

INTRADEPARTMENTAL CORRESPONDENCE

February 9, 2010
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BPC #10-0089

TO: Honorable Board of Police Commissioners

FROM: Inspector General, Police Commission

SUBJECT: ANNUAL ACTIVITY REPORT FOR THE YEAR 2009

The following entries highlight significant activities for the Office of the Inspector General (OIG), which occurred during the calendar year 2009.

OIG AUDIT SECTION

The OIG audit staff completed the following four audits during the year 2009:

- Complaint Investigations Audit
- Non-Categorical Use of Force Investigations Audit
- Training Evaluation and Management System (TEAMS) II, Phase II Audit
- Anti-Terrorist Intelligence Section Audit

The OIG audit staff completed the following eleven reviews of Department initiated audits:

- Review of the Ethics Enforcement Section's Quarterly Report, Third Quarter 2008
- Review of the Ethics Enforcement Section's Quarterly Report, Fourth Quarter 2008
- Review of the Ethics Enforcement Section's Quarterly Report, First Quarter 2009
- Review of the Ethics Enforcement Section's Quarterly Report, Second Quarter 2009
- Review of the Department's Warrant Applications and Supporting Affidavits Audit
- Review of the Department's Complaint Investigations Phase I Audit
- Review of the Department's Complaint Investigations Phase II Audit
- Review of the Department's Confidential Informant Control Package Audit
- Review of the Department's Non-Categorical Use of Force Reports Audit
- Review of the Department's Gang Enforcement Detail Selection Criteria Audit
- Review of the Department's Gang Enforcement Detail Work Product Assessment Summary

OIG COMPLAINT SECTION

In 2009, the OIG Complaint Section had 1,099 contacts and inquiries involving the public and Department employees, which resulted in the initiation of 189 Complaint Investigations.

MANNER CONTACT RECEIVED	
Telephonic	602
Written Correspondence	223
Electronic Mail	98
Walk-In	85
Facsimile	12
Other	79
Total Number of Contacts	1099

The OIG completed an in-depth analysis of 154 Complaint Investigations, and examined each complaint for quality, completeness, investigative findings, and the related adjudicated penalties associated with each complaint. As part of the review process, the OIG identified 16 investigations that had concerns and returned them to Internal Affairs Group (IAG).

CLASSIFICATIONS	INVESTIGATIONS
Adjudication Issues	11
Conflicting /Inconsistent Statements	5
Deficient / Incomplete Investigations	15
Legal Issues	2
New Allegations	4
Risk Management Issues	0
Training Concerns	6
Investigations Returned to LAPD	16

(Note: Some of the returned investigations involved multiple issues, which resulted in the number of issues exceeding the number of investigations returned to IAG).

The OIG continued to track the Department’s disciplinary process in 2009 and reviewed 12 specific IAG responses regarding completed investigations that had been returned with concerns in the preceding months.

PITCHESS MOTIONS

During 2009, the OIG completed 1,811 Pitchess requests, which involved various court proceedings. Averages of 2.8 officers were involved with each of the Pitchess requests that were received and processed by OIG personnel.

OIG SPECIAL PROJECTS UNIT

During the 2009 calendar year, the OIG Special Projects Unit (SPU) completed a variety of specialized projects on behalf of the Board of Police Commissioners (BOPC). Some of the projects that were handled by the unit were as follows:

- SPU staff continued to review the Department's investigation of the May Day 2007 incident in MacArthur Park. In addition to continuing to review all relevant materials, including videos, interview transcripts, and reports, SPU staff attended the majority of the Board of Rights proceedings for the officers directed to or who opted for Boards and reported to the BOPC on the process. SPU staff presented its final review of discipline to the BOPC in October of 2009.
- SPU staff continued to examine the Department's interaction with investigation involving the homeless within the Skid Row area. To date, SPU staff has reviewed approximately 65 completed complaint investigations. SPU staff also acted as an intake point for all complaints coming from this area.
- SPU staff continued its review of the Office of Public Safety (OPS) complaint intake and investigation system. In January of 2009, SPU staff participated in the first OPS Working Group meeting, consisting of representatives from the City Attorney's Office, Personnel Department, Internal Affairs Group, and others, to assist the OPS. SPU staff also reviewed an additional 12 OPS complaint investigation to ensure that recommendations from the prior year's audit had been incorporated and presented its findings to the OPS Commission. SPU staff continues to provide informal assistance to OPS staff.
- SPU staff attended a Department-hosted meeting regarding the rape kit backlog and concerns with other Department-collected forensic evidence, including latent prints. In anticipation of additional concerns regarding the Department's Crime Lab, SPU staff attended a two-day course on Latent Print Analysis presented by the Latent Prints Unit and completed a ride-along with a Latent Print Specialist. As a result, SPU staff compiled a list of potential recommendations to strengthen the Latent Prints Unit. SPU staff also attended meetings of the Countywide Criminal Justice Coordination Committee's DNA Task Force to become more versed in the subject matter.

OIG SPECIAL PROJECTS UNIT CONTINUED

- At the request of the Federal Monitor, SPU staff completed an assessment to fulfill Paragraph 138(b) of the Consent Decree, which required the OIG to periodically use the Department's Training Evaluation and Management System II (TEAMS II) to conduct Department audits which examine and identify potential at-risk behavior among units. SPU staff worked closely with TEAMS II Bureau personnel to conduct an assessment of Patrol Units' potential risk behaviors, focusing on uses of force and complaints. Findings were presented at the November Risk Management Executive Committee (RMEC) meeting during which the Newton Command Officers presented a response.
- At the direction of the BOPC, SPU staff conducted a review of Audit Division's (AD) Gang Enforcement Detail (GED) Command Accountability Performance Audit (CAPA) "Summary of Gang Enforcement Detail Command Accountability Performance Audits" report (Summary Report). SPU staff met with personnel from AD to understand the purpose of the Summary Report and past and current CAPA audit plans. SPU staff presenting its findings to the BOPC in April of 2009.
- SPU staff continued to track potential at-risk officers. Specifically, in 2009, SPU staff reviewed officers involved in multiple allegations/complaints of Driving Under the Influence (DUI) and/or domestic violence (DV). SPU staff referred one officer to RMEC and continues to track additional officers as needed. SPU staff also assisted outside agencies with understanding the Department's DUI statistics.

USE OF FORCE SECTION

During the 2009 calendar year, members of the OIG were notified concerning a total of 85 Categorical Use of Force (CUOF) incidents:

36	Officer Involved Shootings
18	Animal Shootings
10	Law Enforcement Related Injuries
10	Negligent Discharges
2	In Custody Deaths
4	Head Strikes (with an impact weapon)
4	K-9 bites (requiring hospitalization)
1	Carotid Restraint Control Hold

The BOPC made adoptions in 95 CUOF cases that were reported on and reviewed by the OIG. As part of the OIG investigative review process, OIG personnel also responded to 49 active CUOF crime scenes during the 2009 calendar year.

ADDITIONAL ACTIVITIES

In March of 2009, two members of the Jamaican Police Civilian Oversight Authority visited the OIG and together attended one of BOPC meetings. As part of their trip, Mr. Dave McIntosh and Mr. Gregory Simms discussed oversight responsibilities and exchanged information regarding police oversight duties with members of the OIG.

In October 2009, several members from the OIG staff attended the annual National Association of Civilian Oversight for Law Enforcement conference (NACOLE) in Austin Texas. During the conference, members from the OIG participated in four workshops/panels on effective complaint management, bias in policing, best practices for the oversight of lethal force investigations, and the best practices for investigating/auditing less lethal force. The conference was a huge success and OIG staff members gained valuable knowledge from attending this function.

During 2009, OIG staff members enhanced their knowledge and successfully completed a training session at the Davis Police Academy, which included live fire shooting, emergency vehicle operations, and force simulation training. The OIG staff also participated in the Tools for Tolerance for Law Enforcement Program at the Museum of Tolerance. The experience was a very valuable one for members of the staff who toured the museum and participated in round table discussion with museum program coordinators.

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