

LOS ANGELES POLICE COMMISSION

**REVIEW OF
THE DEPARTMENT'S ARREST,
BOOKING, AND CHARGING
AUDIT REPORT
FIRST QUARTER
FISCAL YEAR 2004/2005**



Conducted by

OFFICE OF THE INSPECTOR GENERAL

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January 13, 2005

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REVIEW OF THE DEPARTMENT'S ARREST, BOOKING, AND CHARGING REPORTS AUDIT FIRST QUARTER - FISCAL YEAR 2004/2005

I. BACKGROUND

Consent Decree (CD) paragraph (¶) 128 mandates the Los Angeles Police Department (LAPD or Department) to conduct a regular and periodic audit of a stratified random sample of arrest, booking, and charging reports. The audit shall entail a review for completeness of the information contained and an authenticity review to include an examination for "canned" language, inconsistent information, lack of articulation of the legal bases for the applicable action or other indicia that the information in the document is not authentic or correct. The review shall also assess the information in the related documents to determine whether the underlying action was appropriate, legal, and in conformance with Department procedures. To the extent possible, the review shall also evaluate the supervisory oversight of the applicable incident and any post-incident review.

The audit was conducted by Audit Division pursuant to the Department's Annual Audit Plan, First Quarter, Fiscal Year 2004/2005. This is the fifth Consent Decree-related audit of arrest packages.

II. PURPOSE

Consent Decree ¶135 requires the Office of the Inspector General (OIG) to evaluate audits conducted by the Department for quality, completeness, and findings. Consent Decree ¶135 also requires the Department to provide the OIG with a copy of the audit within one week of completion. The audit report was signed by the Chief of Police on October 8, 2004. A copy was received by the OIG on October 13, 2004, within the one-week time period specified in ¶135.

III. PRIOR AUDITS

The Department has completed four prior audits of Arrest, Booking, and Charging Reports. The OIG's review of the last audit, which was completed by Audit Division on May 26, 2004, recommended the following.

- The OIG recommends that whenever an audit deviates from its original Audit Work Plan (AWP), rather than to alter the original AWP, Audit Division and the OIG should complete an after action report subsequent to any audit to note any deviations from the original AWP. This would allow the original document to remain intact and still provide reviewing authorities the reasons for changes to the AWP.

The Department responded to the OIG's recommendation with the following.

- *Audit Division disagrees with the recommendation to complete a separate after action report, as it would not be consistent with Professional Governmental Auditing Industry Standards. However, the OIG is correct in that the changes to the AWP should have been documented in the AWP. Future changes to the AWP will be documented in the original audit report to memorialize any deviations made during the audit process.*

The OIG concurs with Audit Division's alternative action to address this recommendation.

IV. OVERVIEW OF THE DEPARTMENT AUDIT

The Department's audit measured compliance with seven Consent Decree-driven objectives. Four objectives were derived from CD ¶128, and three from CD ¶¶ 70, 106, and 131.¹ The findings for Objective Nos. 5, 6, and 7, were reported under Objectives Nos. 1, 2, 3, and 4. The table below provides the audit objective, definition, and measure.

Objective	Definition/Measure
No. 1 - <i>Completeness</i> CD ¶128	The inclusion of the necessary documents in the arrest package for a basic review of arrest, booking, and charging reports.
No. 2 - <i>Authenticity</i> CD ¶128	A basic description of the actions amounting to a unique and lawful arrest. Review of arrest packages for inappropriate "canned" language, inconsistent information, articulation of legal basis, and other indicia that the information in the document is not authentic or correct.
No. 3 - <i>Underlying Action is Appropriate and in Conformance with Department Procedure</i> CD ¶128	Compliance with Department policy and procedure relative to searches, <u>Miranda</u> admonition and documentation of the arrestee's responses, reporting and booking of evidence, use of informants, and documentation of a use of force incident.

¹ Audit Division did not assess compliance with Consent Decree ¶¶70c, 131b, 131d, 131e, 131g, and 106 a, b, c, d, f, g and h. Furthermore, Audit Division only partially addressed compliance with 106e. The rationale provided is that these paragraphs are being assessed by separate audits. Paragraph 70c is undergoing a meet and confer discussion between the Police Protective League and the Department.

Objective	Definition/Measure
<p>No. 4 - <i>Evaluation of Supervisory Oversight of the Incident and Post-Incident Review</i> CD ¶128</p>	<p>Supervisory oversight of the incident focused on the appropriate use of observation posts, the execution of search warrants, and supervisory involvement in an arrest. Post-incident review was based on an evaluation of the arrest reports where the reviewing supervisor reasonably should have identified significant issues pertaining to the arrest, booking, and charging of the arrestee.</p>
<p>No. 5 - <i>Search and Arrest Procedures</i> CD ¶70</p>	<p>Evaluation of arrest packages to determine if a watch commander reviewed and approved the arrest package for appropriateness, legality, and conformance with Department policy and procedure. Evaluation of incidents in which a person is charged with interfering with a police officer (California Penal Code § 148, resisting arrest, or assault on an office) to determine if any issue or concerns regarding training, policy, or tactics were identified.</p>
<p>No. 6 - <i>Management of Gang Units</i> CD ¶106</p>	<p>Evaluation of Gang Enforcement Detail (GED) arrest packages to determine whether arresting officers were in compliance with established Department policy and procedure relative to GED officers (e.g., full uniform). Evaluation to ensure that off-site locations for holding arrestees or conducting interviews were not utilized by GED officers.</p>
<p>No. 7 - <i>Gang Enforcement Detail Requiring Supervisory Review</i> CD ¶131</p>	<p>Evaluation of GED incidents requiring supervisory review.</p>

The time period selected by Audit Division was all arrests made during April 1, 2004, through May 31, 2004. A total of 26, 752 Department-wide arrests during this two-month period was identified. Audit Division randomly selected 144 arrest packages for their review. Additionally, a second sample of 116 GED arrest packages was randomly selected from a total of 2,414² arrests made by GED officers. As a result, Audit Division reviewed a total of 260 arrest packages for this audit and appropriately classified the findings for each objective under Department-wide compliance or GED compliance.

² Audit Division's report documented a total of 2,569 arrests made by GED officers. This figure is incorrect and was due to a typographical error. Of note, this total included 155 arrests made by Narcotics Division Gang Impact Team (GIT) officers, which were deselected because the officers assigned to Narcotics Division GIT focus on narcotics and not gang enforcement.

V. METHODOLOGY

To assess the quality, completeness, and findings of the audit conducted by Audit Division, a copy of the audit matrix, crib sheet, audit work plan and audit report were obtained and evaluated to ensure the audit addressed all relevant areas of concern with regard to arrest, booking, and charging procedures. To verify the accuracy of the populations used by Audit Division, the OIG requested data from ITD using the same parameters established by Audit Division and conducted a comparison. The OIG reviewed a random sample of 51 arrest packages based on a one-tail test with a 95% confidence level and an error rate of plus or minus 7%; 26 arrest packages were selected from the Department-wide sample and 25 from the GED sample.³ To test Audit Division's findings, the OIG utilized Audit Division's matrix and crib sheet and conducted a two-level review of the randomly selected arrest packages. Any variance of matrix answers between Audit Division and the OIG was discussed with Audit Division during a post-audit meeting. An analysis was also conducted to ensure anomalies identified by both the OIG and Audit Division was included in the report.

VI. CONCLUSION

The OIG found the quality, completeness and findings of Audit Division's report to be sufficient. The following provides the OIG's conclusion as it relates to the quality, completeness, and findings of Audit Division's audit report.

Quality

For the purposes of this audit, quality will be defined as an audit that is complete and contain evidence needed to satisfy the audit objectives. The evidence presented must be sufficient and the findings must be correctly portrayed. The findings must be adequately supported by the audit documentation, which support the conclusions and recommendations made. Furthermore, areas that have the highest potential for adverse consequences should be evaluated. The audit should provide the Department with the information necessary to facilitate management decisions and enhance the public accountability of the organization.

Based on a review of supporting documents and the audit report, the OIG found that Audit Division constructed a well-designed audit work plan and matrix.⁴ The audit objectives sufficiently addressed the mandates of the Consent Decree and Department

³ This population was selected with the aid of the Independent Monitor who provided the OIG with a list of arrest packages to be reviewed. If an arrest package was selected from a multi-arrest, a review of the other packages related to the multi-arrest was not conducted.

⁴ The OIG found that the audit cribsheet was not updated to accurately reflect the total number of questions listed in the matrix. The copy of the cribsheet provided by Audit Division referred to incorrect question numbers and further provided instruction on how to answer a total of 56 questions when the matrix only had 55 questions. This issue was considered administrative in nature and was discussed with Audit Division. This issue did not affect the quality and/or findings of the audit.

policy and procedure. The audit report was well written and appropriately reported on Department-wide compliance as well as GED compliance as it relates to arrest, booking and charging procedures. Based on the foregoing, the OIG concluded that the quality of the audit report was sufficient.

Completeness

For purposes of this audit, completeness will be defined as the identification and documentation in the working documents, as well as the audit report, of all significant issues raised during the review. Additionally, completeness will include a determination of the adequacy of the audit populations.

Based on the review of 51 arrest packages in the OIG's sample population, no issues were found relating to the completeness of the audit matrices (i.e. no matrix questions were left blank). The OIG's review of Audit Division's working papers pertaining to the Departmentwide audit population and sample selection process did not reveal any issues.

The OIG identified eight additional GED supervisors not identified by Audit Division to test for compliance with Department policy and procedure related to GED supervisors approving arrest documents related to GED arrests. Based on a review of the OIG's sample population, the OIG did not identify any arrest package that was approved by the eight additional GED supervisors identified. This issue was discussed with Audit Division that indicated that it would review the arrest packages to ensure the eight supervisors did not approve any of the arrest documents.

Based on the foregoing, the OIG found the overall completeness of the audit report to be sufficient.

Findings

For purposes of this audit, findings shall present factual data accurately, completely, and fairly. Findings should be adequately supported by sufficient evidence in the auditors' working papers to demonstrate or prove the basis for the matters reported and their correctness and reasonableness.

Based on a review of the 51 arrest packages identified for the OIG's sample population, Audit Division, overall, conducted a fair assessment of each audit objective and reported its findings completely and fairly. However, the OIG identified a number of administrative and interpretational issues (i.e. typographical errors in the arrest narrative, definition of possession of evidence etc.) that were subsequently discussed and clarified with Audit Division. These discrepancies did not present a risk management issue, therefore, were solely documented in the OIG's working papers.

In addition, the OIG identified the following issues with two arrest packages that were more significant in nature but did not have a bearing on the findings as it did not have enough statistical significance to make Audit Division's reported findings unreliable.

- Audit Division reported no Miranda violations were identified during its review. The
OIG identified one arrest package that as articulated appears to involve a possible
violation of Miranda (See page 7, Detailed Findings section).
- The Booking Approval Form "Approving Watch Commander Signature" box was
blank (See page 8, Detailed Findings section).

VII. DETAILED FINDINGS

The OIG assessed the findings of each objective by conducting a review of 51 randomly
selected arrest packages. Any additional issues identified by the OIG are documented
under the corresponding objective. The results of the OIG's review by objective⁵ are
listed below.

Objective No. 1 - *Completeness* (CD ¶128)

Audit Division measured completeness by ensuring that the Department's record
retention system permitted a review of documents associated with an arrest package that
were necessary for a basic review of the arrest, booking, and charging. Based on a
review of its sample population, the OIG concurs with Audit Division finding the
Department in compliance with this objective as measured.

Other Related Matters - Property Receipts

Audit Division and the OIG, as well as the Board of Police Commissioners and
Independent Monitor are at an impasse as it relates to the inclusion or exclusion of
Property Receipts when measuring compliance with the Completeness objective. This
issue was discussed by the OIG in the prior Arrest, Booking, and Charging Reports
Audit.

Recommendation:

- **The OIG recommends that Audit Division, the Independent Monitor, and the OIG have
a discussion related to this issue and that a conclusion be reached whether Property
Receipts will in fact be used or not to measure compliance with the Completeness
Objective.**

⁵ Objectives are italicized, sub-objectives are underlined and topics that fell under a specific sub-objective are
bulleted.

Objective No. 2 - Authenticity Review (CD ¶128)

Canned Language (2a)

The OIG concurs with Audit Division's finding that there were no instances of inappropriate canned language.

Inconsistent Information (2b)

Audit Division identified one arrest package that contained significant conflicting information related to the documentation of recovered evidence. The OIG did not identify any additional arrest packages that contained inconsistent information.

Articulation of Legal Basis (2c)

Based on a review of the OIG's sample of 51 arrest packages, the OIG's conclusions are listed below.

- *Reasonable Suspicion Articulated for the Detention*

Audit Division identified one arrest that did not articulate sufficient reasonable suspicion for a detention of the suspect. The OIG did not identify any additional issues concerning this topic.

- *Sufficient Probable Cause Articulated for Arrest*

Audit Division held the arrest report noted above under "*Reasonable Suspicion Articulated for the Detention*" as non-compliant with this sub-objective. The OIG did not identify any additional issues concerning this topic.

- *Miranda Rights Were Not Violated*

Audit Division reported that there were no arrest packages that contained evidence that an arrestee's Miranda rights were violated. The OIG identified the following arrest report, which appears to contain evidence of a possible Miranda violation.

Northeast, DR No. 04-1114319

This incident involved the arrest of a suspect for violation of California Penal Code Section (§) 422. The suspect was informed of the arrest and prior to transporting the arrestee, the officers conducted a search of the arrestee's backpack for officer safety reasons. The officer searching the backpack found a laptop computer and asked the arrestee if it belonged to her and if so where did she obtain it. The arrestee confirmed that the laptop belonged to her, and that she obtained it from her boyfriend for fifty dollars. At this point, the officer stated, "the laptop looks like it's worth more than

fifty dollars," to which the arrestee responded, "He, [Boyfriend] probably stole it because he is a thief." The officer asked the arrestee if she knew where the boyfriend obtained the laptop. The OIG believes that the officers should have provided the arrestee with her Miranda rights at this point. The arrestee was subsequently charged with receiving stolen property.

It should be noted that this issue was discussed with Audit Division and its position is not in agreement with the OIG's (See page 12, Detailed Findings section).

Actions Taken:

Correspondence was sent to the Commanding Officer, Office of Operations, recommending training for the involved Department employees.

- *Sufficient Legal Basis Articulated for All Searches*

Audit Division held the same arrest report noted in the previous page under "Reasonable Suspicion Articulated for the Detention" as non-compliant with this sub-objective. The OIG did not identify any additional issues concerning this topic.

- *Seizure of Evidence was Appropriate and Legal*

The OIG concurs with Audit Division's finding that all seizures of property and/or evidence were appropriately articulated.

Other Indicia that the Information in the Document is not Authentic or Correct (2d)

- *The "Supervisor Approving" box on any of the forms requiring a supervisor's or watch commander's signature was not completed by the reporting officer*

The OIG did not identify any arrest packages that contained evidence that the information in the documents was not authentic or correct.

- *Sufficient Documentation of the Watch Commander Approving Booking*

Of 225 arrest packages that required a Booking Approval, Audit Division identified eight arrest packages where the Booking Approval was missing and three arrest packages where the "Approving Watch Commander" box was blank. The OIG identified one additional arrest report (Rampart Area, DR No. 04-0216612) where the "Supervisor Approving" box on the Booking Approval form was blank.

Objective No. 3 - Evaluation of the Underlying Actions for Appropriateness and Conformance with Department Procedure (CD ¶128)

Articulated Searches Conducted within Department Policy

Of 125 arrest packages that documented a search was conducted, Audit Division reported that all arrest reports, with the exception of the two mentioned under Objective 2c, were conducted within Department policy. The OIG did not identify any additional issues with the arrest reports in our population and concurs with Audit Division's finding.

The Appropriate Documentation of the Arrestee's Responses to the Miranda Admonition

Of 185 arrests where officers advised arrestees of their Miranda rights, Audit Division identified 42 instances where the arrestees responses were not documented in the arrest package as required by Department Manual Section 4/202.10. The OIG identified one additional arrest report (Rampart Area, DR No. 04-0216612) where the arrestee's responses to the Miranda admonition were not documented as required by the Department.

The Appropriate Reporting and Booking of Evidence

The OIG concurs with Audit Division's finding that in reports articulating the seizure of property and/or evidence; items were subsequently booked, returned to the rightful owner, or otherwise disposed of in a manner consistent with Department policy and procedure.

The Appropriate Use of Informants

The OIG's sample included one arrest package from a multi-four arrest, which articulated the use of an informant. The OIG will ensure that Audit Division includes this case during their next audit of Informant Packages. No other arrest packages that articulated the use of informants were identified by the OIG.

The Appropriate Documentation of a Use of Force Occurrence

Audit Division identified 12 arrest packages that articulated a reportable use of force. The OIG's sample of 51 arrest packages articulated a use of force in two instances, both of which were appropriately identified by Audit Division. Based on the findings from our sample, the OIG concurs with Audit Division's finding that the use of force was properly documented and a use of force investigation was completed as required by Department policy.

Objective No. 4 - Supervisory Oversight (CD ¶128)

Incident Oversight: The Appropriate Use of Observation Posts

Audit Division identified 10 arrest packages that indicated the use of an Observation Post (OP). The OIG did not identify any additional arrest packages that indicated the use of an OP.

Incident Oversight: The Execution of Search Warrants

Audit Division identified two arrests following the service of a search warrant and indicated that the search warrants will be reviewed in an upcoming audit of search warrants. Based on the findings from our sample, the OIG concurs with Audit Division's finding that there was appropriate supervision at the scene.⁶

Incident Oversight: A Supervisor Was Involved in the Arrest

Audit Division reported that there were no significant deficiencies pertaining to the supervisor's responsibility and actions at scene. The OIG concurs with Audit Division's findings.

Post Incident Oversight

Audit Division appropriately considered the anomalies they identified in Objectives 1 through 3 as findings that caused the Department to be at 74% compliance with the Supervisory Oversight objective. The OIG concurs with Audit Division's findings.

Audit Division discussed its findings concerning 26 arrest reports that indicated a Receipt for Property Taken Into Custody, Form 10.10 (Property Receipts), was not issued when required under "Other Considerations" of the Completeness objective but assessed compliance under Objective 4 Post Incident Supervisory Oversight. Audit Division affirms that this was done because Property Receipts were not necessary for a basic review of the arrest, booking, and charging.

Objective No. 5 - Search and Arrest Procedures (CD ¶70)

The OIG found no additional issues with the arrest packages in our sample pertaining to the mandates of CD ¶ 70 and 70a.⁷

⁶ Audit Division has reviewed the two warrants in question and included its findings in the Departmentwide audit of Warrants and Supporting Affidavits Audit.

⁷ See Appendix A for Consent Decree narrative.

Evaluation of Incidents Where A Person is Charged With Interfering With A Police Officer, Resisting Arrest, or Assault on an Officer, CD ¶ 70b

Audit Division identified 12 arrest reports that had an element relative to CD ¶ 70b. The OIG's review did not identify any additional issues concerning this topic.

Objective No. 6 - Management of Gang Units (CD ¶106)

Uniform Personnel

Audit Division identified one arrest that indicated the arresting officers were not in uniform. The OIG did not identify any additional arrest reports that indicated GED officers were not in uniform.

No Use of Off-Site Locations

The OIG concurs with Audit Division's finding that none of the arrest packages revealed that the arrestee was inappropriately transported to any location other than the primary Area station.

Objective No. 7 - GED Incidents Requiring Supervisory Review (CD ¶131)

As indicated by Audit Division's report, CD ¶ 131a and CD ¶ 131b specifies audit processes required when reviewing the work product of GED officers.

Evaluation Of GED Incidents Requiring Supervisory Review

The OIG concurs with Audit Division's finding that none of the arrest reports revealed any incident of inappropriate supervisory review.

Other Related Matters - Juvenile Arrests Considerations

The OIG's review did not identify any issues with juvenile arrests related to inspection and interview by a watch commander, Miranda rights, telephone call procedures, parent/guardian notification, and the length of detention.

VIII. POST AUDIT MEETING WITH AUDIT DIVISION

Post-audit meetings with the Audit Division were held on December 28, 2004 and January 13, 2005, to clarify interpretational issues and discuss the results of the OIG's review. The OIG provided Audit Division with a list of discrepancies between the OIG and Audit Division's matrix answers. Each discrepancy, the majority of which were interpretational or minor administrative issues that did not affect the legality of the arrest, was discussed with the project manager.

Audit Division concurred with the following findings:

- One additional arrest package in which the arrestee's responses to Miranda were not documented as required by Department policy and procedure. Further, the Booking Approval, "Approving Watch Commander Signature" box was blank.
- Eight GED supervisors were inadvertently excluded from Audit Division's list of GED supervisors used in conjunction with the matrix during the review of arrest packages to determine whether GED supervisors approved arrest documents.

Audit Division did not concur with the following findings:

- One arrest package contained evidence of a possible Miranda violation. According to Audit Division, the statement made and questions asked by the arresting officer did not translate into an interrogation of the arrestee.

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X. RECOMMENDATIONS

Recommendation:

- **The OIG recommends that Audit Division, the Independent Monitor, and the OIG have a discussion related to this issue and that a conclusion be reached whether Property Receipts will in fact be used or not to measure compliance with the Completeness Objective.**

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APPENDIX A

Consent Decree Paragraphs

Paragraph 70

The Department shall continue to require all booking recommendations be personally reviewed and approved by a watch commander as to appropriateness, legality, and conformance with Department policies. Additionally, the watch commander or designee will personally review and approve supporting arrest reports as to appropriateness, legality, and conformance with Department policies in light of the booking recommendation.

- a. Such reviews shall continue to entail a review for completeness of the information that is contained on the applicable forms and an authenticity review to include examining the form for "canned" language, inconsistent information, lack of articulation of the legal basis for the action or other indicia that the information on the forms is not authentic or correct.
- b. Supervisors shall evaluate each incident in which a person is charged with interfering with a police officer (California Penal Code § 148), resisting arrest, or assault on an officer to determine whether it raises any issue or concern regarding training, policy, or tactics.
- c. The quality of these supervisory reviews shall be taken into account in the supervisor's annual personnel performance evaluations.

Paragraph 106

The Department has developed and shall continue to implement a protocol that includes the following requirements for managing and supervising all Department units that are primarily responsible for monitoring or reducing gang activity, including the Special Enforcement Units (now known as Gang Enforcement Detail):

- a. Each unit shall be assigned to an Area or Bureau, and shall be managed and controlled by the Area or Bureau command staff where it is assigned. The Bureau gang coordinators and the citywide gang coordinator (the Detective Support Division Commanding Officer) coordinate the Bureau-wide and citywide activities of these units, provide training and technical assistance, and are involved in coordinating and providing information for the audits of these units.
- b. Eligibility criteria for selection of a non-supervisory officer in these units shall include that officers have completed probation, have acquired a minimum number of years as a police officer in the Department, and have demonstrated proficiency in a variety of law enforcement activities, interpersonal and administrative skills, cultural and community sensitivity, and a commitment to police integrity. Without the prior written approval of the Chief of Police, a non-supervisory officer shall not be reassigned to a unit until 13 Department Deployment Periods have elapsed since their previous assignment in these units.
- c. Eligibility criteria for selection as a supervisor in these units shall include that supervisors have one year experience as a patrol supervisor, have been wheeled from their probationary Area of assignment, and have demonstrated outstanding leadership, supervisory, and administrative skills. In addition, without the prior written approval of the Chief of Police, an individual shall not be selected as a supervisor in these units until 13 Department Deployment Periods have

elapsed since the individual's previous assignment in these units as an officer or supervisor.

d. Supervisors and non-supervisory officers in these units shall have a limited tour assignment to these units, for a period not to exceed 39 Department Deployment Periods. An extension of such assignment for up to three Department Deployment Periods may be granted upon the written approval of the Bureau commanding officer. Any longer extension shall be permitted upon written approval of the Chief of Police.

e. Unit supervisors and non-supervisory officers shall continue to: (i) be subject to existing procedures for uniformed patrol officers regarding detention, transportation, arrest, processing and booking of arrestees and other persons; (ii) wear Class A or Class C uniforms (and may not wear clothing with unauthorized insignias identifying them as working at a particular unit); (iii) use marked police vehicles for all activities; (iv) check out and return all field equipment from the Area kit room on a daily basis; (v) attend scheduled patrol roll calls; (vi) base all unit activities out of the concerned Area station; and (vii) not use off-site locations at night other than Department primary area stations for holding arrestees (including interviews) or interviewing witnesses; provided, however, that the foregoing does not apply to interviews at the scene of a crime, interviews in connection with a canvass of a scene, or when the witness requests to be interviewed at a different location. Any exceptions from these requirements shall require the approval of the appropriate managers, and shall be for a specified, limited period of time. Exceptions to the requirements set forth in subparagraphs (ii) and (iii) shall be in writing.

f. A unit Supervisor shall provide a daily field presence and maintain an active role in unit operations. Unit supervisors shall brief the Area watch commander regularly regarding the activities of their unit, and shall coordinate unit activities with other Area supervisors.

g. Area managers shall be responsible for ensuring that supervisors exercise proper control over these units, and for providing oversight over planned tactical operations.

h. Each Bureau gang coordinator shall be responsible for monitoring and assessing the operation of all units in the Bureau that address gang activity. The coordinator shall personally inspect and audit at least one Area unit each month, and shall submit copies of completed audits to the pertinent Bureau and Area, OHB Detective Support Division Command office, and the Department Audit Unit created in paragraph 124 below. The coordinator may use bureau staff to conduct such audits who themselves serve in a Bureau or Area gang-activity unit and are deployed in the field to monitor or reduce gang activity.

The provisions of this paragraph do not apply to the Detective Support Division's gang unit whose primary, gang-related responsibility is to provide administrative support.

Paragraph 128

The Department shall conduct regular, periodic audits of stratified random samples of... all motor vehicle stops and pedestrian stops that are required to be documented in the manner specified in §§104 and 105. The review of these documents shall entail, at a minimum, a review for completeness of the information contained and an authenticity review to include an examination for "canned" language, inconsistent information, lack of articulation of the legal basis for the applicable action or other indicia that the information in the document is not authentic or correct. The review shall also assess the information in the documents to determine whether the underlying action was appropriate, legal, and in conformance with Department procedures. To the extent possible from a review of such samples, the audit shall also evaluate the supervisory oversight of the applicable incident and any post-incident review.

Paragraph 131

The Department shall conduct regular periodic audits of the work product of all Department units covered by paragraph 106. These audits shall be conducted by OHB Detective Support Division. Each such audit shall include:

- 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;
- b. assessing compliance with the selection criteria set forth in §§106 and 107;
- c. an audit of the type set forth in paragraph 128;
- d. auditing the use of confidential informants by such units to assess compliance with paragraph 108;
- e. auditing the roles and conduct of supervisors of these units; and,
- f. reviewing the incidents requiring supervisory review pursuant to §§62, 64, 68, 70 and 71, 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 practice; and the audit shall draw conclusions regarding the adherence of the unit to the law, Department policies and procedures, and this Agreement, and shall recommend a course of action to correct any deficiencies found.