

**LOS ANGELES POLICE COMMISSION**

*Review of the  
Gang Enforcement Detail  
Work Product Supplemental to Work  
Product Audit  
First Quarter  
Fiscal Year 2003/2004*



Conducted by

**OFFICE OF THE INSPECTOR GENERAL**

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**OFFICE OF THE INSPECTOR GENERAL'S  
REVIEW OF THE  
GANG ENFORCEMENT DETAIL WORK PRODUCT  
SUPPLEMENTAL TO WORK PRODUCT AUDIT  
FIRST QUARTER, FISCAL YEAR 2003/2004**

**I. BACKGROUND**

Consent Decree (CD) paragraph (¶) 131 requires that the Los Angeles Police Department (LAPD), conduct periodic audits of the work product<sup>1</sup> of personnel assigned to units that are primarily responsible for monitoring or reducing gang activity. Paragraph 131(a) mandates that the audits include a review of the work product of individual officers as well as the unit as a whole. The audit objectives for the review of the Gang Enforcement Detail (GED) Work Product (WP) were based on the mandates of CD ¶128 and risk management issues identified in the Rampart Board of Inquiry Report.

Audit Division<sup>2</sup> conducted its first audit of GED WP in September 2003 and provided its findings in a report entitled *Gang Enforcement Detail Work Product, First Quarter, Fiscal Year (FY) 2003/2004*. Audit Division excluded as part of its sample population for the first audit, the work product of officers assigned to the Community Law Enforcement and Recovery (CLEAR). However, during the course of its review, Audit Division noted that GED officers were routinely partnered with CLEAR officers. As a result, Audit Division conducted a supplemental audit of the GED WP, First Quarter, FY 2003/2004, to assess the work product of CLEAR and also included the work product of GED detectives that were excluded in the first audit.

**II. PURPOSE**

As required by CD ¶135, the Office of the Inspector General (OIG) evaluated the quality, completeness, and findings of Audit Division's supplemental audit of the GED WP, First Quarter, FY 2003/2004. The Chief of Police signed the audit report on June 28, 2004. The OIG did not receive the audit report until July 9, 2004, thus not meeting compliance requirements with ¶135, specifically that the OIG be provided with copies of all reports of specified audits within one week of completion.

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<sup>1</sup> "Work Product" refers to packages for arrest, booking and charging reports, use of force reports, search warrants, probable cause arrest (Ramey) warrants, motor vehicle, and pedestrian stops (Field Data Reports), and confidential informants.

<sup>2</sup> Although the CD (as written) requires that Detective Support Division complete this audit, Audit Division conducted this audit as recommended by the Independent Monitor.

### **III. PRIOR AUDITS**

This audit is a supplemental to the first GED WP, First Quarter, FY 2003/2004, audit. Audit Division made several recommendations during the first audit including: that all future GED WP audits include the work product of all personnel whose responsibility is to monitor or reduce gang activity, including GIT, CLEAR and GED detectives; that the Department consider requiring criteria for the selection of CLEAR and GIT personnel that is the same as the criteria for the selection of GED personnel; and, that the Juvenile Arrest Report and Booking Approval forms be revised to capture search information. The Department has implemented all of the recommendations made in the first audit.

### **IV. OVERVIEW OF THE DEPARTMENT'S AUDIT**

Audit Division evaluated the work product of CLEAR and GED detectives<sup>3</sup>, assigned to Devonshire and Northeast Areas for the month of June 2003. This is representative of the same period evaluated for the GED WP, First Quarter. The audit focused on Consent Decree requirements set forth in §§128, and 131(a). Audit Division evaluated 37 arrest reports and four warrants (one search warrant and three Ramey<sup>4</sup> Warrants) authored by CLEAR and/or GED detectives. Audit Division did not identify any uses of force or use of informants by CLEAR and/or GED detectives for this audit period.

Audit Division established four objectives to evaluate the work product. The objectives were: completeness; authenticity; underlying actions; and supervisory oversight. Compliance with the performance objectives was achieved when at least 95 percent of all WPs met the standards established for each objective.

Audit Division found the work product authored by CLEAR and GED detectives to be 100% compliant with the objectives noted above. Two arrest packages were missing copies of the Property Receipts, although both arrest reports note that a Property Receipt was issued as required by Department policy and procedure. Audit Division was unable to locate a copy of the Property Receipts, however did not hold the reports out of compliance for Objective No. 1, Completeness.<sup>5</sup>

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<sup>3</sup>The work product of GED detectives included only those reports that were not evaluated during the first GED WP audit.

<sup>4</sup>The OIG found that the three Ramey Warrants identified by Audit Division actually involved eight arrestees. The OIG reviewed each warrant separately. Although the narrative was similar, its findings have been reported in the GED Warrant Applications and Supporting Affidavits Work Product Audit Supplemental. No issues were identified by the OIG.

<sup>5</sup>The issue of missing Property Receipts has been addressed in previous Department and OIG audits. Audit Division conducted a review on the proper issuance of Property Receipts and determined that there was confusion about the issuance of Property Receipts when the evidence involved narcotics and/or multiple arrestees. The Department will continue to remind officers through roll call training of the requirements to issue Property Receipts.

## V. METHODOLOGY

In efforts to assess the quality, completeness, and finding of Audit Division's audit report, the OIG reviewed Audit Division's working documents, including the audit work plan, crib sheet, and matrix.<sup>6</sup> The OIG also identified all personnel assigned to CLEAR and GED detectives by reviewing copies of official time books maintained by Devonshire and Northeast Areas. The OIG then requested a query of the Consolidated Criminal Analysis Database (CCAD) from Information Technology Division (ITD) to identify all of the work product for the officers previously identified. The OIG used Audit Division's matrix to test the findings of 24<sup>7</sup> randomly selected arrest reports from Audit Division's population.

In efforts to identify any warrants authored by CLEAR personnel and GED detectives, and the use of force (UOF) incidents, the OIG reviewed the corresponding Area Search Warrant/Probable Cause Arrest Warrant Tracking Logs and UOF Logs provided by Audit Division.<sup>8</sup>

## VI. CONCLUSION

Listed below are the OIG's determinations regarding the quality, completeness and findings of Audit Division's Audit of GED WP Supplemental to WP Audit, First Quarter, FY 2003/2004.

### *Quality*

For the purpose 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 true 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.

Audit Division conducted a complete and well-designed audit that examined all procedural compliance issues identified in CD ¶128 and 131(a). Audit Division's findings are accurately supported by the audit documentation. The OIG identified some

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<sup>6</sup> The OIG used Audit Division's modified audit work plan, crib sheet, and matrix to evaluate the GED WPs. The OIG evaluated the work product by using a modified form of an existing AD matrix previously designed for the GED WP Audit, 2<sup>nd</sup> Quarter.

<sup>7</sup> This sample was selected using the one tail test with a confidence interval of 95% and a plus or minus 7% error factor. This figure includes six additional arrest reports as they are part of a multiple arrest.

<sup>8</sup> The OIG did not request separate Logs from the Areas.

minor work paper issues that had no impact on the quality of the report. The issues were discussed and resolved with Audit Division.

### *Completeness*

For the 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 of the issues raised during the review to include both significant and less significant issues. Additionally, completeness will include a determination of the adequacy of the audit populations.

As noted previously, the OIG identified some minor work paper issues that had no impact on the completeness of Audit Division's report. The OIG found the completeness of Audit Division's report to be sufficient.

### *FINDINGS*

For the 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 bases for the matters reported and their correctness and reasonableness.

The OIG found that Audit Division's report was accurate, complete and the evidence adequately supported the findings and were fairly presented.

## **VII. FINDINGS**

The following represents the OIG's findings by Objective.

### Objective No. 1 - Completeness

Audit Division determined completeness by the mere inclusion of all necessary documents in the arrest package. Work product was considered incomplete if documentation could not be located and caused the product to be held out of compliance.

Based on a review of its sample population, the OIG concurs with Audit Division finding the Department in compliance with this objective.<sup>9</sup>

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<sup>9</sup> The OIG notes that although included in its audit work plan as a measure for compliance with completeness, Audit Division did not hold arrest packages out of compliance if a Property Receipt or City Attorney Disclosure Statement was missing from the package. Audit Division has found that in many instances there is documentation in the arrest package that a Property Receipt was issued, however, a copy was not maintained in the arrest package. The Department is attempting to resolve this issue through training of staff responsible for the maintenance of arrest packages.

### Objective No. 2 - Authenticity

Audit Division determined authenticity of the work document by evaluating each document for canned language, inconsistent information, lack of articulation of the legal basis for actions taken, and/or other indicia that the information contained in the document was not authentic or correct.

Based on its sample population, the OIG concurred with Audit Division finding the Department in compliance with this objective. The OIG's review of the documents did not identify any evidence of Canned Language, Inconsistent Information, Lack of Articulation of Legal Basis, or Other Indicia of Inauthentic or Incorrect Information.

### Objective No. 3 - Underlying Actions

Audit Division measured compliance with the underlying actions by reviewing the documents to ensure proper completion and/or documentation of various Department requirements, to include documentation of the Miranda advisement, documentation of the required telephone calls for juvenile detainees, initiation of a use of force investigation, documentation of prior supervisory approval for the use of observation posts, etc., within the WP reports.

Based on a review of its sample population, the OIG concurred with Audit Division finding the Department in compliance with this objective.

### Objective No. 4 – Supervisory Oversight

Supervisors are required to provide proper oversight of incidents at which they are present and/or when reviewing completed documents. At a minimum, supervisory overview of the work product should ensure that the incident and all relevant actions of involved personnel are accurately and adequately documented within the work product. Audit Division further concluded that it is reasonable to expect supervision to identify and correct errors, omissions, and/or deviations from established Department policy/procedure during the review of the work product.

Based on a review of its sample population, the OIG concurred with Audit Division finding the Department in compliance with the above objective. The OIG did not identify any anomalies related to supervisory oversight.

### **Other Related Matters**

The OIG concurs with Audit Division that Northeast Area officers did not log a search warrant in the search warrant log. Audit Division appropriately handled this issue by providing a copy of its findings to the commanding officer for appropriate action.

### **Patterns of Conduct**

The OIG concurred with Audit Division that the review of the Arrest Reports did not demonstrate any identifiable detrimental patterns of conduct among the audited entities or personnel.

### **VIII. POST-AUDIT MEETING WITH AUDIT DIVISION**

A telephonic post audit meeting was held with Audit Division on November 3, 2004. The minor work document issues were discussed. Audit Division concurs with the OIG's findings.