

**LOS ANGELES POLICE COMMISSION**

*REVIEW OF THE DEPARTMENT'S  
COMPLAINT, FORM 1.28,  
INVESTIGATIONS PHASE I AUDIT,  
FISCAL YEAR 2006-2007*



Conducted by

**OFFICE OF THE INSPECTOR GENERAL**

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**OFFICE OF THE INSPECTOR GENERAL  
REVIEW OF THE DEPARTMENT'S  
COMPLAINT, FORM 1.28, INVESTIGATIONS PHASE I AUDIT,  
FISCAL YEAR 2006-2007**

**PURPOSE**

The Office of the Inspector General (OIG), pursuant to Consent Decree Paragraph 135, reviewed the Los Angeles Police Department's (Department) Complaint, Form 1.28, Investigations Phase I Audit (Audit), Second Quarter, Fiscal Year 2006/2007. The Audit, conducted by Audit Division, was received by the OIG on December 29, 2006. This review assessed the completeness, findings, and quality of the Department's Audit.

**BACKGROUND ON THE DEPARTMENT'S AUDIT**

In order to facilitate the timeliness of the audit process and the relevancy of the audit findings, Audit Division conducted its Complaint, Form 1.28, Investigations Audit in two separate phases. Phase I evaluated the various systems and controls surrounding complaint investigations. Phase II, expected to be issued by the end of March 2007, will evaluate the quality of complaint investigations. Table No. 1 delineates the Consent Decree paragraphs and subparagraphs evaluated in Audit Division's Phase I Audit along with their assessment of compliance.

**Table No. 1 – Phase I Audit Results**

<b>Obj. No.</b>	<b>Consent Decree Paragraph</b>	<b>Description of Audit Objective</b>	<b>Compliance Percentage</b>
1	51	Evaluate the Use of TEAMS (Training Evaluation and Management System) Data for Decision Making:	
	(a)	Selection of Officers for Assignment as Internal Affairs Group (IAG) Investigators	100%
	(d)	Document Consideration of Sustained Administrative Investigations, Adverse Judicial Findings or Discipline	98%
2	74	Evaluate the Initiation of Complaints:	
	(d)	<b>Distribution and Accessibility of Complaint Materials</b>	<b>92%</b>
	(f)	Assignment of a Case Number to Each Complaint	99%
	(g)	<b>Continuation of a 24-Hour Toll-Free Complaint Hotline that Records All Calls</b>	<b>Non-Compliant</b>
3	76	City Notification to LAPD of Civil Lawsuits Alleging Misconduct of Officer or Employee	100%
4	79	Evaluate the Timeliness of IAG Review of Face Sheet	99%
5	83	Evaluate the Complaint Investigator Access to TEAMS	100%
6	87	Evaluate the Timeliness of Complaint Investigations	Compliant
7	93	Evaluate the Assignment of Complaints	100%
	94	Evaluate the Proper Assignment of Complaints to IAG	100%
8	95	Evaluate the Staffing of Professional Standards Bureau Investigator Positions	Compliant <sup>1</sup>
9	152	Evaluate the Notification of Complaint Intake to the OIG Within One Week	98%

<sup>1</sup> Audit Division determined that Consent Decree Paragraph 95 was in compliance based on its assessment of Consent Decree Paragraphs 87, 93, and 94. Because these Consent Decree paragraphs met the standards, it was determined that Consent Decree Paragraph 95 was also compliant.

Greater detail on Audit Division's methodology and findings can be found in their final Audit report.

### **FOCUS POINT**

The OIG commends Audit Division for its quality assessments of the applicable Consent Decree paragraphs. One of the more significant concerns identified by the Audit is described below:

#### **Consent Decree Paragraph 74(g), Continuation of a 24-Hour Toll-Free Complaint Hotline that Records All Calls**

The Audit reported that the Department will not meet compliance with this Consent Decree mandate until there is an effective means to continuously record calls into the complaint hotline. The Audit indicated there was a five-month period that the complaint hotline did not record calls, and that the system malfunction went unnoticed during that period. An additional concern was that three complaints of alleged misconduct went unreported, which Audit Division immediately addressed with the Commanding Officer, IAG. The Audit also offered the following recommendations to address these concerns:

- (1) The IAG should ensure that the new hotline includes controls that notify personnel whenever there is a system malfunction.
- (2) The IAG should establish protocols that require regular auditing of the hotline to ensure proper handling of calls.

### **REVIEW METHODOLOGY**

The OIG assessed the completeness, findings, and quality of the Audit by reviewing the final Audit report, related Audit work plan, supporting Audit work papers, and electronic files that supported Audit Division's findings.<sup>2</sup> The Appendix, on Page No. 5, delineates the various populations and samples used by Audit Division to evaluate the Department's compliance with the applicable Consent Decree paragraphs and the sample sizes the OIG used to assess the Audit.

On March 28, 2007, the OIG discussed with Audit Division management the results of this review. At that time, Audit Division management indicated general agreement with this review's overall findings.

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<sup>2</sup> For Consent Decree Paragraphs 51(a)(d), 79, 87, 93 and 94, the OIG calculated randomly selected one-tail sample sizes with a 95 percent confidence level, an expected error rate of six percent, and a plus-precision of seven percent. For Consent Decree Paragraphs 74(d)(f)(g), 76, 83, 95, and 152, the OIG reviewed Audit Division's entire samples and/or related workpapers.

## **REVIEW RESULTS**

### **COMPLETENESS**

To assess the Audit's completeness, the OIG reviewed the Audit to ensure applicable Consent Decree paragraphs were assessed and that the Audit selected its samples from complete populations.

#### **Consent Decree Mandates Addressed**

Per the Department's Annual Audit Plan, Audit Division's Complaint, Form 1.28, Investigations Phase I Audit was to assess Consent Decree Paragraphs 51(a)(d), 74(d)(f)(g), 76, 79, 83, 87, 93, 94, 95, and 152. Based on the OIG's review, all applicable Consent Decree paragraphs were assessed by the Audit.

#### **Identification of a Complete Population**

To evaluate the applicable Consent Decree paragraphs, Audit Division selected samples from more than ten audit populations (see the attached Appendix). Based on the OIG's review, it appears that Audit Division selected its samples from complete populations.

### **FINDINGS**

To assess the Audit's findings, the OIG reviewed Audit Division's supporting work papers to ensure there was adequate support for its findings and reviewed the report to ensure the findings were properly presented. Based on the OIG's assessment, the Consent Decree compliance determinations were well supported. Additionally, the presentation of the Audit's findings was well organized and the Audit properly highlighted a significant area of concern as mentioned in the Focus Point section of this report.

### **QUALITY**

The OIG evaluated Audit Division's Audit and related Audit report for quality.

#### **Audit Quality**

The Audit was properly supervised, and although many aspects of the Audit methodology were appropriate, the OIG identified some concerns with two of Audit Division's assessments, as follows:

- Consent Decree Paragraph 87 requires the timely completion of complaint investigations within five months or 150 calendar days. The 150-day window begins the date the complaint was first reported to an uninvolved supervisor and extends to the completion date. Typically, the investigation completion date is documented on Letters of Transmittal, Complaint Adjudication Forms, and chronological logs. The OIG believes this review for timeliness is

warranted, but Audit Division should consider revising its methodology and use the information in the Complaint Management System to compare the completion date to the date reported to an uninvolved supervisor for the entire population of complaints closed during a selected period.<sup>3</sup> Audit Division could perform limited testing of the Complaint Management System to ensure the accuracy of the aforementioned dates entered. The OIG completed this analysis by reviewing information on complaints completed in Deployment Period 9, 2006 (August 20 to September 16). Using Audit Division's methodology, which randomly selected investigations closed during Deployment Period 9 for IAG and "chains of command" (geographical and/or specialty divisions), 58 percent of the complaints were investigated within 150 days based on a sample of 76. Using the OIG's methodology, 52 percent of the complaints were investigated within 150 days, based on all 343 complaint investigations completed in Deployment Period 9. Although both calculations showed more than 50 percent completion within 150 days, an analysis of the entire population provides a more accurate assessment.

- Regarding employees transferring to IAG to become investigators, Department policy requires that the Watch Commander or Officer-in-Charge to review the employee's Training and Evaluation System (TEAMS) report within ten working days from the publication of the Transfer Order or notification of the loan. The Audit report stated that this review, within this narrow ten-day window, was only accomplished for 29 percent (13 of 45) of the employees. However, the OIG noted that all 45 employees transferring into IAG were already on loan to IAG, and their TEAMS reports had previously been reviewed by IAG at least once during the loan. Thus, OIG believes that this information should have also been reported, since the risk is somewhat mitigated.

### **Report Quality**

The Audit report delineated the Audit's objectives, scope, and methodology. The report used a fair and unbiased tone and it was found to be convincing and concise. Additionally, it was issued in a timely manner, within a year of Audit Division's prior audit. Although the OIG's review disclosed a few minor errors in the Audit report, they do not impact the Audit's overall reliability and quality.

### **Conclusion**

Overall, the Audit was complete, the findings were well supported, and the Audit was performed in a quality manner.

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<sup>3</sup> The Complaint Management System tracks the progress and completion of complaint investigations.

**APPENDIX - AUDIT POPULATIONS AND SAMPLE SIZES**

Objective	Consent Decree Paragraph	Purpose	Population Description	Audit Population	Audit Sample Size	OIG Sample Size
1	51(a)	Selection of Officers as Internal Affairs Group Investigators	IAG Investigators for Deployment Period No. 9, 2006, Aug. 20 to Sept. 16, 2006. Population of Officers Hired after Special Orders 23 and 24, dated July 2003.	84	45	19
	51(d)	Document Consideration of Sustained Administrative Investigations, Adverse Judicial Findings, or Discipline	IAG Investigators for Deployment Period No. 9, 2006, Aug. 20 to Sept. 16, 2006. Population of Officers Hired after Special Orders 23 and 24, dated July 2003.	84	45	19
2	74(d)	Evaluate Initiation of Complaints	Complaint Materials	28 Locations	392 form attributes	N/A Review of AD's Workpapers*
	N/A	Evaluate Special Order No. 10, 2004 to Ensure Community Complaint and Commendation Posters are Publicly Displayed	Council District Field Offices	15 Council Districts	4	N/A Review of AD's Workpapers*
	74(f)	Complaints are Issued Complaint Form Number	Complaints Received Jan. through Sept. 2006, 4,525 complaints reported.	51	51	51
	74(g)	Operate a 24-hour Toll-free Telephone Complaint Hotline	Telephone Log for Sept. 30, 2006 (23 audio files) and Oct. 25, 2006 (17 audio files).	40	40	40
3	76	City Notification to LAPD of Civil Lawsuits	List of Pending Lawsuits/Claims for July 2006.	65	65	65
4	79	Timeliness of Internal Affairs Group Review of Face Sheet	Complaints Initiated July 1 through Sept. 30, 2006.	1,575	91	24
5	83	Complaint Investigator Access to TEAMS	IAG Investigators for Deployment Period No. 9, 2006, Aug. 20 to Sept. 16, 2006.	201	201	N/A Review of AD's Workpapers*
6	87	Timeliness of Completed Investigations	Closed Complaints in Deployment Period 9, Aug. 20 to Sept. 16, 2006, Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collision complaints.	343	76	24
7	93 and 94	Assignment of Complaints to Chains of Command or IAG	Closed Complaints in Deployment Period 9, Aug. 20 to Sept. 16, 2006, Excluding Failure to Appear, Failure to Qualify, and Preventable Traffic Collision complaints.	343	76	24
8	95	Staffing of IAG Investigator Positions	IAG Positions for Deployment Period No. 9, Aug. 20 to Sept. 16, 2006.	160	160	N/A Review of AD's Workpapers*
9	152	Notification of Complaints to OIG	Complaints from OIG July 1 to Sept. 30, 2006	1,788	1,788	1,788

\* The OIG's review of these samples entailed a review of Audit Division's audit workpapers and supporting documents.