complaints but ensuring that they can be investigated appropriately) and/or be used to question the complainant's credibility, the OIG is concerned about the findings of this supplemental test. These findings were discussed with the Commanding Officer of EES and he indicated that the employees' commanding officers would be notified to take some type of corrective action. Although we are pleased that EES has indicated that all of its first quarter audits for 2006 evaluated this area, the OIG now believes that there is a need to track supervisors with concerns related to generated complaint face sheets with inaccuracies/omissions of pertinent information. Ethics Enforcement Section's primary mission, pursuant to the Consent Decree, is to identify high risk officers who either attempt to dissuade the initiation of a complaint and/or fail to take a complaint as well as conducting "sting" audits to identify officers engaging in at-risk activity (e.g., excessive force, theft, unlawful detentions/searches, sexual misconduct). Therefore, the OIG will begin to track the names of supervisors with these types of concerns, and if a supervisor is identified as having generated multiple complaint face sheet inaccuracies/omissions (within a given year), the OIG will report on the individual supervisor for appropriate action by the Department. Because this area is a concern to the OIG, all complaint intake audits will be reviewed during our quarterly assessment of EES audits.

OTHER AREAS OF CONCERN

Possible Discouraging of the Initiation of a Complaint

Currently, the criteria EES uses to classify a complaint intake audit is based primarily on whether the audited Area generated a complaint face sheet (e.g., if the audited Area generates the complaint face sheet, the audit is classified as "Pass" and vice versa). However, this approach does not address occasions where the undercover officer encounters attempts by audited employees to discourage the filing of a complaint. Since the associated telephonic complaint intake audit audiotapes contain only the undercover officer's side of the conversation, it is difficult to tell whether the person on the other end is attempting to discourage the undercover officer from filing a complaint. A few complaint intake audits reviewed have statements made by the undercover officer that appear to indicate that the undercover officer had to exert a great amount of effort for the complaint to be generated.

Given that the audited employees side of the conversation is not tape-recorded, the OIG believes that EES investigators should positively indicate in their Final Report whether the audited employee attempted to discourage the filing of a complaint.¹

RECOMMENDATION NO. 1: EES should begin to positively indicate in its Final Report whether the audited employee attempted to discourage the filing of a complaint during a complaint intake audit.

Quality of Front-Desk Service

During the OIG’s evaluation of the 96 complaint intake audits (the majority of which were conducted via telephone), numerous instances were noted where the undercover officer experienced a significant delay and/or difficulty contacting the police stations to file a complaint (e.g., the phone would continuously ring for several minutes, the call would get disconnected, the undercover officer was placed on hold for a lengthy period of time, etc.). See the summary chart below that delineates audited Areas with noteworthy concerns.

Audited Entity	Number of Phone Calls Made	Phone Rang More than 1 Minute	Call was Disconnected	Caller on Hold More Than 3 Minutes
Operations - Central Bureau				
Hollenbeck	1			X
Operations - South Bureau				
77th Area	25 ²	X	X	
77Th Area	9	X	X	
Harbor Area	13			
Harbor Area	>1 ³			
Southeast Area	1			X
Southwest Area	4	X		
Southwest Area	5			X
Southwest Area	1			X
Operations - Valley Bureau				
North Hollywood Area	3		X	X
North Hollywood Area	2	X	X	
Van Nuys Area	3	X		
West Valley Area	4	X		X
West Valley Area	2		X	

¹ The complaint face sheet generated by the audited officers made no reference to the interview being taped-recorded.

² 77th Area uses an automated voice prompt answering system and it appears that this is causing a problem in which calls are not answered right away or the system transfers the caller to a busy line. At the beginning of April, the OIG attempted to call the Area and had similar difficulty getting its call answered.

³ According to the Final Report, the undercover officer made numerous call attempts but the line was busy for 20 minutes.

Audited Entity	Number of Phone Calls Made	Phone Rang More than 1 Minute	Call was Disconnected	Caller on Hold More Than 3 Minutes
Operations - West Bureau				
Hollywood Area	3	X		
Hollywood Area	2	X		X
Pacific Area	1			X
West Traffic Division	1			X
Wilshire Area	>1 ⁴		X	

Note: This table does not reflect the results of a Department-wide audit.

Although the OIG understands that there are numerous factors which could have caused these instances, the OIG will begin to consistently track and document these quality of service instances in its future reviews. If specific concerns are identified with the quality of service provided by Areas/Divisions, the OIG will also begin to report on this area in its future reviews.

The OIG also identified quality of service concerns, for example:

- The audited supervisor asked the undercover officer to call the supervisor back but the supervisor did not ask for the undercover officer’s telephone number.
- The undercover officer was placed on hold and transferred to someone else while the undercover officer was in the middle of explaining his allegation of misconduct.
- The audited supervisor appeared to get frustrated with the undercover officer and placed him on hold and told him another supervisor would take his complaint.

To ensure that Department employees are aware that these areas are now being evaluated as part of complaint intake audits, the Department should notify employees that additional assessments are now being performed.

CONCLUSION

Based on the findings presented in this report, the OIG will continue to assess all future “complaint intake” audits for accuracy and completeness of complaint face sheets. Additionally, the OIG will begin using complaint intake audits to assess quality of service concerns (e.g., the number of call attempts and length of time it takes to reach an Area/Division and whether the undercover officer was placed on hold for over three minutes). The OIG suggests the Department re-emphasize the importance of the accuracy and completeness of complaint face sheet information and providing quality service to the public.

⁴ Per the EES Final Report, the undercover officer was disconnected several times during the audit. The Commanding Officer of EES contacted the Wilshire Area Commanding Officer who stated that Wilshire was in the process of construction and renovation, which was the likely cause of the telephone issues.