

INTRADEPARTMENTAL CORRESPONDENCE

July 12, 2013
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS
AUDIT, FOURTH QUARTER, FISCAL YEAR 2012/13 (IAID NO. 13-032)

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners REVIEW and APPROVE the attached Search Warrant Applications and Supporting Affidavits Audit – Fourth Quarter, Fiscal Year 2012/13.
2. That the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

Pursuant to the Annual Audit Plan, Fiscal Year 2012/13, Internal Audits and Inspections Division completed the Search Warrant Applications and Supporting Affidavits Audit.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'C. Beck'.

CHARLIE BECK
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT
***SEARCH WARRANT APPLICATIONS AND
SUPPORTING AFFIDAVITS AUDIT***
(IAID NO. 13-032)



Conducted by
INTERNAL AUDITS & INSPECTIONS DIVISION

CHARLIE BECK
Chief of Police

Fourth Quarter, Fiscal Year 2012/13

SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS AUDIT

Fourth Quarter, Fiscal Year 2012/13

EXECUTIVE SUMMARY	i
PURPOSE.....	1
PRIOR AUDITS	1
AUDIT SCOPE AND METHODOLOGY	1
SUMMARY OF FINDINGS.....	4
DETAILED FINDINGS.....	5
Objective No. 1 – Completeness	5
Objective No. 2 – Authenticity	6
Objective No. 2(a) – Canned Language.....	6
Objective No. 2(b) – Inconsistent Information	6
Objective No. 2(c) – Articulation of Legal Basis	7
Objective No. 2(d) – Authenticity of Other Indicia	8
Objective No. 3 – Legality.....	8
Objective No. 3(a) – Legality of Underlying Actions	8
Objective No. 3(b) – Warrant Served/Returned within the Required Time	9
Objective No. 4 – Conformance with Department Procedures.....	9
Objective No. 4(a) – Use of Confidential Informant	9
Objective No. 5 – Supervisory Oversight	10
Objective No. 5(a) – Pre-incident Review	10
Objective No. 5(b) – Applicable Incident.....	11
Objective No. 5(c) – Post-Incident Review	11
Objective No. 6 – Warrant Tracking Log.....	12
Objective No. 6(a) – Accuracy and Completeness of the Warrant Tracking Log	12
Objective No. 6(b) –Warrant Tracking Log Approved within the Required Time	13
Objective No. 7 – Commanding Officer’s Analysis.....	13
Objective No. 7(a) – Evaluation of each At-Scene Supervisor.....	13
Objective No. 7(b) – Completeness of the Employee Comment Sheet	14
Objective No. 7(c) – Employee Comment Sheet Completed within the Required Time	14
ACTION TAKEN	15
ADDENDUM	

EXECUTIVE SUMMARY
SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS AUDIT
Conducted by
Internal Audits and Inspections Division
Fourth Quarter, Fiscal Year 2012/13

PURPOSE

In accordance with the Fiscal Year (FY) 2012/2013 Department Audit and Inspection Plan, Internal Audits and Inspections Division (IAID) conducted a Search Warrant Applications and Supporting Affidavits Audit to evaluate warrants for legality and conformance with Los Angeles Police Department (Department) policies and procedures as they relate to the preparation, service, and oversight of search warrants.

AUDIT SCOPE

Internal Audits and Inspections Division selected a statistically valid stratified random sample of 48 search warrant packages that were issued during the month of August 2012 for this audit.

SUMMARY OF FINDINGS

Sixteen objectives/sub-objectives were established to determine whether the search warrant packages met Department standards regarding policy and procedure.

In the prior year's audit, the Department met the 100% standard for five of the 16 objectives. In this year's audit, the Department met the 100% standard for six of 16 objectives. There were significant improvements in the Pre-Incident Review, Post-Incident Review, and Warrant Tracking Log Approved within the Required Time objectives. However, the Department still needs to improve its performance in the following objectives: Completeness (88%), Authenticity of Other Indicia (85%), Pre-Incident Review (85%), and Warrant Tracking Log Approved within the Required Time (76%).

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The following table illustrates the percentage of all audited warrant packages by objectives.

TABLE NO. 1 – FINDINGS BY OBJECTIVE AND COMPARISON TO THE PRIOR YEAR'S AUDIT

Objective No.	Description of Audit Objective	Prior Year 2011/12		Current Year 2012/13		% Change
		Packages Meeting Standards / Packages Evaluated	Percentage Meeting Standards	Packages Meeting Standards / Packages Evaluated	Percentage Meeting Standards	
1. Completeness		38/43	88%	42/48	88%	0%
2. Authenticity						
2(a)	Canned Language	43/43	100%	48/48	100%	0%
2(b)	Inconsistent Information	42/43	98%	45/48	94%	-4%
2(c)	Articulation of Legal Basis	40/40	100%	40/40	100%	0%
2(d)	Authenticity of Other Indicia	39/43	91%	41/48	85%	-6%
3. Legality						
3(a)	Legality of Underlying Actions	43/43	100%	48/48	100%	0%
3(b)	Warrant Served/Returned within the Required Time	41/43	95%	44/48	92%	-3%
4. Conformance with Department Procedures						
4(a)	Use of Confidential Informant	8/8	100%	9/9	100%	0%
5. Supervisory Oversight						
5(a)	Pre-Incident Review	31/43	72%	41/48	85%	+13%
5(b)	Applicable Incident	40/41	98%	45/45	100%	+2%
5(c)	Post-Incident Review	34/41	83%	41/45	91%	+8%
6. Warrant Tracking Log						
6(a)	Accuracy and Completeness of the Warrant Tracking Log	42/43	98%	44/48	92%	-6%
6(b)	Warrant Tracking Log Approved within the Required Time	24/38	63%	28/37	76%	+13%
7. Commanding Officer's Analysis						
7(a)	Evaluation of each At-Scene Supervisor	38/41	93%	44/46	96%	+3%
7(b)	Completeness of the Employee Comment Sheet	39/39	100%	46/46	100%	0%
7(c)	Employee Comment Sheet Completed within the Required Time	29/31	94%	42/44	95%	+1%

ACTION TAKEN

Internal Audits and Inspections Division presented the audit report and findings to the Assistant to the Director, Office of Operations as well as the Assistant Commanding Officer, Detective Bureau who expressed general agreement with the findings.

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SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS AUDIT
Conducted by
Internal Audits and Inspections Division

Fourth Quarter, Fiscal Year 2012/13

PURPOSE

In accordance with the Fiscal Year (FY) 2012/2013 Department Audit and Inspection Plan, Internal Audits and Inspections Division (IAID) conducted a Search Warrant Applications and Supporting Affidavits Audit to evaluate warrants for legality and conformance with Los Angeles Police Department (Department) policies and procedures as they relate to the preparation, service, and oversight of search warrants.

PRIOR AUDITS

Internal Audits and Inspections Division has conducted the Search Warrant Applications and Supporting Affidavits audit annually for the past ten years. The last audit was completed in December 2011.

The prior audit reported that the Department met the standard in the majority of the audit objectives. The audit objective areas that needed improvements were Completeness, Pre-Incident Review, Post-Incident Review and, Warrant Tracking Log Approved within the Required Time.

AUDIT SCOPE AND METHODOLOGY

The scope of this audit included all search/Ramey warrants (warrant packages) issued during August 2012, excluding third-party warrants and warrants served at secured facilities. Based on a review of search warrant tracking logs collected Department-wide, IAID identified a population of 96 warrant packages from the month of August 2012. Internal Audits and Inspections Division selected a statistically valid stratified random sample of 48 warrant packages from the population. The selected sample included both Gang Enforcement Detail (GED) and Non-GED warrants.

Sixteen objectives/sub-objectives were established to determine if the warrant packages met Department standards regarding policy and procedure.

Table No. 1 illustrates the 16 objectives/sub-objectives.

TABLE NO. 1 – OBJECTIVES

Objective No.	Description of Audit Objective
1	Completeness
2	Authenticity
	2(a) Canned Language
	2(b) Inconsistent Information
	2(c) Articulation of Legal Basis
	2(d) Authenticity of Other Indicia
3	Legality
	3(a) Legality of Underlying Actions
	3(b) Warrant Served/Returned within the Required Time
4	Conformance with Department Procedures
	4(a) Use of Confidential Informant
5	Supervisory Oversight
	5(a) Pre-Incident Review
	5(b) Applicable Incident
	5(c) Post-Incident Review
6	Warrant Tracking Log
	6(a) Accuracy and Completeness of the Warrant Tracking Log
	6(b) Warrant Tracking Log Approved within the Required Time
7	Commanding Officer's Analysis
	7(a) Evaluation of each At-Scene Supervisor
	7(b) Completeness of the Employee Comment Sheet
	7(c) Employee Comment Sheet Completed within the Required Time

Warrant Categories

The warrants were classified in the following categories:

- Search Warrants - Warrants seeking to obtain property or evidence;
- Ramey Warrants - Warrants that are submitted to the magistrate for issuance based on the probable cause for arrest; and,
- Combination Warrants - A combination of any of the above listed warrants.

Table No. 2 illustrates the number of warrants evaluated by bureau and Area/division.

TABLE NO. 2 - AUDITED WARRANTS BY BUREAU AND AREA/DIVISION

Bureau/Area/Division	Total
Operations - Central Bureau	
Central Area	1
Rampart Area	1
Hollenbeck Area	0
Northeast Area	1
Newton Area	1
Bureau Total	4
Operations - South Bureau	
Southwest Area	2
Harbor Area	3
77th Street Area	4
Southeast Area	2
Criminal Gang and Homicide Division	4
Bureau Total	15
Operations - Valley Bureau	
Van Nuys Area	0
West Valley Area	3
North Hollywood Area	1
Foothill Area	2
Devonshire Area	2
Mission Area	1
Topanga Area	2
Bureau Total	11
Operations - West Bureau	
Hollywood Area	2
Wilshire Area	2
West Los Angeles Area	0
Pacific/LAX Area	2
Olympic Area	2
Bureau Total	8
Detective Bureau	
Commercial Crimes Division	1
Detective Support and Vice Division	2
Juvenile Division	3
Gang and Narcotics Division	1
Robbery-Homicide Division	2
Bureau Total	9
Professional Standards Bureau	
Force Investigation Division	0
Bureau Total	0
Counter Terrorism and Special Operations Bureau	
Major Crimes Division	1
Metropolitan Division	0
Bureau Total	1
Department Total	48

SUMMARY OF FINDINGS

Table No. 3 illustrates the Department's standards by objective and provides a comparison to the prior year's audit.

TABLE NO. 3 – SUMMARY OF FINDINGS

Objective No.	Description of Audit Objective	Prior Year 2011/12		Current Year 2012/13		% Change
		Packages Meeting Standards / Packages Evaluated	Percentage Meeting Standards	Packages Meeting Standards / Packages Evaluated	Percentage Meeting Standards	
1. Completeness		38/43	88%	42/48	88%	0%
2. Authenticity						
2(a)	Canned Language	43/43	100%	48/48	100%	0%
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3. Legality						
3(a)	Legality of Underlying Actions	43/43	100%	48/48	100%	0%
3(b)	Warrant Served/Returned within the Required Time	41/43	95%	44/48	92%	-3%
4. Conformance with Department Procedures						
4(a)	Use of Confidential Informant	8/8	100%	9/9	100%	0%
5. Supervisory Oversight						
5(a)	Pre-Incident Review	31/43	72%	41/48	85%	+13%
5(b)	Applicable Incident	40/41	98%	45/45	100%	+2%
5(c)	Post-Incident Review	34/41	83%	41/45	91%	+8%
6. Warrant Tracking Log						
6(a)	Accuracy and Completeness of the Warrant Tracking Log	42/43	98%	44/48	92%	-6%
6(b)	Warrant Tracking Log Approved within the Required Time	24/38	63%	28/37	76%	+13%
7. Commanding Officer's Analysis						
7(a)	Evaluation of each At-Scene Supervisor	38/41	93%	44/46	96%	+3%
7(b)	Completeness of the Employee Comment Sheet	39/39	100%	45/45	100%	0%
7(c)	Employee Comment Sheet Completed within the Required Time	29/31	94%	42/44	95%	+1%

DETAILED FINDINGS

Objective No. 1 – Completeness

Criteria

A warrant package was considered complete if all documents essential to the evaluation of the warrant preparation and/or service could be obtained through the Department's electronic data and file record systems.

Errors and/or omissions found in the individual documents were not measured for adherence with this objective, but were reported under other objectives as appropriate.

Audit Procedures

The warrant packages were reviewed to determine whether the documents supporting the warrant application and affidavit, as well as the execution of the search warrant, were available. If the necessary documents were not in the packages, auditors made a good faith effort to determine the existence of the document(s), then made reasonable efforts to obtain copies of the document(s). Required documents included:

- Investigative Reports, Form 03.01.00;
- Investigator's Final Reports, Form 05.10.00;
- Arrest Reports, Form 05.01.02;
- Follow-up Reports, Form 03.14.00;
- Property Reports, Form 10.01.00;
- Receipt for Property Taken into Custody Reports, Form 10.10.00;
- Pre/Post Warrant Photographs;
- Warrant Tracking Logs, Form 08.17.05; and,
- Warrant Service/Tactical Plan Reports, Form 12.25.00.

Packages that did not contain the required documents did not meet the standards for this objective.

Findings

Of the 48 warrant packages, 42 (88%) met the standards for this objective.

Three packages were missing the required pre-and post-warrant photographs of the location(s). Two packages were missing the required Receipt for Property Taken into Custody, Form 10.10.00, that corresponded to evidence booked on the Property Report, Form 10.01.00. The remaining package that did not meet the standards was missing a Warrant Service/Tactical Plan Report, Form 12.25.00, or an

Employee's Report, Form 15.07.00, that explained why a Warrant Service/Tactical Plan Report was not required.¹

A detailed listing of the six packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 2 – Authenticity

Objective No. 2(a) – Canned Language

Criteria

Department policy and procedure requires that officers not use inappropriate “canned” language that is inconsistent with the information contained within the appropriate reports. The lack of inappropriate “canned” language supports the authenticity of each package.

Audit Procedures

The warrant packages were reviewed to determine if the affidavit lacked originality that could be indicative of inappropriate canned language. In addition to the application and affidavit, supporting documents were reviewed to determine if canned language was used in any other aspect of the warrant process. A package did not meet the standards for this objective if documents indicated the use of inappropriate canned language.

Findings

Each (100%) of the 48 warrant packages met the standards for this objective.

Objective No. 2(b) – Inconsistent Information

Criteria

Department policy and procedure requires warrant packages to contain consistent information within each warrant and between the associated documents that make up the package. The consistency of information throughout the package supports the authenticity of each package.²

Audit Procedures

Information in the affidavit and supporting documents were compared to the information in the supporting documents to determine whether significant inconsistent information existed. Significant inconsistencies were defined as conflicting or omitted information from either the affidavit or supporting

¹ Robbery-Homicide Division warrant number 64547 contained two service locations. For one location, only page one of the Warrant Service/Tactical Plan, Form 12.25.00, was completed. An Employee's Report, Form 15.07.00, was prepared after the audit fieldwork to explain why the Warrant Service/Tactical Plan Report was not required.

² See Department Manual Section 4/742.10, Special Order No. 7, dated February 27, 2009, and Special Order No. 6, dated April 6, 2011.

documents that might call into question the authenticity of the warrant. A package did not meet the standards for this objective if there were any significant inconsistencies identified.

Findings

Of the 48 warrant packages, 45 (94%) met the standards for this objective. One package did not meet the standards because the quantity and the description of the narcotics on the Property Report Form, 10.01.00, and Receipt for Property Taken into Custody, Form 10.10.00, were inconsistent. One package did not meet the standards due to various inconsistencies between the affidavit and arrest report. One package did not meet the standards because the Employee Comment Sheet, Form 01.77.00, stated that evidence was booked when the Property Report Form, 10.01.00, showed that the evidence was booked after the Employee Comment Sheet was served.

A detailed listing of the packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 2(c) – Articulation of Legal Basis

Criteria

Legal basis for the warrant was defined as the articulation of probable cause pursuant to Penal Code Section 1525.³ The Fourth Amendment of the United States Constitution protects people against unreasonable searches. As such, Department personnel are required to document the legal basis for conducting searches which include the following: search warrants, probable cause, incident to arrest, consent, or exigent circumstances.

Audit Procedures

The warrant packages were reviewed to determine whether the affidavit articulated the probable cause for the warrant. An affidavit that did not articulate the probable cause on the affidavit, but was authorized by a court, did not meet the standards for this objective. Although the warrant would be valid, Department policy and procedure requires an articulation of probable cause for the warrant.

Findings

Each (100%) of the 40 warrant packages reviewed met the standards for this objective. Eight of the 48 warrant packages could not be fully examined as key portions of the affidavits were sealed by Court Order. Therefore, the eight warrant packages were not evaluated for this objective.⁴

³ See Department Manual Section 4/742.10.

⁴ The eight packages were evaluated for all other audit objectives.

Objective No. 2(d) – Authenticity of Other Indicia

Criteria

Department policy and procedure requires that warrant packages shall be reviewed for other indicia that the information in the document is not authentic or correct.⁵

Procedures

The warrant packages were reviewed to determine if there were errors or omissions in the completion of the application or the return. Warrant packages were also reviewed to verify that the affiant and the supervisor at-scene for the service of the warrant were not the same person. Warrant packages that contained errors, omissions, or the affiant and the supervisor at-scene were the same person did not meet the standards for this objective.

Findings

Of the 48 warrant packages, 41 (85%) met the standards for this objective. Three warrant packages did not meet the standards because the Search Warrant Info boxes on the Property Report Form, 10.01.00, were not completed. The remaining four warrant packages did not meet the standards due to errors or omissions when completing documents.

A detailed listing of the packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 3 – Legality

Objective No. 3(a) – Legality of Underlying Actions

Criteria

Penal Code Section 1533, requires a warrant to be served only between the hours of 7 a.m. and 10 p.m. unless otherwise directed by the magistrate.

Audit Procedures

The warrant packages were reviewed to determine if Department personnel served the warrant at the correct time of day. If warrant packages indicated that the warrant was not served at the time authorized by the court, the packages did not meet the standards for this objective.

⁵ See Department Manual Section 4/216.01, California Penal Code 1523, page four of Special Order No. 7, "*Warrant Service/Tactical Plan Report Procedures – Revised; and Warrant Review Officers – Established*," dated February 27, 2009, Special Order No. 6, "*Search Warrant and Probable Cause Arrest Warrant Procedures – Revised*," dated April 6, 2011, and page two of the Search Warrant Procedures Guide, 2009 Edition.

Findings

Each (100%) of the 48 warrant packages met the standards for this objective.

Objective No. 3(b) – Warrant Served/Returned within the Required Time

Criteria

Department policy and procedure requires a review of the information on the application and affidavit, where applicable, to determine whether the warrant is served and returned within the required ten days from date of issuance.

Audit Procedures

The warrant packages were reviewed to determine if warrants were served and returned within the required time. A warrant package that was not served and returned within the required time did not meet the standards for this objective.

Findings

Forty-four (92%) of the 48 warrant packages met the standards for this objective. Four packages did not meet the standards for this objective because the search warrants were not returned within the required ten days.

A detailed listing of the packages that did not meet the standards for this objective is listed in the Addendum.

Objective No. 4 – Conformance with Department Procedures

Objective No. 4(a) – Use of Confidential Informant

Criteria

The Department's Informant Manual restricts the use of informants to non-uniformed personnel assigned to investigative entities; and requires the documentation of the informant's corroboration; an active informant package prior to using the respective informant; and the documentation of follow-ups to meetings and contacts with the informant using the Informant Contact Form, Form 03.23.05.

Audit Procedures

Of the 48 warrant packages, nine indicated that a Confidential Informant (CI) was used. Each package containing a CI was reviewed for evidence that the CIs were handled according to Department policy and procedure. If the warrant did not articulate the reliability and corroboration of the CI; if the CI was used by personnel in a uniformed assignment; or if a CI package did not exist or document the contact for the corresponding warrant, the warrant package did not meet the standards for this objective.

Findings

Each (100%) of the nine warrant packages reviewed met the standards for this objective

Objective No. 5 – Supervisory Oversight

Objective No. 5(a) – Pre-incident Review

Criteria

Department policies and procedures require supervisory review of the warrant applications. The concerned supervisor is required to document his/her review of the warrant applications and affidavits by initialing and placing his/her serial number on the lower right-hand corner of the affidavit.

In addition, the Department requires warrant service plans to be reviewed by a supervisor and the C/O. A supervisor is required to sign on page one of the Warrant Service/Tactical Plan Report, Form 12.25.00. The C/O or designee is also required to place his/her initials on page one of the Warrant Service/Tactical Plan Report to indicate his/her approval of the plan prior to the actual execution of the warrant service.

Audit Procedures

Each warrant application and affidavit was reviewed to determine if a supervisor documented the approval of the warrant affidavit on each page, and that page one of the Warrant Service/Tactical Plan Report, Form 12.25.00, was reviewed to determine if the approving supervisor's signature and C/O's initials exists on that page. Those packages that did not contain the required signatures, initials, and/or serial numbers as required did not meet the standards for this objective.

Findings

Of the 48 packages, 41 (85%) met the standards for this objective. Six packages did not meet the standards for this objective because the supervisor did not properly document his/her review of the affidavit. One package did not meet the standards for this objective because the C/O did not place his/her initials and serial number on page one of the Warrant Service/Tactical Plan Report, Form 12.25.00.

A detailed listing of the seven packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 5(b) – Applicable Incident

Criteria

A supervisor of the rank of Sergeant or Detective II or above is required to be present at the service of the warrant. Department policy and procedure requires that a supervisor of the rank of lieutenant or above be present at the execution of all search or Ramey warrants initiated by uniformed gang enforcement-related specialized details or any warrants where uniformed gang enforcement details act as affiants. Uniformed gang enforcement-related details included GED and Community Law Enforcement and Recovery (CLEAR).

Audit Procedures

The Warrant Service/Tactical Plan Reports, Form 12.25.00, were reviewed. Those reports that did not contain indications that appropriate levels of supervision were present at the warrant service location, did not meet the standards for this objective.

Findings

Forty-five of the 48 packages reviewed required Warrant Service/Tactical Plan Report, Form 12.25.00.⁶ Each (100%) of the 45 warrant packages met the standards for this objective.

Objective No. 5(c) – Post-Incident Review

Criteria

Department policy and procedure requires that the warrant service conditions and debrief summary be documented on the Warrant Service/Tactical Plan Report, Form 12.25.00. The debriefing of the service shall be conducted by a supervisor within one day of service. The C/O or designee is required to sign page seven of the Warrant Service/Tactical Plan Report to indicate that he/she had reviewed the Warrant Service/Tactical Plan Report, Form 12.25.00.

Audit Procedures

The warrant packages were reviewed to determine the following: whether warrant service conditions and the debrief summary were properly documented on the Warrant Service/Tactical Plan Report, Form 12.25.00; whether the debriefing of the service was conducted within one day of service; and whether the C/O signed page seven of the Warrant Service/Tactical Plan Report, Form 12.25.00, to document his/her review of the package. Warrant packages that did not document the above criteria did not meet the standards for this objective.

⁶ In the three instances, officers were not required to prepare a Warrant Service/Tactical Plan Report due to secured locations. Each package contained an Employee's Report, Form 15.7.00, that documented the search warrant service.

Findings

Forty-five of the 48 warrant packages required a Warrant Service/Tactical Plan Report, Form 12.25.00. Three packages were not applicable as stated in Objective 5(b). Of the 45 packages, 41 (91%) met the standards for this objective. Two packages did not meet the standards because an Employee Comment Sheet, Form 01.77.00, was not available for review. One package did not meet the standards because the supervisor requiring an Employee Comment Sheet, Form 01.77.00, was not identified on the Warrant Service/Tactical Plan Report, Form 12.25.00. One package did not meet the standards because the warrant service conditions and debriefs were not properly documented.

A detailed listing of the four packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 6 – Warrant Tracking Log

Objective No. 6(a) – Accuracy and Completeness of the Warrant Tracking Log

Criteria

Department policy and procedure requires that each Area and specialized division maintain a log listing each search warrant, indicating where a copy of such warrant is maintained; the affiant who applied for the warrant; and the approving supervisor for the warrant.

Audit Procedures

The warrant packages were reviewed to determine if the corresponding Warrant Tracking Logs, Form 08.17.05, were completed and maintained as required. Warrant Tracking Logs that did not identify the affiant; the location of the search warrant or suspect to be arrested; the approving supervisor; and the C/O did not meet the standards for this objective.

Findings

Of the 48 warrant packages, 44 (92%) met the standards for this objective. Two packages did not meet the standards because the name and/or serial number of the approving supervisor on the Warrant Tracking Log, Form 08.17.05, did not match the supervisor who initialed and placed his/her serial number to approve the affidavit. The remaining two packages did not meet the standards because the Warrant Tracking Log did not record the person to be arrested for a Ramey warrant.

A detailed listing of the packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 6(b) –Warrant Tracking Log Approved within the Required Time

Criteria

Department policy and procedure requires a C/O or designee (at the rank of Lieutenant or above) to approve the Warrant Tracking Log, Form 08.17.05, by the end of the month.

Audit Procedures

Warrant Tracking Logs were obtained from 37 Areas and divisions. These were reviewed to determine if they were appropriately approved by the C/O or designee within the required time. Warrant Tracking Logs, Form 08.17.05, that did not contain the required approval signature or that were not approved ten calendar days after the end of the month, did not meet the standards for this objective.

Findings

Of the 37 Warrant Tracking Logs reviewed, 28 (76%) met the standards for this objective.

A detailed listing of the nine Warrant Tracking Logs, Form 08.17.05, that did not meet the standards for this objective can be found in the Addendum. Eight of the 37 Warrant Tracking Logs were not approved by the end of the month. One did not contain the C/O's signature.

Objective No. 7 – Commanding Officer's Analysis

Objective No. 7(a) – Evaluation of each At-Scene Supervisor

Criteria

Department policy and procedures states that C/Os shall complete a timely and detailed analysis of the supervisor's performance at the warrant service.

Audit Procedures

The warrant packages were reviewed to determine the completion of an Employee Comment Sheet, Form 01.77.00, for the supervisor at-scene by the C/O. The package did not meet the standards if the C/O did not conduct an analysis within seven working days or document his/her evaluation of the supervisor's conduct on an Employee Comment Sheet, Form 01.77.00.

Findings

Forty-six of the 48 warrant packages were evaluated for this objective. Two packages were not applicable as the warrants did not require a Warrant Tactical Plan Report and Employee Comment Sheets were not prepared.

Of the 46 warrant packages that were evaluated, 44 (96%) met the standards for this objective.

A detailed list of the two packages that did not meet the standards for this objective can be found in the Addendum.

Objective No. 7(b) – Completeness of the Employee Comment Sheet

Criteria

Department policy and procedure states that C/Os shall complete a timely and detailed analysis of the supervisor's performance at the warrant service. The documentation shall address the issues listed within Special Order No. 6, issued on April 6, 2011.

Audit Procedures

The warrant packages were reviewed to determine the completion of an Employee Comment Sheet, Form 01.77.00, for the supervisor at-scene by the C/O. The package did not meet the standards if the C/O did not provide adequate analysis of the supervisor's at-scene performance by addressing, at a minimum, the six specific issues listed within the Special Order.

Findings

Forty-five of the 48 warrant packages were evaluated for this objective. Two packages were not applicable because an Employee Comment Sheet, Form 01.77.00, was not required as stated in Objective No. 7(a). Another package was not evaluated because the Employee Comment Sheet, Form 01.77.00, was not prepared when one was required.

Each (100%) of the 45 applicable warrant packages met the standards for this objective.⁷

Objective No. 7(c) – Employee Comment Sheet Completed within the Required Time

Criteria

Department policy and procedure states that C/Os shall complete a timely and detailed analysis of the supervisor's performance at the warrant service. Special Order No. 6, issued on April 6, 2011, required the C/O to issue the Employee Comment Sheet, Form 01.77.00, within seven business days.

Audit Procedures

The warrant packages were reviewed to determine the timely completion of an Employee Comment Sheet, Form 01.77.00, for the supervisor at-scene by the C/O. The package did not meet the standards if the C/O did not complete the Comment Sheet within the required time. Employee Comment Sheets that

⁷ Special Order No. 6, issued on April 6, 2011 required the C/O to document the date and time of the incident on the Employee Comment Sheet, Form 01.77.00. Although required by the Special Order, IAID did not consider an Employee Comment Sheet that was missing the time of incident as a finding, provided the Employee Comment Sheet, Form 01.77.00, was complete in all other matters and the incident was identified through other documents. There were nine packages with Employee Comment Sheets that did not document the time of the incident but were complete in all other regards.

did not have a review date within seven business days of the warrant service date did not meet the standards for this objective.

Findings

Forty-four warrant packages were applicable to this objective because they contained Employee Comment Sheet, Form 01.77.00, with a date of completion. Forty-two (95%) of the 44 warrant packages met the standards for this objective.

The Employee Comment Sheet, Form 01.77.00, was required to be completed within seven business days. It should be noted that one package contained an Employee Comment Sheet, Form 01.77.00 that was completed eight business days after the warrant service. Another package contained an Employee Comment Sheet, Form 01.77.00, that was completed over two months after the warrant service.

A detailed listing of the two packages that did not meet the standards for this objective can be found in the Addendum.

RECOMMENDATION

None.

ACTION TAKEN

Internal Audits and Inspections Division presented the audit report and findings to the Assistant to the Director, Office of Operations and the Assistant Commanding Officer, Detective Bureau who expressed general agreement with the findings.

ADDENDUM

SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS AUDIT

Fourth Quarter, Fiscal Year 2012/13

WARRANT PACKAGES THAT DID NOT MEET THE STANDARDS

Package	Warrant No.	Area/Division	Finding
OBJECTIVE 1 – COMPLETENESS			
CENT-1	64542	Central	Pre- and/or post-photos of the warrant service were missing.
NEWT-1	64641	Newton	Pre- and/or post-photos of the warrant service could not be viewed.
OLYM-1	64648	Olympic	Pre- and/or post photos of the warrant service were missing.
MCD-1	64598	Major Crimes	The Receipt for Property Taken Into Custody, Form 10.10.00, corresponding to items #42-54 booked on the Property Report, Form 10.01.00, were missing.
CCD-1	64604	Commercial Crimes	The Receipt for Property, Form 10.10.00, corresponding to items #1-9 booked on the Property Report, Form 10.01.00, were missing.
RHD-1	64637	Robbery-Homicide	The Warrant Service/Tactical Plan Report Form 12.25.00, or an Employee Report Form 15.07.00 explaining why the Warrant Service/Tactical Plan Report Form 12.25.00 was not required, was not prepared until after audit fieldwork.
OBJECTIVE 2(b) - AUTHENTICITY - INCONSISTENT INFORMATION			
HWD-1	64501	Hollywood	Both the Property Report, Form 10.01.00, and the Receipt For Property, Form 10.10.00, indicated that the quantity of narcotics seized as six but described the evidence as "five clear plastic pills."
TOP-1	12lat00217	Topanga	There were various inconsistencies on the affidavit. Two dates mentioned in the affidavit were inconsistent with the arrest report. The affidavit reported that the affiant was monitoring the suspect at a time after the affidavit was signed by the judge. The suspect's date of birth on the affidavit was different by one year.
CCD-1	64604	Commercial Crimes	The Employee Comment Sheet, Form 01.77.00, stated that the supervisor ensured that evidence was booked. The Employee Comment Sheet was served September 6, 2012. However, evidence was not booked until September 12, 2012. Evidence was seized on August 25, 2012.
OBJECTIVE 2(d) – AUTHENTICITY – AUTHENTICITY OF OTHER INDICIA			
CENT-1	64542	Central	<ol style="list-style-type: none">1. Officers searched a storage unit without describing it as a location to be searched in the search warrant affidavit. The storage unit was several buildings from the location to be searched.2. Officers issued one Receipt for Property Taken Into Custody, Form 10.10.00, for cash seized from two different individuals. Two Receipts for Property Taken Into Custody, Form 10.10.00, were required as cash belonging to two separate individuals was seized.
RAMP-1	64493	Rampart	The Property Report, Form 10.01.00, did not discern evidence seized prior to the service of the search warrant from the evidence seized from the search. The Property Report Form 10.01.00 was later attached to the Return to Search Warrant as the inventory of all items seized from the search warrant, which would be misleading since it included items seized prior to the search warrant.

Search Warrant Applications and Supporting Affidavits Audit

Addendum

Page II of IV

Package	Warrant No.	Area/Division	Finding
HARB-1	F66698	Harbor	All the Search Warrant Info boxes on the Property Report, Form 10.01.00, were not completed.
OLYM-1	64648	Olympic	All the Search Warrant Info boxes on the Property Report Form 10.01 were not completed.
HWD-2	64573	Hollywood	During the execution of the search warrant, the Department documented that there was damage to the property caused from removal of a safe. The supervisor did not document the extent of the damage, as required by Department policy, and no photos were taken.
CCD-1	64604	Commercial Crimes	<ol style="list-style-type: none"> 1. Officer did not provide a full accounting of items seized to the Court on its Return to Search Warrant. The Return to Search Warrant, which was submitted on August 30, 2012, did not include evidence seized on August 25, 2012, but not booked until September 12, 2012. Furthermore, the officer did not utilize the Property Report, Form 10.01.00, as the inventory attachment as required by Department Manual Vol. 4/540.90. 2. Officers allowed the victim to act as custodian of stolen items recovered from the search warrant service. Officers were required to retain custody of the evidence seized, pursuant to Court Order, pursuant to Penal Code Sections 1528 and 1536. 3. Evidence seized on August 25, 2012, which included narcotics, was not booked until September 12, 2012.
RHD-1	64637	Robbery-Homicide	All the Search Warrant Info boxes on the Property Report Form 10.01 were not completed.
OBJECTIVE 3 (b) - WARRANT SERVED/RETURNED WITHIN THE REQUIRED TIME			
NEWT-1	64641	Newton	The search warrant was returned one day after the required 10 days.
77 th -2	64672	77 th Street	The search warrant was returned three days after the required 10 days.
OSB-1	79-2012-SW468	OSB/CGHG	The search warrant was returned 100 days after the required 10 days.
MCD-1	64598	Major Crimes	The search warrant was returned four days after the required 10 days.
OBJECTIVE 5(a) - SUPERVISORY OVERSIGHT - PRE-INCIDENT REVIEW			
77 th -2	64672	77 th Street	The supervisor did not initial or include his/her serial number on the affidavit's cover page, as required.
HARB-3	F66788	Harbor	The Commanding Officer did not indicate the approval of the Warrant Service/Tactical Plan Report, Form 12.25.00, prior to service by placing his/her initials on the bottom right-hand corner of the first page.
SOE-2	79-2012-SW321	Southeast	The supervisor did not initial or include his/her serial number on the face sheet of the Arrest Warrant.
OLYM-2	64531	Olympic	The approving supervisor shall initial and include serial number on each page, as required. Although there was an initial on each page, there was no corresponding serial number. It is unclear whether the initials on the affidavit were from the approving supervisor.

Search Warrant Applications and Supporting Affidavits Audit

Addendum

Page III of IV

Package	Warrant No.	Area/Division	Finding
GND-1	12LAT0206	Gangs and Narcotics	The approving supervisor shall initial and include a serial number on each page, as required. Although there was an initial on each page, there was no corresponding serial number. It is unclear whether the initials on the affidavit were from the approving supervisor.
RHD-1	64637	Robbery-Homicide	The supervisor approving the affidavit did not initial and include a serial number on the Arrest Warrant face page, as required.
RHD-2	64586	Robbery -Homicide	The supervisor approving the affidavit did not initial and include a serial number on affidavit on any page.
OBJECTIVE 5(c) - SUPERVISORY OVERSIGHT - POST INCIDENT			
HARB-1	F66698	Harbor	Page 7 of the Warrant Service/Tactical Plan Report, Form 12.25.00, did not identify any supervisor for whom an Employee Comment Sheet would be required.
HARB-2	F66753	Harbor	Page 7 of the Warrant Service/Tactical Plan Report, Form 12.25.00, did not identify any supervisor for whom an Employee Comment Sheet would be required.
RHD-1	64637	Robbery-Homicide	Required documentation in the Warrant Service/Tactical Plan Report was not completed, which included the boxes related to the date/time of debriefing summary; and the issues discussed during the debriefing summary.
RHD-2	64586	Robbery-Homicide	A complete analysis of the execution of the search, including supervisor presence and issues discussed during debrief was not conducted. Although a Warrant Service/Tactical Plan Report was completed by RHD, the Report did not analyze the tactics/supervisory presence and debrief conducted by GND. The warrant was served by GND.
OBJECTIVE 6(a) – ACCURACY AND COMPLETENESS OF THE WARRANT TRACKING LOG			
HARB-1	F66698	Harbor	The Approving Supervisor identified on the Warrant Tracking Log did not match the supervisor who initialed the warrant affidavit.
SOE-2	79-2012-SW321	Southeast	The Warrant Tracking Log did not record the person to be arrested for a Search/Ramey Warrant.
OLYM-1	64648	Olympic	The Approving Supervisor identified on the Warrant Tracking Log did not match the supervisor who initialed the warrant affidavit.
MCD-1	64598	Major Crimes	The Warrant Tracking Log did not record the person to be arrested for a Search/Ramey Warrant.

Search Warrant Applications and Supporting Affidavits Audit

Addendum

Page IV of IV

Package	Warrant No.	Area/Division	Finding
OBJECTIVE 6(b) - WARRANT TRACKING LOG APPROVED WITHIN THE REQUIRED TIME			
		Northeast	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on September 11, 2012.
		West Valley	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on September 17, 2012.
		Valley Traffic Division	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on September 12, 2012.
		Pacific	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on September 13, 2012.
		West Los Angeles	The Commanding Officer or designee did not sign the Warrant Tracking Log.
		Wilshire	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on September 24, 2012.
		Detective Support and Vice Division	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on October 17, 2012.
		Gangs and Narcotics	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on September 24, 2012.
		Internal Affairs Group	The Commanding Officer or designee did not approve the Warrant Tracking Log within ten days after the end of the month. The log was signed on November 5, 2012.
OBJECTIVE 7(a) – EVALUATION OF EACH AT-SCENE SUPERVISOR			
SOW-2	64631	Southwest	An Employee Comment Sheet for supervisor providing oversight during the service of the warrant was not prepared.
HARB-1	F66698	Harbor	An Employee Comment Sheet for supervisor providing oversight during the service of the warrant could not be located.
OBJECTIVE 7(c) – EMPLOYEE COMMENT SHEET COMPLETED WITHIN THE REQUIRED TIME			
OSB-2	64601	OSB/CGHG	The Employee Comment Sheet was completed eight business days after the warrant service, which is past the required seven business days.
RHD-1	64637	Robbery- Homicide	The Employee Comment Sheet was completed over two months after the warrant service, which is past the required seven business days.