

LOS ANGELES POLICE COMMISSION

REVIEW OF THE DEPARTMENT'S GANG ENFORCEMENT DETAIL WORK PRODUCT ASSESSMENT SUMMARY



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

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**OFFICE OF THE INSPECTOR GENERAL
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GANG ENFORCEMENT DETAIL WORK PRODUCT ASSESSMENT SUMMARY**

PURPOSE

The Office of the Inspector General (OIG), pursuant to Consent Decree Paragraph 135, reviewed the Department's Gang Enforcement Detail (GED) Work Product Assessment Summary (Summary), which was prepared by Audit Division and completed during the first quarter of Fiscal Year (FY) 2008/2009. The Summary was received by the OIG on October 1, 2008; and the OIG reviewed the Summary's quality, completeness and findings.

BACKGROUND ON AUDIT DIVISION'S SUMMARY

In Fiscal Year 2008/2009, Audit Division conducted its fourth Summary to adhere to the mandates of Consent Decree Paragraph (¶) 131 (a, f and g).¹ In prior years, Audit Division, the Independent Monitor, and the OIG recognized that Audit Division needed to enhance its methodology to measure compliance with the Consent Decree. For this current Summary, Audit Division compiled in a database the GED-related findings from the seven Consent Decree (¶128 and ¶129) audits completed FY 2007/2008² and 20 most recently completed Area GED Command Accountability Performance Audits (CAPAs). Audit Division concluded that none of the GED officers in the database evidenced a pattern of at-risk practices, based solely on the findings in the database.

In an Area GED CAPA, certain work product generated by an entire Area GED for one deployment period (DP) is audited for compliance with Department policies/procedures and the Consent Decree, thereby providing a detailed evaluation of Area GEDs. In the Area GED CAPAs, Audit Division evaluates Arrest Report packages, Non-Categorical Use of Force investigations, Search Warrant packages, Detention Logs, Daily Field Activities Reports, Supervisor Daily Reports, and Annual Performance Evaluations. Audit Division believes, and the OIG concurs, that the Area GED CAPAs provide an in-depth assessment of overall efforts by GEDs to adhere to the Consent Decree. Furthermore, these audits provide an opportunity to identify at-risk patterns or practices that could develop at an Area GED.

Greater detail on Audit Division's methodology and findings can be found in their GED WP Assessment Summary for Fiscal Year 2008/2009, dated September 29, 2008.

¹ Consent Decree ¶131 (a, f, and g) states, "The LAPD shall conduct regular periodic audits of the work product of all LAPD [gang] units... (a) auditing a random sample of the work of the unit as a whole and further auditing the work of any individual officers whose work product the auditor has observed contains indicia of untruthfulness, other forms of misconduct, or otherwise merits further review; (f) reviewing the incidents requiring supervisory review..., assessing the supervisor's response, and examining the relationships of particular officers working together or under particular supervisors in such incidents to determine whether additional investigation is needed to identify at-risk practices; and (g) the audit shall draw conclusions regarding the adherence of the unit to the law, LAPD policies and procedures, and this Agreement, and shall recommend a course of action to correct any deficiencies found."

² Arrest, Booking, and Charging Reports Audit; Confidential Informant Control Package Audit; Categorical Use of Force Systems Audit; Non-Categorical Use of Force Reports Audit; Warrant Applications and Supporting Affidavits Audit; and Complaint Investigations Phase I and II Audits.

REVIEW METHODOLOGY

The OIG verified the quantities of non-compliant instances reported in the Summary to the seven Consent Decree (§128 and §129) audits completed FY 2007/2008 and 20 most recently completed Area GED CAPAs. The Area GED CAPAs are not specifically required by the Consent Decree, and generally, the OIG does not review the quality of these audits. However, to assess the quality, completeness and findings of the Summary, the OIG elected to judgmentally select the Harbor, Southwest, Southeast, Rampart and Van Nuys Area GED CAPAs to conduct a limited review of Audit Division's work papers.³ Additionally, the OIG performed an at-risk pattern assessment for the same 12 GED sworn officers assessed by Audit Division, as well as for an additional 13 GED sworn officers with findings in Audit Division's database.

The OIG conducted an audit closing meeting with Audit Division to discuss the results of this review, and Audit Division management indicated general agreement with the findings presented in this report.

REVIEW RESULTS

The primary objective of the Summary was to attempt to identify possible patterns of at-risk practices among GED officers and supervisors, based solely on the findings in the assessment database, and the OIG believes that the Summary satisfied those requirements. The OIG, based on its independent evaluation and methodology, which included an examination of officer Training, Evaluation and Management System (TEAMS) II records, also concluded that there were no patterns of at-risk practices, except for one GED officer already being monitored by the Risk Management Executive Committee (RMEC).

The OIG commends Audit Division for their commitment and effort to develop a better methodology from the previous Summary. Furthermore, Audit Division did a commendable job compiling the findings from the seven Consent Decree (§128 and §129) audits and 20 Area GED CAPAs into a database. Based on the OIG's limited review of the selected CAPAs, it appears that the Area GED CAPAs were performed in a quality manner. The OIG would have preferred that the Summary include compliance results by audit objective for each of the 20 Area GED CAPAs as was done last year; however, Audit Division advised that an Area GED CAPA compliance summary of results report will be issued by March 2009.

At-Risk Pattern Assessment of GED Officers and Supervisors

For the Summary's Objective No. 1 (Patterns and/or At-Risk Practices), Audit Division identified a total of five recurrences⁴ involving 12 sworn officers with findings in the medium-risk/high-risk categories. Audit Division concluded that none of the 12 officers evidenced a pattern of at-risk practices, based solely on the findings in the database. However, the OIG would have preferred that Audit Division document for each of the 12 officers how it arrived at

³ The OIG reviewed for the five CAPAs the compiled findings of the Arrest Report packages and all Search Warrants packages audited by Audit Division.

⁴ "Recurrence" is defined as a non-compliant instance within the medium-risk/high-risk ratings.

this conclusion, and that Audit Division also examine the TEAMS II records for these 12 officers. The OIG therefore performed its own at-risk pattern assessment of these same 12 officers by examining their TEAMS II records, and related threshold-activated action items; and the OIG also concluded that there were no patterns of at-risk practices.

Furthermore, the OIG expanded the scope utilized by Audit Division and performed a supplemental analysis of all 323 officers in the database with six or more findings in all risk categories. From this analysis, the OIG identified and performed an at-risk pattern assessment of an additional 13 officers, and concluded that one of 13 officers had a potential pattern of at-risk practices. Further research revealed that this officer was already being monitored by RMEC.

Reported Quantity of Non-Compliant Instances

Audit Division reported in the Summary (Page No. 3 and Addendum No. 2) that its database of audit findings used for the pattern assessment included 919 non-compliant instances for 323 GED officers and supervisors. However, the OIG noted that 616 of the non-compliant instances were attributed to low-risk, supervisory administrative issues in which the supervisors' and officers' serial numbers were not included in the database. Therefore, the OIG determined there were 303 (919-616) non-compliant instances used for the assessment, not the 919 reported.

Expansion of Scope for Bureau Gang Coordinator (BGC) Inspections

The Consent Decree ¶106 (h) requires BGCs to monitor and assess the operation of all gang units within their respective Bureaus, and inspect at least one Area GED unit each month. Audit Division briefly reviewed 11 BGC Inspections issued from November 2007 through June 2008. This review included BGC Inspection Nos. 5, 6, 7, 8, 9, 10 and 11 for 2007, and Nos. 1, 2, 3 and 4 for 2008. According to Audit Division, the BGC Inspections reviewed for this summary used the sampling and testing methodologies recommended by Audit Division. Furthermore, Audit Division stated in the Summary's Conclusion (page No. 7) that it uses the BGC Inspections to identify risk areas that warrant auditing, and also reported that "the BGC Inspections continue to be used as a management tool for supervision, monitoring, and improvement of GED operations."

Audit Division advised that they did not include the findings from the BGC Inspections in the database used for this GED work product pattern assessment because they did not perform meta-audits of the inspections to verify/validate the findings. Nevertheless, the OIG would have preferred that Audit Division include in the database the findings from the 2007 BGC Inspection Nos. 5 - Arrest Reports/Booking Approvals, 6 - Evidence Seizures and Property Reports, 7 - Detention Logs, 8 - Evaluation of Arrests for Interfering, and 9 - Evaluation for Canned Language.⁵

⁵ The 2008 BGC Inspections covered Search Warrant packages (Nos. 1 and 2) and Annual Performance Evaluations (Nos. 3 and 4), so the related findings are not as relevant for identifying officers with patterns of at-risk practices.

Area GED CAPA Work Product Deployment Periods

Audit Division did not delineate in its Summary (Addendum Nos. 1 and 2) that four GED CAPAs contained findings in the database from work product more than two years old (i.e., work product from DP Nos. 8-2004 for Newton, 1-2006 for Central, 13-2004 for Operations - South Bureau, and 10-2005 for Devonshire.) However, the OIG is aware and agrees that the CAPA used for each Area was the most current one available. See table below for details.

CAPAs - Sorted Chronologically by Test DP within each Bureau

Bureau	Area	Test DP	Report Issuance Month
Central	Newton	8-2004 (7/25/04 – 8/21/04)	March 2005
	Central	1-2006 (1/8/06 – 2/4/06)	September 2006
	Hollenbeck	5-2007 (4/29/07 – 5/26/07)	January 2008
	Northeast	9-2007 (8/19/07 – 9/15/07)	February 2008
	Rampart	13-2008 (12/9/08 – 1/5/08)	June 2008
South	Operations - South Bureau ⁶	13-2004 (12/12/04 – 1/8/05)	September 2005
	77 th Street	11-2006 (10/15/06 – 11/11/06)	June 2007
	Southeast	1-2007 (1/7/07 – 2/3/07)	November 2007
	Harbor	5-2007 (4/29/07 – 5/26/07)	January 2008
	Southwest	13-2007 (12/9/07 – 1/5/08)	June 2008
Valley	Devonshire	10-2005 (9/18/05 – 10/15/05)	January 2006
	Foothill	1-2007 (1/7/07 – 2/3/07)	July 2007
	North Hollywood	1-2007 (1/7/07 - 2/3/07)	August 2007
	Mission	9-2007 (8/19/07 - 9/15/07)	February 2008
	West Valley	9-2007 (8/19/07 – 9/15/07)	February 2008
	Van Nuys	3-2008 (3/2/08 – 3/29/08)	August 2008
West	Pacific	11-2006 (10/15/06 – 11/11/06)	June 2007
	Hollywood	3-2008 (3/2/08 – 3/29/08)	August 2008
	West Los Angeles	3-2008 (3/2/08 – 3/29/08)	August 2008
	Wilshire	13-2007 (12/9/07 – 1/15/08)	June 2008

CONCLUSION

The OIG commends Audit Division for their commitment and effort to enhance its methodology to measure compliance with Consent Decree ¶131 (a, f, and g). Furthermore, Audit Division did a commendable job compiling the findings from the seven Consent Decree (¶128 and ¶129) audits and 20 Area GED CAPAs into a database. Although the OIG did identify some issues with the Summary's methodology and presentation, overall, it was performed in a complete and quality manner, and the findings were supported. The OIG, based on its independent evaluation and methodology, which included an examination of officer TEAMS II records, also concluded that there were no patterns of at-risk practices, except for one GED officer already being monitored by RMEC.

⁶ Operations - South Bureau is unique in that it is the only LAPD Bureau that has a Bureau-wide GED unit to complement the Area GED units, so there was a separate GED CAPA for Operations - South Bureau.