

LOS ANGELES POLICE COMMISSION

*Review of Audit Division's
Motor Vehicle and Pedestrian Stop
Data Collection Audit
(Fiscal Year 2004/2005)*



Conducted by

OFFICE OF THE INSPECTOR GENERAL

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EXECUTIVE SUMMARY
Office of the Inspector General
Review of Audit Division’s Motor Vehicle and Pedestrian Stop Data Collection Audit

OVERVIEW OF AUDIT DIVISION’S AUDIT

With few exceptions, the Department requires an officer to complete a Field Data Report (FDR) when he/she detains a driver, passenger or pedestrian for any length of time. The completed FDR documents officer information, the date/time/location of the stop, the gender, apparent age and apparent descent of the person stopped, the reason for the stop, and, if applicable, search and information on actions taken. Field Data Report information is then entered into a database called STOP (STOP is not an acronym). An outside vendor is to evaluate the information and assess the Department’s compliance with Consent Decree (CD) paragraph (¶) 103. That paragraph prohibits officers from using race, color, ethnicity, or national origin in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.

Audit Division (AD) compared documentation surrounding motor vehicle and pedestrian stops to the associated FDRs, evaluating completeness, authenticity, underlying actions, and supervisory oversight related to the stops and the completed FDRs. Audit Division evaluated Daily Field Activity Reports (DFARs) completed by Patrol (including Traffic and specialized units) and Gang Units to identify discretionary stops that appeared to require the completion of an FDR. Audit Division evaluated 124 FDRs completed by Patrol and Gang Units, and AD reported the compliance percentages outlined in Table No. 1.

TABLE NO. 1 – COMPLIANCE RATES REPORTED BY AD

Objective No.	Department-Wide Compliance Percentage	Gang Units Compliance Percentage
1a – (Completion of FDRs when Required)	99 %	100%
1b – (FDRs Posted to Stop)	97%	98%
1c – (Completeness of Information on Each FDR)	97%	93%
2 – (Authenticity Review)	90%	89%
3 – (Appropriateness of Underlying Actions)	98%	98%
4a – (Supervisory Review – Post Incident Documents – Accuracy)	89%	89%
4b – (Supervisory Review – Post Incident Documents – Evidence of Review)	81%	91%
4c – (Supervisory Review – On Scene Supervision)	100%	100%

Additionally, AD evaluated personnel complaint investigations to determine whether FDRs were completed for incidents involving discretionary stops. Audit Division determined that FDRs were completed 97 percent of the time.

Pursuant to CD ¶ 135, the Office of the Inspector General (OIG) reviewed the completeness, findings and quality of AD’s audit.

OVERVIEW OF THE OIG’S REVIEW

The review found that AD conducted a complete and quality audit and the findings were adequately supported and presented. Although the OIG identified a few inaccuracies with the audit’s presentation of findings, the errors resulted in relatively minor adjustments to compliance percentages, as illustrated in Table No. 2.

TABLE NO. 2 – OIG CALCULATED COMPLIANCE RATES

Objective No.	AD Reported Dept-Wide Compliance Percentage	OIG Calculated Dept-Wide Compliance Percentage	AD Reported Gang Units Compliance Percentage	OIG Calculated Gang Units Compliance Percentage
1a – (Completion of FDRs when Required)	99%	98 %	100%	98%
1b – (FDRs Posted to Stop)	97%	No Change	98%	96%
4a – (Supervisory Review – Post Incident Documents – Accuracy)	89%	91%	89%	No Change

ADDITIONAL CONCERN

Based on findings presented in AD’s audit, it appears additional guidance is needed to ensure the correct general area of the stop (i.e., Reporting District) and the reason for the stop are correctly reported on FDRs.

- Audit Division determined that 31 (25 percent) of 124 FDRs had documented a Reporting District that was not consistent with the location of cross streets noted on supporting documents.¹
- Audit Division determined that 24 (19 percent) of 124 FDRs had an inconsistent Reason for Stop when compared to supporting documentation surrounding the stop. For example, AD identified one FDR that indicated the reason for the stop was for a Vehicle Code violation but based on supporting documents, the stop was initiated due to a Penal Code violation.

Given the high percentage of inconsistencies related to these two areas, it is recommended that the Department provide additional guidance to officers and consult with AD to identify the types of incidents that are causing officers to report erroneous reason for stop information on FDRs.

¹ A geographic Area is broken down into smaller segments called reporting districts.

**OFFICE OF THE INSPECTOR GENERAL
REVIEW OF AUDIT DIVISION'S
MOTOR VEHICLE AND PEDESTRIAN STOP DATA COLLECTION AUDIT**

PURPOSE

Pursuant to Consent Decree (CD) paragraph (¶) 135, the Office of the Inspector General (OIG) reviewed Audit Division's (AD) Motor Vehicle and Pedestrian Stop Data Collection Audit. The audit was completed in the third quarter of Fiscal Year (FY) 2004/2005 and received by the OIG on March 30, 2005.¹ The OIG assessed the audit's completeness, findings, and quality.

BACKGROUND ON AD'S AUDIT

With few exceptions, the Department requires an officer to complete a Field Data Report (FDR) when he/she detains a driver, passenger or pedestrian for any length of time. The completed FDR documents officer information, the date/time/location of the stop, the gender, apparent age and apparent descent of the person stopped, the reason for the stop, and, if applicable, search and information on actions taken. Field Data Report information is then entered into a database called the STOP system. An outside vendor is to evaluate the information and assess the Department's compliance with CD ¶ 103. That paragraph prohibits officers from using race, color, ethnicity, or national origin in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.

Audit Division compared documentation surrounding motor vehicle and pedestrian stops to the associated FDRs, evaluating completeness, authenticity, underlying actions, and supervisory oversight related to the stops and the completed FDRs. Audit Division evaluated Daily Field Activity Reports (DFARs) completed by Patrol (including Traffic and specialized units) and Gang Units to identify discretionary stops by officers that appeared to require the completion of an FDR. Audit Division evaluated 124 FDRs completed by Patrol and Gang Units, and AD reported the compliance percentages outlined on the next page (Table No. 1).

¹ The Chief of Police approved and forwarded the audit to the Police Commission on March 25, 2005. The Independent Monitor found the transmittal of this audit compliant with CD ¶ 135 in its Quarterly Report for the period ending March 31, 2005.

TABLE NO. 1 – COMPLIANCE RATES REPORTED BY AD

Objective No.	Department-Wide Compliance Percentage	Gang Units Compliance Percentage
1a – (Completion of FDRs when Required)	99 %	100%
1b – (FDRs Posted to Stop)	97%	98%
1c – (Completeness of Information on Each FDR)	97%	93%
2 – (Authenticity Review)	90%	89%
3 – (Appropriateness of Underlying Actions)	98%	98%
4a – (Supervisory Review – Post Incident Documents – Accuracy)	89%	89%
4b – (Supervisory Review – Post Incident Documents – Evidence of Review)	81%	91%
4c – (Supervisory Review – On Scene Supervision)	100%	100%

Additionally, AD evaluated personnel complaint investigations to determine whether FDRs were completed for incidents involving discretionary stops. Audit Division determined that FDRs were completed 97 percent of the time.

Greater detail on AD's methodology and findings can be found in their final audit report.

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 AD prior to accepting their positions with the OIG. Normally, the AIG and the PPA IV would refrain from conducting reviews of AD audits for a certain period of time, however; as the CD requires the OIG to conduct these reviews, that luxury is not available. Nonetheless, the AIG and PPA IV have refrained from conducting or supervising any reviews of AD audits that they actively participated on while assigned to AD.²

PRIOR RECOMMENDATIONS

The OIG's review of AD's Motor Vehicle and Pedestrian Stop Data Collection Audit for FY 2003/2004 did not result in any recommendations.

² The PPA IV refrained from conducting and supervising this review as he participated on the audit while assigned to AD. As the AIG did not participate on the audit while assigned to AD, she assisted in conducting and supervised the review.

REVIEW METHODOLOGY

The OIG assessed the completeness, findings, and quality of AD's Motor Vehicle and Pedestrian Stop Data Collection Audit by reviewing the final audit report, related audit plan, the Access database reports, and supporting work papers.³

On June 10, 2005, the OIG met with AD management to discuss the results of this review. At that time, AD management indicated general agreement with this review's findings.

FOCUS POINTS

Based on AD's audit, it appears additional guidance is needed to ensure the Reporting Districts and the Reason for Stops are correctly reported on FDRs.

Reporting District Inconsistencies

- The audit found 31 (25 percent) of 124 FDRs had an inconsistent Reporting District when compared with the location of cross streets noted on supporting documents.⁴

Reason for Stop Inconsistencies

- The audit found 24 (19 percent) of 124 FDRs had an inconsistent Reason for Stop when compared to supporting documentation surrounding the stop. For example, AD identified one FDR that indicated the reason for the stop was for a Vehicle Code violation but based on supporting documents, the stop was actually initiated for a Penal Code violation.

Given the high percentage of inconsistencies related to these two areas, it is recommended that the Department provide additional guidance to officers and consult with AD to identify the types of incidents that are causing officers to report erroneous reason for stop information on FDRs.

Recommendation

1. The Department should provide additional guidance to officers related to documenting the correct reporting district and reason for stop information on FDRs.

³ 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.

⁴ A geographic Area is broken down into smaller segments called reporting districts.

REVIEW RESULTS

COMPLETENESS

To assess the audit's completeness, the OIG reviewed the audit to ensure the CD mandates were addressed and that the audit used a complete population to select a sample.

Consent Decree Mandates Addressed

Per the Department's Annual Audit Plan (AAP) Status Report – Second Quarter FY 2004/2005, AD's Motor Vehicle and Pedestrian Stop Data Collection audit was to assess CD ¶s 103 and CD ¶s 104 and 105 that specify the minimum required fields to be completed on an FDR for certain motor vehicle and pedestrian stops. Consent Decree ¶ 128 requires the audit to review completeness, authenticity, underlying actions and supervisory oversight of the motor vehicle and pedestrian stops Department-wide and CD ¶ 131 (a)(c)(e) requires a similar type of review, but for Gang Units.

The OIG determined the audit sufficiently met the audit requirements specified in CD ¶s 128 and 131 (c) and the audit evaluated the auditable documentation requirements specified in CD ¶s 104 and 105. The OIG did not assess whether the audit met the requirements specified in CD ¶ 131 (a) and (e) as the Independent Monitor has had separate discussions and agreements with the Department on the appropriate method to meet those audit requirements.

Regarding CD ¶ 103, AD appropriately stated that the mandate was beyond the scope of the audit and the AAP for FY 2005/2006 no longer indicates that this type of audit will make such an assessment.

Identification of a Complete Population

Department-wide and GED Unit Population

Audit Division selected samples from the 18 geographic Areas (including Gang Enforcement Details), four Traffic Divisions, South Bureau-GED, Metropolitan Division, and Community Safety Operations Center Taskforce (since disbanded). The sampling methodology included the selection of one Patrol and GED unit (when applicable) from each entity for three randomly selected days during Deployment Period No. 10 (September 19 through October 16), 2004. If an entity's units did not have an activity that required the completion of an FDR, AD used replacement dates to ensure the entities had adequate representation in the audit.

Based on the OIG's review, AD appropriately included the entities that initiate a high number of discretionary stops. To verify units were selected from a complete population, the OIG randomly selected one day and reviewed AD's work papers related to its sample selection for 15 entities (including GEDs when applicable).

The OIG found that AD included nearly all deployed units in its sample selection. The two issues noted regarding completeness of the population are as follows:

1. One bike unit, from one Area, was inadvertently left off the sample selection worksheet used to select the sample for the Area; and,
2. An entire watch for one Area was not included in the sample selection. The OIG contacted the timekeepers at each entity to ensure AD included all Patrol watches in its population. One watch, a four unit bike detail, did not get included in the sample selection worksheet. Audit Division stated that although an official request was made to the Area's commanding officer to provide the Daily Worksheets for all watches deployed for the day, AD did not receive information related to this watch.

Personnel Complaint Findings

Audit Division randomly selected 100 complaints from a listing of 214 complaints. The OIG determined that the complaint listing appeared complete.

Conclusion

Overall, the OIG determined the audit addressed applicable CD mandates and it appears that AD used a nearly complete population to select its sample of Patrol and Gang Units activities that required the completion of an FDR. Even so, during the review, the OIG noted that AD reconciled the Official Timebooks of all entities included in the audit to the Daily Worksheets for each watch. This reconciliation and the one from last year's audit did not identify any significant discrepancies and appeared to be extremely time consuming. The OIG believes this reconciliation is an inefficient use of staff time. Audit Division should consider eliminating this audit step and instead perform other confirmation steps to ensure all watches were properly identified for the audited entities (i.e., contact the official timekeeper and/or review information in watch commander logs that contain information on deployed watches).

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FINDINGS

To assess the audit's findings, the OIG reviewed AD's supporting work papers to ensure there was adequate support for findings and reviewed the report to ensure the findings were properly presented.⁵

Support for Findings

Department-wide and GED Unit Sample Findings

The OIG reviewed AD's work papers related to the evaluation of 36 FDRs (17 Patrol and 19 GED) out of the 124 FDRs evaluated by AD. The OIG agreed with nearly all of AD's assessments related to the FDRs. However, two issues were identified that warranted comment.

- The OIG identified one Patrol Unit stop in which the DFAR had an error in one officer's serial number, but the serial number was correct on the FDR. The OIG does not believe this anomaly should have been included in AD's assessment of Objective No. 2 – Authenticity Review. However, as AD reported the findings for this objective on an attribute basis, not by FDR, this anomaly had no impact on AD's reported compliance rate.
- The OIG identified two instances in which the officers conducted an impound inventory of a vehicle but the impound inventories were not documented on the related FDRs. Although the CD specifically states that FDRs are to include a check box documenting "impound inventory" warrantless searches, AD disagrees that impound inventories are warrantless searches.

Audit Division indicated impound inventories are done to identify and list the contents inside the vehicle and do not meet the definition of a search. Therefore, AD did not hold the two FDRs out of compliance for Objective No. 1c - Completeness of Information on Each FDR. In discussing this issue further with AD and the FDR Unit, the OIG discovered that inconsistent information is being provided to officers on whether they should or should not document impound inventories on FDRs. As such, extreme caution should be used when placing reliance on this data field. The Department should research this issue further and provide clarified guidance to officers to ensure FDRs are completed with consistency throughout the Department going forward.

⁵ Audit Division did not perform a reliability assessment of STOP information. A reliability assessment would normally entail a comparison between hard copy or electronic FDRs (input into an officers Portable Officer Data Device Systems (PODDS) to the information scanned or uploaded onto STOP.

Recommendation

2. The Department should research the issue related documenting impound inventories on the FDRs and provide clarified guidance to officers to ensure consistency with the completion of FDRs throughout the Department.

Personnel Complaint Findings

The OIG reviewed the supporting work papers for AD's evaluation of 22 complaint investigations. Audit Division evaluated a total of 70 investigations.⁶ The review identified one investigation in which three FDRs were completed but the OIG disagrees that the incident should have been included in the audit as the stop resulted from a prearranged meeting for a prostitution sting. The inclusion of these FDRs did not have an impact on the reported CD compliance rate.

Presentation of Findings

Audit Division presented the audit's findings in a logical and consistent manner. However, in reviewing the detail on calculations for the four objectives, comparing final Access database answers to the report, the OIG identified the following issues:⁷

- **Objective No. 1a (Completion of FDR when Required)** – Two additional FDRs for discretionary stops should have been completed but were not. Audit Division identified the anomalies when comparing supporting documents to completed FDRs but inadvertently excluded the finding in its compliance calculation. Although the audit reported a compliance rate of 99 percent for the Total Population sample and 100 percent for the Gang Units sample, the compliance rate was actually 98 percent for both samples.
- **Objective No. 1b (FDRs Posted to STOP)** – The OIG identified an error in AD's calculation for Objective No. 1b. The report indicates that 46 of 47 (98 percent) Gang Unit FDRs posted to stop, but the correct figure should be 45 of 47 (96 percent). The report correctly reported the overall compliance percentage for the Total Population sample.
- **Objective No. 4a (Supervisory Review of Post-Incident Documents – Accuracy)** – The OIG identified an issue with AD's calculation for Objective No. 4a. Specifically, in Objective No. 4b (Supervisory Review – Post Incident Documents – Evidence of Review), AD reported that 45 documents in the Total Population sample and seven documents in the GED Units sample did not have evidence of supervisory review. These same anomalies were included in AD's assessment of Objective No. 4a. However, the lack of indications of

⁶ Although AD originally sampled 100 complaints, 30 were excluded as they involved incidents with a discretionary stop that required the completion of an FDR. As a verification test, the OIG reviewed information for nine of the 30 complaints and agreed with AD's decision.

⁷ No issues were noted with AD's presentation of its personnel complaint findings surrounding the completion of FDRs.

supervisory review does not mean that the supervisor did not catch an inaccuracy. The OIG believes the findings of Objective No. 4a should have remained separate from Objective No. 4b. It appears the actual compliance percentage for Objective No. 4a is 91 percent for the Total Population sample, instead of the reported 89 percent.

Additionally, the OIG noted that AD's test work surrounding its assessment of electronic FDRs being reviewed was reported in the other related matters section of the report. Audit Division did not include this test work in its determination of CD compliance with supervisory oversight requirements because not all FDRs were completed electronically. While the OIG appreciates and understands this rationale, it is more appropriate to include this type of test work in its calculation for Objective No. 4b – Supervisory Review of Post Incident Documents – Evidence of Review. Audit Division's test work found that 98 of 106 electronic FDRs (92 percent) contained evidence of supervisory review.

Conclusion

Overall, the OIG determined the audit's findings well supported and adequately presented. Although the OIG identified a few inaccuracies with the audit's presentation of findings, the errors resulted in relatively minor adjustments to compliance percentages.

QUALITY

To assess the audit's quality, the OIG evaluated both the audit and report's quality.

Audit Quality

The audit was properly supervised and planned, in that the audit's methodology allowed for proper assessments of completeness, authenticity, underlying actions, and supervisory oversight surrounding the motor vehicle and pedestrian stops.

To assess the audit's sampling methodology, the OIG randomly selected one day to perform a detailed review of AD's sampling work papers for 15 entities. Based on the review, the OIG identified three errors related to AD's sample selection, as follows:

1. For one entity, AD selected the wrong unit based on sampling documentation. Audit Division concurred, stating it was an inadvertent error.
2. For another entity, AD selected the appropriate unit, but one activity on the DFAR appeared to require the completion of an FDR was incorrectly deselected by AD and listed as an "exempt" activity. Audit Division concurred, stating it was an inadvertent error.
3. For the same entity above, but for the Gang Unit, AD listed an activity as "exempt." The source listed "OFCR" and the type of activity lists "Gang Group" with a disposition that a

gun was recovered. Audit Division opined that this activity was generated by a citizen call for service and therefore excluded it. However, a review of the associated FDRs completed for the stop indicates that the officers initiated the stop for a Penal Code violation, not a call for service. The OIG believes this activity should have been included in AD's random selection.

Regarding AD's assessment of FDRs being completed in its evaluation of complaint investigations, the OIG noted that AD used a sample of complaint investigations initiated after February 2004 and closed in September 2004. However, some of these complaint investigations included incidents that occurred back in 2003. A better approach would have been to select a sample from complaint investigations with incidents occurring after February 2004 and closed in September 2004. Audit Division should consider using this type of sampling methodology in future audits to ensure all audit evidence utilized is relevant to assess the Department's more recent performance.⁸

Report Quality

The report delineated the audit's objectives, scope, methodology, and the status of prior audit recommendations. Audit Division reported that the views of responsible commanding officers could not be obtained due to the report's deadline.

The report was issued in a timely manner (within a year of AD's last audit), used a fair and unbiased tone, and was found to be convincing, clear and concise.

Conclusion

Overall, the OIG determined that AD planned, conducted, and reported the information in a quality manner. Although the OIG identified a few issues with the audit's sample selection and sampling methodology related to its complaint investigation evaluation, the errors did not rise to the level of a deficiency in the overall quality of the audit.

SUMMARY OF RECOMMENDATIONS

1. The Department should provide additional guidance to officers related to documenting the correct reporting district and reason for stop information on FDRs.
2. The Department should research the issue related documenting impound inventories on the FDRs and provide clarified guidance to officers to ensure consistency with the completion of FDRs throughout the Department.

⁸ The OIG's reviewed information related to 22 of the 70 complaints evaluated by AD and three involved incidents that occurred during in 2003.