

LOS ANGELES POLICE COMMISSION

TRAINING EVALUATION AND MANAGEMENT SYSTEM (TEAMS) II AUDIT, PHASE II (Fiscal Year 2007-2008)



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

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**OFFICE OF THE INSPECTOR GENERAL
FISCAL YEAR 2007/2008
TRAINING EVALUATION AND MANAGEMENT SYSTEM (TEAMS) II
AUDIT, PHASE II**

PURPOSE

Pursuant to Consent Decree Paragraph 137, the Office of the Inspector General (OIG) conducted a Training Evaluation and Management System (TEAMS) II Audit (Audit). Specifically, Paragraph 137 requires the Inspector General to audit the quality and timeliness of the Los Angeles Police Department's (LAPD or Department) use of TEAMS II and to evaluate the Department's compliance with Consent Decree Paragraph 47.

BACKGROUND

This is the second TEAMS II Audit conducted by the OIG. The first TEAMS II Audit (Phase I), issued in November 2007, primarily focused on system-generated action items (AIs).¹ This second TEAMS II Audit (Phase II) primarily focused on supervisor-generated action items (SAIs).

Certain subparagraphs (a, b, c, e, h, l and m) of Consent Decree Paragraph 47 relate to SAIs, and generally require the following:

- SAIs shall be generated for both sworn officers and supervisors for annual performance evaluations, pay-grade advancements and promotions, employee² transfers, and periodic monitoring purposes.
- The supervisors generating the SAIs shall review the subject employee's recent work history for possible "at-risk" patterns, using TEAMS II and other information, with the results of this review adequately and timely documented within TEAMS II.
- An intensive review must take place if it appears an employee is exhibiting "at-risk" behavior, and any actions taken should be based on all relevant and appropriate information, not solely on the number and percentages of incidents recorded in TEAMS II.
- Appropriate follow-up, managerial or supervisory actions (including non-disciplinary actions or no action), shall be taken based on the results of the SAI reviews.

In addition to the Consent Decree, the primary document governing AIs and SAIs has been Special Order No. 22, 2007 (dated July 12, 2007). This Special Order provided Department supervisors and managers with information on how to complete AIs and SAIs. It also provided details as to the various disposition types (e.g., "*Comment Card*," "*Training*," "*Commendation*," "*No Action*," etc.) that could be utilized, and when each disposition type should be used.

The OIG generally considers SAIs a lower risk than AIs because an AI is automatically generated when an employee has an inordinate amount of uses of force, complaints, vehicle pursuits, preventable traffic collisions, or claims/lawsuits in comparison to his/her peer group. Indeed, the Department's implementation of the AI process is the "heart" of the early warning system required by the Consent Decree. It allows Department supervisors and managers to review an employee's activity to evaluate whether the employee is exhibiting any type of

¹ That Audit also articulated disputed data correction and employee access to their TEAMS II record.

² Although the OIG uses the term "employee," it is referring to only sworn personnel of the Department.

potential “at-risk” behavior that should be addressed or monitored. In contrast, a SAI is more of a routine process in which Department supervisors or managers will review an employee’s TEAMS II record³ when an employee transfers, promotes, advances or has an annual performance evaluation. An SAI may also be generated at the discretion of an employee’s supervisor for monitoring purposes.

Since approximately March 2006, the new and updated TEAMS II has been implemented by the Department. At that time, and for approximately a year thereafter, the Department’s primary focus was to ensure that AIs were appropriately being handled by supervisors and managers, given that they are generally higher risk and more deserving of the Department’s attention. More recently, the Department focused its attention to SAIs. Therefore, the OIG elected to perform this Audit of SAIs to assess the Department’s progress within this area.

SCOPE AND METHODOLOGY

Audit Objectives

The Audit’s primary objectives (Objectives), and the related subparagraphs of Consent Decree Paragraph 47, were as follows:

1. Determine if SAIs were generated when required (per Special Order No. 22, 2007) for annual employee performance evaluations, and for employee transfers, promotions, and pay-grade advancements. (§47(a)(c) and (m))
2. Determine if the dispositions, including “*No Action*,” for SAIs were adequately justified in the SAI narratives. Per the Consent Decree, if potential “at-risk” behavior is noted, a more intensive review of the employee’s performance should take place. Any actions taken must be based on all relevant and appropriate information, and not solely on the number and percentages of incidents in any category recorded in TEAMS II. (§47(b) and (h))
3. Determine if SAIs with a final disposition of other than “*No Action*” contained evidence that necessary actions were taken and appeared on the employees’ TEAMS II record. (§47(e))
4. Determine if supervisors completed/closed SAIs timely. (§47(l))

³ A TEAMS II record tracks an employee’s work history (e.g., an employee’s complaints, uses of force, vehicle pursuits, preventable traffic collisions, claims/lawsuits, commendations, work assignments, training, etc.).

Populations and Samples

For Objective Nos. 1 and 4, sampling was not applicable, as the OIG wanted to analyze the entire population of SAIs generated (Objective No. 1) and SAIs open (Objective No. 4). For Objective Nos. 2 and 3, the OIG selected two samples of SAIs; and for each sample, the size was determined by using a one-tail confidence level of 95 percent, an expected error rate of six percent, and a plus-precision of seven percent.

The first sample, used to evaluate Objective No. 2, was selected from a population of 1,169 SAIs initiated from June 24 through November 10 of 2007 (Deployment Period Nos. 7 through 11) that were completed/closed as of January 3, 2008. From this population, the OIG selected a sample of 36 SAIs, stratified by the reason for the SAI.⁴

The second sample, used to evaluate Objective No. 3, was selected from a population of 69 SAIs also initiated from June 24 through November 10 of 2007 (Deployment Period Nos. 7 through 11) that were completed/closed as of January 3, 2008 with a disposition other than “*Cancel*,” “*No Action*,” or “*No Action – Note for Annual Review Only*.” From this population, the OIG selected a sample of 24 SAIs, stratified by the disposition of the SAI.⁵

OVERALL RESULTS OF THE AUDIT

The OIG found that SAIs were generally not being generated when required. Furthermore, when they were being generated, the assigned final disposition in preparing to close out the SAI (e.g., “*Comment Card*,” “*Training*,” “*Commendation*,” “*No Action*,” etc.) was generally not adequately justified by the supervisors and managers. To comply with Department policy, the OIG would have expected a narrative in the SAI explaining the reason why the particular final disposition was selected. However, the Audit did find that for all of the applicable SAIs, there was evidence that the prescribed follow-up action was taken. Furthermore, for 36 SAIs, the OIG reviewed each employee’s TEAMS II record for any indication of “at-risk” behavior, and based on that review, no significant concerns were identified.

The OIG provided the Commanding Officer of TEAMS II Development Bureau a draft version of this Audit Report, and the Commanding Officer provided a written response. The Commanding Officer of TEAMS II Development Bureau advised that she concurred with, and had already been aware of, most of the issues raised in this Audit, and accordingly had been working over the past several months to modify the system. One major system modification

⁴ The original sample of 36 SAIs consisted of 17 “*Annual Performance Evaluation*” SAIs, seven “*Other*” SAIs, three “*Organizational Assessment*” SAIs, three “*Promotion*” SAIs, two “*New Assignment*” SAIs, two “*Monitoring*” SAIs, one “*Transfer*” SAI, and one “*Special Evaluation Unit*” SAI. However, the final sample for Objective No. 2 was 30 SAIs, after excluding five SAIs that were generated in error or for testing purposes and one SAI for a civilian. Nevertheless, the TEAMS II records for all 36 officers were reviewed for any indication of “at-risk” behavior.

⁵ The sample contained SAIs with eight “*Comment Card*” dispositions, seven “*Commendation*” dispositions, four “*Special Evaluation Report*” dispositions, three “*Informal Meeting*” dispositions, one “*Notice to Correct Deficiencies*” disposition, and one “*Complaint*” disposition.

already implemented Department-wide is that action items for transfers/promotions and annual performance evaluations are now automatically generated by TEAMS II, instead of generated manually by supervisors.

DETAILED RESULTS OF THE AUDIT

Objective No. 1 – Determine if SAIs Were Generated When Required

Background

Per Special Order No. 22, 2007, an SAI shall be generated to document a supervisor's review of TEAMS II information for: 1) annual performance evaluations; 2) pay-grade advancements/promotions; 3) employee transfers to new assignments; or, 4) periodic monitoring. Thus, an important objective in this Audit was to determine if SAIs were generated when required.

Regarding annual performance evaluations, based on LAPD's deployment of over 9,000 sworn personnel, one would expect that over 9,000 SAIs would be generated annually in order to comply with Special Order No. 22, 2007. To assess whether SAIs were being generated, the OIG requested Personnel Division to provide a monthly listing of annual performance evaluations due from July 23 through November 10 of 2007 (Deployment Period Nos. 8 through 11). For this time period, there were approximately 3,000 annual performance evaluations that were due; hence, the OIG expected that approximately 3,000 SAIs would have been generated for them.

Regarding advancements, promotions and transfers, the OIG evaluated the Department's Transfer Orders from July 23 through November 10 of 2007 (Deployment Period Nos. 8 through 11) and determined there were over 800 employee pay-grade changes and transfers, and 100 employee promotions. Hence, the OIG expected that over 900 SAIs would have been generated during this time period for them.

Accordingly, to evaluate whether supervisors were generating SAIs when required, the OIG requested TEAMS II Development Bureau to provide a listing of all SAIs, sorted by reason, generated between July 23 and November 10 of 2007 (Deployment Period Nos. 8 through 11).

Results

In comparing the quantities of SAIs actually generated to the aforementioned quantities of expected SAIs, it was noted that supervisors did not generate SAIs for approximately:

- 81 percent of the expected employee annual performance evaluations due (2419/3000);
- 93 percent of employee pay-grade changes and transfers (781/836); and,
- 57 percent of employee promotions (57/100).

Actions Taken by TEAMS II Development Bureau

TEAMS II Development Bureau indicated that, effective April 16, 2008, Transfer Action Items (TAIs) have been automatically generated for transfers and promotions. These TAIs contain a link to the Transfer Evaluation Report (TER) form that is required to be completed upon an employee's transfer.

TEAMS II Development Bureau also indicated that, effective June 1, 2008, Performance Evaluation Report Action Items (PERs) have been automatically generated for annual performance evaluations. SAIs will still be available if a supervisor wants to use them as a management tool. Special Order 22, 2007 will be amended to include the TAIs and PERs as mandatory, and the SAIs as an available tool.

Objective No. 2 – Determine if SAI Dispositions Were Adequately Justified

Background

Per Special Order No. 22, 2007, in the Investigative Narrative section of the SAI, a supervisor must document the extent of his/her inquiry and provide justification for the course of action taken, if any, or justification for the decision to take no action.

Results

The audit sample of 30 SAIs consisted of 16 SAIs generated for annual performance evaluations and 14 SAIs generated for "other" reasons (besides annual performance evaluations).

For the 16 SAIs generated for annual performance evaluations, the OIG did not expect to find detailed narratives in TEAMS II justifying the disposition (which was "No Action" or "No Action – Note for Annual Review Only" for 15 of the 16 SAIs). Since detailed narratives are already required (per Special Order 47, 2003) to be part of the Performance Evaluation Reports, it would be redundant to also have these same narratives in TEAMS II. Nevertheless, in an attempt to ensure that the dispositions for these 16 SAIs were appropriate, the OIG reviewed each employee's TEAMS II record for any indication of "at-risk" behavior, and based on that review, no significant concerns were identified.

For the 14 SAIs generated for "other" reasons, the supervisors did not provide justification for the disposition of seven (50%) of them. As noted above, Department policy requires a supervisor to "document the extent of his/her inquiry and provide justification for the course of action taken, if any, or justification for the decision to take no action." Regarding these seven exceptions, in the narrative and/or comment sections of the Action Item History Report, there was either no or minimal verbiage to support the assigned final disposition (e.g., "Comment Card," "Training," "Commendation," "No Action," etc.), with the reviewer sometimes just restating the reason for, or disposition of, the SAI. To meet the Special Order requirement, the OIG would have expected something to the effect of: "*The SAI for this employee was assigned a disposition of _____ because....*" However, understandably, the OIG would generally expect less "disposition justification" verbiage for SAIs than for AIs, as SAIs are more routine and generally lower risk.

In an attempt to ensure that the dispositions for these 14 “other” SAIs were appropriate, the OIG reviewed each employee’s TEAMS II record for any indication of “at-risk” behavior, and based on that review, no significant concerns were identified.

Actions Taken by TEAMS II Development Bureau

TEAMS II Development Bureau indicated that for the new automated TAIs, the only available disposition is “*Complete*,” with no narrative necessary. The supervisor’s narrative regarding the transfer can be found on the TER form. Should a supervisor find cause for concern that requires further action, he/she will be directed to generate a separate SAI to complete a more detailed review and select an appropriate action/disposition.

TEAMS II Development Bureau also indicated that for the new automated PERs, the only available disposition is “*No Action – Note for Annual Review Only*.” The new PERs have pre-set questions in the narrative box that a supervisor must address. Again, should a supervisor find cause for concern that requires further action, he/she should generate a separate SAI to complete a more detailed review and select an appropriate action/disposition.

Objective No. 3 – Determine if Prescribed Follow-up Actions for SAIs Were Taken

Background

Consent Decree subparagraph 47(e) prescribes that managerial or supervisory actions (including non-disciplinary action) should be taken when necessary based on their reviews of TEAMS II information. The disciplinary actions specified in the protocol (Special Order No. 22, 2007) include: “*Informal Meeting*,” “*Training*,” “*Special Evaluation Reports*,” “*Modified Field Duties*,” “*Assigned to Non-Field Duties*,” “*Risk Management Executive Committee Referral*,” “*Directed Behavioral Science Services Referral*,” “*Comment Card*,” “*Notice to Correct Deficiencies*,” or, “*Complaint*.” The only non-disciplinary action specified in the protocol is “*Commendation*.”

Results

For all 17 of the applicable SAIs,⁶ there was evidence that the prescribed follow-up action was taken. However, in reviewing the SAIs, the OIG found that a majority of the SAIs did not include documentary evidence that the supervisor met with the employee to discuss the SAI. Per Special Order No. 22, 2007, for all dispositions other than “*No Action*” and “*Cancel*,” the supervisor must meet with the employee to provide an opportunity to review the SAI, and the date and time of the meeting must be documented in the SAI.

⁶ From the original sample of 24 SAIs, the OIG excluded one SAI for a civilian and six SAIs for which the appropriate disposition should have been “*Cancel*,” “*No Action*,” or “*No Action – Note for Annual Review Only*.” The OIG concluded this based on examination of the Action Item History Reports and the officer TEAMS II reports, as well as discussions with the supervisors generating the SAIs regarding their intent. If the correct disposition had been assigned for each of these six SAIs, there would have been no required follow-up action.

Actions Taken by TEAMS II Development Bureau

TEAMS II Development Bureau indicated that the TAIs and PERs (and AIs and SAIs) include a text box named “*Date Supervisor Met with the Employee*” that must be completed by the supervisor before the action item can be completed. Additionally, TEAMS II Development Bureau is considering automatically generating a separate follow-up Action Item to the supervisor if anything other than “*No Action*” or “*No Action – Note for Annual Review*” is selected. For example, if a supervisor selects “*Training*” as a disposition for any type of Action Item, the supervisor will receive a follow-up Action Item, requiring the supervisor to note when the training was completed and what type of training was provided.

Objective No. 4 – Determine if Supervisors Completed/Closed SAIs Timely

Background

The date that a SAI shall reasonably be completed or finalized by is not dependent on when the SAI was generated. Instead, the SAI due date is dependent on the underlying annual performance evaluation due date or Transfer Order effective date. Thus, it would be very time consuming to test a large sample of completed SAIs by comparing the completion date to the due date, as the OIG would have to obtain all the underlying annual performance evaluation due dates and Transfer Orders. Furthermore, as noted above, SAIs were not generated for the majority of annual performance evaluations and transfers/promotions/advancements. Hence, instead of testing completed/closed SAIs for timeliness, the OIG elected to analyze open (pending) SAIs to determine their quantity and “age” (how many days open).

Results

As of January 22, 2008 (the audit testing date), there were 623 SAIs still open and pending completion and finalization. Of these 623 SAIs, 58 were more than 60 days old and 30 were more than 120 days old, ranging to 173 days old. While the OIG recognizes that SAIs have generally been a lower risk concern than AIs, it appears that the Department needs to emphasize to supervisors that SAIs should be completed and closed in a timely manner. The OIG provided the Commanding Officer of TEAMS II Development Bureau with the details regarding these 58 old open (pending) SAIs and 12 instances of multiple SAIs generated at the same time for the same employee.

Actions Taken by TEAMS II Development Bureau

TEAMS II Development Bureau indicated that they are publishing regular reports to each Area and Bureau so they can track the completion of all types of action items.

Additional Matter – Use of Certain Dispositions for SAIs

Background

Per Special Order No. 22, 2007, when preparing to close an SAI, a supervisor must choose from one or more of the following dispositions listed in the ‘Conclusion/ Recommendation’ section of the SAI: “Cancel;” “No Action;” “No Action – Note for Annual Review Only;” “Commendation;” “Informal Meeting;” “Training;” “Special Evaluation Reports;” “Modified Field Duties;” “Assigned to Non-Field Duties;” “Risk Management Executive Committee Referral;” “Directed Behavioral Science Services Referral;” “Comment Card;” “Notice to Correct Deficiencies (NTC);” or, “Complaint.”

The Special Order explains, in detail, when/why/how each of the 14 disposition types are to be used. The Special Order further states that all action items receiving a disposition of “Cancel” or “No Action” will not be displayed on an employee’s TEAMS II record. All action items receiving a disposition of “No Action – Note for Annual Review Only” will be displayed on an employee’s TEAMS II record for a minimum of one year. All action items receiving any other disposition will be displayed on an employee’s TEAMS II record for a minimum of three years.

Results

For the two samples used to evaluate Objective Nos. 2 and 3, there were a total of 55 different SAIs. In reviewing the narratives provided for the dispositions (and via correspondence for some SAIs), we noted that 17 of the SAIs had been assigned an incorrect disposition by the supervisor. The dispositions included nine “No Action,”⁷ four “Special Evaluation Report,”⁸ one “Informal Meeting,”⁹ one “Commendation,” one “No Action – Note for Annual Review Only,” and one “Complaint.”¹⁰ The correct disposition for these 17 SAIs should have been “No Action – Note for Annual Review Only” for nine, “Cancel” for six, and “No Action” for two.

It is important to assign the correct disposition because it determines:

- What, if any, action (corrective or commendation) needs to be taken for/by the employee.
- If, and/or for how long, the disposition will appear on the employee’s TEAMS II record.
- Whether the supervisor must meet with the employee to discuss the disposition, as a meeting is not required for “Cancel” and “No Action” dispositions.

⁷ The correct disposition for these SAIs should have been “No Action – Note for Annual Review Only” or “Cancel.” The OIG concluded this based on examination of the Action Item History Reports and the officer TEAMS II reports, as well as discussions with the supervisors generating the SAIs regarding their intent.

⁸ The supervisors advised the OIG that since the employees evaluated had highly satisfactory performance and needed no corrective action or special monitoring, the SAIs should have been assigned a disposition of “No Action.”

⁹ These SAIs were either created in error or for testing purposes, so the disposition should have been “Cancel.” The OIG concluded this based on examination of the Action Item History Reports and the officer TEAMS II reports, as well as discussions with the supervisors generating the SAIs regarding their intent.

¹⁰ The SAI was created to monitor a complaint against the employee already initiated 14 days before the SAI was generated. Thus, the complaint was not initiated as a result of the SAI, but was preexisting when the SAI was created. The narrative for this SAI as a result of the monitoring indicated that no further action was necessary, so “No Action” should have been the disposition assigned to the SAI.

For example, if the SAI is incorrectly assigned a disposition of “*Special Evaluation Report*” instead of “*No Action – Note for Annual Review Only*” (as was the case for three SAIs), the disposition will appear on the employee’s TEAMS II record for three years instead of one year, and it could give a reviewer of the employee’s TEAMS II record the impression that the employee needed special mentoring and monitoring, when in fact he/she did not. In contrast, if the SAI is incorrectly assigned a disposition of “*No Action*” instead of “*No Action – Note for Annual Review Only*,” the only consequence is that the disposition will not appear on the employee’s TEAMS II record at all, when it should appear for one year.

Actions Taken by TEAMS II Development Bureau

TEAMS II Development Bureau indicated that, per the recent system modifications, the only available dispositions for TAIs and PERs are “*Complete*” and “*No Action – Note for Annual Review Only*,” respectively (see Objective No. 2).

CONCLUSION

The OIG found that SAIs were generally not being generated when required. Furthermore, when they were being generated, the assigned final disposition in preparing to close out the SAI (e.g., “*Comment Card*,” “*Training*,” “*Commendation*,” “*No Action*,” etc.) was generally not adequately justified by the supervisors and managers. Fortunately, this was already recognized by the Commanding Officer of TEAMS II Development Bureau and the Bureau has put steps in place to address these issues. The OIG did find that for all of the applicable SAIs, there was evidence that the prescribed follow-up action was taken. Furthermore, for 36 SAIs, the OIG reviewed each employee’s TEAMS II record for any indication of “at-risk” behavior, and based on that review, no significant concerns were identified.

As previously mentioned, the Commanding Officer of TEAMS II Development Bureau advised that she concurred with, and had already been aware of, most of the issues raised in this Audit, and accordingly had been working over the past several months to modify the system. One major system modification already implemented Department-wide is that action items for transfers/promotions and annual performance evaluations are now automatically generated by TEAMS II, instead of generated manually by supervisors. The OIG believes that this modification will greatly improve the Department’s ability to comply with Consent Decree Paragraph 47.

We wish to thank the Commanding Officer and personnel of TEAMS II Development Bureau for their cooperation and prompt feedback provided to the OIG during this Audit.