

LOS ANGELES POLICE COMMISSION

***REVIEW OF AUDIT DIVISION'S
GANG ENFORCEMENT DETAIL
SELECTION CRITERIA AUDIT***



Conducted by

OFFICE OF THE INSPECTOR GENERAL

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Inspector General

September 29, 2005

TABLE OF CONTENTS

REVIEW OF AUDIT DIVISION'S GANG ENFORCEMENT DETAIL SELECTION CRITERIA AUDIT

		PAGE No.
<u>EXECUTIVE SUMMARY</u>		i
<u>PURPOSE</u>		1
<u>BACKGROUND ON AD'S AUDIT</u>		1
<u>BACKGROUND ON THE OIG'S AUDIT SECTION</u>		2
<u>PRIOR RECOMMENDATIONS</u>		2
<u>REVIEW METHODOLOGY</u>		2
<u>REVIEW RESULTS</u>		3
	COMPLETENESS	3
	Consent Decree Mandates Addressed	3
	Identification of a Complete Population	3
	Conclusion	4
	FINDINGS	4
	Support for Findings	4
	Presentation of Findings	4
	Conclusion	4
	QUALITY	5
	Audit Quality	5
	Report Quality	5
	Conclusion	5
	OTHER RELATED MATTERS	6
	Review of the Officers' Entire Categorical Use of Force History	6
	GED Extension	6

EXECUTIVE SUMMARY
Office of the Inspector General
Review of Audit Division’s Gang Enforcement Detail Selection Criteria Audit

OVERVIEW OF AUDIT DIVISION’S AUDIT

Audit Division conducted its second Gang Enforcement Detail (GED) Selection Criteria Audit (Audit) and assessed the Los Angeles Police Department’s (Department) compliance with Consent Decree paragraphs 106 (b, c, d), 107 (a, b, c) and 131(b). Those paragraphs along with Department policies and procedures address selecting officers into GEDs, limiting their tour assignment, and reevaluating GED officers when certain sustained complaints and/or adverse judicial findings are received during their tour of duty.

Audit Division selected a sample of officers assigned to GEDs and Community Law Enforcement and Recovery units during Deployment Period (DP) No. 3, 2005 (March 6th through April 2nd), evaluating 122 GED selection packages.¹ Three different samples were used to evaluate a total of six audit objectives. The samples were considered sufficient to make a statistically valid Department-wide Consent Decree compliance determination. Table No. 1 below summarizes the compliance percentages reported by Audit Division.

TABLE NO. 1 – COMPLIANCE PERCENTAGES REPORTED BY AUDIT DIVISION

Objective No.	Objective Description	CD ¶	Compliance Percentage
1	Minimum Eligibility Requirements – Non Supervisors	106b	96%
2	Minimum Eligibility Requirements – Supervisors	106c	100%
3	Limited Tour Assignments	106d	100%
4	Use of the Training Evaluation and Management System (TEAMS) and Consideration of Certain Sustained Complaints, Adverse Judicial Findings, or Discipline Received <u>Before</u> the Officer’s Selection	107a	100%
5	Evaluation of Selection Process	107b	60%
6	Consideration of Certain Sustained Complaints or Adverse Judicial Findings Received <u>During</u> the Officer’s GED Tour of Assignment	107c	N/A

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

¹ GED selection packages generally contain an officer’s Training Evaluation and Management System (TEAMS) report, a TEAMS Evaluation Report (TER), Performance Evaluation Reports and/or a Transfer Applicant Data Sheet.

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 two matters, not affecting compliance with the aforementioned Consent Decree paragraphs, were noted:

- Audit Division noted four selection packages for one Area that had the same detailed ten-sentence oral interview narrative written by the same lieutenant. Thus, the authenticity and accuracy of these narratives are questionable. Audit Division took corrective action by sending Intradepartmental Correspondence to the Area. Although Consent Decree paragraph 107b (evaluation of the GED selection process) does not specifically address the inappropriate use of canned language, the overall intent of the Consent Decree is that all written narratives are authentic (without inappropriate "canned" language) and accurate. Given the circumstances, the OIG believes this issue should have been disclosed in Audit Division's report.
- Per Department policy, effective July 2003, the maximum amount of time that an officer may be assigned to a GED is 65 DPs, which equates to five years. The OIG conducted a review of the GED roster as of August 29, 2005, to identify officers who worked in a GED beyond the 65 DP maximum. The OIG noted that four officers had worked beyond the aforementioned 65 DP maximum, ranging from three to four DPs. According to the GED roster, the Chief of Police recently approved a 13 DP extension for these four officers. If the officers serve their duty in its entirety, it would bring their total to 78 DPs, six years in the GED. The OIG sent Intradepartmental Correspondence to the Chief of Police requesting that he evaluate the deviation from Department policy and the current placement of these officers.

**OFFICE OF THE INSPECTOR GENERAL
REVIEW OF AUDIT DIVISION'S
GANG ENFORCEMENT DETAIL SELECTION CRITERIA AUDIT**

PURPOSE

Pursuant to Consent Decree Paragraph 135, the Office of Inspector General (OIG) reviewed Audit Division's Gang Enforcement Detail (GED) Selection Criteria Audit. The Audit was completed in the fourth quarter of Fiscal Year 2004/2005 and received by the OIG on June 29, 2005. The OIG assessed the Audit's completeness, findings and quality.

BACKGROUND ON AD'S AUDIT

Audit Division conducted its second Gang Enforcement Detail (GED) Selection Criteria Audit (Audit) and assessed the Los Angeles Police Department's (Department) compliance with Consent Decree paragraphs 106 (b, c, d), 107 (a, b, c) and 131(b). Those paragraphs along with Department policies and procedures address selecting officers into GEDs, limiting their tour assignment, and reevaluating GED officers when certain sustained complaints and/or adverse judicial findings are received during their tour of duty.

Audit Division selected a sample of officers assigned to GEDs and Community Law Enforcement and Recovery units during Deployment Period (DP) No. 3, 2005 (March 6th through April 2nd), evaluating 122 GED selection packages.¹ Three different samples were used to evaluate a total of six audit objectives. The samples were considered sufficient to make a statistically valid Department-wide Consent Decree compliance determination. Table No. 1 below summarizes the compliance percentages reported by Audit Division.

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5	Evaluation of Selection Process	107b	60%
6	Consideration of Certain Sustained Complaints or Adverse Judicial Findings Received <u>During</u> the Officer's GED Tour of Assignment	107c	N/A

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

¹ GED selection packages generally contain an officer's Training Evaluation and Management System (TEAMS) report, a TEAMS Evaluation Report (TER), Performance Evaluation Reports and/or a Transfer Applicant Data Sheet.

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 conducting or supervising any reviews of Audit Division audits that they actively participated on while assigned to Audit Division.²

PRIOR RECOMMENDATIONS

The OIG made two recommendations during its review of the previous GED Selection Criteria Audit.³ Civil Rights Integrity Division was contacted regarding the status of the two recommendations made by the OIG. The first recommendation pertains to developing an eligibility requirement for reserve officers who wish to be considered for GED assignments. This recommendation is in the initiation phase with the Planning and Research Division.

The OIG's second recommendation was to modify the current TEAMS Evaluation Report (TER) to include a check box, or other notation, to document a supervisor's inquiry to Use of Force Review Division (UFRD) regarding an officer's Categorical Use of Force (CUOF) history, as TEAMS II is not yet functional.⁴ This recommendation is considered implemented as the Chief of Police recently approved Special Order 25 and a revised TER, which addresses the OIG's concerns.

REVIEW METHODOLOGY

The OIG assessed the completeness, findings, and quality of Audit Division's GED Selection Criteria Audit by reviewing the final Audit Report, Audit Work Plan, and Microsoft Access Databases Audit Division used to analyze their findings, and supporting work papers.⁵

² As the PPA IV did not participate in this audit while assigned to Audit Division, he supervised the review. The AIG refrained from conducting and supervising this review as she participated in the development of the audit matrix while assigned to Audit Division. However, she did provide minor editing suggestions during the report review process.

³ Civil Rights Integrity Division is responsible for tracking the status of audit recommendations made by the Department and the OIG.

⁴ See *Other Related Matters* (page 6) for follow-up comments regarding this issue.

⁵ 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.

On September 22, 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 and supporting work papers to ensure Consent Decree mandates were addressed and that the Audit used complete populations.

Consent Decree Mandates Addressed

Per the Department's revised Annual Audit Plan - 2004/2005, the GED Selection Criteria Audit was scheduled for completion during the fourth quarter and was to assess Consent Decree paragraphs 106 (b, c, d) and 107 (a, b, c) while meeting the requirement of Consent Decree paragraph 131b. The OIG determined the Audit sufficiently assessed the Consent Decree mandates related to the GED selection process. Additionally, the Audit Report was completed in a timely manner, within one year of the last audit.

Identification of a Complete Population

Based on the OIG's review of Audit Division's sampling documentation, copies of the geographic Area timesheets, and a GED Roster obtained from Special Operations Support Division, it appears Audit Division properly identified the population and applied sound sampling methodologies.

Although it was not clearly specified in the Audit Report, Audit Division conducted a two-step process for identifying the Audit population for Objectives 1, 2, 4, and 5. The Audit population ultimately consisted of officers who were appointed to the GED and Community Law Enforcement and Recovery units from DP No. 4, April 4, 2004 through DP No. 3, April 2, 2005. This resulted in a population of 68 non-supervisors and 12 supervisors, from which Audit Division selected a random sample, stratified by geographic Area, of 50 non-supervisors and 12 supervisors.

The sampling techniques used for Objectives 3 and 6 were clearly defined in Audit Division's Audit Report.

Conclusion

Overall, the OIG determined the Audit addressed all applicable Consent Decree mandates, and based on a review of the GED roster provided by Special Operations Support Division and Audit Division's work papers, Audit Division identified a complete GED population.

FINDINGS

To assess the Audit's findings, the OIG reviewed Audit Division's supporting work papers to ensure the findings were adequately supported and reviewed the Audit Report to ensure the findings were properly presented.

Support for Findings

Based on the OIG's review of sampled GED selection packages, Audit Division's reported findings were supported. However, the OIG believes that Audit Division should have reported one applicable non-Consent Decree compliance finding in the *Other Related Matters* section of their Audit Report. Specifically, Audit Division noted four selection packages for one Area that had the same detailed ten-sentence oral interview narrative written by the same lieutenant. Thus, the authenticity and accuracy of these narratives are questionable. That being said, Audit Division did send Intradepartmental Correspondence to the Commanding Officer of the Area to take corrective action. Although Consent Decree paragraph 107b (evaluation of the GED selection process) does not specifically address the inappropriate use of canned language, the overall intent of the Consent Decree is that all written narratives are authentic (without inappropriate "canned" language) and accurate.

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

Overall, the OIG determined 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 and completeness, and authenticity surrounding the GED selection process.

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), used a fair and unbiased tone, and was found to be convincing, clear, and concise.

Conclusion

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

(THIS SECTION WAS INTENTIONALLY LEFT BLANK)

OTHER RELATED MATTERS

Review of the Officers' Entire Categorical Use of Force History

The current version (1.5) of the TEAMS only provides CUOF information relating to Officer Involved Shootings. Other CUOF types are not included in the TEAMS report.⁶ Until TEAMS II is implemented, the UFRD must be contacted to obtain this information.

During the OIG's review it was noted that nine of the 66 GED officers sampled by the OIG had a CUOF history that involved force other than an Officer Involved Shooting. For three of these nine packages, the OIG noted that there was no evidence that the GED officer's entire CUOF history was taken into consideration when evaluating the employee's eligibility for GED.

The Independent Monitor commented on the TEAMS CUOF completeness issue during its assessment of Audit Division's previous Audit. At that time, the Independent Monitor recommended Audit Division review sampled officers' entire CUOF history as part of its future audits. In its current Audit, Audit Division did not attempt to obtain the sampled GED officers' entire CUOF history, indicating that a sustained complaint would be on an officer's TEAMS report if the force was deemed excessive.

With the implementation of TEAMS II this matter will not be an issue, since the entire CUOF history will be contained in officers' TEAMS reports. However, as TEAMS II is currently not fully operational, the OIG is pleased to note that the Chief of Police has recently approved Special Order 25 requiring the evaluating supervisors to contact the UFRD to obtain the officers' entire CUOF history.

GED Extension

Per Department policy, effective July 2003, the maximum amount of time that an officer may be assigned to a GED is 65 DPs, which equates to five years. Specifically, Department policy states that, *"Officers and supervisors are limited to 39 deployment periods in a GED assignment. An extension of up to three deployment periods in a GED may be granted upon written approval from the bureau commanding officer. The Chief of Police will consider extensions of up to 26 additional deployment periods."*

The OIG conducted a review of the GED roster as of August 29, 2005, to identify officers who worked in a GED beyond the 65 DP maximum. The OIG noted that four officers had worked beyond the aforementioned 65 DP maximum, ranging from three to four DPs.⁷ According to the GED roster, the Chief of Police recently approved a 13 DP extension for these four officers. If the officers serve their duty in its entirety, it would bring their total to 78 DPs, six years in the

⁶ Law Enforcement Related Injuries requiring hospitalization, Law Enforcement Related Deaths, In-Custody Deaths, upper body control holds, and head-strikes with an impact weapon and are not included in TEAMS (1.5).

⁷ At the time of Audit Division's Audit, these four officers had not yet reached the 65 DP maximum, so this matter was not yet an issue.

GED. Although this finding does not affect Consent Decree compliance, as that agreement became effective in June 2001, it is a deviation from Department policy.⁸

Action Taken:

1. Correspondence was sent to the Chief of Police requesting that this deviation from Department policy be evaluated along with the current placement of the officers.

⁸ Consent Decree paragraph 106(d) states that "any longer extensions (beyond 42 DPs) shall be permitted upon written approval of the Chief of Police."