

INTRADEPARTMENTAL CORRESPONDENCE

BPC #11-0400

September 28, 2011
14.1

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: CONFIDENTIAL INFORMANT CONTROL PACKAGE INSPECTION
(IAID NO. 11-092)

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners REVIEW and APPROVE the attached Confidential Informant Control Package Inspection.
2. That the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

In accordance with the Department's Fiscal Year 2011/12 Annual Audit Plan, Internal Audits and Inspections Division (IAID) conducted an Inspection of Confidential Informant control packages. The purpose of this inspection was to assess the Los Angeles Police Department's policies and procedures governing Confidential Informant control packages and to ensure they are appropriately being adhered to as defined by the Los Angeles Police Department Informant Manual, March 2008 edition.

If you have any questions, please contact Gerald Chaleff, Special Assistant for Constitutional Policing, at (213) 486-8730.

Respectfully,



CHARLIE BECK
Chief of Police

Attachments

LOS ANGELES POLICE DEPARTMENT
CONFIDENTIAL INFORMANT CONTROL
PACKAGE INSPECTION

(IAID No. 11-092)



CHARLIE BECK
Chief of Police

September 2011

**Confidential Informant Control Package Inspection
Conducted by Internal Audits and Inspections Division
September 2011**

PURPOSE

In accordance with the First Quarter, Annual Audit and Inspection Plan for Fiscal Year (FY) 2011/12, Internal Audits and Inspections Division (IAID) conducted an inspection of Informant Packages to assess the Los Angeles Police Department's (LAPD or Department) policies and procedures governing Informant Packages as defined by the LAPD Informant Manual, revised March 2008.

Internal Audits and Inspections Division conducted this performance inspection under the guidance of generally accepted government auditing standards, specifically pertaining to performing the inspection to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based on the inspection objectives. Internal Audits and Inspections Division has determined that the evidence obtained provides a reasonable basis for the findings and conclusions based on the inspection objectives. The work was limited to those areas specified in the "Scope and Methodology" and "Findings" sections of the inspection.

PRIOR INSPECTIONS

Internal Audits and Inspections Division has evaluated confidential informant packages annually for the past eight years. There were no recommendations made in the last inspection, which was conducted in September of 2010.

SCOPE OF INSPECTION

Documents Reviewed:	Confidential Informant Tracking System Database, Informant Packages and all associated documents within the package; Informant Control Package checklist, Sign-Out Form, Exceptional Handling Report, Informant Admonishment and Consent Search Form, Photograph, Informant Information Form, Expenditure of Secret Service Funds Form, Informant Contact Form, Consolidated Criminal History Reporting system printout, Criminal Identification and Information printout, Automated Want and Warrant System printout, Federal Bureau of Investigation printout, Law Enforcement Agencies Data System printout, Department of Motor Vehicles printout, and the Department of Motor Vehicles Driver License Status printout.
Inspection Period:	July 1, 2010 through June 15, 2011.
Entities Inspected:	Gang and Narcotics Division (GND).
Population:	137 active confidential and non-confidential Informant Packages.
Sample:	33 active confidential and non-confidential Informant Packages.
Related Directives:	LAPD Informant Manual (revised March 2008).

METHODOLOGY

The objectives established to evaluate Informant Packages were based upon the procedures in the Department Informant Manual (revised March 2008). The inspection time period was from July 1, 2010 through June 15, 2011. On June 15, 2011, the Confidential Informant Tracking System Database (CITSD) was queried for all active informants to identify the inspection population. The query identified a total of 137 active confidential and non-confidential informants. A statistically valid random sample of 33 active informant packages was selected for the inspection period.¹

Each Informant Package was reviewed in its entirety for the informant number, package security, storage, retention, and for containing all required documents as listed in the Department Informant Manual. The information reviewed was then compared to the CITSD to ensure its consistency.

Each form within the Informant Package was reviewed for completeness, consistency, supervisory oversight, and to ensure there was chain of command manager approval.

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¹ The sample was selected with a 95 percent confidence level and a +/- six percent error rate.

SUMMARY OF FINDINGS

The table below indicates the findings for each objective and provides a comparison to the prior year's inspection.

Summary of Findings

Objective No.	Description of Objective	Standards Met 2010/11	Standards Met 2011/12	% Change
1	Completeness			
1(a)	Informant Package	48/50 (96%)	33/33 (100%)	+4%
1(b)	Informant Information Form	50/50 (100%)	31/33 (94%)	-6%
1(c)	Informant Contact Form (ICF)	43/50 (86%)	29/33 (88%)	+2%
1(d)	Expenditure of Secret Service Funds Form	50/50 (100%)	30/33 (91%)	-9%
2	Consistency			
2(a)	Information in Confidential Informant Tracking System Database Consistent with Informant Information Form	49/50 (98%)	33/33 (100%)	+2%
3	Supervisory Oversight			
3(a)	Notification to Supervisor Prior to Informant Meeting	50/50 (100%)	32/33 (97%)	-3%
3(b)	Supervisor Meeting with Informant Prior to Package Submission	50/50 (100%)	33/33 (100%)	0%
3(c)	Chain of Command Manager Approval	50/50 (100%)	33/33 (100%)	0%
4	Handling of Informants			
4(a)	Assigned Confidential Informant Number	50/50 (100%)	33/33 (100%)	0%
4(b)	Confidential Informant Tracking System Database	49/50 (98%)	33/33 (100%)	+2%
4(c)	Informant Package Sign-Out Form	50/50 (100%)	33/33 (100%)	0%

FINDINGS

Objective No. 1 - Completeness

Objective No. 1(a) Informant Package

Criteria

The Informant Package is the primary source document for recording the informant's identity, suitability, contact activity, history, and productivity, (Informant Manual, Volume 2, Section 200). The informant packages listed in the CITSD were reconciled with the packages filed at GND. Packages that were listed on the CITSD and had a corresponding package, were reviewed for this objective.

As applicable, the informant package shall contain the following forms and documents:

- Informant Control Package Checklist;
- Sign-Out Form;
- Exceptional Handling Report;
- Informant Admonishment and Consent to Search Form;
- Photograph;
- Informant Information Form;
- Expenditure of Secret Service Funds Form;
- Informant Contact Form;
- Consolidated Criminal History Reporting System;
- Automated Want and Warrant System printout;
- Federal Bureau of Investigation printout;
- Law Enforcement Agencies Data System printout;
- Department of Motor Vehicles printout; and,
- Department of Motor Vehicles Driver License Status printout.

Inspection Procedures

Each package was reviewed to determine if the required documents were in the package. Packages that contained the required documents met the standards for this objective.

Findings

Each (100%) of the 33 packages met the standards for this objective.

Objective No. 1(b) Informant Information Form

Criteria

An informant shall be identified by the Investigating Officer (I/O) and an Informant Information Form, Form 03.23.00, (01/07) shall be completed and included in the package.

Inspection Procedures

Each package was reviewed to determine if the Informant Information Form was complete. Packages that contained a completed Informant Information Form met the standards for this objective. (Informant Manual, Volume 7, Section 700).

Findings

Thirty-one (94%) of the 33 packages met the standards for this objective. The two remaining packages that did not meet the standards are listed below:

- Informant Package Nos. 57078 and 56868: The forms shall contain the informant's complete home address; however, the city, state, and zip code were missing from the forms.

Objective No. 1(c) Informant Contact Form (ICF)

Criteria

According to Informant Manual, Volume 7, Section 700, all subsequent meetings and contacts with the informant shall be documented on an Informant Contact Form, Form 03.23.05. The Informant Contact Form may also be utilized for administrative purposes to document information relevant to the informant's suitability, productivity history, or other miscellaneous information.

Inspection Procedures

Each package was reviewed to determine if the Informant Contact Form contained documentation or reference to a meeting with the informant, and if there were any indications that a search was conducted; the form was reviewed to determine if the searching officer was the same sex as the informant, and if the form was completed with all applicable information. Packages that contained a completed Informant Contact Form met the standards for this objective.

Findings

Twenty-nine (88%) of the 33 packages met the standards for this objective. The four remaining packages that are listed below were missing information and did not meet the standards:

- Informant Package Nos. 80211, 02808, 57078 and 56868: The Informant Contact Forms were not complete since box #3 was left blank and they did not contain the applicable information regarding the booking number or division of record number.

Objective No. 1(d) Expenditure of Secret Service Funds Form

Criteria

When the informant is paid with Secret Service funds, the Expenditure of Secret Service Funds, Form 15.37.1, shall be completed. (Informant Manual, Volume 7, Section 700).

Inspection Procedures

Each package was reviewed to determine if Secret Service funds were paid, and if so, whether the appropriate Expenditure of Secret Service Funds, Form 15.37.2, was completed. Packages that contained a completed Expenditure of Secret Service Funds, Form 15.37.2, met the standards for this objective.

Findings

Thirty (91%) of the 33 packages met the standards for this objective. The three remaining packages that did not meet the standards are listed below:

- Informant Package No. 56868: The name of the officer was printed on the form, however, the form requires a signature.
- Informant Package No. 24497: The name of the officer on the form was printed on five separate occasions, however, the form requires a signature.
- Informant Package No. 60100: The date and time of payment on the form was missing.

Objective No. 2 – Consistency

Objective No. 2(a) Information in Confidential Informant Tracking System Database Consistent with Informant Information Form

Criteria

According to the Informant Manual, Volume 5, Section 510 states the Department Confidential Informant Coordinator (DCIC) shall ensure that the informant is entered into the CITSD and generate an informant number. The CITSD is compared to the Informant Information Form to ensure consistent documentation of the informant's identity.

Inspection Procedures

Each package was reviewed to determine if the information stored in the CITSD was consistent with the Informant Information Form. A package met the standards for this objective if the information was consistent.

Findings

Each (100%) of the 33 packages met the standards for this objective.

Objective No. 3 – Supervisory Oversight

Objective No. 3(a) Notification to Supervisor Prior to Informant Meeting

Criteria

According to the Informant Manual, Volume 2, Section 240 states that prior to each meeting with an informant and prior to initiating telephonic contact, the I/O shall request supervisory approval. The Informant Contact Form shall be completed with the name, rank, and serial number of the approving supervisor in either case.

Inspection Procedures

Each package was reviewed to determine if the Informant Contact Form indicated a supervisor was notified prior to the I/O meeting or telephoning the informant, and if the name, rank, and serial number of the approving supervisor was documented. The packages that contained supervisory approval met the standards for this objective.

Findings

Thirty-two (97%) of the 33 packages met the standards for this objective. The package that did not meet the standards is listed below:

- Informant Package No. 24497: The supervisor was notified after the I/O met with the informant and there was no explanation documented.

Objective No. 3(b) Supervisor Meeting with Informant Prior to Package Submission

Criteria

The I/O's supervisor shall meet the informant prior to the informant package being submitted for approval to determine the motivation and suitability of the informant. If approved, the supervisor shall print their name, sign, date, and include their serial number on the Exceptional Handling Report, Form 03.23.03.

Inspection Procedures

Each package was reviewed to determine if the Exceptional Handling Report indicated a supervisor met with the informant and if it was properly documented. Packages that indicated a supervisor met with the informant and properly documented the meeting on the Exceptional Handling Report met the standards for this objective.

Findings

Each (100%) of the 33 packages met the standards for this objective.

Objective No. 3(c) Chain of Command Manager Approval

Criteria

According to the Informant Manual Volume 7, Section 700 states the I/O's C/O and the GND C/O shall review the informant package for accuracy and completeness, and document their approval on the Exceptional Handling Report by "printing their name, signature" on the form.

Inspection Procedures

Each package was reviewed to determine if the Exceptional Handling Report contained evidence of supervisory approval by the I/O's C/O and the GND C/O.

Findings

Each (100%) of the 33 packages met the standards for this objective.

Objective No. 4 – Handling of Informants

Objective No. 4(a) Assigned Confidential Informant Number

Criteria

According to the Informant Manual, Volume 5, Section 510, once the GND C/O approves an informant package, the DCIC shall ensure that the informant is entered into the CITSD and generate an informant number.

Inspection Procedures

Each package was reviewed to determine if an informant number was assigned. The CITSD was also assessed to determine whether all informant entries were accompanied by an informant number. Packages that had an informant number assigned met the standards for this objective.

Findings

Each (100%) of the 33 packages met the standards for this objective.

Objective No. 4(b) Confidential Informant Tracking System Database

Criteria

According to the Informant Manual, Volume 5, Section 510, once an informant package is approved, the DCIC shall ensure that the informant is entered into the CITSD. The DCIC will input informant data to include: informant's name; date of birth; and any alias(es) of the informant.

Inspection Procedures

The information in the CITSD was reconciled with the informant packages to determine whether the CITSD entries were accurately entered and maintained. Entries that were accurately entered and maintained in CITSD met the standards for this objective.

Findings

Each (100%) of the 33 informant entries in the CITSD met the standards for this objective.

Objective No. 4(c) Informant Package Sign-Out Form

Criteria

When an I/O or supervisor checks out an informant package, that person shall complete the Informant Package Sign-Out Form. The GND C/O or designee shall sign-out the informant package to the requesting I/O and sign the informant package back in when it is returned.

Inspection Procedures

Each package was reviewed to determine if the informant package Sign-Out Form was properly completed when applicable.

Findings

Each (100%) of the 33 packages met the standards for this objective.

OTHER RELATED MATTER

During the course of the inspection, auditors identified the use of either obsolete Department forms or unauthorized forms. To remain consistent, all personnel should utilize the most current and appropriate Department forms.

ACTIONS TAKEN

Each finding was reviewed with GND personnel who took immediate corrective actions.

Internal Audits and Inspections Division shared this report with the Commanding Officer of Gang and Narcotics Division, the Assistant to the Director, Office of Operations and Detective Bureau.

Gang and Narcotics Division was in agreement with the preliminary findings of this inspection and have implemented corrective measures via Narcotic Enforcement Detail training to address the inspection findings.

RECOMMENDATIONS

None