

LOS ANGELES POLICE COMMISSION

***REVIEW OF AUDIT DIVISION'S
ARREST, BOOKING, AND
CHARGING REPORTS AUDIT***



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

ANDRÉ BIROTTE, JR.
Inspector General

December 27, 2006

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**OFFICE OF THE INSPECTOR GENERAL
REVIEW OF AUDIT DIVISION'S
ARREST, BOOKING, AND CHARGING REPORTS AUDIT**

PURPOSE

The Office of the Inspector General (OIG), pursuant to Consent Decree Paragraph 135, reviewed Audit Division's Arrest, Booking, and Charging (ABC) Reports Audit (Audit). The Audit was completed in the first quarter of Fiscal Year 2006/2007 and received by the OIG on October 2, 2006. The OIG assessed the Audit's completeness, findings, and quality.

BACKGROUND ON AUDIT DIVISION'S AUDIT

Audit Division conducted its seventh ABC Audit and assessed the Los Angeles Police Department's (Department) compliance with Consent Decree Paragraphs 70(a)(b), 73, 106(e)(i, vii), 128, and 131(a), (c) and (e). See Table No. 1 for a brief description of the Audit's objectives when assessing adherence to those Paragraphs and the results of Audit Division's assessments.

Audit Division's population consisted of Department-wide arrests stratified by geographic Areas/Divisions. Two different samples were used to evaluate a total of five audit objectives. One sample consisted of Department-wide arrests, excluding Gang Enforcement Detail (GED) arrests, and the other sample consisted of only GED arrests.¹ Audit Division randomly selected a statistically valid sample of 221 arrest packages (130 Non-GED and 91 GED) from Deployment Periods (DP) 4 and 5 of 2006 (April 2, 2006 to May 27, 2006), and reviewed compliance with the Consent Decree (CD) objectives noted in Table No. 1. The samples were considered sufficient to evaluate the Department's adherence to the Consent Decree. Table No. 1, on the next page, summarizes the compliance percentages reported by Audit Division.²

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¹ Not all Arrest Reports were applicable to be tested against each objective.

² Multi-arrests were excluded from the sample, but were evaluated using available arrest data collected for the primary sample item.

**TABLE NO. 1
SUMMARY OF AUDIT DIVISION FINDINGS**

Obj.	CD ¶	Description	Compliance Percentage		
			Total	Non-GED	GED
1		Completeness			
a	128	Arrest Report is Complete	99%	98%	100%
2		Authenticity			
a	128	Arrest Report Information is Consistent	100%	100%	100%
b	128	"Canned" Language is not Used	100%	100%	100%
c	128	Other Indicia of Inauthenticity	100%	100%	100%
3		Legality of Underlying Actions			
a	128	Reasonable Suspicion is Adequately Articulated	100%	100%	100%
b	128	Probable Cause is Adequately Articulated	99%	99%	99%
c	128	Legal Basis for Search is Adequately Articulated	99%	100%	98%
d	128	Legal Basis for Seizure is Adequately Articulated	100%	100%	100%
e	128	Miranda Rights are not Violated	98%	98%	97%
4		Conformance with Department Procedures			
a	73	Watch Commander Inspection	97%	96%	100%
b	70(b)	Incident Review	100%	100%	100%
c	106e(vii)	Use of Off-Site Locations	100%	100%	100%
d	128	Other Conformance with LAPD Procedures			
		i. Documentation of Miranda Responses	92%	91%	92%
		ii. Medical Treatment	90%	96%	80%
		iii. Recovery and Handling of Property	96%	97%	96%
		iv. Issuance of Receipt for Property	98%	98%	98%
		v. Juvenile Arrest Procedures			
		(1) Juvenile Arrest Supplemental Report	100%	100%	100%
		(2) Parental Notification	100%	100%	100%
		(3) Advisement of Telephone Calls	92%	93%	92%
		(4) Timeliness of Telephone Calls	85%	80%	88%
		(5) Length of Detention	100%	100%	100%
		(6) Gladys R. Questionnaire	100%	100%	100%
		vi. Use of Observation Posts	100%	100%	100%
		vii. Use of Informants	100%	100%	100%
5		Supervisory Oversight			
a	70	Arrest Report Approval	98%	98%	98%
b	70	Booking Approval	97%	96%	98%
c	70a	Quality of Post Incident Supervisory Review	65%	65%	64%
d	128	Adequacy of On-Scene Supervision	100%	100%	100%

Greater detail on Audit Division’s methodology and findings can be found in Audit Division’s Audit Report.

REVIEW METHODOLOGY

The OIG assessed the completeness, findings, and quality of Audit Division's Audit by reviewing the final Audit Report, Audit Work Plan, and Audit Division's Microsoft Access Database. The database was used to compile and analyze Audit Division's findings and supporting work papers.⁴

On December 22, 2006, the OIG met with Audit Division management to discuss the results of this review. At that time, Audit Division management indicated they are in general agreement with this review's findings.

REVIEW RESULTS

COMPLETENESS

To assess the Audit's completeness, the OIG reviewed Audit Division's Audit Report and supporting work papers to ensure all applicable Consent Decree mandates were addressed and that Audit Division selected a sample from a complete population.

Consent Decree Mandates Addressed

Per the Department's Annual Audit Plan – Fiscal Year 2006/2007, the ABC Reports Audit was scheduled for completion during the first quarter and was to assess Consent Decree Paragraphs 70(a)(b), 73, 106(e)(i)(vii), 128, and 131(a)(e), while meeting the requirement of Consent Decree Paragraph 131(c).⁵ The OIG determined the Audit sufficiently assessed those Consent Decree Paragraphs. However, Audit Division indicated they addressed the objectives of Paragraph 106(e)(i) in its assessment of GEDs for other Paragraphs but did not provide an overall compliance percentage for that Consent Decree Paragraph.⁶ Last year, the Independent Monitor (Kroll) indicated that they would prefer that Audit Division begin to present an overall compliance percentage for Paragraph 106(e)(i), but that type of compilation was not performed. As such, the OIG suggests that Audit Division meet with the Independent Monitor to discuss how to best address this concern in future audits.

⁴ The OIG's review of supporting work papers was based on a randomly selected one-tail sample size calculation with a 95 percent confidence level, an expected error rate of six percent, and a plus precision of seven percent, with samples selected from both the Department-wide and GED populations.

⁵ Paragraph 131(c) requires Audit Division to report its findings related to GED separately from the Department-wide results.

⁶ Consent Decree Paragraph 106(e)(i) requires that unit supervisors and non-supervisory officers continue to "be subject to existing procedures for uniformed patrol officers regarding detention, transportation, arrest, processing and booking of arrestees and other persons."

Identification of a Complete Population

Based on the OIG's review of Audit Division's sampling documentation specified in Audit Division's methodology, it appears Audit Division selected its sample from a complete population.

FINDINGS

To assess the Audit's findings, the OIG reviewed Audit Division's supporting work papers to ensure the findings adequately supported information presented in the Audit Report. The OIG also assessed the Audit Report's presentation of findings.

Support for Findings

Based on the OIG's review of a sample of 50 arrest packages (26 Department-wide and 24 GED) of the 221 evaluated by Audit Division, the Audit's reported findings were adequately supported.

Presentation of Findings

Audit Division presented the Audit's findings in a logical manner, organized by Consent Decree Paragraph, and the narrative of the report supported all findings. However, for the Audit's assessment of completeness for Sub-Objective No. 4d(v) Juvenile Arrest Procedures, the OIG believes the Audit should have reported whether juvenile arrestees were properly detained in a secured or unsecured area based on their review of the associated detention logs. The Audit performed this testwork and determined there was 100 percent compliance in this area.

QUALITY

To assess the Audit's quality, the OIG evaluated the quality of both the Audit and the Audit Report.

Audit Quality

Based on the OIG's review, the Audit was properly supervised and planned, in that the Audit's methodology allowed for proper assessments of Consent Decree mandates.

Report Quality

The Audit Report properly delineated the Audit's objectives, scope, methodology, and status of prior audit recommendations. The Audit Report was issued in a timely manner (within a year of Audit Division's last audit) and used a fair and unbiased tone. Also, the Audit Report presented its assessment of most of the Audit's objectives in a clear manner. Additionally, Audit Division

correctly identified the potentially higher-risk issues regarding booking search information required by Special Order No. 21-2005, which requires documentation of search approval, reason for search, type of search, date/time of search, searching employee, and search results.⁹

However, with respect to Objective No. 5c – Quality of Post-Incident Supervisory Review, Audit Division’s assessment did not provide compliance percentages for each individual requirement. Specifically, the Audit stated that 143 out of 221 (65 percent) arrest packages met the standards of this objective, and 78 out of 221 (35 percent) contained various issues that reasonably should have been identified and corrected by reviewing supervisors. The OIG would have preferred that the Audit also provide a table that presented compliance for each individual requirement used to assess supervisory oversight (see Table No. 2 below). When assessing the results for post-incident supervisory review in this manner, there was an 86 percent (590 out of 688 requirements) overall compliance rate based on the total requirements assessed, compared to the 65 percent compliance rate (143 out of 221 arrest packages) reported by Audit Division.

**TABLE NO. 2
SUPERVISORY OVERSIGHT**

Supervisory Oversight Requirements	Number of Exceptions	Number in Compliance	Total	Compliance Percentage
No Confidentiality Form	0	4	4	100%
No Firearm Supplemental Property Report	1	21	22	95%
No Domestic Violence Form	1	4	5	80%
No City Attorney Disclosure Form	21	180	201	90%
Property Inconsistencies	21	96	117	82%
Property Disposition Unknown	11	107	118	91%
Other Issues	43	178	221	81%
Totals	98	590	688	86%

For this Audit, as well as the previous two audits, Audit Division reported a somewhat low compliance percentages for supervisory oversight, partly because certain required forms were not present in the arrest packages. To help ensure that these required forms are present and properly completed, the OIG suggests that an Arrest Report Approval Checklist be required to be completed by supervisors and included in the arrest package.¹⁰

CONCLUSION

Overall, the OIG determined that the Audit was complete, conducted in a quality manner and the findings were well supported.

⁹ The Ninth Circuit Court of Appeals ruling requires reasonable suspicion to conduct strip or visual body cavity searches.

¹⁰ Currently the Chief of Police Notice 3.3.1, 2005 recommends that supervisors use a Checklist but it is not a requirement. The OIG noted that this Checklist was included in less than half of the arrest packages in its review.