

## INTRADEPARTMENTAL CORRESPONDENCE

June 7, 2013  
14.2

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** PACIFIC AREA DETECTIVE COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT (IAID NO. 13-001)

### RECOMMENDED ACTIONS

1. That the Board of Police Commissioners REVIEW and APPROVE the attached Pacific Area Detective Command Accountability Performance Audit.
2. That the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

### DISCUSSION

The Detective Command Accountability Performance Audits (CAPAs) are intended to assess different operations and functions conducted within a specific Detective Division and provide timely and useful feedback to Detective Division Commanding Officers (COs) regarding these operations and functions. The areas evaluated include detective work product, search and Ramey warrants, case clearances, case categorization, supervisory roles as well as an evaluation of the division's felony warrant files.

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

Respectfully,



CHARLIE BECK  
Chief of Police

Attachment

**LOS ANGELES POLICE DEPARTMENT**  
***PACIFIC AREA DETECTIVE DIVISION***  
***COMMAND ACCOUNTABILITY***  
***PERFORMANCE AUDIT***  
***(IAID No. 13-001)***



Conducted by  
**INTERNAL AUDITS & INSPECTIONS DIVISION**

**CHARLIE BECK**  
Chief of Police

*April 2013*

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**EXECUTIVE SUMMARY**  
**PACIFIC AREA DETECTIVE COMMAND ACCOUNTABILITY PERFORMANCE**  
**AUDIT**

**Conducted by**  
**Internal Audits and Inspections Division**  
**April 2013**

**PURPOSE**

The Detective Command Accountability Performance Audit (CAPA) was designed by Internal Audits and Inspections Division (IAID) to determine adherence with Department standards and to identify best practices for Detective divisions and bureaus. This audit is intended to be used as a management tool to provide timely and useful feedback to Detective Division Commanding Officers (COs) related to specific detective procedures.

This audit was conducted under the guidance of generally accepted government auditing standards. Those standards require that the audit is planned and performed to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions, based on audit objectives. Internal Audits and Inspections Division believes that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives. The work was limited to those areas specified in the "Methodology" and "Detailed Findings" sections of the audit report.

**PRIOR AUDITS**

No prior Detective CAPAs have been conducted within Pacific Area by IAID.

**SUMMARY OF FINDINGS**

The following objectives had the lowest percentage and did not meet the standard:

- Objective No. 1(b) – Evaluation of search/Ramey Warrants, specifically, the incorrect documentation of items seized and a late return.
- Objective No. 4(a) – Evaluation of Supervisory Bypass/Referrals, specifically cases that were inappropriately bypassed to the Los Angeles City Attorney's Office for filing.

Table No. 1 indicates adherence percentages for each objective.

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

<b>Objective No.</b>	<b>Description</b>	<b>Total Reviewed</b>	<b>Total Meeting Standards</b>	<b>Total Percentage Meeting Standards</b>
<b>1. Evaluation of Detective Work Product</b>				
1(a)	Evaluation of Detective's Case Envelopes/Murder Books	11	9	82%
1(b)	Evaluation of Search/Ramey Warrants	5	3	60%
<b>2. Evaluation of Case Clearances</b>				
2(a)	Evaluation of "Unfounded" Cases	17	17	100%
2(b)	Evaluation of Cases "Cleared Other"	35	33	94%
2(c)	Evaluation of "Multiple" Case Clearances	5	4	80%
<b>3. Evaluation of Case Categorization</b>		50	50	100%
<b>4. Evaluation of Supervisory Roles</b>				
4(a)	Evaluation of Supervisory Bypass/Referrals	11	3	27%
4(b)	Evaluation of Supervisory Releases	1	1	100%
<b>5. Evaluation of the Detective Division's Felony Warrant Files</b>		50	46	92%

## **ACTIONS TAKEN**

On March 14, 2013, IAID briefed the Pacific Area CO of the audit findings and provided him with a draft copy of the audit report. Internal Audits and Inspections Division advised the Pacific Area CO that a response to the findings reported in the draft report was required.

On March 28, 2013, IAID received a response from the Pacific Area CO. This response indicated general agreement with the audit findings and documented corrective actions taken.

**PACIFIC AREA DETECTIVE COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT**

**Conducted by  
Internal Audits and Inspections Division  
April 2013**

**PURPOSE**

The Detective Command Accountability Performance Audit (CAPA) was designed by Internal Audits and Inspections Division (IAID) to determine adherence with Department standards and to identify best practices for Detective divisions and bureaus. This audit is intended to be used as a management tool to provide timely and useful feedback to Detective Division Commanding Officers (COs) related to specific detective procedures.

This audit was conducted under the guidance of generally accepted government auditing standards. Those standards require that the audit is planned and performed to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions, based on audit objectives. Internal Audits and Inspections Division believes that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives. The work was limited to those areas specified in the "Methodology" and "Detailed Findings" sections of the audit report.

**BACKGROUND**

Internal Audits and Inspections division developed the Detective CAPA in 2010 as a tool for the Area Command to focus exclusively on the performance of their Detective Division operations.

The purpose of the detective function is to investigate crimes documented on reports and to identify, arrest, prosecute, and punish law violators. In addition, the Department makes every reasonable effort to recover property, to identify its rightful owner, and to ensure its prompt return. Each of the Department's geographic Areas has a Detective Division consisting of a variety of investigative tables.

Pacific Area Detective Division consists of the following investigative tables:

- Autos;
- Burglary;
- Juvenile;
- Major Assault Crimes (MAC); and,
- Robbery.

## **PRIOR AUDITS**

No prior Detective CAPAs have been conducted within Pacific Area by IAID.

## **SUMMARY OF FINDINGS**

Table No. 1 indicates adherence percentages for each objective.

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2(a)	Evaluation of "Unfounded" Cases	17	17	100%
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4(a)	Evaluation of Supervisory Bypass/Referrals	11	3	27%
4(b)	Evaluation of Supervisory Releases	1	1	100%
<b>5. Evaluation of the Detective Division's Felony Warrant Files</b>		50	46	92%

The following objectives had the lowest percentage and did not meet the standard:

- Objective No. 1(b) – Evaluation of search/Ramey Warrants, specifically, the incorrect documentation of items seized and a late return.
- Objective No. 4(a) – Evaluation of Supervisory Bypass/Referrals, specifically, cases that were inappropriately bypassed to the Los Angeles City Attorney's Office for filing consideration.

## **METHODOLOGY**

Auditors queried the Detective Case Tracking System (DCTS) to identify all Detective Initiated Arrests (DIAs)/reports handled by Pacific Area Detective Division for the month of November 2012. The query identified the table with investigative responsibility for each DIA/report. A maximum of five arrests/reports were audited for each investigative table. If the investigative table's work product (WP) exceeded five reports, auditors selected a random sample. If the WP did not exceed five reports, auditors evaluated all reports.

If the investigative table's work product exceeded 20 reports, auditors selected a random sample of 20 reports.

If a particular table had no DIAs/reports during the audit period, auditors attempted to obtain additional arrests from the prior two months of September and October, 2012. If a particular investigative table was not listed, DIAs or reports were not identified or had no findings for the audit period.<sup>1</sup> The Detective Division's WP was examined to evaluate adherence with Department policy and procedures.

The audit was limited to those areas specified in the "Methodology" and "Detailed Findings" sections of the audit.

### **Audit Period**

The audit period under review was the month of November 2012, to ensure the most recently completed detective WP was evaluated.

### **Fieldwork**

Fieldwork was performed between January 9, 2013 and February 20, 2013.

### **Source Documents**

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

### **Department Forms Evaluated**

The following Department Forms were evaluated:

- Investigative Report (Form 3.01.00);
- Follow-Up Investigation Report (Form 3.14.00);
- Disposition of Arrest and Court Action (Form 5.09.00);
- Investigator's Final Report (Form 5.10.00);
- Detective's Case Envelope (Form 15.15.00);
- Arrest Report (Form 5.02.00);
- Adult Detention Log (Form 06.19.00);
- Warrant Service/Tactical Plan Report (Form 12.25.00);
- Warrant Tracking Log (Form 8.17.05);
- Search Warrant and Affidavit (DA-1506); and,
- Return to Search Warrant (DA-289).

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<sup>1</sup> This Methodology was utilized for all of the stated objectives and sub-objectives, with the exception of Objective No. 5.



## **DETAILED FINDINGS**

### **Objective No. 1 – Evaluation of Detective Work Product**

Auditors reviewed Detective's Case Envelopes (Form 15.15.00) and search/Ramey warrants, which included Arrest Reports (Form 5.02.00), Follow-up Investigation Reports (Form 3.14.00), and additional related documents associated with DIAs to determine whether they were properly completed and approved by a detective supervisor.

#### **Objective No. 1 (a) – Evaluation of Detective's Case Envelopes/Murder Books**

Detective's Case Envelopes (Form 15.15.00), completed by Detective personnel were reviewed to determine whether they were properly completed, contained all of the required documentation, and that Department policy, procedures, and laws were followed. Detective's Case Envelopes (Form 15.15.00) that were properly completed and contained all required documentation met the standards for this objective.

Eleven Detective's Case Envelopes (Form 15.15.00) were evaluated (two from the Autos table, four from the MAC table, and five from the Burglary table).

#### **Overall Findings**

Nine (82%) of the eleven cases evaluated met the standards for this objective.

#### **Burglary Table**

Five Detective Case Envelopes (Form 15.15.00) were reviewed. Four (80%) of the five envelopes reviewed met the standard for this objective. The remaining one case is detailed below:

- *Booking No. 3345321* – The arrest report indicated that the arrestee was initially arrested at Pacific Area then later transported to 77<sup>th</sup> Street Area for booking. The arrestee was not listed on the detention log for either Area. Additionally, a strip search was authorized and conducted however, the searching employee's serial number was not listed on the booking approval.

#### **MAC Table**

Four Detective Case Envelopes (Form 15.15.00) were reviewed. Three (75%) of the four envelopes reviewed met the standard for this objective. The remaining one case is detailed below:

- *Booking No. 3328748* – The Adult Detention Log (Form 06.19.00) indicated the arrestee was "Diabetic." However, there is no indication in the arrest package that the arrestee received medical treatment prior to booking.

### **Objective No. 1 (b) – Evaluation of Search/Ramey Warrants**

Auditors reviewed the Pacific Area Warrant Tracking Log (Form 8.17.05) for November 2012, and identified the search/Ramey warrants authored by Pacific Detective Division personnel.

The warrants were evaluated to determine 1) proper approval, 2) proper documentation on the Warrant Tracking Log (Form 8.17.05), 3) timely service, 4) proper supervision at the scene of service, 5) a proper return of the warrant, and 6) completion of a Warrant Service/Tactical Plan Report (Form 12.25.00) for each location upon which a warrant was served. Auditors also evaluated the warrants for 7) inappropriate use of an informant when applicable, and 8) whether evidence seized was handled according to Department policy and the law. Search/Ramey warrants that met the above criteria met the standards for this objective.

Five search/Ramey warrants were evaluated (three from the Burglary table and one each from the MAC and Robbery tables).

### **Findings**

Three (60%) of the five search/Ramey warrants evaluated met the standard for the stated objectives. The remaining two search/Ramey warrants are listed below:

### **Burglary Table**

- *Search Warrant No. 012223* – The search warrant was not returned within the required ten days. The warrant was returned one day late and there was no indication the affiant requested or obtained an extension for a late return. Additionally, the “Warrant No.” section on the first page of the Warrant Service/Tactical Plan Report (Form 12.25.00) is blank.
- *Search Warrant No. 012194* – The Property Report (Form 10.01.0), that was utilized as the “inventory” for the Return to Search Warrant (DA-289) listed a number of items of evidence seized during a previous search of the arrestee’s vehicle and not during the service of the search warrant. Additionally, the “Warrant No.” section on the first page of the Warrant Service/Tactical Plan Report (Form 12.25.00) is blank.

### **Objective No. 2 – Evaluation of Case Clearances**

Pacific Area cases which were “Unfounded,” “Cleared Other,” or “Multiple” Case Clearances, were reviewed for completeness, proper documentation of the clearance, and that the clearance was appropriate based on Department policy and procedures.

### **Objective No. 2 (a) – Evaluation of “Unfounded” Cases**

Auditors queried the DCTS for “Unfounded” cases for the month of November 2012. Seventeen “Unfounded” cases were identified (five each from the Autos, Burglary and MAC tables, and two from the Robbery table).

These cases were reviewed to determine whether the classification was appropriate based on Department policy and procedures. "Unfounded" cases that were properly categorized met the standards for this objective.

### **Findings**

All (100%) of the seventeen cases reviewed met the standards for the stated objective.

### **Objective No. 2 (b) – Evaluation of Cases "Cleared Other"**

Auditors queried the DCTS for all cases "Cleared Other" for the month of November 2012. Thirty-five "Cleared Other" cases (twenty from the MAC table and five each from the Autos, Burglary and Robbery tables) were reviewed. These cases were evaluated to determine whether the classification was appropriate based on Department policy and procedures (DOM I/152.20). Cases "Cleared Other" that were properly categorized met the standards for this objective.

### **Findings**

Thirty-three (94%) of the 35 "Cleared Other" cases met the standards for this objective. The remaining two cases are detailed below:

#### **MAC Table**

- *DR No. 12-14-23725* – This case involved a battery in which the involved suspect used his elbows to strike the victims in the rib area. He then fled the location. During the I/O's investigation of the incident Pacific Area Beach Detail officers were "able to identify the suspect described in the Investigative Report (Form 3.01.00)" based on prior contacts. However, the Follow-Up Investigation Report (Form 3.14.00) completed for the case documented that the I/O was unable to contact either of the involved victims and in-turn the suspect was never identified by the victims as the suspect involved. Based on this fact the case did not meet the criteria to be "Cleared Other."<sup>2</sup>

#### **Robbery Table**

- *DR No. 12-14-16082* – This case involved a robbery in which the victim's cellular phone was taken. During the investigation, the I/O identified two possible suspects. Photographs of these possible suspects were placed into a photo line-up and shown to the victim. The victim made a tentative identification of one of the suspects, stating "Of all six photos shown to me today #3 is what looks like the person that assaulted me and took my phone, although I cannot be positive." The case was then submitted to the District Attorney's office for filing consideration, and was rejected. Although the case was submitted to, and was rejected by the District Attorney's Office, the identity of the perpetrator was not "definitely" established.

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<sup>2</sup> The Federal Bureau of Investigation Uniform Crime Reporting guidelines establish criteria for an "Exceptional" clearance, which the Department identifies as "Cleared Other." Section I/152.20 of the Detective Operations Manual outlines the four criteria that must be met to clear a case as "Other."

Based on this fact the case did not meet the criteria to be “Cleared Other.” Additionally, the DCTS indicates the case was “Cleared Other” however, the Follow-Up Investigation Reports (Form 3.14.00) indicated the case was “Cleared by Arrest.”

### **Objective No. 2 (c) – Evaluation of “Multiple” Case Clearances**

Auditors identified the “Multiple” case clearances for the month of November 2012, which were contained in a number of the main objectives and sub-objectives for this audit. These cases were reviewed for adherence with Department policy and procedures. “Multiple” case clearances that were properly documented on the follow-up investigation, according to Department policy, met the standards for this objective. Five “Multiple” case clearances (one from the Burglary table and four from the MAC table) were identified and reviewed.

#### **Findings**

Four (80%) of the five cases met the standards for this objective. The remaining one case is detailed below:

#### **MAC Table**

- *DR No. 12-14-25293* – The “Multiple” case clearance format was utilized to clear a total of three cases. One of these cases was “Cleared by Arrest” and the remaining two were “Cleared Other.” The Detective Operations Manual allows different types of crimes or incidents reported to be cleared using the “Multiple” case clearance format, but the suspect and/or victims must be the same. However, the suspect(s) involved in the two cases that were “Cleared Other” were never identified. Additionally, these two cases were submitted to the District Attorney’s office for filing consideration, and rejected. Although the cases were submitted to, and rejected by the District Attorney’s Office, the identity of the perpetrator was not definitely established. Based on this fact these cases did not meet the criteria to be “Cleared Other,” and should have instead been “Investigation Continued.” Further, there was no “Crime Summary” documented for the crime that was “Cleared by Arrest” and the “Master DR” number is not listed at the top of the Follow-Up Investigation Reports (Form 3.14.00).

### **Objective No. 3 – Evaluation of Case Categorization**

Auditors queried the DCTS for all Category Two cases for the month of November 2012. Fifty Category Two reports (20 each from the Autos and Burglary tables and five each from the MAC and Robbery tables) were reviewed. These cases were reviewed to determine whether cases assigned the Category Two status were assigned within Department guidelines. Category Two cases that were assigned according to Department guidelines met the standards for this objective.

#### **Findings**

All (100%) of the fifty Category Two reports reviewed met the standards for this objective.

#### **Objective No. 4 – Evaluation of Supervisory Roles**

Auditors reviewed all identified 17(b)(4) Penal Code (PC) Supervisory Bypass/Referrals, 825 PC and 849(b)(1)PC Supervisory Releases. These cases were reviewed to ensure they were appropriate based on Department policy and procedures.

#### **Objective No. 4 (a) – Evaluation of Supervisory Bypass/Referrals**

Auditors queried the DCTS to identify all arrests in which a 17(b)(4) Penal Code (PC) Supervisory Bypass/Referrals were utilized for the month of November 2012.

These cases were reviewed to determine whether supervisors used the Supervisory Bypass/Referrals procedure in accordance with Department policy, procedures, and Chief of Detectives Notice, October 13, 2011. Cases for which the Supervisory Bypass/Referral procedure was in accordance with Department policy and procedures met the standards for this objective. The Department currently has a work group in place addressing this issue.

Eleven (five from the Autos table, four from the MAC table, and two from the Burglary table) were evaluated.

#### **Findings**

Three (27%) of the eleven 17(b)(4) PC, Supervisory Bypass/Referrals met the standards for this objective. The remaining eight cases are detailed below:

#### **Autos Table**

- *Booking No. 3366709* – While this case met the criteria for a Supervisory Bypass/Referral, there was no supervisor serial number listed in the “Supervisor Bypass/Reject Approval” box in section “C” of the Investigator’s Final Report (Form 5.10.00). Additionally, neither of the “Bypass” boxes of section “C” were checked. Further, the Investigator’s Final Report (Form 5.10.00) was not signed by a supervisor.
- *Booking Nos. 3346921, 3328390, and 3289860* – These cases all involved arrests for 4463(A) VC, Defrauding the Department of Motor Vehicles. Based on Chief of Detectives Notice, October 13, 2011, this charge does not qualify for a direct referral to the City Attorney’s office. Additionally, none of the Investigator’s Final Reports (Form 5.10.00) for these cases were signed by a supervisor.

#### **Burglary Table**

- *Booking No. 3340474* – This case involved an arrest for 484 (E)(D) PC, Possession of an Access Card. Based on Chief of Detectives Notice, October 13, 2011, this charge did not qualify for a direct referral to the City Attorney’s office. Additionally, there is no supervisor serial number listed in the “Supervisor Bypass/Reject Approval” box in section “C” of the Investigator’s Final Report (Form 5.10.00).



- *Booking No. 3344372* – This case involved an arrest for 666/484 PC, Petty Theft with a Prior. The involved suspect had a number of misdemeanor theft related convictions within five years of this arrest. Based on Chief of Detectives Notice, October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office.

#### **MAC Table**

- *Booking No. 3362338* – This case involved an arrest for 21810 PC, Possession of Metal Knuckles. Based on Chief of Detectives Notice, October 13, 2011, this charge does not qualify for a direct referral to the City Attorney's office.
- *Booking No. 3369755* – This case involved an arrest for 273.5 PC, Spousal Abuse. The involved suspect had two prior felony convictions. Based on Chief of Detectives Notice, October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office.

#### **Objective No. 4 (b) – Evaluation of Supervisory Releases**

The DCTS was reviewed to identify all Supervisory Releases for the month of November 2012. One case involving an 849(b)(1) PC, Supervisory Release was identified and reviewed. This met the case standards for this objective.

#### **Objective No. 5 – Evaluation of the Detective Division's Felony Warrant Files**

Auditors developed tests to determine whether internal controls regarding the Pacific Area felony warrant files were effective, specifically, that warrant packages were on file and contained all required completed documents. Auditors utilized the Fugitive Warrant Section website to obtain the most recent list of felony arrest warrant packages which were required to be maintained by Pacific Detective Division as of January 2013. Auditors identified a total of 102 felony arrest warrant packages.

A random sample of 50 felony arrest warrant packages was selected. The sample was calculated by using a one-tail test with a 95% confidence level and a +/- 4% error rate, making the sample statistically valid.

The warrant packages maintained at Pacific Area Detective Division were reviewed to ensure they were on file, had the required information listed, and contained all required documentation. If felony warrant packages met the above listed criteria, they met the standards for this objective.

## **Findings**

Forty-six (92%) of the 50 warrant packages met the standards for this objective. The remaining warrant packages are detailed below:

Four warrant packages could not be located within the Pacific Area Detective Division warrant files, and a Document Sign-out Log (Form 15.31.00) was not present.

- *Warrant Nos. – LAXSA08148901, LAXSA05811701, LAXSA03922501, LAWA09990501.*

## **ACTIONS TAKEN**

On March 14, 2013, IAID briefed the Pacific Area CO of the audit findings and provided him with a draft copy of the audit report. Internal Audits and Inspections Division advised the Pacific Area CO that a response to the findings reported in the draft report was required.

On March 28, 2013, IAID received a response from the Pacific Area CO. This response indicated general agreement with the audit findings and documented corrective actions taken. The CO of Operations – West Bureau and the Assistant to the Director, Office of Operations, reviewed this report and were in general agreement.

This audit was reviewed by the Assistant to the Director, Office of Operations, and the Commanding Officer, Operations West Bureau, both were in general agreement with the audit finding.

**INTRADEPARTMENTAL CORRESPONDENCE**

March 25, 2013

6.2

**TO:** Commanding Officer, Internal Audits and Inspection Division

**FROM:** Commanding Officer, Pacific Area

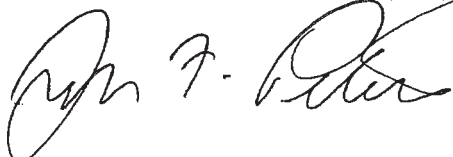
**SUBJECT:** PACIFIC AREA DETECTIVE COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT RESPONSE

This Intradepartmental Correspondence is written in response to the Pacific Detective Division Command Accountability Performance Audit (CAPA) conducted by Internal Audits and Inspections Division for the first quarter of 2013. Pacific Area is in agreement with all of the findings identified in the CAPA Report.

In each instance where a Pacific Detective's work product was regarded as out of compliance, the involved employees were provided informal or formal training to improve performance, accuracy and adherence with the California Penal Code, the Federal Bureau of Investigation Uniform Crime Reporting, and Department policy. Additionally, Pacific Detective Division held several divisional trainings for all personnel. During the training a detective handbook was distributed which contained, among other items, exemplars with highlighted areas of mandatory completion, and proper formatting of reports. Moreover, given that many of the areas that resulted in non-compliance were a result of inattention to detail, the topic of accountability was reinforced in formal discussions of supervisory expectations and responsibilities. Pacific Detective Division has also put into effect a more intensive review process, which includes one-on-one training for table coordinators and to conduct final review and stringent approval process of all detective work product to be conducted by the Detective Commanding Officer, or his administrative staff. Finally, Pacific Detective Division has established an informal recurring internal auditing schedule, to ensure law, policy and procedural compliance with all Detective work product.

Areas that were deemed out of compliance and required further action were corrected or are undergoing follow-up investigation as of this writing.

Should you have any questions, please contact Lieutenant David Crew, Commanding Officer, Pacific Detective Division, at (310) 482-6313.



JON F. PETERS, Captain  
Commanding Officer  
Pacific Area