LOS ANGELES POLICE COMMISSION

Review of the Supplemental Gang Enforcement Detail Non-Categorical Use of Force Reports Audit Supplemental Submitted Fourth Quarter Fiscal Year 2003/2004

Conducted by

OFFICE OF THE INSPECTOR GENERAL

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REVIEW OF THE SUPPLEMENTAL GANG ENFORCEMENT DETAIL NON-CATEGORICAL USE OF FORCE REPORTS AUDIT – SUPPLEMENTAL

I. BACKGROUND

Pursuant to Consent Decree (CD) paragraphs (¶) 128, 129, and 131, Audit Division completed an audit of Non-Categorical Use of Force (NCUOF) investigations involving officers assigned to Gang Enforcement Details (GED)[1]. The audit also evaluated Department compliance with CD ¶¶69, 80c, 80e, 81, and 82, as these paragraphs pertain to NCUOF investigations. The Chief of Police (COP) signed the primary NCUOF audit report on June 28, 2004. The Office of the Inspector General (OIG) completed its review of this audit on December 9, 2004.

Audit Division identified the audit population for the primary NCUOF audit from use of force incidents identified in the four quarterly GED Work Product audits conducted by Audit Division during the 2003/2004 fiscal year. Twenty-four uses of force involving GED and Community Law Enforcement and Recovery (CLEAR) personnel were identified for this period. Since six[2] of the 24 NCUOF investigations had not completed the Department review and approval cycle, they were deselected from the primary audit population. Audit Division indicated in its primary audit report that subsequent to the completion of the six investigations, it would conduct a review and submit its findings through a supplemental audit report. Audit Division submitted the supplemental report entitled, *Supplemental Audit to the Gang Enforcement Detail Non-Categorical Use of Force Reports Audit Supplemental (submitted Fourth Quarter Fiscal Year 2003/04.*

II. PURPOSE

The OIG reviewed the supplemental audit report as required by CD ¶135, for quality, completeness, and findings. The supplemental report was completed by Audit Division signed by the COP on November 4, 2004. The OIG received the report on November 8, 2004, within one week of completion as required by the CD ¶135. Due to staffing resources, the OIG did not complete its review of the primary NCUOF audit report within the three-month period allotted by the Independent Monitor. As such, the OIG concedes that our review is non-compliant due to timeliness.

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[1] Hereafter referred to as "primary" NCUOF audit.

[2] The six incidents were documented in three reports (one investigation included four individual uses of force at a single location). A separate NCUOF face sheet and use of force key number was issued for each of the four individuals. One investigation was completed and attached to each NCUOF face sheet.

III. OVERVIEW OF THE DEPARTMENT AUDIT

Audit Division utilized eight objectives drawn primarily from CD ¶¶128, 129 and applicable sections of ¶¶69, and 80-86, to evaluate compliance with CD ¶131. In addition, Audit Division used Department policy to supplement CD mandates in order to conduct a comprehensive assessment of NCUOF investigations. The NCUOF investigations were evaluated using eight objectives including: 1) Completeness; 2) Authenticity; 3) Appropriateness of Underlying Actions; 4) Supervisory Oversight and Post-incident Review of the Applicable Incident; 5) Timeliness of the Investigation; 6) Completeness of the Investigation File Specifically Pertaining to Evidence Documentation; 7) Adequacy of the Statements in Comparison to Investigator's Summaries; and, 8) Adequacy of the Investigation.

Audit Division concluded that the Department was compliant with the stated objectives when at least 95 percent of the reports met the standard established for each objective. Audit Division found the six NCUOF investigations to be 100% compliant with Objectives No. 1, 2, 3, 4, 5, 6, and 8.[3]

IV. METHODOLOGY

The OIG's reviews consisted of a complete analysis of Audit Division's audit report, working documents and an assessment of all six NCUOF investigations reviewed by Audit Division.

V. CONCLUSION

The OIG found that Audit Division's report was well written, and accurately summarized the audit findings. The OIG found that the audit objectives were sufficient to adequately assess compliance with the CD as well as Department policy and procedure. The OIG concurs with Audit Division finding the investigation of the six NCUOF to be compliant with the stated objectives. The OIG identified administrative work paper issues that were discussed with Audit Division (e.g. inaccurate responses to matrix questions). The administrative issues did not have a bearing on Audit Division's findings. Based on the foregoing, the OIG concludes that quality, completeness and findings of the supplemental report overall are sufficient.

[3] Objective No. 7 did not pertain to this review, as there were no tape-recorded interviews to evaluate.