

LOS ANGELES POLICE COMMISSION

*Review of the
Non-Categorical Use of Force
Reports Interim Audit
Second Quarter
Fiscal Year 2004/2005*



Conducted by

OFFICE OF THE INSPECTOR GENERAL

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EXECUTIVE SUMMARY OF NON-CATEGORICAL USE OF FORCE INVESTIGATIONS INTERIM AUDIT REPORT (AD NO. C04-012.1)

I. **BACKGROUND**

The Consent Decree (CD) requires that the Los Angeles Police Department (Department) audit investigations of Non-Categorical Uses of Force (NCUOF) incidents. The Department identified the need to revise policy and procedure for reporting and investigating NCUOF incidents due to significant findings identified in prior audits of NCUOF incidents. As a result, Special Order No. 13, *Non-Categorical Use of Force Reporting – Revised* was issued on May 26, 2004. Prior to the issuance of Special Order No. 13, the Department provided mandatory training to all supervisors and management regarding the revised reporting procedures for non-categorical uses of force.

Audit Division evaluated NCUOF reports that were completed in the first deployment period (DP 6, 2004), after the issuance of the Special Order. Audit Division provided its findings in the *Non-Categorical Use of Force Reports Interim Audit* in efforts to provide the Department with meaningful feedback as rapidly as possible on compliance with the revised procedures. The Interim Report was not intended to meet the audit requirements of the CD.

II. **OVERVIEW OF THE DEPARTMENT'S AUDIT**

Audit Division's Conclusions

Audit Division found a high incidence of errors in areas of reporting as required by the revised procedure. For example, the Investigating Officer (I/O) or the Watch Commander did not check boxes that they had reviewed all related reports, or the Commanding Officer did not check that he/she reviewed the officer's use of force history. Audit Division further identified significant errors that were not addressed as part of the Post-Incident Supervisory Review involving inconsistent statements regarding the circumstances surrounding the force used. Since Special Order No. 13 developed policy for I/Os to document discrepant statements and to further explore vantage points, canvass for evidence and witnesses, and to interview involved and witnessing parties, these discrepancies should be remedied through additional training.

Based on Audit Division's findings, they made four (4) recommendations and reported three (3) actions taken. The recommendations include a re-emphasis on training to supervisors and management of their responsibility to identify and reconcile, when appropriate, significant inconsistent statements as required by revised policy and procedure.

III. OIG's METHODOLOGY/FINDINGS

Methodology

Because the Interim Audit Report was not submitted to comply with the mandates of the CD, but merely to provide feedback to the Department on compliance with the revised procedures for investigating NCUOF incidents, and due to OIG staffing resources, the OIG's review consisted of an analysis of Audit Division's Interim Report and Special Order No. 13, 2004. No working documents, matrices, or NCUOF investigations were reviewed.

The OIG is submitting its findings with the intent to provide the Board of Police Commissioners (BOPC) with information necessary to facilitate management decisions and to further enhance the public accountability of the Department.

OIG's Findings

The OIG commends Audit Division's proactive efforts, which resulted in the identification of significant errors that have hampered the Department's efforts to comply with the mandates of the CD relating to the investigation of NCUOF incidents. The early identification of these errors will provide for immediate corrective action to ensure future compliance with the CD.

The OIG notes that the findings related to supervisory oversight of the incident and evaluation of post-incident supervisory reviews continue to be at issue despite continuous training. The OIG believes that the Department should consider evaluating the training module for investigating NCUOF incidents to determine if it is sufficiently designed in a manner that will ensure the intended and desired results, considering that this issue exists Department-wide.

V. POST AUDIT MEETING

Audit Division was provided with the OIG's findings and concurs with the OIG's report.