

## INTRADEPARTMENTAL CORRESPONDENCE

March 14, 2014  
14.2

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

**FROM:** Chief of Police

**SUBJECT:** HOLLENBECK AREA DETECTIVE COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT (IAID NO. 13-053)

### RECOMMENDED ACTIONS

1. That the Board of Police Commissioners REVIEW and APPROVE the attached Hollenbeck 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/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 Arif Alikhan, Special Assistant for Constitutional Policing, at (213) 486-8730.

Respectfully,



CHARLIE BECK  
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT

*HOLLENBECK AREA DETECTIVE  
COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT  
(IAID No. 13-053)*



Conducted by

INTERNAL AUDITS AND INSPECTIONS  
DIVISION

CHARLIE BECK  
Chief of Police

*Fiscal Year 2012/2013*

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

**Conducted by  
Internal Audits and Inspections Division  
Fiscal Year 2012/2013**

**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 Hollenbeck Area by IAID.

**SUMMARY OF FINDINGS**

The most frequent findings that did not meet the standards were identified within the following objectives:

- Objective No. 1(a) – Evaluation of Case Envelopes/Murder Books;
- Objective No. 1(b) – Evaluation of Search/Ramey Warrants;
- Objective No. 4(a) – Evaluation of Supervisory Bypass/Referrals;
- Objective No. 4(b) – Evaluation of Supervisory Releases; and,
- Objective No. 5 – Evaluation of the Detective Division's Felony Warrant Files.

Table No. 1 indicates adherence percentages for each objective.

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

Objective No.	Description	Total Reviewed	Total Meeting Standards	Total Percentage Meeting Standards
<b>1. Evaluation of Detective Work Product</b>				
1(a)	Evaluation of Case Envelopes/Murder Books	19	12	63%
1(b)	Evaluation of Search/Ramey Warrants	5	3	60%
<b>2. Evaluation of Case Clearances</b>				
2(a)	Evaluation of "Unfounded" Cases	5	5	100%
2(b)	Evaluation of Cases "Cleared Other"	57	56	98%
2(c)	Evaluation of "Multiple" Case Clearances	13	13	100%
<b>3. Evaluation of Case Categorization</b>		87	85	98%
<b>4. Evaluation of Supervisory Roles</b>				
4(a)	Evaluation of Supervisory Bypass/Referrals	21	12	57%
4(b)	Evaluation of Supervisory Releases	2	0	0%
<b>5. Evaluation of the Detective Division's Felony Warrant Files</b>		62	16	26%

## **ACTIONS TAKEN**

On October 10, 2013, LAID briefed the Hollenbeck Area CO of the audit findings and provided him with a draft of the audit report. Internal Audits and Inspections Division advised the Hollenbeck Area CO that a response to the findings reported in the draft report was required within ten business days.

On December 3, 2013, LAID received a response from the Hollenbeck Area CO through their respective Bureau. This response indicated general agreement with the audit findings, as well as documented corrective actions taken on their behalf for the identified findings.

On January 2, 2014 the CO of LAID shared the audit with the Assistant CO, Detective Bureau, CO of Operations – Central Bureau, the Assistant to the Director, Office of Operations and all were in general agreement.

# **HOLLENBECK AREA DETECTIVE COMMAND ACCOUNTABILITY PERFORMANCE AUDIT**

**Conducted by  
Internal Audits and Inspections Division  
Fiscal Year 2012/2013**

## **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**

On July 6, 2001, the Department established Audit Division (AD) to conduct audits mandated by the Consent Decree, as well as Department-initiated audits to measure adherence with Department policy and procedures. Audit Division previously conducted Command Accountability Reviews (CARs), which addressed a variety of risk management issues at Area commands. On March 1, 2009, AD merged with Civil Rights Integrity Division forming IAID. The Detective CAPAs were developed using the same concept as the original CARs; however, rather than focusing on an entire Area command, these audits focus exclusively on 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. Additionally, 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.

Hollenbeck Area Detective Division consists of the following investigative tables:

- Autos;
- Burglary;
- Crimes Against Persons (CAPS);
- Homicide;
- Juvenile;

- Major Assault Crimes (MAC);
- Robbery; and,
- Sexual Assault.

### **PRIOR AUDITS**

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

### **SUMMARY OF FINDINGS**

Table No. 1 indicates adherence percentages for each objective.

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

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<b>2. Evaluation of Case Clearances</b>				
(a)	Evaluation of "Unfounded" Cases	5	5	100%
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(a)	Evaluation of Supervisory Bypass/Referrals	21	12	57%
(b)	Evaluation of Supervisory Releases	2	0	0%
<b>5. Evaluation of the Detective Division's Felony Warrant Files</b>		62	16	26%

The most frequent findings that did not meet the standard identified were within the following objectives:

- Objective No. 1(a) – Evaluation of Case Envelopes/Murder Books;
- Objective No. 1(b) – Evaluation of Search/Ramey Warrants;
- Objective No. 4(a) – Evaluation of Supervisory Bypass/Referrals;
- Objective No. 4(b) – Evaluation of Supervisory Releases; and,
- Objective No. 5 – Evaluation of the Detective Divisions Felony Warrant Files.

## **METHODOLOGY**

Auditors queried the Detective Case Tracking System (DCTS) to identify all Detective Initiated Arrests (DIAs)/reports handled by Hollenbeck Area Detective Division for the month of May 2013. The query identified the table with investigative responsibility for each DIA/report. A minimum of five arrests/reports were audited for each investigative table. If the investigative table's work product (WP) 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 DIAs from the prior two months of March 2013, and April 2013. If a particular investigative table was not listed, DIAs or reports were not identified, or had no findings/other related matters 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 May 2013, to ensure the most recently completed detective WP was evaluated.

### **Fieldwork**

Fieldwork was performed between July 15, 2013, and September 11, 2013.

### **Source Documents**

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

### **Department Forms Evaluated for Adherence**

The following Department Forms were evaluated:

- Investigative Report (Form 3.01.00);
- Follow-Up Investigation (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 5.01.02);
- Adult Detention Log (Form 06.19.00);
- Warrant Service/Tactical Plan Report (Form 12.25.00);

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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.

- Warrant Tracking Log (Form 8.17.05);
- Search Warrant and Affidavit (DA-1506); and,
- Return to Search Warrant (DA-289).

## **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 5.01.02), 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 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 all 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.

Nineteen Detective's Case Envelopes (Form 15.15.00) were evaluated (five each from the Burglary and Sexual Assault tables, and three each from the CAPS, Homicide, and Robbery tables).

#### **Overall Findings**

Twelve (63%) of the 19 cases evaluated met the standards for this objective.

#### **Burglary Table**

Five Detective's Case Envelopes (Form 15.15.00) were reviewed. Three (60%) of the five envelopes reviewed met the standards for this objective. The remaining two cases are detailed below:

- *Booking No. 3552352* – This case involved a multi-two arrest for burglary. There was no documentation in the Detective's Case Envelope (Form 15.15.00) which indicated that a number of the victims received a Marsy's Law pamphlet, either during the initial contact with patrol officers or from the Investigating Officer during any follow-up investigation. Further, the "Parent, Guardian or Responsible Relative Notification" section of the Juvenile Arrest Supplemental Report (Form 05.02.06) does not list a time of notification.
- *Booking No. 3552345* – The narrative of the Arrest Report (Form 05.01.02) documented that a number of items of evidence were recovered at the time of the Subject's arrest. One of these items was "male enhancement pills."



This item was not listed on the Receipt for Property Taken into Custody (Form 10.10.00) that was completed for the evidence recovered.

### **Homicide Table**

One Murder Book involving a multi-three arrest was reviewed. This case did not meet the standards for this objective and is detailed below:

- *Booking No. 3515913* – Auditors were not able to locate a Booking Approval (Form 12.31.00) for the involved arrestee.
- *Booking No. 3499514* – The Adult Detention Log (Form 70-06.19.0) documented that the arrestee was injured. There is no documentation in the Arrest Report (Form 05.01.02) narrative that documents the arrestee received medical treatment prior to booking.

### **Robbery Table**

Three Detective's Case Envelopes (Form 15.15.00) were reviewed. Two (67%) of the three envelopes reviewed met the standards for this objective. The remaining one case is detailed below:

- *Booking No. 3491290* – There was no documentation in the Detective's Case Envelope (Form 15.15.00) which indicated that the victim received a Marsy's Law pamphlet, either during the initial contact with patrol officers or from the Investigating Officer during any follow-up investigation. Additionally, the Booking Approval (Form 12.31.00) completed for the suspect indicates a "strip" search was approved. However, the "Reason for Search, Date and Time of Search, Location of Search Conducted, Searching Employee," and "Results of Search" sections are blank.

### **Sexual Assault Table**

Five Detective's Case Envelopes (Form 15.15.00) were reviewed. Three (60%) of the five envelopes reviewed met the standards for this objective. The remaining two cases are detailed below:

- *Booking No. 3517031* – The Adult Detention Log (Form 70-06.19.0) documented that the arrestee was taking medication for seizures. There was no documentation in the Arrest Report (Form 05.01.02) narrative that documented the arrestee received medical treatment prior to booking. Additionally, auditors were unable to completely evaluate this case because the original Detective's Case Envelopes (Form 15.15.00) could not be located.
- *Booking No. 3538951* – The Adult Detention Log (Form 70-06.19.0) documented that the arrestee complained of a shoulder injury.

There is no documentation in the Arrest Report (Form 05.01.02) narrative that documented the arrestee received medical treatment prior to booking.

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

Auditors reviewed the Hollenbeck Area Warrant Tracking Log (Form 8.17.05) for the month of May 2013, and identified all search/Ramey warrants authored by Hollenbeck Detective Division personnel.

The warrants were evaluated to determine proper approval, proper documentation on the Warrant Tracking Log (Form 8.17.05), timely service, proper supervision at the scene of service, a proper return of the warrant, and 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 to ensure 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 (one warrant each from the Burglary and Homicide tables, and three from the Sexual Assault table).

### **Findings**

Three (60%) of the five search/Ramey warrants evaluated met the standards for the stated objective. The remaining two search warrants are detailed below:

#### **Burglary Table**

- *Search Warrant No. 65994* – The Warrant Service/Tactical Plan Report (Form 12.25.00) indicated the “Method used to Gain Entry” as “Surround and Call Out.” However, the “Damage” section of the report indicated “bedroom door latch.” Further, the “before and after” photos taken documented damage to a door latch as well as damage to the knob and “dead bolt” assembly of a second interior door. It is unclear whether this damage was pre-existing or caused at the time of the warrant service. Additionally, there is an indication that the on-duty Watch Commander was notified of the warrant service, but there is no “name, rank, date or time notified” documented.

#### **Sexual Assault Table**

- *Search Warrant No. 65678* – The Warrant Tracking Log (Form 8.17.05) indicated the search warrant was approved by a supervisor. However, there are no supervisors initials or serial number documented on any of the pages of the affidavit to document that the warrant was reviewed by a supervisor prior to it being presented to a magistrate for approval.

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

Hollenbeck 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 May 2013. Five “Unfounded” cases were identified (one each from the Burglary, MAC and Sexual Assault tables and, two from the CAPS 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 five 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 May 2013. Fifty-seven “Cleared Other” cases (20 each from the CAPS and MAC tables, five each from the Burglary, Robbery and Sexual Assault tables, and two from the Autos table) 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**

Fifty-six (98%) of the 57 cases identified met the standards for this objective. The remaining one case is detailed below:

#### **MAC Table**

- *DR No. 13-04-06434* – This case involves a “Domestic Battery.” The Follow-up Investigation (Form 3.14.00) completed for this case indicated that the suspect moved out of the location on the day of the incident. However, there is no new address listed for the suspect. Although this case was presented to and rejected by the City Attorney’s office, there was no current address for the suspect indicated. Without a current address for the involved suspect, this case cannot be “Cleared Other.”<sup>2</sup>

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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.”

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

Auditors identified the “Multiple” case clearances for the month of May 2013, 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 (Form 3.14.00) according to Department policy, met the standards for this objective.

Thirteen “Multiple” case clearances (five from the CAPS table, three Sexual Assault table, two from the MAC table and one each from the Autos, Burglary and Robbery tables) were identified and reviewed.

#### **Findings**

All (100%) of the 13 cases, met the standards for this objective.

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

Auditors queried the DCTS for all Category Two cases for the month of May 2013. Eighty-seven Category Two reports (20 each from the Autos, Burglary, CAPS and Robbery tables, five from the Sexual Assault table, and two from the MAC table) 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**

Eighty-five (98%) of the 87 Category Two reports reviewed met the standards for this objective. The remaining two cases are detailed below:

#### **CAPS Table**

- *DR No. 13-04-09261* – This case involved the Battery of a Juvenile Detention Officer at Eastlake Juvenile Hall by a subject who was in custody at the facility. The subject’s name and date of birth were documented in the Investigative Report (Form 3.01.00). Based on these facts, this case should have been categorized as a Category One.

#### **Sexual Assault Table**

- *DR No. 13-04-08617* – This case involved a Crime against a Child. The suspect’s name, date of birth, and address were provided by the victim and were included in the initial Investigative Report (Form 3.01.00). Based on the type of crime and the information provided, this case should have been categorized as a Category One.

#### **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 17(b)(4)PC Supervisory Bypass/Referrals were utilized for the month of May 2013. Twenty-one (five each from the Autos, Burglary, CAPS and MAC tables, and one from the Sexual Assault table) were evaluated.

These cases were reviewed to determine whether supervisors used the Supervisory Bypass/Referrals procedures in accordance with Department policy and procedures, Chief of Detectives Notice, dated October 13, 2011 and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy- Revised. Cases for which the Supervisory Bypass/Referral procedures were in accordance with Department policy and procedures met the standards for this objective.<sup>3</sup>

#### **Findings**

Twelve (57%) of the twenty-one 17 (b)(4) PC, Supervisory Bypass/Referrals met the standards for this objective. The remaining nine cases are detailed below:

#### **Autos Table**

- *Booking No. 3514773* – This case involved an arrest for 496(a) PC, Receiving Stolen Property. Based on Chief of Detectives Notice, dated October 13, 2011, this charge did not qualify for a direct referral to the City Attorney's office. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.
- *Booking No. 3480014* – This case involves an arrest for 594(B)(1) PC, Felony Vandalism. The victim in this case provided the Investigating Officer with a repair estimate for the vehicle that totaled \$2,243.99. Based on the Chief of Detectives Notice, dated October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office because the amount of damage to the vehicle exceeds \$1,000.00. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.

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<sup>3</sup> The Department currently has a work group in place addressing this issue.

### **Burglary Table**

- *Booking No. 3575880* – This case involves an arrest for what appears to be 459 PC, Commercial Burglary. Based on the Chief of Detectives Notice, dated October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office because of the monetary total of the property taken. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.
- *Booking No. 3565876* – This case involved an arrest for 594(B)(1) PC, Felony Vandalism. The involved suspect had a prior felony conviction for 11359 Health & Safety (Possession of Marijuana for Sales). Based on the Chief of Detectives Notice, dated October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.
- *Booking Nos. 350742 and 3507417* – These cases involved arrests for 496(a) PC, Receiving Stolen Property. Based on the Chief of Detectives Notice, dated October 13, 2011, this charge did not qualify for a direct referral to the City Attorney's office. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.

### **CAPS Table**

- *Booking No. 3556652* – This case involved an arrest for 245(A)(1) PC, Assault with a Deadly Weapon. The involved suspect was armed with a knife during the incident. Based on the Chief of Detectives Notice, dated October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.

### **MAC Table**

- *Booking No. 3528915* – This case involved an arrest for 245(A)(1) PC, Assault with a Deadly Weapon. The involved suspect was armed with a broken bottle during the incident. Based on the Chief of Detectives Notice, dated October 13, 2011, this case did not qualify for a direct referral to the City Attorney's office. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration.

### **Robbery Table**

- *Booking No. 3470951* – This case involved an arrest for 21310 PC, Possession of a Dirk or Dagger. Based on the Chief of Detectives Notice, dated October 13, 2011, this charge did not qualify for a direct referral to the City Attorney's office.

The case should have been initially presented to the Los Angeles County District Attorney's Office for filing consideration. Additionally, the Investigator's Final Report (Form 5.10.00) was not signed by a supervisor.

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

The DCTS was reviewed to identify all Supervisory Releases for the month of May 2013. One case involving two 825 PC, Supervisory Releases were identified and reviewed.

**Findings**

Neither of the two releases met the standard for this objective and they are listed below:

**Autos Table.**

- *Booking Nos. 3524052 and 3524063* – This case involved a multi-two arrest for 496(A) PC, Receiving Stolen Property, in which both suspects were released because the 48 hour filing statute could not be met. The Investigator's Final Reports (Form 5.10.00) completed for the case did not document supervisory approval for the release of the suspects and was not signed by a supervisor. Additionally, the Follow-Up Investigation (Form 3.14.00) completed for this case did not explain the reason why the 48 hour filing statute could not be met.

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

Auditors developed tests to determine whether internal controls regarding the Hollenbeck 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 Hollenbeck Detective Division as of May 2013. Auditors identified a total of 168 felony arrest warrant packages. A random sample of 62 felony arrest warrant packages was selected. The sample was calculated by using a one-tail test with a 95 percent confidence level and a plus or minus four percent error rate, making the sample statistically valid.

The warrant packages maintained at Hollenbeck 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

Sixteen (26%) of the 62 warrant packages met the standards for this objective. The remaining 46 are detailed below:

Forty-six warrant packages could not be located in the Hollenbeck Area Detective Division warrant files, and a Document Sign-out Log (Form 15.31.00) was not present.

*Warrant Nos. – LACBA20984501, LACBA38572501, LACBA40574001, LACBA39770501, LACBA36327101, LACBA34121701, LACBA32951701, LACBA31257701, LACBA30605201, LACBA28065401, LACBA26913001, LACBA26292301, LACBA25575602, LACBA25485601, LACBA24955301, LACBA23068201, LACA79099601, LACBA20890001, LACBA19151201, LACBA17744401, LACBA17677101, LACBA02984001, LACBA17045401, LACBA13558401, LACBA21052201, LACBA15513401, LACBA14480101, LACBA14107001, LACA95958901, LACBA12073201, LACBA09795901, LACBA07268701, LACBA06559201, LACBA04880501, LACBA04911201, LACBA04448801, LACBA03080901, LACBA02733801, LACA96421701, LACA95616201, LACA78794802, LACA76325301, LACA75651701, LACA75183901, LACA35862601, LACA33782201.*

## ACTIONS TAKEN

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On December 3, 2013, IAID received a response from the Hollenbeck Area CO through their respective Bureau. This response indicated general agreement with the audit findings, as well as documented corrective actions taken on their behalf for the identified findings.

On January 2, 2014 the CO of IAID shared the audit with the Assistant CO, Detective Bureau, CO of Operations – Central Bureau, the Assistant to the Director, Office of Operations and all were in general agreement.



**INTRADEPARTMENTAL CORRESPONDENCE**

December 5, 2013  
4.2

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

**FROM:** Commanding Officer, Hollenbeck Area

**SUBJECT:** HOLLENBECK AREA DETECTIVE COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT (OCB PROJECT NO. 13-1121)

Internal Audits and Inspections Division (IAID) has completed its Detective Command Accountability Performance Audit (CAPA). This is the first Detective CAPA conducted within the Hollenbeck Command. Its purpose is to evaluate adherence to Department standards and identify best practices for the Detective divisions and bureaus throughout the City. The Detective CAPAs intended purpose is to serve as a positive management tool that provides timely, relevant and useful feedback to Detective Division Commanding Officers specifically and the Area Command as a whole.

The Hollenbeck Area Commanding Officer directed the Commanding Officer, Hollenbeck Area Detectives, to address the following findings and articulate what systems have been put in place to prevent future oversights. The Hollenbeck Area Commanding Officer agrees with IAID's findings.

Below are the IAID Objectives whose standards, as set forth in IAID's Hollenbeck Area Detective CAPA, were not met.

**Objective No. 1 (a) Evaluation of Case Envelopes/Murder Books** – Of the nineteen (19) case envelopes/murder books reviewed for this objective, IAID noted that 12 (63%) of them meet the standard.

**Objective No. 1 (b) Evaluation of Search/Ramey Warrants** – Of the five (5) search/Ramey warrants reviewed for this objective, IAID noted 3 (60%) of them meet the standard.

**Objective No. 4 (a) Evaluation of Supervisory Bypass/Referrals** – Of the twenty-one (21) Supervisory Bypass/Referrals reviewed for this objective, IAID noted 12 (57%) of them meet the standard.

**Objective No. 4 (b) Evaluation of Supervisory Releases** – Of the two (2) Supervisory Releases reviewed for this objective, IAID noted 0 (0%) of them meet the standard.

**Objective No. 5 Evaluation of the Detective Division's Felony Warrant Files** – Of the sixty-two (62) Detective Division Felony Warrant packages reviewed for this objective, IAID noted 16 (26%) meet the standard.

**OBJECTIVE No. 1 (a) – EVALUATION OF CASE ENVELOPES/MURDER BOOKS**

**Burglary (Booking No. 3552352)** – This case involved a multi-two arrest for burglary. There was no documentation indicating a number of the Victims received Marsy's law pamphlets, either during the initial contact with patrol officers or from the follow up investigating officer. Additionally, the "Parent, Guardian or Responsible Relative Notification" section of the Juvenile Arrest Supplemental Report does not list a time of notification.

**Action Taken:** The Victims involved in this investigation were contacted and provided a Marsy's law pamphlet. Additionally the time a parent, guardian or responsible relative of the involved juvenile was notified was determined. A Follow-Up Investigation Report, Form 3.14, was completed documenting the follow up activity. Furthermore, training was provided on the mandate of providing Victims with a Marsy's law pamphlet, as well as the mandate to accurately document notification to parent, guardian or responsible relatives when a juvenile is detained.

**Burglary (Booking No. 3552345)** – This arrest involved the recovery of several items of evidence. One of those items was documented as "male enhancement pills." However, this item was not listed on the Receipt for Property Taken into Custody, Form 10.10.0.

**Action Taken:** This arrest involved seven (7) commercial burglaries, one vandalism and the recovery of over a hundred items of evidence. One item of evidence that was recovered was a package of male enhancement pills. The recovery of these pills was documented in the arrest report however they were not listed on the Receipt for Property Taken into Custody, Form 10.10. All items identified as stolen were returned to the owners, including the male enhancement pills. None of the stolen items were booked into evidence. A Follow-Up Investigation Report, Form 3.14 was completed explaining this oversight. Training was provided training on the significance of chain of custody documentation when property/evidence is seized from anyone during a police investigation and the State mandate that a receipt is provided whenever items are confiscated.

**Homicide (Booking No. 3515913)** – The murder book did not contain a Booking Approval form for the arrestee, and did not contain a complete set of Murder Book dividers.

**Action Taken:** A formal request for a copy of the original Booking Approval was made to Records and Identification Division (R&I). A search of the Department's ICARS system was conducted. ICARS indicates a Booking Approval is retrievable however when the link is initiated, an error message is produced telling the requestor the document requested has no data. However the Booking and Identification Record was retrieved and a supervisor approved booking. Accordingly, it can be inferred a Booking Approval had been prepared prior to booking. A Follow-Up Investigation Report, Form 3.14, was completed documenting the follow up efforts and the formal request to R&I.

Additionally, IAID stated that the Murder Book had an incomplete set of murder book dividers. After researching this finding, it was learned that this investigation is contained within two (2) three-ring binders; the first binder contained dividers 1 through 14, and the second binder

contained dividers 15 through 26. On November 19, 2013, LAID, was contacted and advised that on the day of the auditor's review, only one volume of the murder books was located. A review of the two murder books collectively was done and found to contain a complete set of murder book dividers.

**Homicide (Booking No. 3499514)** – The Adult Detention Log, Form 70-06.19.0, indicated that the arrestee was injured, however there was no documentation in the arrest report narrative indicating the arrestee received medical treatment prior to booking.

**Action Taken:** A Follow-up Investigation Report, Form 3.14, was completed explaining the inconsistency between the Adult Detention Log, Form 70-06.19.0 and the arrest report narrative. Training was provided on the importance of ensuring murder investigations are above reproach, contain ALL related documentation and comply with the Department's investigative standards.

**Robbery (Booking No. 3491290)** – In this robbery case, there was no documentation indicating the Victim received a Marsy's Law pamphlet, either during the initial contact with patrol officers or from the follow up investigating officer. Additionally, the Booking Approval, Form 12.31.00 completed for the Suspect indicates a "strip" search was approved. However, the "Reason for Search, Date and Time of search, Location of Search conducted, Searching Employee," and "Results of Search" sections were blank.

**Action Taken:** The Victim involved in this investigation was contacted and provided a Marsy's law pamphlet. A strip search was approved however one was never done. A Follow-Up Investigation Report, Form 3.14, was completed to correct this oversight. Training was provided on the mandate of providing Victims with a Marcy's law pamphlet, as well as the Department directive that strip searches be approved **PRIOR** to conducting the search and that the "Reason for Search, Date and Time of Search, Location of Search conducted, Searching Employee," and "Results of Search" are documented on the Booking Approval, Form 12.31.00, as well as in the Arrest Report narrative. Furthermore, if there is a deviation from what was approved, this must be explained on the Booking Approval as well as in the narrative of the arrest report.

**Sexual Assault Table (Booking No. 3517031)** – The Adult Detention Log, Form 70-06.19.0 documented that the arrestee was taking medication for seizures. There was no documentation in the arrest report narrative indicating the arrestee received medical treatment prior to booking. Additionally, auditors were unable to completely evaluate the case because the original Detective's Case Envelopes, Form 15.15.0, could not be located.

**Action Taken:** This report was the result of a Detective Initiated Arrest. The IO was contacted and asked about this oversight. This particular incident involved the arrest of a Subject for sodomy. He was transported to Jail Division, booked and then released to his parents. The IO explained he had not obtained medical treatment because the Subject was immediately released. The General Reporting Instructions, Form 18.30.00 (07/13), were reviewed with the IO with attention paid to the mandatory heading "Injury/Medical Treatment". This package is still missing. The Investigative Table Acting Coordinator is attempting to locate the Detective Case Envelope for this investigation.

**Sexual Assault Table (Booking No. 3538951)** – The Adult Detention Log, Form 70-06.19.0, indicated that the arrestee complained of a shoulder injury. There was no documentation in the arrest report narrative that documented the arrestee received medical treatment prior to booking.

**Action Taken:** A Follow-Up Investigation Report, Form 3.14, was completed explaining this inconsistency. Training was provided on the Department's policy concerning the medical treatment of arrestees who declare a medical condition prior to booking.

#### **OBJECTIVE No. 1 (b) – EVALUATION OF SEARCH/RAMEY WARRANTS**

**Burglary (Search Warrant No. 65994)** – The Warrant Service/Tactical Plan Report, Form 12.25.00, indicates the "Method used to Gain Entry" as "Surround and Call Out." However, the "Damage" section of the report indicated "bedroom door latch." Further, the "Before and After" photos taken documented damage to a door latch as well as damage to the knob and "dead bolt" assembly of a second interior door. It is unclear whether this damage was preexisting or caused at the time of the warrant service. Additionally, there is an indication the on-duty Watch Commander was notified of the warrant service, but there is no "name, rank, date or time notified" documented.

**Action Taken:** The search warrant was indeed executed as a "surround and call out" where everyone complied and no damage was done to the front door. However, when the officers entered the location they encountered a locked interior door. Although the owner provided the officers with a key, they were unable able to unlock the door. The interior door was then forced open resulting in damage.

Training was provided on the importance of "Before and After" photographs, as well as accurate reporting of the involved officers' actions. A Follow Up investigation was completed to amend the Warrant Service/Tactical Plan Report and correct the inconsistent information.

**Sexual Assault Table (Search Warrant No. 65678)** – The Warrant Tracking Log, Form 8.17.05 indicated a supervisor approved the search warrant. However, there are no supervisor's initials or serial number documented on any of the pages of the affidavit to document that the warrant was reviewed by a supervisor prior to it being presented to a magistrate for approval.

**Action Taken:** The search warrant was reviewed and returned for edits. However, after the edits were made the search warrant was not returned to the Commanding Officer for final approval and initials but rather submitted to a Judge for review and approval. Training was provided on Department policy concerning the review and approval of search warrants. A Follow-Up investigation report was completed addressing this oversight.

#### **OBJECTIVE No. 2 (b) – EVALUATION OF CASES "CLEARED OTHER"**

**MAC Table (DR No. 13-04-06434)** – This case involved a "Domestic Battery." The Follow-Up Investigation Report, Form 3.14, completed for this case indicated that the Suspect moved out of the location on the day of the incident. However, there was no new address listed for the Suspect.

Although this case was presented to and rejected for filing by the City Attorney's Office, there was no current address for the Suspect indicated. Thus, this case does not meet the requirements to be **CLEARED OTHER**.

**Action Taken:** DR No. 13-04-06434 should have been classified as Investigation Continued due to the Suspect's address being unknown. Case classifications were discussed and reviewed. As this case was presented to and rejected by the City Attorney's Office, the IO was not directed to complete a Follow-Up Investigation Report, Form 3.14. The requirements of Detective Operations Manual, Section 1/152.20, specific to case classifications was reviewed and discussed.

### **OBJECTIVE NO. 3 – EVALUATION OF CASE CATEGORIZATION**

**CAPS Table (DR No. 13-04-09261)** – This case involved the battery of a juvenile detention officer at Eastlake Juvenile Hall by a Subject who was in custody at the facility. The Subject's name and date of birth were documented in the Investigative Report, Form 3.01.00. Based on these facts this case met the criteria to be classified as a Category One.

**Action Taken:** DR No. 13-04-09261 should have been classified as a Category One case. Case classifications were discussed and reviewed. As this case was presented to and rejected by the City Attorney's Office, the IO was not directed to complete a Follow-Up Investigation Report, Form 3.14. The requirements of Detective Operations Manual, Section 1/152.20, specific to case classifications was reviewed and discussed.

**Sexual Assault Table (DR No. 13-04-08617)** – This case involved a crime against a child. The Suspect's name, date of birth, and address were provided by the Victim and were included in the initial Investigation Report, Form 3.01.00. Based on these facts this case met the criteria to be classified as a Category One.

**Action Taken:** DR No. 13-04-08617 should have been classified as a Category One case. Case classifications were discussed and reviewed. As this case was presented to and rejected by the City Attorney's Office, the IO was not directed to complete a Follow-Up Investigation Report, Form 3.14. The requirements of Detective Operations Manual, Section 1/152.20, specific to case classifications was reviewed and discussed.

### **OBJECTIVE NO. 4 (a) – EVALUATION OF SUPERVISORY BYPASS/REFERRALS**

**Autos Table (Booking No. 3514773)** – This case involved an arrest for 496(a) PC (Receiving Stolen Property). Based on Chief of Detectives Notice, dated October 13, 2011, this charge does not qualify for a direct referral to the City Attorney's Office. This case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were discussed and reviewed.

**Autos Table (Booking No. 3480014)** – This case involved an arrest for 594 (B) (1) PC, Felony Vandalism. The Victim in this case provided the IO with a repair estimate for the vehicle that totaled \$2,243.99. Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because the amount of damage to the vehicle exceeded \$1,000.00. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were discussed and reviewed.

**Burglary Table (Booking No. 3575880)** – This case involves an arrest for what appears to be 459 PC, Commercial Burglary. Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because of the monetary total of property taken. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were discussed and reviewed.

**Burglary Table (Booking No. 3565876)** – This case involved an arrest for 594 (B) (1) PC, Felony vandalism. The involved Suspect had a prior felony conviction for 11359 Health and Safety (Possession of Marijuana for Sales). Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because of the monetary total of property taken. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** All employees involved in this investigation were identified and provided training as well as a copy of the Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised.

**Burglary Table (Booking No. 3507421 and 3507417)** – These cases involved arrests for 496(a) PC, Receiving Stolen Property. Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because of the monetary total of property taken. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were discussed and reviewed.

**CAPS Table (Booking No. 3556652)** – This case involved an arrest for 245(A) (1) PC, Assault with a Deadly Weapon. The involved Suspect was armed with a knife during the incident. Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because of the monetary total of property taken. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were discussed and reviewed.

**MAC Table (Booking No. 3528915)** – This case involved an arrest for 245(A) (1) PC, Assault with a Deadly Weapon. The involved Suspect was armed with a broken bottle during the incident. Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because of the monetary total of property taken. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations.

**Action Taken:** Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were discussed and reviewed.

**Robbery Table (Booking No. 3470951)** – This case involved an arrest for 21310 PC, Possession of a Dirk or Dagger. Based on the Chief of Detectives Notice, dated October 13, 2011, this case does not qualify for a direct referral to the City Attorney's Office because of the monetary total of property taken. Accordingly, this case should have been initially presented to the Los Angeles County District Attorney's Office for filing considerations. Additionally, a supervisor did not sign the Investigator's Final Report, Form 5.10.00.

**Action Taken:** All employees involved in this investigation were identified and provided training as well as a copy of the Supervisory Bypass/Referrals procedures established by the Chief of Detectives Notice, dated October 13, 2011, and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised.

#### **OBJECTIVE NO. 4 (b) – EVALUATION OF SUPERVISORY RELEASE**

**Auto Table (Booking Nos. 3524052 and 3524063)** – This case involved a multi-two arrest for 496(A) PC, Receiving Stolen Property, in which both Suspects were released because the 48-hour filing statute could not be met. The Investigator's Final Reports, Form 5.10.00, completed for the case did not document supervisory approval for the release of the Suspects and was not signed by supervisors. Additionally, the Follow-Up Investigation Report, Form 3.14.00, completed for this case did not explain the reason why the 48-hour filing statute could not be met.

**Action Taken:** The IO initially assigned this investigation abruptly resigned from the Department. This case has been reassigned and is currently being reviewed for filing options.

#### **OBJECTIVE NO. 5 – EVALUATION OF THE DETECTIVE DIVISION'S FELONY WARRANT FILES**

Forty-six of sixty-two felony warrant packages could not be located in the Hollenbeck Area Detective Division warrant files, and no Document Sign-Out Log, Form 15.31.00, was present.

**Action Taken:** The Hollenbeck Area Detective Commanding Officer has initiated a project to locate or recreate the missing warrant packages and he has assigned this project to the Homicide Investigative Table Coordinator to oversee the efforts. Additionally, a request has been made to Iron Mountain to eliminate the possibility that some, if not all of these warrant packages, were inadvertently shipped to Iron Mountain during Hollenbeck's transition from their old police station to their current location. Furthermore, the utilization of Document Sign-Out Logs, Form 15.31.00, has been put in place for the remaining felony warrant packages.

As a result of the CAPA audit the following systems were put in place:

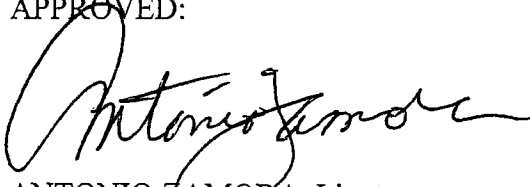
- A Homicide Book Coordinator has been designated.
- A Detective Case Envelope Coordinator and a Search Warrant Package Coordinator has been designated.
- An Arrest Warrant Package Coordinator has been designated.
- A list of audit/inspection exceptions will be maintained to track the most common oversights, to document that appropriate training has been provided and will be continually addressed during detective squad room meetings.
- An Area internal inspection schedule has been developed around the IAID findings
- Follow-Up Investigation Reports explaining and correcting procedural errors will be completed and included in the Detective Case Envelops.



- Copies of the Supervisory Bypass/Referrals procedures established by the Department policy and procedure, the Chief of Detective Notice, dated October 13, 2011 and the Schedule of the District Attorney's Interagency Operational Agreement 17(b)(4) Referral Policy – Revised were made and provided to all investigative personnel and will be a topic for continuous training and discussion at future detective squad room meetings.

If you have any further questions, please contact Lieutenant Robert Miles, Hollenbeck Area Detectives, at (323) 342-8907.

APPROVED:



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Commanding Officer  
Hollenbeck Detective Division

APPROVED:



MARTIN A. BAEZA, Captain  
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Hollenbeck Area

APPROVED:



JOSE PEREZ, Jr., Deputy Chief  
Commanding Officer  
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