

INTRADEPARTMENTAL CORRESPONDENCE

August 31, 2012
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OPERATIONS-SOUTH BUREAU GANG ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT
(IAID NO. 11-144)

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners REVIEW and APPROVE the attached Operations-South Bureau Gang Enforcement Detail Command Accountability Performance Audit.
2. That the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

The Gang Enforcement Detail (GED) Command Accountability Performance Audits (CAPAs) are intended to be used as a management tool to provide useful feedback to commanding officers related to an Area/bureau GED/Community Law Enforcement Recovery work products and supervision. Internal Audits and Inspections Division has previously completed three GED CAPAs for each of the geographic Areas within Operations-South Bureau. This is the first Operations-South Bureau CAPA.

If there are questions regarding this matter, please contact Gerald L. Chaleff, Special Assistant for Constitutional Policing, at (213) 486-8730.

Respectfully,

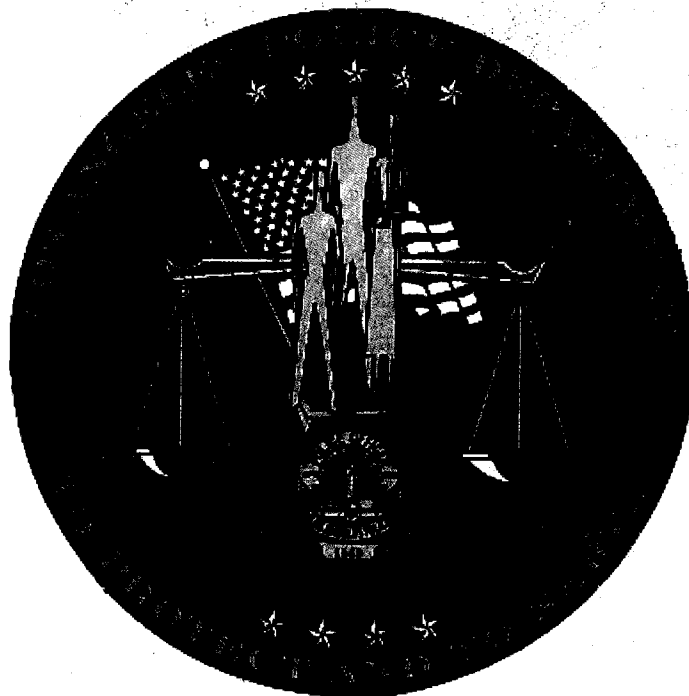


CHARLIE BECK
Chief of Police

Attachments

LOS ANGELES POLICE DEPARTMENT

***OPERATIONS-SOUTH BUREAU
GANG ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY
PERFORMANCE AUDIT***



Conducted by

INTERNAL AUDITS & INSPECTIONS DIVISION

June 2012

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EXECUTIVE SUMMARY
OPERATIONS-SOUTH BUREAU GANG ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT

Conducted by
Internal Audits and Inspections Division
Fiscal Year 2011/2012

PRIOR AUDITS

The Operations-South Bureau (OSB) Gang Enforcement Detail Command Accountability Performance Audit (CAPA) is the first Bureau CAPA to be conducted by Internal Audits and Inspections Division (IAID) for OSB. Previous CAPAs were performed individually for each Area and a report was issued to each respective commanding officer (C/O). While the testing process was conducted concurrently for each of the four Areas within OSB for this CAPA, IAID has issued one report to the OSB C/O summarizing the findings for each of the four Areas; Southwest, Harbor, 77th Street and Southeast for their individual response.

Beginning in the year 2011, IAID changed the reporting methodology for GED CAPAs based on operational exposure/risk; therefore, a performance comparison summarizing prior years with current year audit findings will not be noted in this report. The Bureau GED CAPAs will be conducted in those bureaus that have a field-deployed Area gang unit and will have four objectives, as follows:

- Objective No. 1 – Evaluation of Arrest Report Packages;
- Objective No. 2 – Evaluation of Search/Ramey Warrant Packages;
- Objective No. 3 – Evaluation of Supervisory Roles; and,
- Objective No. 4 – Evaluation of the Confidential Financial Disclosure Filings.

SUMMARY OF FINDINGS

Each (100%) of the four Areas met the standard for Objective No. 4 – Evaluation of the Confidential Financial Disclosure Filings. However, some issues of concern were identified in the remaining three objectives as outlined below:

- Objective No. 1 – Evaluation of Arrest Report Packages: The audit disclosed common issues when reviewing arrest reports to include the completeness of the Booking Approval, Form 12.31.00, the lack of sufficient articulation in the arrest report narratives as it related to providing medical treatment when required;
- Objective No. 2 – Evaluation of Search/Ramey Warrant Packages: the audit disclosed common issues in the completeness of documentation contained in the search warrant packages; and,
- Objective No. 3 – Evaluation of Supervisory Roles: The audit disclosed common issues when reviewing the Standards Based Assessments (SBAs) in which several were not completed for the current evaluation period. A large number of the SBAs were signed by the C/O beyond 90 days after the TEAMS Action Item was received by the Area. Additionally,

a review of the Daily Field Activities Reports (DFARs) documented that a supervisor did not always review and sign the DFAR as required.

Objective No. 1 – Evaluation of Arrest Report Packages

A brief description of the most frequent audit findings for Objective No. 1, Evaluation of Arrest Report Packages is outlined below:

- Detention log completeness;
- Lack of consistency in arrest report narratives;
- Booking Approvals, Form 12.31.00, are not complete; and,
- Property Report forms contain inconsistencies.

Table No. 1 depicts a summary of findings for Objective No. 1 – Evaluation of Arrest Report Packages, Operations-South Bureau GED/CAPA 2011.

**TABLE NO. 1 – OBJECTIVE NO. 1 – Evaluation of Arrest Report Packages
 SUMMARY OF AUDIT FINDINGS - OPERATIONS-SOUTH BUREAU**

GED AREA	2011 Total Number of Documents Reviewed	2011 Total Number of Documents That Met the Standards	2011 Percentage (%) That Met the Standards
Southwest	28	19	68%
Harbor	23	18	78%
77 th Street	8	5	63%
Southeast	6	5	83%
Bureau Total	65	47	72%

Objective No. 2 – Evaluation of the Search/Ramey Warrant Packages

The most frequent audit finding for Objective No. 2, Evaluation of Search/Ramey Warrant Packages is that they did not contain all the necessary documentation.

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Table No. 2 depicts a summary of findings for Objective No. 2 – Evaluation of Search/Ramey Warrant Packages, Operations-South Bureau GED/CAPA 2011.

**TABLE NO. 2 – OBJECTIVE NO. 2 – Evaluation of Search/Ramey Warrant Packages
 SUMMARY OF AUDIT FINDINGS - OPERATIONS-SOUTH BUREAU**

GED AREA	2011 Total Number of Documents Reviewed	2011 Total Number of Documents That Met the Standards	2011 Percentage (%) That Met the Standards
Southwest	5	4	80%
Harbor	2	1	50%
77 th Street	2	2	100%
Southeast	5	2	40%
Bureau Total	14	9	64%

Objective No. 3 – Evaluation of the Supervisory Roles

This objective evaluated supervisory roles, which included an assessment of GED Supervisor’s Daily Reports (SDRs), DFARs, and SBAs for GED personnel and gang detectives. This objective consists of sub-categories; Supervisory Approval and timely Supervisory Feedback.

The results of this evaluation are depicted in a comprehensive summary of Supervisory Roles in Table No. 3A. The total number of documents reviewed is reflected in Table No. 3B.

**TABLE NO. 3A – OBJECTIVE NO. 3 – Evaluation of Supervisory Roles
 SUMMARY OF SUPERVISORY ROLES WITHIN OPERATIONS-SOUTH BUREAU**

GED AREA	2011 Total Number of Documents Reviewed	2011 Total Number of Documents That Met the Standards	2011 Percentage (%) That Met the Standards
Southwest	136	122	90%
Harbor	149	102	68%
77 th Street	158	147	93%
Southeast	175	156	89%
Bureau Total	618	527	85%

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TABLE NO. 3B – OBJECTIVE NO. 3 – Evaluation of Supervisory Roles
SUMMARY OF DOCUMENTS REVIEWED / SUPERVISORY ROLES – OPERATIONS-SOUTH BUREAU

Supervisory Roles	Documents/Reports	Total Documents Reviewed	Number of Documents That Met the Standards	Percentage That Met the Standards (%)
Supervisory Approvals	DFARs	400	348	87%
	GED Supervisor's Daily Reports ¹	124	119	96%
Supervisory Feedback	Standards Based Assessments	94	60	64%
Total		618	527	85%

Objective No. 4 – Evaluation of the Confidential Financial Disclosure Filings

The Evaluation of the Confidential Financial Disclosure Filings was conducted to determine if all personnel assigned to GED/CLEAR and Gang Impact Teams (GIT) had filed a Confidential Financial Disclosure with the Confidential Financial Disclosure Coordinator at IAID.

The review of the Confidential Financial Disclosure Filings indicated that each of the four Areas (100%) met the standard for this objective. All ninety-five GED/CLEAR and GIT sworn personnel assigned to the Areas within OSB had completed the Confidential Financial Disclosure Filings.

ACTIONS TAKEN

Internal Audits and Inspections Division provided OSB a draft copy of the audit report containing a summary of *Detailed Findings Listed By Objective* attached as Addendum A.

Each Area C/O responded to their respective findings (attached as Addenda B through E) via an Intradepartmental Correspondence through the Bureau C/O by indicating what, if any, corrective actions were taken to correct the deficiencies.

In addition, this audit was reviewed by OSB Management which was in general agreement.

CONCLUSION

Internal Audits and Inspections Division believes this audit report, containing findings that are open for review and comment, develops a complete and objective audit report that presents fairly the perspectives of both IAID and Area GED Operations. Therefore, IAID is certain that the

¹ Seventeen SDRs could not be located for review.

corrective actions, taken by each Area GED Operations, provide reasonable and adequate assurance to address the audit report findings.

**OPERATIONS-SOUTH BUREAU GANG ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT**

**Conducted by
Internal Audits and Inspections Division
Fiscal Year 2011/2012**

PURPOSE

The Bureau Gang Enforcement Detail (GED) Command Accountability Performance Audits (CAPAs) are intended to provide useful information to Department management related to an Area GED's work product (WP), supervisory oversight, as well as designed to assess significant risk management issues associated with GED operations. The GED CAPAs are performed to determine if the internal controls within each division are effective to ensure they are operating within Department policies and procedures as well as other established criteria as set forth by State and federal guidelines. Specifically, the information contained in this audit is intended to be used as a management tool to provide useful feedback to the Operations-South Bureau (OSB) Commanding Officer (C/O) and respective Area C/Os related to Area GED/CLEAR work product and supervision.

BACKGROUND

Internal Audits and Inspections Division (IAID) developed CAPAs to address risk management issues, assess operations, and provide timely information to Department management pertaining to GED. Beginning in 2011, the CAPAs were performed bureau-wide and audit results were reported for each Area in the final report as an attached Addenda.¹

Internal Audits and Inspections Division conducted this audit under the guidance of generally accepted government auditing standards, specifically pertaining to performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. Internal Audits and Inspections Division has determined that the evidence obtained provides a reasonable basis for the findings and conclusions based on our audit objectives.

PRIOR AUDITS

The OSB GED CAPA is the second bureau CAPA to be conducted by IAID and the first for OSB (Southwest, Harbor, 77th Street and Southeast). Previously, three CAPAs were performed for each individual Area within OSB and a report was issued to the respective C/O.

SUMMARY OF FINDINGS

Each (100%) of the four Areas met the standard for Objective No. 4 – Evaluation of the Confidential Financial Disclosure Filings. However, some issues of concern were identified in the remaining three objectives as outlined below:

¹ Bureau CAPAs will be conducted in those bureaus that have a field-deployed bureau gang unit.

- Objective No. 1 – Evaluation of Arrest Report Packages: The audit disclosed common issues when reviewing arrest reports to include the completeness of the Booking Approval, Form 12.31.00, the lack of sufficient articulation in the arrest report narratives as it related to providing medical treatment when required;
- Objective No. 2 – Evaluation of Search/Ramey Warrant Packages: the audit disclosed some common issues in the completeness of documentation contained in the search warrant packages; and,
- Objective No. 3 – Evaluation of Supervisory Roles: The audit disclosed common issues when reviewing the Standards Based Assessments (SBAs) in which several were not completed for the current evaluation period. A large number of the SBAs were signed by the C/O beyond 90 days after the TEAMS Action Item was received by the Area. Additionally, a review of the Daily Field Activities Reports (DFARS) documented that a supervisor did not always review and sign the DFAR as required.

METHODOLOGY

Scope

The audit included the review of Arrest Reports, search/Ramey warrants, GED Supervisor Daily Reports (SDRs), Watch Commander's Daily Reports, DFARS, Adult and Juvenile Detention Logs, SBAs, and Confidential Financial Disclosure Filings. The audit encompassed the Area's GED WP, supervisory oversight, as well as an assessment of significant risk management issues associated with GED operations. Deployment Period (DP) No. 11 and No. 12, 2011 (October 9, 2011 to December 3, 2011), was the time period that documents were reviewed and the audit steps employed are further delineated under each audit objective.

The population for this CAPA identified 183 arrests performed by GED/CLEAR or Gang Impact Team (GIT) personnel for the period under review. From this, a stratified random sample of 65 arrest reports was identified.²

The testing process was conducted concurrently for each of the four Areas within OSB. Each Area C/O was responsible for providing IAID with written comments as a form of response to the findings contained in the draft audit report and their response was reviewed and approved by their bureau C/O.

² The sample size was obtained by using a one-tail test with a 95% confidence level with a precision of +4%.

Audit Objectives

The audit was comprised of four objectives, as follows:

Objective No. 1 - Evaluation of Arrest Report Packages,

Objective No. 2 - Evaluation of Search/Ramey Warrant Packages,

Objective No. 3 - Evaluation of Supervisory Roles; and,

Objective No. 4 - Evaluation of the Confidential Financial Disclosure Filings.

Risk Assessment

The findings for the objectives were categorized into the following two risk categories:

- **Moderate to High Risk** – Incidents that would result in ineffective operations, substandard service to the public, or that would expose the Department and/or the City to adverse public criticism and/or liability.
- **Low Risk** – Incidents for which there was a lack of adherence to an administrative procedure or authoritative standard.

The defined risk assessment severity varied for Objective Nos. 1 and 2, as the findings may fluctuate from administrative issues to more serious consequences as a result of not following Department policies and procedures.

Objective Nos. 3 and 4 were determined to be at the **Moderate to High** risk level due to the direct involvement with Department supervision and compliance to Department policies and procedures. A higher standard is expected from Department supervision, especially in the role of providing supervisory oversight.

Field Work

The fieldwork was performed between December 20, 2011 and February 29, 2012.

An Intradepartmental Correspondence, Form 15.2, was presented to the Bureau C/O, OSB, on January 18, 2012, to explain IAID's audit methodology and if there are any additional areas that should be audited for further evaluation. Internal Audits and Inspections Division did not receive any concerns or requests from the Bureau C/O prior to, or during the performance of the audit.

Reporting Views of Responsible Command

On May 29, 2012, IAID received each of the Area GED CAPA report responses directly from OSB. The responses provided by each Area Commanding Officer within OSB may document those findings that were found in the previously provided draft audit report, but removed from this final version after discussion with IAID personnel and further review of Department policy.

The names of personnel and other identifying information were redacted from the responses prior to final submission of the audit report. Internal Audits and Inspections Division believes corrective action plans, as outlined in the responses will result in continuous improvement and positive performance outcomes for Area GED operations within OSB.

Source Documentation

All authoritative source documents for the audit are contained within the CAPA Master Audit Plan.

Objective No. 1 – Evaluation of Arrest Report Packages

Audit Steps

This objective included the review of arrest reports completed by all GED personnel, including gang detectives, assigned to GED and GIT during DP No. 11 and No. 12, 2011 (October 9 through December 3, 2011).

Internal Audits and Inspections Division identified a total of 65 arrest reports as GED WP. A copy of each arrest report was obtained directly from each Area's Records Unit.

Internal Audits and Inspections Division reviewed the 65 arrest reports for evidence of at-risk patterns of conduct; to identify significant discrepancies or deviations from Department policies and procedures; to determine whether each report sufficiently articulated the legal basis for all actions taken (i.e., detentions, arrests, and searches); and when applicable, determine whether the protocol for the admonition of Miranda Rights was followed.³

Additionally, each arrest report was tested for the following:

- Proper supervisory approval signature on the arrest report and/or booking approval;
- Indication that the evidence/property seized from the arrestee(s) was properly booked or disposed of in a manner consistent with Department policy/procedure;

³ As a matter of practice, pattern assessment findings, if any, are reported confidentially under separate cover to the Chief of Police and the Board of Police Commissioners.

- Indication of the proper use of a confidential informant;
- Indication that a juvenile(s) was not detained longer than six hours, as documented on the Juvenile Detention Logs, when transported to an Area station; and,
- Indication that a juvenile(s) was advised of his/her right to make three telephone calls within three hours, two within one hour of the time he/she was taken into custody.

Arrest reports that indicated the above-mentioned criteria met the standard for this objective.

Summary of Findings

A brief description of the most frequent audit findings for Objective No. 1, Evaluation of Arrest Report Packages is outlined below:

- Detention log completeness;
- Lack of consistency in arrest report narratives;
- Booking Approvals, Form 12.31, are not complete; and,
- Property Report forms contain inconsistencies.

Table No. 1 depicts a summary of audit findings for Objective No. 1 – Evaluation of Arrest Report Packages, Operations-South Bureau GED/CAPA 2011.

**TABLE NO. 1 – OBJECTIVE NO. 1 – Evaluation of Arrest Report Packages
 SUMMARY OF AUDIT FINDINGS - OPERATIONS-SOUTH BUREAU**

GED AREA	2011 Total Number of Documents Reviewed	2011 Total Number of Documents That Met the Standards	2011 Percentage (%) That Met the Standards
Southwest	28	19	68%
Harbor	23	18	78%
77 th Street	8	5	63%
Southeast	6	5	83%
Bureau Total	65	47	72%

Detailed Findings

The detailed findings for Objective No. 1 – Evaluation of Arrest Report Packages are documented in Addenda A.

Objective No. 2 – Evaluation of Search/Ramey Warrant Packages

Audit Steps

The Warrant Tracking Log was reviewed for each Area within Operations-South Bureau to identify all search/Ramey warrants in which a GED officer or a gang detective was the affiant. If the number of search/Ramey warrants in a given Area exceeded five, a stratified sample of search/Ramey warrants was applied to the total number of search/Ramey warrants to determine the population for review. Internal Audits and Inspections Division identified a total of 14 search/Ramey warrants to evaluate for the period under review.

The search/Ramey warrants were reviewed to determine if the following Department policies and procedures were followed:

- The magistrate approved the search warrant and affidavit prior to service;
- The search warrant was properly documented on the Warrant Tracking Log;
- The search warrant was served within the required 10-day period;
- The Warrant Service/Tactical Plan Report and Return to Search Warrant were completed;
- There was a supervisor of the rank of Lieutenant or above present during the service of the search warrant;
- Proper use of confidential informants (if any);
- When required, a single copy of the sealed warrant affidavit (Hobbs portion) is properly maintained in a locked location within the Area C/O's office; and
- There was consistency between the evidence seized and the description of the property to be seized as documented in the search warrant.

Search/Ramey warrants that indicated the above-mentioned criteria met the standard for this objective.

Summary of Findings

The most frequent audit finding for Objective No. 2, Evaluation of Search/Ramey Warrant Packages is that search warrant packages do not contain all the necessary documentation.

Table No. 2 depicts a summary of findings for Objective No. 2 – Evaluation of Search/Ramey Warrant Packages, Operations-South Bureau GED/CAPA 2011.

TABLE NO. 2 – OBJECTIVE NO. 2 – Evaluation of Search/Ramey Warrant Packages
SUMMARY OF AUDIT FINDINGS - OPERATIONS-SOUTH BUREAU

GED AREA	2011 Total Number of Documents Reviewed	2011 Total Number of Documents That Met the Standards	2011 Percentage (%) That Met the Standards
Southwest	5	4	80%
Harbor	2	1	50%
77 th Street	2	2	100%
Southeast	5	2	40%
Bureau Total	14	9	64%

Detailed Findings

The detailed findings for Objective No. 2 – Evaluation of Search/Ramey Warrant Packages are documented in Addendum A.

Objective No. 3 – Evaluation of Supervisory Roles

This objective evaluated supervisory roles, which included an assessment of GED Supervisor’s Daily Reports (SDRs), DFARs, and SBAs for GED/CLEAR and GIT personnel. This objective consists of sub-categories; Supervisory Approval and timely Supervisory Feedback.

Summary of Findings

The results of this evaluation are depicted in a comprehensive summary of Supervisory Roles in Table No. 3A. The total number of documents reviewed is reflected in Table No. 3B.

TABLE NO. 3A – OBJECTIVE NO. 3 – Evaluation of Supervisory Roles
SUMMARY OF SUPERVISORY ROLES WITHIN OPERATIONS-SOUTH BUREAU

GED AREA	2011 Total Number of Documents Reviewed	2011 Total Number of Documents That Met the Standards	2011 Percentage (%) That Met the Standards
Southwest	136	122	90%
Harbor	149	102	68%
77 th Street	158	147	93%
Southeast	175	156	89%
Bureau Total	618	527	85%

TABLE NO. 3B – OBJECTIVE NO. 3 – Evaluation of Supervisory Roles
SUMMARY OF DOCUMENTS REVIEWED / SUPERVISORY ROLES – OPERATIONS-SOUTH BUREAU

Supervisory Roles	Documents/Reports	Total Documents Reviewed	Number of Documents That Met the Standards	Percentage That Met the Standards (%)
Supervisory Approvals	DFARs	400	348	87%
	GED Supervisor's Daily Reports	124	119	96%
Supervisory Feedback	Standards Based Assessments	94	60	64%
Total		618	527	85%

Detailed Findings

Five hundred and twenty-seven (85%) of 618 documents reviewed met the standard for this objective. The remaining 91 documents reviewed did not meet the standard for this objective. The detailed findings for Objective No. 3 are documented in Addenda A and written responses are attached to this report.

Objective No. 4 – Evaluation of the Confidential Financial Disclosure Filings

The purpose of this objective is to determine that the Confidential Financial Disclosures were completed as required per Special Order No. 8, May 8, 2012, entitled “Confidential Financial Disclosure Policy and Procedures for Gang Enforcement Detail and Narcotic Field Enforcement Personnel.” The Special Order requires all sworn officers at the rank of Lieutenant and below, assigned to the GIT, GED, and CLEAR units to complete a Confidential Financial Disclosure Face Sheet and Financial Disclosure Report (referred to as Form 01.74.00). The Confidential Financial Disclosure Coordinator is responsible for the initial intake, review, and annual inspection of the Form 01.74.00.

Summary of Findings

Each (100%) of the 95 officers assigned to Southwest Area, Harbor Area, 77th Street Area, and Southeast Area GED/CLEAR and GIT sworn personnel have completed the Confidential Financial Disclosure Filings.

ACTIONS TAKEN

Internal Audits and Inspections Division provided OSB a draft copy of the audit report containing a summary of *Detailed Findings Listed By Objective* attached as Addendum A.

Each Area C/O responded to their respective findings (attached as Addenda B through E) via an Intradepartmental Correspondence through the Bureau C/O by indicating what, if any, corrective actions were taken to correct the deficiencies. Additionally, this audit was reviewed by OSB Management which was in general agreement.

CONCLUSION

Internal Audits and Inspections Division believes this audit report, containing findings that are open for review and comment, develops a complete and objective audit report that presents fairly the perspectives of both IAID and Area GED Operations. Therefore, IAID is certain that the corrective actions, taken by each Area GED Operations, provide reasonable and adequate assurance to address the audit report findings.

OBJECTIVE No. 1 – EVALUATION OF ARREST REPORT PACKAGES			
Booking/DR No.	Risk Level	Area/Division	Description of the Finding
2910174	Moderate to High	Southwest	The Adult Detention Log does not contain an entry for this suspect.
2915904	Moderate to High	Southwest	The "Type of Search Authorized" as well as the "Watch Commander Approving Search" sections on the Booking Approval form, were not completed.
2925920	Moderate to High	Southwest	The name of the supervisor as documented in the Booking Section of the arrest report narrative is different than the name of the supervisor signing the Booking Approval Form.
2926045	Moderate to High	Southwest	The Adult Detention Log indicates the arrestee answered "yes" to the question "Are you sick, ill, or injured?" to which the Watch Commander documented "psych meds" in the Detention Log. There is no indication the arrestee received medical treatment for this issue as required. The name of the Watch Commander was not written in the Booking section of the Arrest Report; however, the serial number of the Watch Commander was written in the Booking section of the Arrest Report.
2932187	Moderate to High	Southwest	The Arrest Report package does not document a Marsy's Rights Card was given to the victim.
2937698	Moderate to High	Southwest	The Arrest Report and Booking Approval indicate a "Strip" search was conducted; however, the date and time of the search, location search conducted, and searching employee information were omitted.
2951188	Moderate to High	Southwest	The report indicates that a 32 year-old arrestee was questioned in depth about why he was being arrested and about the narcotics he was being arrested for; however, the arrestee was not admonished. The Arrest Report and Booking Approval indicate a "Strip" search was conducted; however, the date and time of the search, location search conducted, and searching employee information were omitted. Furthermore, the Property Report documents US Currency was booked as evidence; however, the "Money" box and "Total US Currency Booked" at the top of the Property Report are blank.
2962129	Moderate to High	Southwest	The Arrest Report and Booking Approval indicate a "Strip" search was conducted; however, the "Reason For Search" section was not completed.
2967210	Moderate to High	Southwest	Each arrestee should have been given his own Property Receipt (10.10.00).
2922112	Moderate to High	Harbor	The Booking Approval indicates a "Strip" search took place; however no reason is given.
2930571	Low	Harbor	The Adult Detention Log entry for this suspect does not contain the "Tank/Bench" location.
2936746	Moderate to High	Harbor	The arrest narrative and the Booking Approval indicate a "Strip" search; however, the reason for the search is not complete and no explanation was given. The arrest report narrative, arrest face sheet, and Detention Log indicate the suspect needed and received medical treatment; however, the proper boxes were not checked and the person providing treatment is not documented.

OBJECTIVE No. 1 – EVALUATION OF ARREST REPORT PACKAGES (continued)

2948251	Moderate to High	Harbor	The Juvenile Arrest Supplemental Report does not properly document the "Parent, Guardian or Responsible, Relative Notification" and "Phone Calls" time for telephone calls.
2948371	Moderate to High	Harbor	The multi-2 arrest involves Defendant 1, who approaches the passenger side on a vehicle and conducts a narcotics sale through the right passenger side window. Defendant 2, who is seated in the driver's seat is arrested for Transporting Controlled Substance. Defendant 1 is arrested for Possession of Methamphetamines for sales. However, a female suspect, who is seated in the passenger seat, is identified in the report, but there is no further mention of her involvement or disposition.
2964794	Moderate to High	77th Street	The Arrest Report narrative documents the suspect was charged with Transportation of Phencyclidine. The suspect was admonished; however, his exact responses are not documented anywhere within the arrest report package.
2945205	Moderate to High	77th Street	The Arrest Report face sheet indicates "None" in the "Complaints/Evidence of Illness/Injury-By Whom Treated" box; however, the detention log indicates the suspect answered "yes" to being "sick, ill, or injured" and stated that his right leg and left arm were hurt from a prior injury. The arrest report narrative does not indicate medical treatment was provided.
2925575	Moderate to High	77th Street	The suspect was admonished and admitted to owning a firearm; however, his exact responses are not documented anywhere within the arrest report package.
2962327	Moderate to High	Southeast	The Arrest Report narrative documents officers responded to a radio call of gang members outside a residence. During the investigation, a female suspect was searched and officers discovered narcotics. The suspect's vehicle was searched and her cell phone was recovered and searched. There is no documentation of a consent to search, probable cause to search, or how the vehicle was related to the investigation. The property report indicates 36 baggies were booked; however, the property receipt indicates only 16 baggies were taken from the suspect. Additionally, the top of the Property Report indicates \$23.00 was booked; however, the body of the Property Report and the Property Receipt indicate \$39.00 was booked.

OBJECTIVE No. 2 – EVALUATION OF SEARCH/RAMEY WARRANT PACKAGES

Search Warrant No.	Risk Level	Area/Division	Description of the Finding
SW63066	Moderate to High	Southwest	A Property Receipt was not given for the property seized.
SW F63037	Moderate to High	Harbor	The Search Warrant Affidavit, Statement of Probable Cause section, does not document the affiant's rank, name, serial number and assignment as required by the Search Warrant Manual.
79-2011-SW360	Moderate to High	Southeast	The Hobbs Sealed Portion of the search warrant was not contained in the search warrant package.
79-2011-SW381	Moderate to High	Southeast	The Hobbs Sealed Portion of the search warrant was not contained in the search warrant package.
SW011321	Moderate to High	Southeast	The Property Report and Receipt for Property Taken Into Custody are inconsistent and do not contain the same information.

OBJECTIVE No. 3 – EVALUATION OF SUPERVISORY ROLES

Document	Risk Level	Area/Division	Description of the Finding
Daily Field Activities Report	Moderate to High	Southwest	Five DFARs did not contain a signature from the approving supervisor.
	Moderate to High	Harbor	Forty-five DFARs did not contain a signature from the approving supervisor.
	Moderate to High	77th Street	One DFAR did not contain a signature from the approving supervisor.
	Moderate to High	Southeast	One DFAR did not contain a signature from the approving supervisor.
GED Supervisor's Daily Report	Moderate to High	Harbor	One SDR did not contain the signature of the C/O.
	Moderate to High	77th Street	One SDR did not contain the information required in the Actual Field Time Box.
	Moderate to High	Southeast	Two SDRs did not contain the signature of the OIC and one other did not contain the signature of the C/O.
Standards Based Assessments	Moderate to High	Southwest	Nine SBAs were signed by the C/O beyond 90 days after the SBA Action Item was received at the Area. Additionally, one of the nine SBAs was not the most current evaluation.
	Low	Harbor	The current SBA was not properly maintained within one employee's personnel package.
	Moderate to High	77th Street	Five SBAs were signed by the C/O beyond 90 days after the SBA Action Item was received at the Area. Two of the five SBAs, in addition to four others, were not the most current evaluation.
	Moderate to High	Southeast	Fourteen SBAs were signed by the C/O beyond 90 days after the SBA Action Item was received at the Area. Four of the fourteen SBAs were not the most current evaluation. One personnel package containing the SBA could not be located for review.

INTRADEPARTMENTAL CORRESPONDENCE

May 23, 2012

1.5

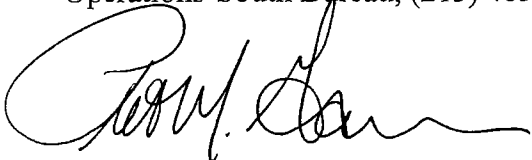
TO: Commanding Officer, Internal Audits Inspection Division

FROM: Commanding Officer, Operations-South Bureau

SUBJECT: GED CAPA

The following attachments are in response to the preliminary findings identified in the Operations-south Bureau (OSB) Command Accountability Performance Audit (CAPA).

If you have any questions, please contact, Lieutenant James Alvarez, Serial No. 26357, Operations-South Bureau, (213) 485-4251.



PATRICK M. GANNON, Deputy Chief
Commanding Officer
Operations-South Bureau

Attachments

INTRADEPARTMENTAL CORRESPONDENCE

May 30, 2012

5.4

TO: Commanding Officer, Internal Audits and Inspections Division

FROM: Commanding Officer, Southwest Area

SUBJECT: RESPONSE TO FISCAL YEAR 2011/2012 OPERATIONS-SOUTH BUREAU (OSB) GANG ENFORCEMENT DETAIL (GED) COMMAND ACCOUNTABILITY PERFORMANCE AUDIT (CAPA)

The fiscal year 2011/2012 OSB GED CAPA was conducted and caused review of documents completed during Deployment Period No. 11-2011 and Deployment Period No. 12-2011. The audit was comprised of four objectives and the findings of the audit were provided to OSB Areas for review and response. The information below represents Southwest Area's response to the findings.

Objective No. 1, Evaluation of Arrest Reports

Findings:

A total of twenty-eight arrest report packages were reviewed. A total of twenty met the standards for a 71.4% compliance rate.

Issue: The Adult Detention Log does not contain an entry of this suspect.

Response: Southwest Area does not concur with these findings. A separate inspection of this arrest and its related reports revealed that the transporting officers erroneously listed the arrestee as Soto and not Salto. The supporting documentation is attached to this response. In an effort to address the name discrepancy, officers and supervisors assigned to Southwest GED have been tasked with conducting spot checks of the detention logs for each of the GED arrests for that night. This will act as another level of review to assist the on-duty watch commander with discovering any potential errors.

Issue: In the arrest report with Booking No. 2915904, the Booking Approval indicates a strip search took place. However, the types of search authorized and watch commander approving search sections were not completed.

Response: Southwest Area concurs with these findings. The arrest report narrative does indicate that Hunter was searched based upon his narcotics charge. The narrative indicates who conducted the search with the results. On the Booking Approval, the authorization by the watch commander box was left blank. The on-duty watch commander missed this oversight. It is recommended that GED supervisors also review the Booking Approval and related reports prior to their submission to the watch commander. Training will be provided to the Southwest Area Watch Commanders and Assistant Watch Commanders during the May 2012 supervisor meeting and a separate comment card will be issued to the involved supervisor.

Issue: In the arrest report with Booking No. 2925920, the name of the supervisor documented in the Booking Section of the arrest report narrative is different than the name of the supervisor signing the Booking Approval form.

Response: Southwest Area concurs with these findings. Attention to detail is critical to ensure each document does not contain information from previous reports. This is a failure of the officers who wrote the report, but it was also missed by GED supervisors who are tasked with reviewing and initialing all GED reports prior to submission to the on-duty watch commander for approval. All GED personnel, including supervisors, will receive training during the May 2012 GED training day. Training will be provided to the Southwest Area Watch Commanders and Assistant Watch Commanders during the May 2012 supervisor meeting.

Issue: In the reports related to Booking No. 2926045, the detention log entry for this suspect indicated he took "psych meds" and there was no documentation of medical treatment. Additionally, only the watch commander's serial number was delineated on the reports and his name was left off the report.

Response: Southwest Area concurs with these findings. Many arrestees make statements during their intake with watch commanders regarding their medical issues that are not true. The purpose of the medical questions upon watch commander intake is to ensure there are no immediate medical concerns or medications that need to be immediately administered for the safety and well-being of the arrestee. Upon intake at the jail facility, there are several medical forms that are part of the overall screening process. What an arrestee states during intake ultimately causes medical treatment at the jail facility. This is unless there was an obvious emergency issue during the watch commander intake. The suspect has the right to refuse medical treatment. In this case, the officers documented that he did not receive medical treatment after completing the intake process at the jail facility. This was factual and accurate. This resolution should be noted on the Detention Log or in the Watch Commander Daily Report.

The omission of the watch commander's name in the narrative of the report is a failure of the officers and GED supervisors who reviewed the reports. Though they wrote the serial number, it is noted that the watch commander's name is not legible on the booking approval. It is still the responsibility of the officers to ensure they document the name in the narrative. The watch commander also bares some responsibility since they are the final review. Training will be provided to the Southwest Area Watch Commanders and Assistant Watch Commanders during the May 2012 supervisor meeting and a separate comment card will be issued to the involved watch commander.

Issue: The Arrest Report narrative with Booking No. 2932187 does not document a Marsy's Rights Card was given to the victim.

Response: Southwest Area concurs with these findings. The required comment was omitted from the narrative. This failure was an oversight of the officers and the GED supervisors who reviewed the documents. Arrest report face sheets do not have a check box like other reports to document the meeting of this requirement. Training will be provided to all GED personnel regarding this issue. The on-duty watch commander also missed this oversight by the officers. Training will be provided to the Southwest Area Watch Commanders and Assistant Watch Commanders during the May 2012 supervisor meeting.

Issue: The related reports to Booking No. 2937698 indicate a strip search was conducted. The date, time, and location of the search were omitted.

Response: Southwest Area concurs with these findings. The arrest report narrative does not indicate the date and time of the search, the location of the search, and the name of the officer conducting the search. The officers failed to document these details in their narrative. The GED supervisor also missed this upon his review. Additionally, the on-duty watch commander missed this oversight by the officers. Training will be provided to the Southwest Area Watch Commanders, Assistant Watch Commanders, and supervisors, including those from GED, during the May 2012 supervisor meeting and a separate comment card will be issued to the involved watch commander.

Issue: The related reports to Booking No. 2951188 indicate a strip search was conducted. The date, time, and location of the search were omitted. Also, there was no indication the arrestee was admonished and the total amount of currency was omitted on the property report.

Response: Southwest Area does not concur with these findings. A separate inspection of this arrest and its related reports revealed information contrary to what is stated in the Issue above. The arrest report narrative does not indicate the date and time of the search, the location of the search, and the name of the officer conducting the search. In the Arrest Report, under the Booking Section, the narrative indicates the suspect was booked at MDC Jail and a strip search was conducted with negative results. Clearly, the narrative needed to be more specific and state the date, time, location, and name of the officer conducting the search. The GED supervisor also missed these omissions upon his review. Additionally, the on-duty watch commander missed this oversight by the officers. On the Face Sheet of the Arrest Report, the Admonition of Rights Section clearly indicates "Not Admonished". In the Arrest Report, under the Evidence Section, the narrative indicates, "US currency was located from Harris' left pocket by Officer [REDACTED] in various denominations totaling \$15.00." In addition, the Property Report lists the total amount of currency in Item No. 4 and denotes the total as "\$15". All GED personnel, including supervisors, have received training on attention to detail regarding their reports during April 2012. Training will also be provided to the Southwest Area Watch Commanders and Assistant Watch Commanders during the May 2012 supervisor meeting. Comment cards will be issued to the corresponding watch commander and GED supervisor.

Issue: The related reports to Booking No. 2962129 indicate a strip search was conducted. The section related to the reason for this search was not completed.

Response: Southwest Area concurs with these findings. The reports indicated they had approval for the search, but there was no reason provided. The officers failed to ensure they documented these details on the booking approval. The GED supervisor also missed this upon his review. Additionally, the on-duty watch commander missed this oversight by the officers. Training will be provided to the Southwest Area Watch Commanders, Assistant Watch Commanders, and supervisors during the May 2012 supervisor meeting. And a separate comment card will be issued to the involved watch commander.

Issue: In the reports related to Booking No. 2967210, each arrestee should have been given their own Receipt for Property Taken Into Custody, Form 10.10. The name of the arrestee is spelled differently throughout the report and the property report was not signed by a supervisor.

Response: Southwest Area concurs with part of these findings. The officers completed one Form 10.10 and gave copies to each arrestee. The officers included a narrative that outlines each person's property even though it is noted that the only property is narcotics that neither claimed. Southwest GED officers will be trained on this issue and the need to not take short cuts with these reports. The officers must pay attention to detail to ensure their report is accurate and free from errors. This includes the spelling of names. All GED personnel will receive training on this issue in their May 2012 training day. The Watch Commander did sign the property report, but he signed in the space above the supervisor approving box. The failure to sign the report in the required box does constitute a failure even though it was reviewed and the supervisor believed he signed in the correct box. This oversight should have been caught by the officers as they got their reports approved. This oversight will be reviewed and training will be provided to the Southwest Area Watch Commanders, Assistant Watch Commanders, and supervisors during the May 2012 supervisor meeting.

Additional Recommendations:

- The Bureau Gang Coordinator has previously provided Southwest GED with an Arrest Report Checklist as a result of a prior audit. Southwest GED should re-implement the use of this form.
- In order to ensure GED supervisor review of all documents and reports prior to submission to the watch commander, the GED supervisor should initial or place serial number on all pages of the reports.
- The Acting GIT Officer-in-Charge will institute a self-audit similar to the prior audits implemented to ensure Consent Decree compliance. These audits should be completed in conjunction with the input and assistance of the Bureau Gang Coordinator.
- Overwhelmingly, the strip search authorization and results was the biggest anomaly noted. Southwest GIT will provide training in May and conduct a re-inspection in July, 2012 and submit results to Operations-South Bureau on its findings and corrective action taken.

Objective No. 2, Evaluation of Search/Ramey Warrants

Findings:

A total of five warrant packages were reviewed. A total of three met the standards required for a 60% compliance rate. The following two did not meet the standards:

Issue: A Receipt For Property Taken Into Custody, Form 10.10, was not given for property seized.

Response: Southwest Area concurs with these findings. The investigating officer either failed to complete a 10.10 or he failed to include it in the package. There was a complete list of property documented on the property report, but no record of the property receipt. All GED officers, GED detectives, and all detective personnel will be trained on this topic during the Detective Squad Meeting in May 2012.

Issue: The original Investigative Report related to DR No. 11-0322464 was missing from the search warrant package.

Response: Southwest Area concurs with these findings. Though it is noted that the original investigative report would have been processed through records and filed, the package is missing a copy of the investigative report as an addenda item for the search warrant. The investigating officer failed to include it in the package. The DR No. was documented in the search warrant affidavit as a reference. All detective personnel will be trained on this topic during the Detective Squad Meeting in May 2012. It should be noted that IAID may reverse this finding. They have since determined that there is no requirement for a copy of the Investigative Report to be part the package. They will recommend this as a "Best Practice" in the future.

Objective No. 3, Evaluation of Supervisory Roles

Findings:

A total of 163 documents were reviewed. A total of 149 met the standards for a 91.4% compliance rate.

Review/Response:

There were 15 total documents that were not signed properly. Five were Daily Field Activity Reports (DFARs) that were missing supervisor review. There were no supervisor logs that were not signed properly. There were ten Standards Based Assessments (SBAs) that were signed beyond 90 days of the action item being received at the Area.

There was additional training provided to the GED supervisors and a new tracking system for the administrative personnel to ensure all DFARs are received, reviewed, and filed in a timely manner. For the SBAs, there was a department wide change in practice of the assignment of SBAs via the TEAMS II System. As a result, it caused a delay as the system changes were brought into compliance. An evaluation of the updated process revealed that there has been significant improvement in tracking of these SBAs. Southwest GED has created a matrix tracking all SBA due dates to ensure the SBAs are completed, signed, and added to the GED packages, as required. With the influx of a new supervisor and a new Acting Officer-in-Charge of GIT, Southwest Area has ensured that all GED personnel have received training in this area.

Objective No. 4, Evaluation of the Confidential Disclosure Filings

Findings:

Southwest Area met this objective with 100 % compliance.

Review/Response:

Southwest GED has added this evaluation to a matrix to ensure the two year compliance is met and updated.

Commanding Officer, Internal Audits and Inspections Division

Page 6

5.4

Should you have questions, please contact Lieutenant I Darrell Belthius, Acting Officer-in-Charge, Southwest Area Gang Impact Team, at (323) 290-6523.

APPROVED:

A handwritten signature in black ink, appearing to read 'Melissa A. Zak', with a stylized flourish at the end.

MELISSA A. ZAK, Captain
Commanding Officer
Southwest Area

PATRICK M. GANNON, Deputy Chief
Commanding Officer
Operations-South Bureau

Attachments

INTRADEPARTMENTAL CORRESPONDENCE

May 3, 2012

5.1

TO: Commanding Officer, Internal Audits and Inspections Bureau

FROM: Commanding Officer, Harbor Area

SUBJECT: COMMAND ACCOUNTABILITY PERFORMANCE AUDIT (CAPA) 2012

This correspondence is the Harbor Area response to anomalies noted in the Command Accountability Performance Audit (CAPA) of the Harbor Area Gang Impact Team (GIT) completed for Deployment Period 12 of 2011.

The audit identified a small number of anomalies in four of the objectives reviewed. The anomalies and the Harbor Area response to the anomalies are addressed below:

Objective #1: Evaluation of Work Product

Four of the thirty-two arrest reports reviewed for the audit did not meet the objective's standards. The report numbers, the concerns identified and the Harbor Area responses are listed below:

Issue: The arrest report, Booking No. 2908548, documented the arrestee was walking a dog at the time she was observed by officers. There is no indication of the disposition of the dog following the arrest.

Response: There is no requirement to record the disposition of every piece of a suspect's personnel property in an arrest report. The arrest report is utilized to refresh an officer's memory related to the pertinent details of an incident. It is not intended to record every detail of an incident. After meeting with the primary officer, he clearly remembered that he released the dog to the sister of the suspect, who was at scene. The presence of the sister was not germane to the criminal investigation, therefore the officer did not acknowledge her in the report. The officer made the decision not to include the release of the dog in the written report because he felt that he could accurately recall that information and it was not related to the crime.

Issue: The arrest report, Booking No. 2922112, indicated that the officers conducted a traffic stop. It is articulated that both the driver and passenger admitted to having a marijuana pipe. The driver gives consent to search the vehicle and is charged. However, the passenger is not charged and it is not articulated as to why in the arrest report narrative. The booking approval indicates a "Strip Search" took place; however no reason is given.

Response: The report reflects that only the passenger admits to the possession of a marijuana pipe. After meeting with the reporting officers, they stated that there did not appear to be any usable amount of marijuana in the pipe and therefore, the pipe was no value as evidence and was not booked. The passenger retained possession of the pipe. Marijuana pipes do not fall under the possession of narcotics paraphernalia, 11364 Health and Safety Code, and the passenger could not be charged under that section. The driver was charged because the handgun was recovered under his seat. There is no requirement to directly explain why a charge is not sought against an involved party. The officers clearly stated why they charged the driver with the possession of the handgun.

With regards to the "Strip Search" conducted following the arrest and the proper documentation of the search on the Booking Approval; the search was conducted to address the suspect being in possession of a concealed handgun in his vehicle. Although not directly addressed by the officers in their report, it is implied by the very nature of the booking charge, 12031(a)(1)(f) Penal Code (Possession of a loaded unregistered firearm), that the suspect would be subject to a strip search. The lack of documentation was an oversight by the arresting officers as well as the watch commander on duty at the time but does not have any bearing on the legality of the search. Training was provided to the involved officers by [REDACTED] Harbor Area GIT OIC. All Harbor Area Watch Commanders and Assistant Watch Commanders will be provided training on arrest report procedures during the May 30, 2012 supervisor's meeting.

Issue: The Consent to Search form, for Booking No. 2927247, does not indicate whether or not the search was actually conducted. Additionally, the report does not clarify the disposition of the vehicle.

Response: The investigating officers conducting the follow-up and subsequent arrest advised that a search of the suspect's vehicle was conducted at the station for weapons, with the consent of the owner. The reason for the search was to attempt to locate the weapon used in the attempt murder. However, the search proved fruitless. The results of the search and the documentation of the search were omitted from the report because no items of any value as evidence were recovered. The consent to search form stands alone as the documentation of the search. The consent to search form was numbered as a page of the report and the officers sufficiently documented the search.

Issue: Reports related to Booking No. 2930571; the detention log entry for this suspect does not contain [an entry in] the "Tank/Bench" box, the disposition box as well as an answer to question #3, "Do you have any questions or concerns?"

Response: Harbor Area concurs with these findings. Issues similar to these on the Adult Detention Log are usually covered by the watch commander during their "spot audit" when the detention logs are changed for the next day. In an effort to address these issues, officers assigned to Harbor GED have been tasked with conducting spot checks of the detention logs for each of the GED arrests for that night. This will act as another level of review to assist the on-duty watch commanders with discovering errors. The failure falls on the officers involved and the on-duty watch commander.

Training will be provided to the Harbor Area Watch Commanders and Assistant Watch Commanders during the May 30, 2012 supervisors meeting.

Issue: The Arrest Report, Booking No. 2936746, narrative and Booking Approval indicates a "Strip Search; however, the reason for the search is not complete and no explanation is given. The arrest report narrative, arrest face sheet, and detention log indicate the suspect needed and received medical treatment; however, the proper boxes were not checked and the person providing treatment is not documented.

Response: Harbor Area concurs with these findings. While the arrest report narrative does indicate that [REDACTED] provided medical treatment for the suspect at the time of booking, the same information was not carried over to the arrest report face sheet. While the necessity of a strip search is implied in the nature of the booking charge, possession of a controlled substance, the officers forgot to check the box indicating this on the Booking Approval. The on duty watch commander missed this oversight by the officers. Training will be provided to the Harbor Area Watch Commanders and Assistant Watch Commanders during the May 30, 2012 supervisors meeting.

Issue: The related reports to Booking No. 2948251 does not properly document the Juvenile's Notification time for telephone calls.

Response: After reviewing the associated arrest report as well as the adjoining Juvenile Arrest Supplemental Report, it appears that this information is inaccurate. According to the supplemental report, the arresting officer notified the juvenile of his ability to make phone calls and documented the fact with the time of 2310 hours on October 24, 2011. In addition, the report illustrates two calls made after the notification was made; one to the juvenile's brother at 2310 hours and the second call to his mother at 2315 hours.

Issue: The Arrest Report, Booking No. 2948371, Multi-2 arrest involves Defendant 1, who approaches the passenger side of a vehicle and conducts a narcotics sale through the right passenger side window. Defendant 2, who is seated in the driver's seat, is arrested for Transporting Controlled Substance. Defendant 1 is arrested for Possession of Methamphetamine for Sales. However, the female suspect, who is seated in the passenger seat, is identified in the report, but there is no further mention of her involvement or disposition.

Response: Harbor Area concurs with these findings, however there mitigating circumstances that were brought to light after meeting with the officers in charge with the investigation. The arresting officers were able to determine that the female was not directly involved in the transaction based Defendant 2's statement claiming the narcotics as his, and their observations that she did not appear to be involved in the conversation between Defendants 1 and 2. The arrest report could have spelled this out more clearly as well as included information that she was released at scene. The officers, as well as all Harbor Area GED officers, were provided training regarding report writing by [REDACTED] on May 10, 2012.

Issue: The Arrest Report, Booking No. 2959504, narrative documents a witness approached officers stating a backpack containing drug paraphernalia had been abandoned in a diner. The suspect was later seen retrieving the backpack. At this point, the officers questioned the suspect who consented to a search of the backpack. She was charged with Possession of Methamphetamine. The officers booked the narcotics and syringe but did not book the backpack and other personal items in the backpack.

Response: Harbor Area is in agreement with the actions of this arresting officer in this incident. The officer recovered narcotics and paraphernalia from the interior of the suspect's backpack, with the suspect's consent. As a result, the suspect was placed under arrest for the contents. There is no viable reason why the officer should have booked the backpack or the other "non-criminal" contents of the bag as evidence. The officer's actions provided a suitable documentation of the backpack as he collected photographs of the bag and the other "non-criminal" contents to assist him with his testimony in court.

Objective No. 2- Evaluation of Search and Ramey Packages

Issue: The Search Warrant Affidavit, Statement of Probable Cause section does not document the affiant's rank, name and serial number and assignment as required by the search warrant Manual. Additionally, the original Investigative Report (IR) is not contained in the search warrant package.

Response: Harbor Area concurs with the first portion of issues. The investigating officer simply forgot to identify himself in the narrative of search warrant. He did identify himself on the face page of the search warrant. Since the warrant was for third party records only and the IR was not an addenda of the search warrant, there is no requirement to include the IR in the search warrant package. The Warrant Package Audit Checklist does not include a box for IR's.

Objective No. 3- Evaluation of Supervisory Roles

Issue: Forty-five of the Daily Field Activity Reports (DFAR) did not contain documentation of supervisory approval.

Response: During the audit extraction period, Harbor Area GED had recently lost the veteran sergeant assigned to the unit. He was responsible for training a newly assigned sergeant on the Area's GED procedures. The loss of this experienced sergeant placed a tremendous amount of responsibility and workload on the remaining supervisor in a unit with 11 field officers. Although the sergeant involved should have caught the error, some of responsibility for the error lies with his chain of command to provide proper instruction on DFAR review procedures. The issue is caused by the GED DFARs being immediately pulled for recap purposes by administrative staff. Without training, the sergeant assigned to the unit did not know where to locate the DFARs for review. The addition of another field sergeant and proper training of the sergeant has corrected this problem as of this report.

Issue: One Supervisor Daily Report (SDR) did not contain the signature from the Commanding Officer.

Response: During random audits of our GED Supervisor's Daily Reports, it has been determined that all SDRs have been submitted by the supervisor in a timely manner. In addition, the reports are effectively being channeled through our chain of command to the Area Commanding Officer (CO) without incident. A review of the prior year's SDRs revealed no errors. This incident occurred when the Harbor Area Patrol Commanding Officer was reviewing the SDRs due to the absence of the Area CO. He apparently forgot to sign one of the forms. Additionally, the SDR normally goes through the Area CO's administrative staff, who are familiar with the importance of the signature on the SDR. This SDR was reviewed by the Patrol CO staff, who were not familiar with the SDR procedures. It is apparent that the one omission on the SDR was an oversight on the part of the Patrol Commanding Officer and sufficient procedures are in place to prevent further occurrences.

Issue: Two Standard Based Assessments (SBA) were not the most current evaluations. Additionally, one SBA was signed by the Commanding Officer beyond 90 days after the SBA Actions Item was received at the Area

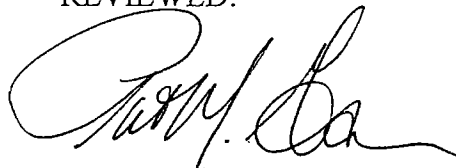
Response: According to the Methodology (Scope) of the Command Accountability Performance Audit, the extraction period for the collection of documents covered the periods of Deployment Period 11, 2011 and Deployment Period 12, 2011. As such, two of the SBAs captured in this audit period were not due until after the audit was conducted, December 25, 2011 and February 1, 2012 respectively. These SBAs were completed on time and were not failures as documented in the audit. The third SBA was completed when the sergeant was assigned to Northeast Division and Harbor Area had no responsibility for this SBA. We concur that the Commanding Officer of Northeast Area did not sign the rating until 90 days after the SBA Action Item was received.

Any questions regarding this audit response can be directed to Lieutenant R. Long, OIC Harbor Area Gang Impact Team, at (310) 726-7970.



NANCY D. LAUER, Captain
Commanding Officer
Harbor Area

REVIEWED:



PATRICK M. GANNON, Deputy Chief
Commanding Officer
Operations-South Bureau

INTRADEPARTMENTAL CORRESPONDENCE

May 7, 2012
5.3.1

TO: Commanding Officer, Internal Audits and Inspection Division

FROM: Commanding Officer, Southeast Area

SUBJECT: OPERATIONS-SOUTH BUREAU GANG ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT

Southeast Area concurs with the findings of the Operation-South Bureau Gang Enforcement Detail Command Accountability Performance Audit (CAPA) Report for fiscal year 2011-2012.

Objective No. 1 – Evaluation of Arrest Reports

Moderate to High Risk

Booking No. 2962327- The narrative of the arrest report contained insufficient articulation of the justification for the frisk search of the arrestee, the search of her vehicle, and the search of her cell phone. Review of the report and interviews with the officers revealed that each of the searches was legal and proper, but that the reasons were not spelled out in the narrative. Additionally, errors were made on the number of empty baggies booked, as well as the amount of currency booked. The property report records 36 baggies were booked, while the property receipt only accounts for 16. The property report and property receipt both correctly state that \$39.00 was recovered from the arrestee and booked, however an entry on the top of the property report mistakenly reads that \$23.00 was booked. Informal training has been provided to the concerned employees.

Objective No. 2 – Evaluation of Search/ Ramey Warrants

Moderate to High Risk

79-2011-SW360 and 79-2011-SW381 The Hobbs sealed portion of the warrants were not maintained at the Area. Southeast Area did not have a system in place to retain a copy of the sealed portion of the warrant in the Area Commanding Officer's office as directed by the OCOP Notice dated September 17th, 2008, although the originals were filed with the court as required. Southeast Area has implemented a system to retain copies of warrants or portions of warrants ordered sealed by the court for audit purposes.

79-2011-SW321- The warrant package was missing the original Investigative Report which forms the basis of the warrant. There is no requirement to include an Investigative Report as an addendum to a warrant affidavit. As this warrant was sought due to a string of shootings, there was no single investigative report to attach. In the interest of clarity and efficiency, the incidents were summarized in the affidavit and therefore no Incident Report copies were needed for the warrant package.

Additionally, the Property Report and Property Receipt are inconsistent. While the Property Report correctly lists all of the property recovered, including seven different types of live ammunition, the property receipt only lists three types of ammunition. Training has been provided to the concerned employee.

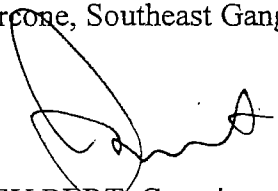
Objective No. 3- Evaluation of Supervisory Roles

Daily Field Activity Reports- One DFAR did not contain a signature from the approving supervisor. Informal training was provided.

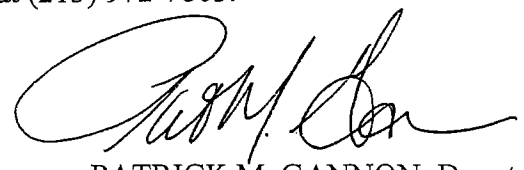
Supervisor's Daily Reports- Two SDR's were not signed by the OIC and one other was not signed by the Commanding Officer. It appears that the documents were inadvertently filed before the review was completed. All three have been reviewed and signed. Informal training was provided to GIT administrative personnel to ensure documents are not filed until the review is completed and they are signed.

Standards Based Assessments- Nineteen SBA's were signed by the C/O beyond 90 days after the SBA Action Item was received by the Area. Seven SBA's were not the most current. One officer's package could not be located to review the SBA. The current SBA for each of the seven found to be out of date has been located and included in the officer's Divisional and Department package. A tickler file listing every employee in Southeast GIT and their rating due date has been created independent of the TEAMS II Action Item, creating a redundant system to ensure timely completion of ratings.

Should you have any questions concerning this correspondence, please contact Lieutenant Pete Zarcone, Southeast Gang Impact Team, at (213) 972-7803.



JEFFREY BERT, Captain
Commanding Officer
Southeast Patrol Division



PATRICK M. GANNON, Deputy Chief
Commanding Officer
Operations-South Bureau

INTRADEPARTMENTAL CORRESPONDENCE

May 03, 2012
5.2

TO: Commanding Officer, Internal Audits and Inspection Division

FROM: Commanding Officer, 77th Street Area

SUBJECT: RESPONSE TO GANG ENFORCEMENT DETAIL COMMAND
ACCOUNTABILITY PERFORMANCE AUDIT

The Gang Enforcement Detail (GED) Command Accountability Performance Audit (CAPA) that was conducted for Operations-South Bureau has been reviewed so that appropriate action could be taken in regards to the issues noted in the report that effect 77th Street Area. A summary of the issues identified and the action taken are listed below.

Objective No. 1a-Evaluation of Arrest Reports

Eight arrest reports that were examined, four were found to have discrepancies, which required that some action be taken.

- Booking No. 2930476 – Removed from audit per [REDACTED] LAID.
- Booking No. 2964794 and 2925575 (the audit indicated booking number 2925375, not a 77th GED Arrest). In both of the above arrest the suspects were admonished and their exact response was not documented.

In regards to booking number 2964794, the suspect was involved in a pursuit with the officers and the officers believed he was under the influence of drugs or alcohol. A Drug Recognition Expert was requested to verify if the suspect was under the influence. The DRE conducted an evaluation and admonished the suspect. The report did not indicate the suspect's response to the admonishment. The omission was made by the DRE officer and not the GED officer.

Booking No. 2925575, the officers admonished the suspect and the suspect's exact response to the admonishment was not documented within the report.

The above issues will be addressed through training and the use of an Investigative Action Statement Form to appropriately document the response to the admonishment. Training will be provided for supervisor, watch commander and GED officer

- Booking No. 2945205, the arrest report face sheet indicates "None" in the "Complaint / Evidence of Illness/Injury-By Whom Treated" box: however, the detention log indicates the

suspect answered "yes" to being "sick, ill or injured" and stated that his right leg and left arm were hurt from a prior injury. The arrest report narrative does not indicate medical treatment was provided. A review of the arrest report and detention log revealed that the suspect was not transported by the arresting officers. The arresting officers were not present when the suspect was interviewed by the watch commander.

Training will be provided regarding relaying all pertinent information to the arresting officer in an effort to document all relevant information on the arrest report. Additionally GED supervisors will initial all pages of the arrest report prior to the watch commander's approval. GED supervisors will also inspect the detention log on all GED arrest and ascertain if any complaint of injuries were made and verify that it matches the arrest report.

Objective No. 2a-Evaluation of Search/Ramey Warrants

Two search warrants were evaluated during this inspection. In both of the warrants the original Investigative Reports were missing from the search warrant packages. Per [REDACTED], IAID, the issue with Search Warrants 11SW0258 and 11SW0259 will no longer be part of the audit.

Objective No. 3-Evaluation of Supervisory Roles

A review was conducted on 166 documents in relations to supervisory roles. The evaluation revealed that 150 documents met the standard resulting in a 90% compliance rate.

In regards to Daily Field Activity Reports (DFAR), one report did not contain a signature from the approving supervisor. One GED Supervisor Daily Report did contain the information required in the Actual Field Time Box. Training was provided to the 77th Street GED supervisors [REDACTED] regarding the above issues.

Eleven of Standard Based Assessments (SBA) were signed beyond the 90 days by the Commanding Officer and seven of the SBAs were not the most current.

Conclusion

Training will be provided regarding the deficiencies that were identified. An arrest report check list will be completed by the supervising reviewing the report. An Investigative Action Statement Form will be used to address the issue with the response to the Admonition of Rights being properly document.



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