

INTRADEPARTMENTAL CORRESPONDENCE

May 27, 2015
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: ROBBERY-HOMICIDE DIVISION COMMAND ACCOUNTABILITY
PERFORMANCE AUDIT (AD NO. 14-040)

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners REVIEW and APPROVE the attached Robbery-Homicide Division Command Accountability Performance Audit.
2. That the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

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

If additional information regarding this audit is required, please contact Arif Alikhan, Director, Office of Constitutional Policing and Policy, at (213) 486-8730.

Respectfully,



CHARLIE BECK
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT

***ROBBERY-HOMICIDE DIVISION COMMAND
ACCOUNTABILITY PERFORMANCE AUDIT***

(AD NO. 14-040)



Conducted by
AUDIT DIVISION

CHARLIE BECK
Chief of Police

May 2015

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**EXECUTIVE SUMMARY
ROBBERY-HOMICIDE DIVISION COMMAND ACCOUNTABILITY
PERFORMANCE AUDIT**

**Conducted by
Audit Division
Second Quarter, Fiscal Year 2014/15**

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for fiscal year 2014/15, Audit Division (AD) conducted the Robbery-Homicide Division (RHD) Command Accountability Performance Audit (CAPA). Command Accountability Performance Audits are performed to identify best practices and to determine a Detective Section's adherence with Department policies and procedures. This audit is intended to be used as a management tool to provide timely and useful feedback to the Commanding Officer, Robbery-Homicide Division, related to specific detective procedures.

PRIOR AUDITS

No prior Detective CAPAs have been conducted within Robbery-Homicide Division by AD.

SUMMARY OF FINDINGS

The finding that did not meet the standard was identified within the following objective:

- Objective No. 1(b) - Evaluation of Search/Ramey Warrants

Summary of Audit Findings

Objective No.	Audit Objectives	Total Number Examined	Total Number that met Standards	Percentage Meeting Standards
1. Evaluation of Detective Work Product				
1(a)	Evaluation of Detective Initiated Arrests/Murder Books	3 ¹	3	100%
1(b)	Evaluation of Search/Ramey Warrants	22	18	82%
2. Evaluation of Case Clearances				
2(a)	Evaluation of "Unfounded" Cases	2	2	100%
2(b)	Evaluation of Cases "Cleared Other"	33	32	97%
2(c)	Evaluation of "Multiple" Case Clearances	5	5	100%
3. Evaluation of RHD's Felony Warrant Files		52	52	100%

¹The total number of Detective Initiated Arrests (DIAs) examined was limited due to their status within the judicial system. To avoid any conflict with the court proceedings, AD only examined those DIAs that were not within the judicial system.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division presented the audit report to the Commanding Officer, Robbery-Homicide Division, and the Chief of Detectives, both whom were in general agreement with the findings.

Robbery-Homicide Division subsequently submitted a response to the audit report and provided a detailed explanation as to the corrective actions taken for the findings.

**ROBBERY-HOMICIDE DIVISION
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT
Conducted by
Audit Division
Fiscal Year 2014/15**

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for fiscal year 2014/15, Audit Division (AD) conducted the Robbery-Homicide Division (RHD) Command Accountability Performance Audit (CAPA). Command Accountability Performance Audits are performed to identify best practices and to determine a Detective Section's adherence to Department policies and procedures. This audit is intended to be used as a management tool to provide timely and useful feedback to the Commanding Officer (C/O), RHD, related to specific detective procedures.

Audit Division conducted this performance audit under the guidance of generally accepted government auditing standards, specifically pertaining to performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. Audit Division has determined that the evidence obtained provides a reasonable basis for the findings and conclusions based on our audit objectives.

BACKGROUND

The function of the detective is to investigate crimes documented on reports and to identify, arrest, and assist with the prosecution of law violators. Additionally, the Department makes every reasonable effort to recover property, to identify its rightful owner, and to ensure its prompt return.

Robbery-Homicide Division is comprised of the following investigative sections:

- Robbery;
- Homicide;
- Special Assault;
- Cold Case Homicide; and,
- Special Investigation Section.

PRIOR AUDITS

No prior Detective CAPAs have been conducted within RHD.

SUMMARY OF FINDINGS

Summary of Audit Findings

Objective No.	Audit Objectives	Total Number Examined	Total Number that met Standards	Percentage Meeting Standards
1. Evaluation of Detective Work Product				
1(a)	Evaluation of Detective Initiated Arrests/Murder Books	3 ¹	3	100%
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2. Evaluation of Case Clearances				
2(a)	Evaluation of "Unfounded" Cases	2	2	100%
2(b)	Evaluation of Cases "Cleared Other"	33	32	97%
2(c)	Evaluation of "Multiple" Case Clearances	5	5	100%
3. Evaluation of RHD's Felony Warrant Files				
		52	52	100%

METHODOLOGY

Scope

Auditors queried the Detective Case Tracking System (DCTS) to identify all Detective Initiated Arrests (DIAs)/reports handled by RHD from October 1, 2013, through March 31, 2014. The query identified the section with investigative responsibility for each DIA/report.

The Detective Section's work product was examined to evaluate adherence with Department policies and procedures. The audit was limited to those areas specified in the Methodology and Detailed Findings sections of the audit.

Fieldwork

The fieldwork was performed between August 19, 2014, and October 2, 2014.

Source Documents

All authoritative source documents for the audit are contained within the RHD CAPA Audit Work Plan completed by AD in April 2014.

¹The total number of DIAs examined was limited due to their status within the judicial system. To avoid any conflict with the court proceedings, AD only examined those DIAs that were not within the judicial system.

DETAILED FINDINGS

Objective No. 1 – Evaluation of Detective Work Product

This objective consisted of a review of DIAs and search/Ramey warrants authored by detective personnel.

Objective No. 1(a) – Evaluation of Detective Initiated Arrests/Murder Books

Auditors reviewed completed DIAs. Documents reviewed included Arrest Reports, Form 05.02.01, and Follow-Up Investigations, Form 03.14.00, as well as all other documents associated with the DIA. The arrests were reviewed to determine if they were properly completed, contained all of the required documentation, and if all policy and procedures established in the Department Manual and Detective Operations Manual (DOM) were adhered.

Three DIAs were available to be evaluated (two from the Robbery Section and one from the Special Assault Section).

Criteria

Each DIA was examined for the following:

- Legality of Arrest

Department Manual Section 1/508, Police Action Based on Legal Justification, states, *“What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and different facts may justify either an investigation, a detention, a search, an arrest, or no action at all. The requirement that legal justification be present imposes a limitation on an officer's action. In every case, officers must act reasonably within the limits of their authority as defined by statute and judicial interpretation, thereby ensuring that the rights of both the individual and the public are protected.”*

- Legality of Any Search Conducted

Department Manual Section 4/217, Searches of Suspects and Arrestees, states, *“Searches of Arrestees. When the rules of search and seizure permit, an arrestee shall be thoroughly searched as soon as practicable.”*

The Fourth Amendment of the United States Constitution protects the people against unreasonable searches and seizures. As such, Department personnel are required to document the legal basis for conducting searches which includes the following: search warrants, probable cause, incident to arrest, consent, or exigent circumstances.

- Use of Miranda

Department Manual Section 4/202.10, Interrogation of Suspects – Admonition of Miranda Rights, states, *“Interrogating Officers – Responsibilities. When officers are conducting a custodial interrogation, the following procedures shall be followed:*

Officers shall read the Miranda admonition verbatim as delineated in the Officer's Notebook, Form 15.03.00;”

“Officers shall document the suspect's responses to the Miranda admonition in the appropriate report;”

- Juvenile Arrest Procedures

Department Manual Section 4/218.60, Approval for Juvenile Bookings, states, *“Prior to obtaining booking approval, the arresting officer shall:*

- *Attach a completed Juvenile Arrest Supplemental Report, Form 05.02.06, to the Arrest Report, Form 05.02.00, as the next to the last numbered page of the Arrest Report;*
- *If the juvenile is to be detained, include the reason for detention on the Form 05.02.06; and,*
- *Obtain a copy of the Juvenile Automated Index printout as the last numbered page of the Arrest Report.*

Booking approval for all juvenile bookings shall only be obtained from the Area watch commander or the Watch Commander, Metropolitan Jail Section, Jail Division.

Advice for a juvenile booking shall be obtained from the concerned Area Detective Division. When that division is closed, the concerned Area watch commander shall be contacted.”

Department Manual Section 4/658.17, Telephone Calls – Juvenile in Custody, states, *“Immediately after being taken to a place of confinement except where physically impossible, no later than one hour after he/she has been taken into custody, the minor shall be advised that he/she has the right to make at least two telephone calls from the place where he/she is being held, one call completed to his/her parents or guardian, a responsible relative, or his/her employer, **and** another call to an attorney.”*

Manual of Juvenile Procedures section 1795, states, *“All calls made by juvenile arrestees shall be documented. The notation shall include the date and time, and the name and telephone number of the person called. The notation shall be made on the related report and, if the juvenile is detained in a facility of another department, on the required entrance form. If no other reports are made, the information shall be recorded on a Field Interview Report, Form 15.43.”*

- Booking of Evidence

Department Manual Section 4/645.20, Property taken from Arrestee, states, "*Property which has been taken from the possession of an arrestee must be accounted for as follows:*

***Evidence:** Property taken from an arrestee which has, or may have, evidential value must be booked as Evidence. A Receipt for Property Taken into Custody, Form 10.10.00, must be issued to the arrestee at the time that the property is removed from his/her person or control. When circumstances make the immediate completion of the Form 10.10.00 impractical, it must be issued as soon as possible after the property is taken into Department custody."*

*"The **original** of the Form 10.10.00 must be included as a page of the original Property Report, Form 10.01.00; Release from Custody (RFC) Report Continuation, Form 05.02.08; or Arrest Report, Form 05.02.00, when evidence to be booked is listed."*

Audit Procedures

Each arrest report was reviewed to determine the following: whether it sufficiently articulated the legal basis for all actions taken (e.g., detentions, arrests, and searches); for the overall chronology of arrest events, specifically examining whether a detainee was interrogated regarding his/her participation in criminal activity; for evidence of Miranda Rights violations. Detective Initiated Arrests that were properly completed and contained all required documentation met the standards for this objective.

Findings

All (100%) of the three cases reviewed met the standards for this objective.

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

Auditors reviewed the RHD Warrant Tracking Log (WTL), Form 08.17.05, from October 1, 2013, through March 31, 2014, and identified 22 search/Ramey warrants (15 from the Robbery Section, four from the Special Assault Section, two from the Homicide Section and one from the Cold Case Homicide Section) authored by detective personnel.

The warrants were evaluated to determine if they were properly completed, contained all of the required documentation, and that all policy and procedures, established in the Department Manual, DOM, the Department Search Warrant Service Procedures Guide; and the Los Angeles County District Attorney's Office, 2009 Edition, Search Warrant Manual were met. The warrants were evaluated in the following areas:

- The magistrate approved the search warrant and affidavit prior to service;
- The search warrant was properly documented on the WTL;
- The search warrant was served within the required ten-day period;

- The Warrant Service/Tactical Plan (Tac Plan) Report, Form 12.25.00, and Return to Search Warrant were completed;
- The C/O or designee initialed page one of the Tac Plan;
- The information documented on the "Return to Search Warrant" (location, vehicle, person(s) and description, etc.) was consistent with the information documented in the affidavit;
- The Employee Comment Sheet(s), Form 01.77.00, adequately addressed, at a minimum, the six items listed in Department Manual Section 4/742.10, Search Warrant And Probable Cause Arrest Warrant Procedures;
- The warrant affidavit contains a description of the person, places and vehicles to be searched;
- The warrant affidavit contains a description of the property to be seized and/or the person to be arrested;
- Proper use of confidential informants (if applicable); and,
- There was consistency between the evidence seized and the description of the property to be seized as documented in the search warrant.

Criteria

Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, states, "**Officer's Responsibility.** *An officer obtaining a search or Ramey warrant shall;*"

"Upon obtaining a search or Ramey warrant issued by a magistrate, the officer obtaining the warrant shall complete all the required information on the Warrant Tracking Log."

"Commanding Officer's Responsibilities. The commanding officer of each Area/specialized division (or designated Area detective's CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:"

"Ensure that the warrant number and return date are entered on the Warrant Tracking Log no later than ten business days from the date of service, with the exception of third-party records warrants;

Ensure that the warrant number is recorded on both the Warrant Tracking Log and the first page of the Tactical Plan Report;

Sign and date the bottom of the final printout of the Warrant Tracking Log, at the completion of each month;"

Audit Procedures

Each search warrant package was reviewed for completeness; all forms were reviewed for completeness and for the legality of the officers' actions. Search warrant packages that were properly completed and documented the legality of the officers' actions met the standards for this objective.

Findings

Eighteen (82%) of the 22 Search/Ramey warrants evaluated met the standards for this objective. The four warrants that did not meet the standards are detailed below.

Robbery Section

- *Search Warrant No. 66952* – The WTL for November 2013 was signed and dated on January 28, 2014. Per Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, the C/O shall “*Sign and date the bottom of the final printout of the Warrant Tracking Log, at the completion of each month.*”
- *Search Warrant No. 67668* – The first page of the Tac Plan was not initialed by the C/O. A Detective III initialed the Tac Plan. Per Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, “*Supervisor Review of Affidavit. The concerned supervisor shall place his/her initials and serial number on the lower right hand corner of each page of the original copy of the affidavit, indicating that he or she has thoroughly reviewed the document.*”

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

Special Assault Section

- *Search Warrant No. 67896* – This search warrant was signed by a magistrate on March 26, 2014. It was then returned on April 15, 2014, past the ten day period. Per Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, the C/O shall “*Ensure that the warrant number and return date are entered on the Warrant Tracking Log no later than ten business days from the date of service, with the exception of third-party records warrants.*”

Second, the Employee Comment Sheet was completed April 8, 2014, past the seven day period. Per Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, the C/O shall ensure the Employee Comment Sheet is “*completed within seven business days of the warrants execution.*”

Third, a lieutenant II signed the Warrant Service/Tac Plan for the C/O on April 7, 2014, and then the C/O signed a revised copy of the same report on April 15, 2014. Finally, the C/O did not initial the first page of the search warrant Tac Plan. A second version of the Tac Plan was created and initialed by the lieutenant II. Per Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, “*Supervisor Review of Affidavit. The concerned supervisor shall place his/her initials and serial number on the lower right hand*

corner of each page of the original copy of the affidavit, indicating that he or she has thoroughly reviewed the document.”

- *Search Warrant No. 67784 – The Receipt for Property Taken into Custody, Form 10.10.00, and the Property Report, Form 10.01.01 were not consistent. Phone cases were listed on the Property Report but not the Property Receipt. Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, states, “Warrant Review Officer – Established. All Areas/specialized divisions responsible for the service of search and arrest warrants shall designate a WRO in accordance with the guidelines established in this section. The Warrant Review Officer shall be the rank of Sergeant I, Detective II, or higher and shall conduct a final quality assurance review for completeness and accuracy of all warrant documentation. This review shall include:*
- *The required notation is included in the Tactical Plan Report indicating that the concerned CO’s review was performed within seven business days after the warrant service;*
- *The Warrant Tracking Log entry is complete and accurate;*
- *The Property Report and the Receipt for Property Taken Into Custody forms match; and,*
- *Any errors, inaccuracies, or omissions within the search warrant package are promptly corrected prior to proper storage.”*

Objective No. 2 – Evaluation of Case Clearances

Robbery-Homicide Division cases that were “Unfounded,” “Cleared Other,” or “Multiple” case clearances, were reviewed for completeness, proper documentation of the clearance, and to determine if 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 October 1, 2013, through March 31, 2014. Two “Unfounded” cases were identified. These cases were reviewed to determine whether the classification was appropriate based on DOM I/152.30 (Report Unfounded). “Unfounded” cases that were properly categorized, met the standards for this objective.

Criteria

Detective Operations Manual *Volume I, Section 152.30*, Report Unfounded, states, “*Report Unfounded*” shall be indicated when:

- *The crime or incident alleged in the original report did not occur, or did not occur (e.g., victim recants) in the City of Los Angeles.*
- *The same crime or incident has been reported more than once. (The most accurate and thorough crime report shall be retained. Any additional report should be unfounded.*
- *“Specific intent” is a necessary element of the original crime, and the District Attorney, City Attorney or detective supervisor determines that investigators have failed to prove that specific intent exists.*

Note: If the incident, absent the element of specific intent, is still a crime, the original report shall be reclassified to that crime.

Audit Procedures

Each “Unfounded” report was reviewed for the above listed criteria; all forms were reviewed for completeness and for the legality of the officers’ actions. Cases that were completed properly and documented the legality of the officers’ actions, met the standards for this objective.

Findings

Both (100%) cases reviewed (two cases) met the standards for this objective.

Objective No. 2(b) – Evaluation of Cases “Cleared Other ”

Auditors queried the DCTS for all cases “Cleared Other” for October 1, 2013, through March 31, 2014. Thirty-three “Cleared Other” cases were reviewed. These cases were evaluated to determine whether the classification was appropriate based on DOM, I/152.20 (Cleared Other). Cases “Cleared Other” that were properly categorized, met the standards for this objective.

Criteria

Each “Cleared Other” report was examined for the following: *Cleared Other*

Detective Operations Manual *Volume I, Section 152.20*, Cleared Other, states, “*Cleared Other*” shall be indicated when a case has progressed to a point where further action cannot be reasonably taken and **all four** of the following circumstances exist:

- *The identity of the perpetrator has definitely been established, and*
- *A location at which the perpetrator could be arrested now is known to the detective, and*
- *There is sufficient, admissible information and/or evidence to support and arrest, the filing of a complaint based on the offense(s) under investigation, and submission of the case to a court for prosecution, and*
- *The reason further action cannot be taken is outside of police control based on the examples in DOM Volume I, Section 152.21 through 152.24.*

Note: Sufficient, admissible information and/or evidence to support the filing of a complaint means that there is a strong and reasonable expectation that the arrestee would be convicted in a trial. This determination is to be made within the Department.

Audit Procedures

Each “Cleared Other” case was reviewed for the above listed criteria; all forms were reviewed for completeness and for the legality of the officers’ actions. Cases that were completed properly and documented the legality of the officers’ actions, met the standards for this objective.

Findings

Thirty-two (97%) of the 33 cases identified met the standards for this objective. The one case that did not meet the standard is listed below.

Special Assault Section

- *DR No. 0809-14513* – This case involved kidnap/rape. The Follow-up Investigation dated October 23, 2013, indicated the suspect no longer lived at the location, and no new address was known. The Follow-up Investigation dated December 10, 2013, stated the case is Cleared Other. However, the Investigation Continued box was checked. The case also showed Cleared Other in DCTS. Based on DOM I/152.20, without a current address for the suspect, this case cannot be Cleared Other.²

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

Auditors identified five “Multiple” case clearances from October 1, 2013, through March 31, 2014.³

These cases were reviewed for adherence to DOM, *Volume I, Section 160.00 – 166.00* (General Completion instructions – follow-up to multiple reports). “Multiple” case clearances that were properly documented on the Follow-up Investigation met the standards for this objective.

Criteria

Each “Multiple” case clearance report was examined for the following:

General completion instructions – Follow-Up to Multiple Reports.

Detective Operations Manual *Volume I, Section 161.00*, Upper Portion of Form (follow-up to multiple reports), states, “*When the Form 3.14 is being used as a multiple follow-up report, the upper portion shall be completed in the following manner.*”

²The Federal Bureau of Investigation Uniform Crime Reporting guidelines establish criteria for an “Exceptional” clearance, which the Department identifies as “Cleared Other.” Volume I, Section 152.20 of the DOM outlines the four criteria that need to be met to clear a case as “Other,” one being “A location at which the perpetrator could be arrested now is known to the detective.”

³The DCTS does not identify “Multiple” case clearances, therefore, the multiple sample is identified when examining the population from the other objectives.

- The **MULTIPLE** box shall be checked.
- Record the date the Form 3.14 is completed and submitted for approval.
- DR numbers shall be listed in ascending order under the appropriate case status. Record the Master DR number in the **DR** box. [The Master DR number is the oldest one, considering all the numbers.]

Note: No other boxes in the upper portion of the Form 3.14 shall be completed, except the words, "**SEE BELOW**," may be printed in the **SPECIFIC TYPE ORIG. RPT** box

Detective Operations Manual Volume I, Section 164.00, Middle Portion of Form (follow-up to multiple reports), states, "On this portion of the form (**DATE OCCURRED** through **LA OR BKG. NO.**), only the suspect information boxes are used when completing a multiple follow-up report."

Detective Operations Manual Volume I, Section 165.00, Narrative Portion of Form (follow-up to multiple reports), states, "Use the first part of the narrative to record additional suspect information."

Detective Operations Manual Volume I, Section 165.10, Multiple Report Format, states, "When the multiple format is being used for more than one case status":

- Those crime reports "Cleared by Arrest" shall be listed first under the heading **CLEARED BY ARREST** in DR number sequence.
- Those crime reports "Cleared Other" shall be listed second under the heading **CLEARED OTHER** in DR number sequence.
- Those reports "Unfounded" shall be listed third under the heading **UNFOUNDED** in DR number sequence.
- Those reports classified, as "Investigation Continued" shall be listed last under the heading **INVESTIGATION CONTINUED** in DR number sequence.

Note: When more than one report bears the same DR number, all reports must be the same case status. This includes both crime and non-crime reports.

Detective Operations Manual Volume I, Section 165.20, Summary of Crime Clearances and/or Investigations, states, "A summary of the detective's investigation shall follow the multiple format."

"Each crime report (DR number) cleared shall be addressed. Clearances based on MO or a confession must be corroborated by including the specific admission and/or corroborating evidence required to justify each particular clearance.

Each crime may be addressed by a separate narrative or all crimes may be addressed by one all-inclusive narrative. The choice is within the discretion of the Area detective division or specialized detective division commanding officer, but each crime cleared must be addressed."

Detective Operations Manual *Volume I, Section 170.00*, Distribution, states, "After review and approval by a detective supervisor, the *Follow-up Investigation, Form 3.14*, shall be distributed immediately. It **shall not** be held."

Audit Procedures

Each "Multiple" case clearance was reviewed for completeness; all forms were reviewed for completeness and for the legality of the officers' actions. Cases that were completed properly and documented the legality of the officers' actions, met the standards for this objective.

Findings

All (100%) of the five cases reviewed met the standards for this objective.

Objective No. 3 – Evaluation of Robbery-Homicide Division's Felony Warrant Files

Auditors developed tests to determine if internal controls of the RHD felony warrant files were effective. Auditors determined if warrant packages were on file and contained all the required documents and if the documents were properly completed per DOM, Volume II, Section 1300.15 – 1300.16 (Warrant Packages), they met the standards for this objective.

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 RHD. Auditors identified a total of 52 felony arrest warrant packages. All 52 felony arrest warrant packages were reviewed, contained all required documentation, and all documents were properly completed.

Criteria

Each "Felony Warrant" file was examined for the following: *Warrant Packages*.

Detective Operations Manual *Volume II, Section 1300.15*, Warrant Packages, states, "The warrant package should be submitted to a detective supervisor within 10 working days after the warrant has been issued. The Detective's Case Envelope, *Form 15.15*, serves as the warrant package. The face of the envelope shall contain:

- *Suspect's full name*
- *DR number*
- *Date of birth*
- *Charge*
- *Detective's name and serial number*

The contents shall include but are not limited to:

- *Document Sign Out Log, Form 15.31*
- *Follow-up Investigation, Form 3.14*

- *All teletypes received or sent*
- *CII Criminal History Summary and other computerized records (rap sheet)*
- *Crime report(s)*
- *Copies of all other police reports pertaining to the case(s)*
- *Warrant Information, Form 8.48*
- *Photograph of the suspect if available*
- *A copy of the Warrant Detail Summary*
- *A copy of the Official Police Bulletin, if requested, and a copy of the Request for Police Bulletin, Form 15.32*
- *Due Diligence Investigation Checklist, Form 12.24.”*

Detective Operations Manual *Volume II, Section 1300.16*, Warrant Package Control, states, “*Area detective division and specialized detective division commanding officers shall establish an adequate system and control to ensure accountability for maintenance of warrant packages.*”

Audit Procedures

Each “Felony Warrant” file was reviewed to determine whether the files contained all required documents and/or documents completed properly per Department policy and procedures. Files that were properly completed and contained all required documentation, met the standards for this objective.

Findings

All (100%) of the 52 “Felony Warrant” files met the standards for this objective.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division presented the audit report to the C/O, Robbery-Homicide Division, and the Chief of Detectives, both whom were in general agreement with the findings.

Robbery-Homicide Division subsequently submitted a response to the audit report and provided a detailed explanation as to the corrective actions taken for the findings.

INTRADEPARTMENTAL CORRESPONDENCE

ADDENDUM

December 5, 2014

8.6

TO: Commanding Officer, Internal Audits and Inspections Division

FROM: Commanding Officer, Robbery-Homicide Division

SUBJECT: RESPONSE TO COMMAND ACCOUNTABILITY PERFORMANCE AUDIT

Internal Audits and Inspections Division conducted its first Command Accountability Performance Audit of Robbery-Homicide Division (RHD) between August 19, 2014 and October 2, 2014.

The result of that audit was presented to the Commanding Officer of Robbery-Homicide Division by Internal Audits and Inspection Division auditors Detective III David Kennedy, Serial No. 26660 and Detective II Rosalinda Lovitt, Serial No. 31002.

The audit focused on the following areas:


- Evaluation of Detective work product.
- Evaluation of Case Clearances
- Evaluation of Robbery-Homicide Division's Warrant File

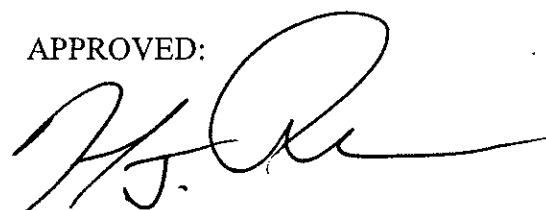
As is indicated in the summary of the audit findings, RHD achieved substantial compliance in all but one area. That area was Section 1(b) Evaluation of Search / Ramey Warrants, in which RHD achieved 82% compliance rate. A review of the issues that did not meet a passing standard was completed and RHD is in agreement with the findings.

The errors cited were the result of instability in the warrant coordinator's position at RHD. The warrant coordinator went off with a work related injury and the absence was longer than originally anticipated by the command. As a result, issues were not addressed in a timely manner; therefore, errors occurred during that period. It is believed that this was an aberration and as a result a back-up warrant coordinator has been identified to prevent similar lapses.

The input and information received from this audit was beneficial and will be used to monitor the performance of this command.

Should you require additional information regarding this matter, please contact me, at (213) 486-6850.


WILLIAM P. HAYES, Captain
Commanding Officer
Robbery-Homicide Division

APPROVED:

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