

LOS ANGELES POLICE COMMISSION

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



Conducted by

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 Los Angeles Police Department's (Department) Gang Enforcement Detail (GED) Work Product (WP) Assessment Summary. The Assessment Summary was prepared by Audit Division, completed during the first quarter of Fiscal Year 2007/2008, and received by the OIG on October 1, 2007. The OIG reviewed the Assessment Summary's quality, completeness and findings.

BACKGROUND ON AUDIT DIVISION'S ASSESSMENT SUMMARY

In Fiscal Year 2006/2007, Audit Division conducted its third GED WP Assessment Summary to adhere to the mandates of Consent Decree Paragraph 131 (a, f and g).¹ However, at that time, 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 GED WP Assessment Summary, Audit Division determined that they would compile and report summarized findings of completed Area GED Command Accountability Performance Audits (CAPAs) to address Consent Decree Paragraph 131 (a, f, and g), as the CAPAs evaluate work product of each Area GED unit as a whole.² That is, in an Area GED CAPA, certain work product generated by, or for, an entire GED for one deployment period 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 agrees, that the Area GED CAPAs provide an in-depth assessment of overall efforts by GEDs to adhere to the Consent Decree and these audits provide a better opportunity to identify "at-risk" patterns or practices that could develop at an Area GED.

As of September 2007, Audit Division had completed 25 Area GED CAPAs and all 20 Area GEDs were assessed at least once by a CAPA. Utilizing the results from the 20 most recently completed GED CAPAs from each Area, Audit Division was able to prepare the GED WP Assessment Summary on a Department-wide basis.

¹ Consent Decree Paragraph 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 This GED WP Assessment Summary generally compiled the results of the 20 CAPAs, and it performed limited additional analysis and testing.

Greater detail on Audit Division's methodology and findings can be found in their GED WP Assessment Summary for Fiscal Year 2007/2008.

REVIEW METHODOLOGY

The OIG reviewed the numerical accuracy and completeness of the compilation results, by comparing the numbers in the GED WP Assessment Summary to the 20 related Area GED CAPA reports. 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 GED WP Assessment Summary, the OIG elected to judgmentally select the 77th Street Area and Southeast Area CAPAs to conduct a more detailed review of Audit Division's work papers.³

The OIG provided Audit Division the results of this review and Audit Division management indicated general agreement with the findings presented in this report.⁴

REVIEW RESULTS

The Assessment Summary provided an informative overview and a comparison of GEDs Department-wide that demonstrated the Department's efforts to adhere to the Consent Decree, various laws, and policies and procedures. The OIG applauds Audit Division for their commitment and effort to develop a better methodology from the previous GED WP Assessment Summary. Additionally, Department management appears to be finding Audit Division's reports very useful to address areas of concern within their commands. Based on the OIG's limited testing of both the 77th Street Area and Southeast Area CAPAs, it appears that the Area GED CAPAs were performed in a quality manner. Furthermore, Audit Division did a commendable job compiling the findings from the 20 Area GED CAPAs into a manageable summary. However, during the OIG's review of the GED WP Assessment Summary, there were a few areas identified that warranted comment, as follows:

Expansion of Scope for Area GED CAPAs

The GED CAPAs typically evaluate the work product produced by, or for, a GED unit during one deployment period (i.e., a 28-day period). During any given deployment period, GED personnel may not serve a search warrant or be involved in a non-categorical use of force incident; so there would not be any related work product to audit. Based on the OIG's review of the 20 Area GED CAPA reports, 11 CAPAs did not evaluate search warrant packages and eight CAPAs did not evaluate non-categorical use of force investigations (see the Table on Page No. 4 for additional details). Based on discussions with Audit Division, in future CAPAs, they are open to expanding the scope (e.g., the audit time period) where necessary in an

³ In total for these two CAPAs, the OIG reviewed 26 of the 143 arrest report packages and all 5 search warrants packages audited by Audit Division. These OIG sample sizes were calculated based on a 95 percent confidence level (one tail), an expected error rate of six percent, and a plus-precision of seven percent.

⁴ The issuance of this report was extended from December 31st to enable the OIG to perform a detailed review of the work product of the two aforementioned GED CAPAs, 77th Street Area and Southeast Area.

attempt to evaluate these types of work product for each Area GED. In the past, Audit Division focused on evaluating the entire work product produced during one deployment period; but as the Area GED CAPAs are now being used to assess overall GED compliance with the Consent Decree, Audit Division will attempt to expand their audit period when necessary.

Figures Presented in the GED WP Assessment Summary

There were a few errors in figures presented within Assessment Summary report. Specifically, in the Executive Summary Table (Page No. 2), for Objective No. 5 (Evaluation of the Criminal Complaint Process), the figure in the summary table did not include testwork results for Sub-Objectives 5(b) and 5(c) (Evaluations of Supervisory Releases from Custody and Evaluations of Supervisory Bypass). Although the information was contained in the narrative of the GED WP Assessment Summary, the results were not included in the Table's figures. As such, Audit Division reported that 95 percent of the work product met the standards of their CAPAs, but this figure should have been reported as 87 percent.⁵

Additionally, during the OIG's review of the Hollywood Area GED CAPA report, Audit Division reported that 100 percent of the Daily Field Activities Reports (DFARs) reviewed had evidence of supervisory review; but there was a footnote disclosing that 33 of the 55 DFARs were not hand-signed by a supervisor, instead, a signature stamp was used. The OIG believes that this information should have been disclosed in the GED WP Assessment Summary Report, as the use of a signature stamp calls into question whether the supervisor actually performed the required review.

Time Period of the Work Product that the Area GED CAPA Evaluated

Based on the OIG's review of the 20 Area GED CAPA reports, some of the data utilized to compile the GED WP Assessment Summary was not current (see the Table on Page No. 4). Specifically, six CAPAs evaluated GED work product in 2004, six CAPAs evaluated GED work product in 2005, and eight CAPAs evaluated GED work product in 2006 or 2007. As the Area GED CAPAs that evaluated work product from 2004, 2005, and the early part of 2006 may be considered "stale" (e.g., there could have been enhancements in controls/supervision subsequent to the CAPA), the GED WP Assessment Summary should have delineated when the CAPAs were performed. Based on discussions with Audit Division, all Area GED CAPA results were presented for comparative purposes, but they also agreed that their Summary should have delineated the time period of the work product that each Area GED CAPA evaluated. Audit Division indicated that future GED WP Assessment Summaries would delineate this information.

⁵ Audit Division reported that the total number of work product reviewed was 118, but this figure should have been reported as 150. Likewise, Audit Division reported that the total number that met the standards was 112, but this figure should have been reported as 130. This same Table also had addition errors resulting in incorrect figures presented in the "total" row.

TABLE**SUMMARY OF WORK PRODUCT EVALUATED AND RELATED TIME PERIODS IN GED CAPAS**

Bureau	Area	# of Arrest Report Packages Evaluated	# of Search Warrant Packages Evaluated	# of Non-Categorical Use of Force Report and Investigation Packages Evaluated	Start of the Deployment Period Audited
Central	Central	25	0	1	January 2006
	Rampart	54	0	1	May 2005
	Hollenbeck	39	0	0	May 2006
	Northeast	36	0	2	December 2004
	Newton	31	2	0	July 2004
	Subtotal	185	2	4	
South	Southwest	68	4	2	May 2005
	Harbor	44	0	1	September 2005
	77 th Street	78	0	2	October 2006
	Southeast	65	8	3	January 2007
	Operations - South Bureau ⁶	23	0	0	December 2004
	Subtotal	278	12	8	
Valley	Van Nuys	26	0	3	December 2004
	West Valley	17	0	1	May 2005
	North Hollywood	24	2	0	January 2007
	Foothill	20	0	0	January 2007
	Devonshire	10	0	0	September 2005
	Mission	31	1	1	May 2006
	Subtotal	128	3	5	
West	Hollywood	24	1	0	March 2005
	Wilshire	26	2	1	July 2004
	West Los Angeles	11	1	0	December 2004
	Pacific	36	1	1	October 2006
	Subtotal	97	5	2	
	TOTALS	688	22	19	

Documentation of Pattern Assessments

For the GED WP Assessment Summary, Objective No. 1 (Patterns and/or At-Risk Practices), Audit Division identified a total of eight officers for which auditors conducted additional analysis to identify possible at-risk practices. In each case, Audit Division determined there were no indicators of “at-risk practices” but they did not maintain formal documentation that supported the rationale for their conclusion. Yet, it is important to note that the OIG also reviewed the work history of these officers and agreed that there were no indicators of “at-risk practices.”

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.

ADDITIONAL MATTERS

Discussions on the Methodology for the Next GED WP Assessment Summary

On February 20, 2008, representatives from Audit Division, the Independent Monitor and the OIG met to discuss enhancements to the methodology used during Area GED CAPAs and the GED WP Assessment Summary. Audit Division was open to the suggestions presented and is currently researching the feasibility of updating their methodology. This dialogue between all three parties is scheduled to continue in the near future.

CONCLUSION

The OIG applauds Audit Division for their commitment and effort to enhance its methodology to measure compliance with Consent Decree Paragraph 131 (a, f, and g). The Summary provided an informative overview and a comparison of GEDs Department-wide that demonstrated the Department's efforts to adhere to the Consent Decree, various laws, and policies and procedures. Additionally, Department management appears to be finding Audit Division's reports very useful to address areas of concern within their commands. Based on the OIG's limited testing of both the 77th Street Area and Southeast Area CAPAs, it appears that the Area GED CAPAs were performed in a quality manner. Furthermore, Audit Division did a commendable job compiling the findings from the 20 Area GED CAPAs into a manageable summary. Although the OIG did identify some issues with the Assessment Summary's compilation and presentation, overall, it was performed in a complete and quality manner and the findings were supported.