

INTRADEPARTMENTAL CORRESPONDENCE

November 5, 2015

14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OPERATIONS – SOUTH BUREAU NARCOTICS ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT
(AD NO. 14-064)

RECOMMENDED ACTIONS

1. The Board of Police Commissioners REVIEW and APPROVE the attached Operations – South Bureau (OCB) Narcotics Enforcement Detail (NED) Command Accountability Performance Audit (CAPA).
2. The Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

Audit Division conducted the OSB NED CAPA to evaluate adherence with related Department directives.

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

Respectfully,

A handwritten signature in blue ink, appearing to read 'Charlie Beck', with a stylized, looped design.

CHARLIE BECK
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT
OPERATIONS-SOUTH BUREAU
NARCOTICS ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE
AUDIT

(AD No. 14-064)



Conducted by
AUDIT DIVISION

CHARLIE BECK
Chief of Police

October 2015

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EXECUTIVE SUMMARY
OPERATIONS-SOUTH BUREAU NARCOTICS ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT

Conducted by
Audit Division
First Quarter, Fiscal Year 2014/15

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit and Inspection Plan for fiscal year 2014/15, Audit Division (AD) conducted the Operations-South Bureau (OSB) Narcotics Enforcement Detail (NED) Command Accountability Performance Audit (CAPA). The NED CAPAs are performed to determine if the internal controls within each Area are effective to ensure they are operating within Department policies and procedures, as well as other established criteria set forth by State and federal guidelines.

BACKGROUND

This is the second OSB NED CAPA performed by AD. The audit included an evaluation of NEDs' operating procedures and work product, which included: Arrest Report Packages, Search/Ramey Warrant Packages, Detective Activity Logs (DALs), Sergeant's Daily Reports (SDRs), Form 15.48.00, Standards Based Assessments Lieutenants and Below, Form 01.87.00 (SBAs) and Confidential Financial Disclosure Reports, Form 01.74.01. The aforementioned documents were examined for accuracy, completeness, timely submission, articulation of reasonable suspicion/probable cause and supervisory oversight.

SUMMARY OF AUDIT FINDINGS

The audit consisted of six objectives which addressed 14 specific areas. The Department had 100 percent compliance in four of the 14 areas;

- Evaluation of Arrest Reports; Articulation of reasonable suspicion and probable cause to arrest
- Evaluation of Arrest Reports; Articulation of search and seizure
- Evaluation of Search/Ramey Warrant Packages-Magistrate approval of search/Ramey warrants
- Adherence to Confidential Financial Disclosure Requirement

An 80 percent or higher compliance was achieved in four of the ten remaining areas. The specific areas are detailed below:

- Evaluation of Arrest Reports-Admonition of Miranda Rights: 96 percent compliance
- Evaluation of Search/Ramey Warrant Packages-Supervisor approval of Search/Ramey Warrant Packages: 87 percent compliance
- Evaluation of Search/Ramey Warrant Packages-Adherence to other significant policies and procedures: 87 percent compliance
- Consistency of Arrest Report and Search/Ramey Warrant Packages-95 percent compliance.

In the remaining six areas, the Department had 79 percent or below compliance. The below findings were administrative in nature and would not impact the successful prosecution of the case:

- Evaluation of Search/Ramey Warrant Packages-Completeness of Warrant Tracking Logs: 50 percent compliance
- Evaluation of Search/Ramey Warrant Packages-Completion of required Employee Comment Sheets: 55 percent compliance
- Evaluation of Search/Ramey Warrant Packages-Evaluation of Confidential Informants: 67 percent compliance.
- Completion of SBAs: 79 percent compliance.
- Evaluation of NEDs' Documentation of Investigative Activities - Officer's thorough and accurate completion of DALs: 59 percent compliance
- Evaluation of NEDs' Documentation of Investigative Activities - Supervisor's thorough and accurate completion of SDRs: 50 percent compliance

CONCLUSION

The first OSB NED CAPA was performed in 2012. A review of the findings from the prior audit revealed that the Department decreased in compliance rates pertaining to the Evaluation of Search/Ramey Warrant Packages. The specific areas are detailed below:

- Completeness of the Warrant Tracking Log
- Completion of Required Employee Comment Sheets
- Evaluation of Confidential Informants

In addition, the Department's compliance rates in the areas of NED documentation of investigative activities did not meet the standard. The specific areas are detailed below:¹

- Officer's accurate and thorough completion of DALs
- Supervisor's accurate and thorough completion of SDRs

The aforementioned administrative findings pertain to the accurate and thorough completion of Department forms. It appears that with additional supervisory scrutiny these administrative omissions and/or discrepancies would likely be resolved.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division presented the CAPA report and findings to the Director, Office of Operations, and Commanding Officer, OSB, both whom were in general agreement with the findings.

¹Audit Division did not evaluate NEDs documentation of investigative activities during the prior audit subsequently no comparison can be made.

**OPERATIONS-SOUTH BUREAU NARCOTICS ENFORCEMENT DETAIL
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT**

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

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit and Inspection Plan for fiscal year 2014/15, Audit Division (AD) conducted the Operations-South Bureau (OSB) Narcotics Enforcement Detail (NED) Command Accountability Performance Audit (CAPA). The NED CAPAs are performed to determine if the internal controls within each geographic Area are effective to ensure they are operating within Department policies and procedures, as well as other established criteria set forth by State and federal guidelines.

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 the audit objectives.

BACKGROUND

Audit Division developed CAPAs to address risk management issues, assess operations, and provide timely information to Department management pertaining to NED units.

PRIOR AUDITS

This is the second NED CAPA performed for OSB. The prior OSB NED CAPA was performed in July 2012.

METHODOLOGY

Scope

The audit included an evaluation of Arrest Reports, Form 05.02.00, and associated documents, Search/Ramey Warrant packages, Standards Based Assessments Lieutenant and Below (SBAs), Form 01.87.00, NED investigations, Sergeant's Daily Reports (SDRs), Form 15.48.00, Detective's Activity Logs (DALs), and Confidential Financial Disclosure Reports, Form 01.74.01.

The period reviewed was April 1 to June 30, 2014. The audit steps employed are further delineated under each audit objective.

Fieldwork

The fieldwork was performed between August 21 and September 12, 2014.

Audit Division provided the Commanding Officer (C/O), OSB, with an Intradepartmental Correspondence, Form 15.02.00, explaining the audit's methodology and requested input regarding additional areas requiring evaluation.

SUMMARY OF FINDINGS

Table No. 1 – Summary of the Audit Findings

Objective No.	Description of Audit Objective	2012/13 Totals	2014/15 Totals
1	Evaluation of Arrest Reports		
1(a)	Articulation of Reasonable Suspicion and Probable Cause to Arrest	53/53 (100%)	49/49 (100%)
1(b)	Articulation of Search and Seizure	53/53 (100%)	49/49 (100%)
1(c)	Admonition of Miranda Rights	50/53 (94%)	47/49 (96%)
2	Evaluation of Search/Ramey Warrant Packages		
2(a)	Magistrate Approved the Search/Ramey Warrant	24/24 (100%)	31/31 (100%)
2(b)	Completeness of the Warrant Tracking Log	8/9 (89%)	6/12 (50%)
2(c)	Supervisor Approval of Search/Ramey Warrant Packages	24/24 (100%)	27/31 (87%)
2(d)	Completion of Required Employee Comment Sheets	16/24 (67%)	17/31 (55%)
2(e)	Adherence to other Significant Policies and Procedures	21/24 (88%)	27/31 (87%)
2(f)	Evaluation of Confidential Informants ¹	10/10 (100%)	4/6 (67%)
3	Consistency of Arrest Report and Search/Ramey Warrant Packages		
3	Consistency of Arrest Report and Search/Ramey Warrant Packages	18/34 (53%)	76/80 (95%)
4	Completion of Standards Based Assessments		
4	Completion of Standards Based Assessments	24/37 (65%)	30/38 (79%)
5	Evaluation of Narcotics Enforcement Details Documentation of Investigative Activities²		
5(a)	Officers' thorough and accurate completion of DALs	N/A	29/49 (59%)
5(b)	Supervisors' thorough and accurate completion of SDRs	N/A	22/44 (50%)
6	Adherence to Confidential Financial Disclosure Requirements		
6	Adherence to Confidential Financial Disclosure Requirements	37/37 (100%)	38/38 (100%)

¹Arrest reports that indicated a confidential informant was used were also included in sub-objective 2(f).

²Objective 5 was not measured in the 2011/12 audit; therefore, no comparison can be made.

DETAILED FINDINGS

Objective No. 1 – Evaluation of Arrest Reports

This objective included the review of arrest reports and associated documents completed by all personnel assigned to OSB NED units during the audit period. The arrest reports were evaluated to determine whether they included articulation of legal sufficiency for actions taken, and whether they contained evidence of significant deviation from Department policies and procedures.

Audit Division identified 49 arrest reports. A copy of each arrest report was obtained directly from the respective Area's Records Units.

Objective No. 1(a) – Articulation of Reasonable Suspicion and Probable Cause to Arrest

Criteria

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."*

Audit Procedures

Each arrest report was reviewed to determine whether it sufficiently articulated the legal basis for all actions taken (e.g., detentions, arrests, and searches). Arrest reports that articulated the aforementioned criteria and procedures met the standards for this objective.

Findings

Each (100%) of the 49 arrest reports met the standards for this objective.

Objective No. 1(b) – Articulation of Search and Seizure

Criteria

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.

Audit Procedures

Each arrest report was reviewed to evaluate the legality of each search, including booking searches involving strip and visual body cavity searches. Arrest reports that articulated the search authority met the standards for this objective.

Findings

Each (100%) of the 49 arrest reports met the standards for this objective.³

Objective No. 1(c) – Admonition of Miranda Rights

Criteria

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;”*

Audit Procedures

Each arrest report was reviewed for the overall chronology of arrest events, specifically examining whether a detainee was interrogated regarding his/her participation in criminal activity. Arrest reports were also reviewed for evidence of Miranda Rights adherence. Arrest reports that contained no evidence of Miranda Rights Admonition violations met the standards for this objective.

Findings

Forty-seven (96%) of the 49 arrest reports met the standards for this objective. The two arrest reports that did not meet the standards are detailed below:

³Searches incident to arrest were not considered for this objective.

Southwest Area

- Divisional Record Nos. 14-03-12335 and 14-12-13300 – The arrest report narrative indicates there were several arrestees, and each one was given the Miranda Rights Admonition; however, only one arrestee's response was documented in the report.⁴

Objective No. 2 – Evaluation of Search/Ramey Warrant Packages

This objective included the review of search/Ramey warrant packages completed by NED personnel during the audit period. A review of OSB Area Warrant Tracking Logs (WTLs), Form 08.17.05, revealed there were 31 search/Ramey Warrants served during the audit period that involved a NED officer as the affiant. The search warrant packages were reviewed to determine if the following Department policy and procedures were followed:

- 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 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 (CI) (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.

Objective No. 2(a) – Magistrate Approved the Search/Ramey Warrant

Criteria

Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, states, *"All Department personnel involved in the service (including the planning and debriefing) of a search or Ramey warrant shall comply with the instructions set forth in the Search Warrant Service Procedures Guide, prepared by Investigative Analysis Section, Detective*

⁴Southwest Area officers affected an arrest in 77th Street Area; therefore, a 77th Street Area DR number was generated.

Bureau. Each commanding officer shall be responsible for maintaining the Search Warrant Service Procedures Guide and ensuring that such procedures are made available to Department personnel. Department personnel shall follow these guidelines when preparing, obtaining, serving, and returning a search warrant."

Audit Procedures

Search warrant packages were reviewed to determine if they were properly approved by a magistrate, prior to the service of the search warrant. Packages that contained evidence of a signature by the magistrate, prior to the service of the warrant, met the standards for this objective.

Findings

Each (100%) of the 31 search warrant packages met the standards for this objective.

Objective No. 2(b) – Completeness of the Warrant Tracking Log

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

Audit Division identified 12 WTLs that were applicable for this objective. The WTLs were reviewed to determine if they were completed and maintained as required. Warrant Tracking

Logs that contained properly documented search warrants, and were approved by the C/O by the end of the month, met the standards for this objective.

Findings

Six (50%) of the 12 WTLs met the standards for this objective. The six WTLs below did not meet the standards for the following reasons:

Southwest Area

- Warrant Tracking Log, June 2014 (Search Warrant No. 68361) – The Return Date was inconsistent with the date on the Return to Search Warrant.

Harbor Area

- Warrant Tracking Log, April 2014 (Search Warrant No. F68533) – The address on the WTL was inconsistent with all other documents. Additionally, the WTL indicated a Return Date inconsistent with the Return to Search Warrant.
- Warrant Tracking Log, June 2014 (Search Warrant No. F68705) – The WTL did not contain the name of the affiant as required.

77th Street Area

- Warrant Tracking Log, April 2014 (Search Warrant No. 67970) – The WTL did not contain the time the warrant was issued.
- Warrant Tracking Log, June 2014 (Search Warrant No. 68257) – The WTL did not contain the time the warrant was issued.

Southeast Area

- Warrant Tracking Log, May 2014 (Search Warrant No. SW 227) – The time listed was inconsistent with the time documented on the affidavit.

Objective No. 2(c) – Supervisor Approval of Search/Ramey Warrant Packages

Criteria

Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, states, *"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."*

Supervisors are reminded that every page must be reviewed and initialed in order to document a thorough review."

***"Tactical Plan Report.** Prior to the warrant service, the designated supervisor shall review and determine if a Tactical Plan Report is required. If the Tactical Plan Report is required, the supervisor shall follow the guidelines established in Manual Section 5/12.25.00."*

Department Manual Section 5/12.25.00 Warrant Service/Tactical Plan Report, Form 12.25.00, states, *"The Tactical Plan Report Shall be completed prior to the service of a search or Ramey warrant."*

12.25.00-01 Use of Form. The seven-page form shall be used to document information that will serve as the basis of the warrant service tactical plan. No other reporting formats are authorized.

12.25.00-10 Completion. The Tactical Plan Report shall be completed as follows:

"Supervisor. The designated supervisor shall review the Tactical Plan Report and, if approving, sign page one. Following service of the warrant, a supervisor that was at the scene of the service shall conduct a debriefing and document the debriefing and the debriefing location in the "Debriefing Location" and "Debriefing Summary" sections and sign page seven."

"Commanding Officer. Prior to the service, the commanding officer or designee shall review and approve the Tactical Plan Report by placing his or her initials on the bottom right hand corner of the first page. Following service of the warrant, the commanding officer shall review the Tactical Plan Report for completeness and sign page seven."

Audit Procedures

The search warrant packages were reviewed to determine if the warrant service conditions were documented and a C/O evaluated the execution and supervisory oversight of the service. Search warrant packages that had evidence of the above criteria met the standards for this objective.

Findings

Twenty-seven (87%) of the 31 search warrant packages met the standards for this objective. The five search warrant packages below did not meet the standards for the following reasons:

Harbor Area

- Search Warrant No. F68508 – The approving supervisor did not initial and document his/her serial number on all of the warrant affidavit pages.

77th Street Area

- Search Warrant No. 67970 – The supervisor initialed the search warrant affidavit; however, the serial number was not documented as required.
- Search Warrant No. 68388 – The supervisor documented as conducting the tactical debrief was not listed on the roster at the search warrant location.

Southeast Area

- Search Warrant No. SW 214 – The affiant did not sign the Search Warrant Affidavit.

Objective No. 2(d) – Completion of Required Employee Comment Sheets

Criteria

Department Manual Section 4/742.10, Search Warrant and Probable Cause Arrest Warrant Procedures, states, *“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.”*

- *“Complete an analysis of the performance of the supervisor providing supervisory oversight (designated supervisor) at the service of a search warrant and document the results on an Employee Comment Sheet. The Employee Comment Sheet must be completed within seven business days of the warrants execution and include the following information:*
 - *Identity of the designated supervisor assigned (e.g., name, rank, and serial number);*
 - *Warrant location;*
 - *Date and time of service;*
 - *Whether the supervisor’s actions during the service of the warrant were appropriate;*
 - *Evaluation of the performance of the designated supervisor(s) at each warrant location;*
 - *and,*
 - *Any other information deemed by the commanding officer to be pertinent to the designated supervisor’s performance.*

Note: As a reminder, commanding officers are required to sign and date the completed Employee Comment Sheet.”

Audit Procedures

Applicable Division Employee Folders were reviewed to determine if an Employee Comment Sheet was given to the supervisor(s) who provided supervisory oversight at the search warrant

location. The Employee Comment Sheet was then reviewed to determine if it met the above criteria.

Findings

Seventeen (55%) of the 31 search warrant packages met the standards for this objective. The 14 search warrant packages listed below did not meet the standards for the following reasons:

Southwest Area

- Search Warrant No. 68172 – AD was unable to locate the Employee Comment Sheet for the supervisor who provided supervisory oversight.

Harbor Area

- Search Warrant Nos. F68533, F68705, and F68738 – The C/O did not date the Employee Comment Sheet as required; therefore, AD was unable to determine if it was completed within the required seven days.
- Search Warrant No. F68668 – The C/O did not sign or date the Employee Comment Sheet as required.

77th Street Area

- Search Warrant Nos. 67970, and 68388 – The C/O did not date the Employee Comment Sheet as required; therefore, AD was unable to determine if it was completed within the required seven days.

Southeast Area

- Search Warrant Nos. SW162, SW173, and 68070 – The C/O did not date the Employee Comment Sheet as required; therefore, AD was not able to determine if it was completed within the required seven days.
- Search Warrant No. SW 214 – The C/O did not sign the Employee Comment Sheet as required.
- Search Warrant Nos. SW 227, SW230, and SW255 – The C/O did not sign or date the Employee Comment Sheet as required.

Objective No. 2(e) – Adherence to other Significant Policies and Procedures

Criteria

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.”*

Audit Procedures

Each search warrant package and all applicable documents were reviewed for completeness (e.g., Arrest Report, Continuation Sheet, Form 15.09.00, Property Report, Form 10.01.00, Receipt for Property Taken into Custody, Form 10.10.00, etc.). These documents were selected for examination based on their relevance in evaluating the legality of the officers’ actions.

Search warrant packages that contained the required documents met the standards for this objective.⁵

Findings

Twenty-seven (87%) of the 31 search warrant packages met the standards for this objective. The four search warrant packages below did not meet the standards for the following reasons:

Harbor Area

- Search Warrant No. F68705 – The debriefing date documented on the Tac Plan precedes the date the search warrant was served.

⁵In accordance with Department Manual Sections 4/742.10 and 4/742.30, if a Search Warrant’s Tac Plan indicated photos were taken, the associated search warrant package was evaluated for the presence of photos (e.g., photocopies, disk, flash drive, etc.).

77th Street Area

- Search Warrant No. 68249 – The Adult Detention Log, Form 06.19.00, listed the illnesses of both arrestees; however, there was nothing documented in the arrest report narrative indicating if the arrestees were medically treated.

Southeast Area

- Search Warrant No. 68070 – The Return to Search Warrant was not returned within ten calendar days of issuance, as required.
- Search Warrant No. SW 214 – The affiant did not sign the warrant affidavit.

Objective No. 2(f) – Evaluation of Confidential Informants

Criteria

Department Informant Manual section 2/260, Guidelines to Manage Informants, states, “*The following procedures shall be followed when dealing with informants:*

Informant Contact Form. Once an informant package has been approved by the C/O Narcotics Division (ND), all subsequent meetings and contacts with the informant shall be documented on an Informant Contact Form. The Informant Contact Form serves as a chronological log and follow-up report.

In addition, the Informant Contact Form may be utilized for administrative purposes to document information relevant to the informant’s suitability, productivity history, or other miscellaneous information.

All Informant Contact Forms should be submitted, reviewed and approved by the C/O ND within 30 calendar days.”

Audit Procedures

Each arrest report and search warrant package was reviewed to determine if a CI was used. When it was determined that a CI was used, AD reviewed the corresponding CI package at Gang and Narcotics Division to verify that an active package existed, and the contact with the CI was documented.

The CI packages that contained the required information met the standards for this objective.

Findings

Of the 80 arrest reports and search warrant packages reviewed, six indicated that a CI was used, and were applicable for this objective. Four (67%) of the six CI packages reviewed met the

standards for this objective. The CI packages below did not meet the standards for the following reasons:

Southwest Area

- Search Warrant No. 68631 – The CI package did not contain an entry for the contact made with the informant.

77th Street Area

- Search Warrant No. 68309 – The CI package did not contain an entry for the contact made with the informant.

Objective No. 3 – Consistency of Arrest Report and Search/Ramey Warrant Packages

Criteria

Department Manual Section 4/216.01, Advice/Approval on Felony Bookings, states, "*Arrest Reports. Consistent with current procedure, the watch commander or a supervisor designated by the watch commander shall review all reports related to the arrest for appropriateness, legality, and conformance with Department policy and procedure taking into account the booking recommendation. Additionally, the watch commander or supervisor shall examine the reports for authenticity by ensuring that the reports do not contain any "canned" language, inconsistent information, or fail to articulate the legal basis for the action, or any indication that the information in the report(s) is not authentic or correct. Subsequent to review, the watch commander or his/her designee shall indicate approval by signing (including serial number) the report(s).*"

Audit Procedures

Each arrest report, search warrant package, and associated document were reviewed for inconsistent information. Inconsistent information was defined as inconsistencies that would have an impact on the investigation or question the associated documents. Documents reviewed included, but were not limited to, the Arrest Report and arrest narrative, Search Warrant and Affidavit, Tac Plan, Property Report, Receipt for Property Taken into Custody, Booking Approval, Form 12.31.00, Employee Comment Sheet and the Adult Detention Log. Arrest reports and search warrant packages that did not contain inconsistent information met the standards for this objective.

Findings

Seventy-six (95%) of the 80 arrest reports and search warrant packages reviewed met the standards for this objective. The four arrest reports/search warrant packages below did not meet the standards for the following reasons:

Harbor Area

- Divisional Record No. 14-05-00845 – The Watch Commander's (WCs) name documented in the arrest report as giving booking approval is different than the WC on the booking approval.

77th Street Area

- Divisional Record No. 14-12-15247 – Item No. 1 on the Property Report is not consistent with the arrest report narrative. The description and weight of the item differs from the arrest report and the Property Report. Additionally, item No. 2 of the Property Report is inconsistent with the Property Receipt. The weight of an item described on the Property Report is inconsistent with the Property Receipt.
- Divisional Record No. 14-12-11803 – Item No. 4 listed on the Property Report does not reflect the correct amount. In addition, item No. 3 is not listed on the Property Receipt.

Southeast Area

- Divisional Record No. 14-18-09674 – The Property Report lists item No. 15 (handgun); however, the item is not listed on the Property Receipt.

Objective No. 4 – Completion of Standards Based Assessments

Criteria

Department Manual Section 3/760.20, Standards Based Assessment – Lieutenants and Below, states, "*Supervisor's Responsibilities. Supervisors who receive a PERAI shall:*

- *Review the concerned employee's TEAMS report and all other available documents";*
- *"Complete the Standards Based Assessment, Lieutenant and Below, Form 01.87.00; and,*
- *Serve the employee with the final paper copy of the SBA, and complete the PERAI no later than 90-calendar days after the date it was issued.*

According to the Standards Based Assessment, Lieutenant and Below, Guidelines for Completing the Report, a Risk Management Information System (RMIS) Action Item number, which corresponds with the TEAMS II Action Item number, is required in the Administrative Section of the report. The report must also contain signatures and dates of the employee, Department/unit assessor, reviewing supervisor, and C/O.⁶

⁶See Standards Based Assessment Lieutenant and Below, Guidelines for Completing the Report, Form 01.87.02, (09/11).

Audit Procedures

Audit Division reviewed the Watch Assignment and Timekeeping Sheet for OSB NED personnel employed during the audit period and determined there were a total of 38 personnel. The corresponding Division Employee Folders were reviewed to determine if the following Department policy and procedures were followed:

- The SBA was completed for the current rating period;
- The SBA was signed and dated by the employee, all supervisors, and the C/O; and,
- The Performance Evaluation Report Action Item (PERAI) was closed within 90 calendar days of the date issued.

Findings

Thirty (82%) of the 38 SBAs met the standards for this objective. The eight SBAs below did not meet the standards for the following reasons:

Southwest Area

- Three Division Employee Folders did not contain a current SBA.
- One SBA
- and respective PERAI were closed beyond 90 calendar days of the date issued.⁷

Harbor Area

- One SBA did not contain the RMIS Action Item number.

77th Street Area

- Two Division Employee Folders did not contain a current SBA.

Southeast Area

- One Division Employee Folder did not contain a current SBA.

Objective No. 5–Evaluation of NEDs documentation of Investigative Activities

⁷When one SBA had multiple findings, it was only counted once.

This objective included the review of the DALs and SDRs completed by personnel assigned to OSB NED units during the audit period. The DALs and SDRs were evaluated to determine if they were completed according to Department policies and procedures.

Objective No. 5(a)–Officers thorough and accurate completion of DALs

Criteria

Gang and Narcotics Division Order No. 2, 2009, Detective's Activity Log - Revised, states, *"Procedures. All field personnel below the rank of Detective III shall complete a DAL, handwritten in ink only."*

"Detective Activity Log (DAL) Entries. Detective's Activity Log entries shall include, but are not limited to the following:

- *All relevant times, including start of watch and end of watch times, overtime hours and significant activities.*
- *All locations of significant activities, including start of watch and end of watch locations, out of county locations, surveillance locations, etc.*
- *All mandatory appearances (court, administrative hearings, etc.).*
- *All expenditures, including gasoline purchases, out-of-town expenses, informant payments, credit card purchases, and all known expenditures to be reimbursed by other agencies.*
- *Vehicle information including shop number(s), repair and maintenance information and mileage at the time of gasoline purchase.*
- *Informant contacts (including GND personnel present).*
- *Partner information, if applicable.*
- *Any other information as directed by the concerned OIC.*
- *All field personnel below the rank of DIII shall complete their own DAL."*

Audit Procedures

On the dates when an arrest was made by an NED officer, the corresponding DALs were reviewed to determine if the required information was properly documented.

Findings

Of the DALs reviewed, 29 (59%) of the 49 met the standards for this objective. The 20 DALs that did not meet the standards are detailed below:

Southwest Area

- 04/24/14, 04/25/14, and 05/21/14 - The end of watch was not documented.

Harbor Area

- 04/16/14 – The shop number was not documented.

77th Street Area

- 04/03/14, 04/18/14, 04/29/14, 05/28/14, and 06/04/14 – The DALs indicated the partner's DAL should be referenced for additional details.
- 05/12/14 – The DAL indicated the partner's DAL should be referenced for additional details. Additionally, the start and end of watch was not documented.
- 06/11/14 – The partner information and the shop number were not documented.
- 06/27/14 – The partner information and the shop number were not documented. In addition, the DAL indicated that the partner's DAL should be referenced for additional details.

Southeast Area

- 04/03/14 and 05/01/14 – The DALs indicated the partner's DAL should be referenced for additional details.
- 05/08/14 – The DAL did not document the overtime hours worked.
- 05/15/14 – The shop number was not documented.
- 05/27/14⁸ – The DALs indicated the partner's DAL should be referenced for additional details. Additionally, the overtime hours worked were not documented.
- 06/18/14 – The DAL indicated the partner's DAL should be referenced for additional details.
- 05/29/14 – Officers did not document the location of the arrest.

Objective No. 5(b) – Supervisors thorough and accurate completion of SDRs

Criteria

Department Manual Section 5/18.49.00, Sergeant's Daily Report – Field Notebook Divider, Form 18.49.00, states, "*General Rules. The Sergeant's Daily Report (SDR) is used to capture oversight activities completed by a field supervisor on a daily basis.*"

⁸The DALs are dated same date; however, each is a different arrest by different officers, therefore counted individually.

Gang and Narcotics Division Order No. 2, 2009, Detective's Activity Log – Revised, states, *"Procedures. Detectives III shall complete a Sergeant's Daily Report, Form 14.48.08."*

"Additionally, supervising detectives (Detectives III and acting Detectives III) shall enter the duty status of their subordinates, all significant personnel and supervisory matters, critiques of incidents, matters of probable interest to GND and any other information as directed by the concerned Officer in Charge (OIC)."

Operations Order No. 1, 2012, Check-In Procedures for Area Specialized Units, states, *"Procedure: I. Area Specialized Unit Supervisor's Responsibilities. The supervisor of each Area specialized unit shall report to the on-duty patrol watch commander at the unit's start of watch (SOW) and end of watch (EOW)."*

"That supervisor shall document the time and the name of the on-duty watch commander that was provided the DPS printout and the SOW check-in briefing in his/her Sergeant's Daily Report, Form 15.48.00."

"The supervisor shall document the time and the name of the on-duty watch commander that was provided the EOW briefing in his/her Sergeant's Daily Report."

Audit Procedures

On the dates when an arrest was made by the NED unit, AD collected the corresponding SDRs. The SDRs were reviewed to determine if one was submitted to the lieutenant by the NED supervisor who had oversight of the unit on the arrest date, and that it sufficiently documented all required information, and was signed by the lieutenant. An SDR that contained evidence of the aforementioned met the standards for this objective.

Findings

Of the 49 arrest reports reviewed, five arrests occurred on the same date; therefore, 44 SDRs were applicable for this objective.

Twenty-one (48%) of the 44 SDRs reviewed met the standards for this objective. The SDRs below did not meet the standards for the following reasons:

Southwest Area

- 05/28/14 and 06/04/14 – The WC's start and end of watch were not documented. In addition, the overtime hours worked were not documented, and the correct Department form was not used.
- 06/21/14 – The start and end of watch documented was incorrect, and the correct Department form was not used.

- 06/27/14 – The overtime hours the employees worked were not documented, and the correct Department form was not used.

Harbor Area

- The SDRs dated 05/22/14 and 05/28/14 – The WC's start and end of watch times were not documented. Additionally, the incorrect form was used.

77th Street Area

- 04/03/14, and 06/11/14 – The supervisor initialed the DAL seven days after the date of entry.
- 04/18/14 – The overtime hours worked by the employees were not documented. In addition, the start of watch documented on the DAL was inconsistent with the start of watch documented on the SDR.
- 04/29/14 and 05/12/14 – The overtime hours worked by the employees were not documented.
- 05/28/14 and 06/04/14 – The end of watch documented on the SDR was inconsistent with the DAL.

Southeast Area

- 04/03/14, 04/07/14, and 05/08/14 – The WC's start and end of watch times were not documented.
- 04/24/14 – The WC's start and end of watch times were not documented. In addition, the end of watch times for the unit was not documented and neither was the overtime information.
- 04/25/14 – The WC's start and end of watch times were not documented. In addition, the incorrect end of watch times for the employee was documented.
- 05/01/14 - The WC's start and end of watch were not documented. In addition, the incorrect end of watch for the employee was documented. The date the supervisor initialed the DAL precedes the date of entry.
- 05/06/14 and 05/15/14 – The WC's start and end of watch times were not documented. In addition, the overtime hours worked by the employees were not documented.
- 06/25/14 and 06/26/14 – The end of watch times documented on the SDR was inconsistent with the DAL.

Objective No. 6 – Adherence to Confidential Financial Disclosure Requirements

Criteria

Department Manual Section 3/381, Confidential Financial Disclosure Policy and Procedures for Gang Enforcement and Narcotics Enforcement Personnel, states, *“Sworn employees at the rank of lieutenant or below shall submit a completed Confidential Financial Disclosure Face Sheet, Form 01.74.00, and a Confidential Financial Disclosure Report, Form 01.74.01, to the Financial Disclosure Coordinator (FDC), Internal Audits and Inspections Division, within ten calendar days of being selected and prior to assignment to or for the retention of an existing position within any assignment or loan to:*

- *Gang Impact Team (GIT);*
- *Gang Enforcement Detail (GED);*
- *Narcotic Enforcement Detail (NED) positions;*
- *Community Law Enforcement and Recovery (CLEAR) Unit; or,*
- *Gang and Narcotics Division (GND). Any sworn personnel whose primary duty involves contact with or investigation of gang and/or narcotics.”*

Audit Procedures

Audit Division met with the Financial Disclosure Coordinator to determine if a Confidential Financial Disclosure Report had been completed for the 38 NED officers assigned during the audit period.

Findings

Each (100%) of the 38 NED officers assigned during the audit period had completed the required Confidential Financial Disclosure Report.

OTHER RELATED MATTERS

In the course of this audit, there was indication that Southwest and Southeast Areas did not adequately document anonymous sources of information. The Department Informant Manual, section 2/280, requires that when information is received from an anonymous source, as much detail as possible should be provided when documenting the identity of said source in the appropriate report (e.g., arrest report, DAL, SDR); in addition, the anonymous source's refusal to provide identifying information shall also be documented.

Additionally, in some instances, Southwest and Harbor Areas did not utilize the Department SDR, and the WC information was not documented.

Southwest Area documented on the Adult Detention Log that an arrestee took medication; however, the arrest report narrative stated "none" were given under the "Medical Treatment" section. Southeast Area did not document the circumstances when an arrestee was medically treated and did not explain whether the injuries were obtained during the service of a search warrant. Additionally, a supervisor documented on the search warrant (SW-208) assignment roster was on leave and did not participate in the service of the search warrant.⁹

Each Area was presented with the advised aforementioned requirements by AD and was advised to take appropriate action regarding correctly documenting their use of anonymous sources of information, WC information, and use the correct SDR form.

ACTION TAKEN/MANAGEMENT'S RESPONSE

Audit Division presented the CAPA report to the C/O, OSB, and the Director, Office of Operations, both whom were in general agreement with the findings.

⁹See OSB 15.02.00 Response.

INTRADEPARTMENTAL CORRESPONDENCE

ADDENDUM

July 23, 2015

1.5

TO: Commanding Officer, Internal Audits and Inspection Division

FROM: Commanding Officer, Operations-South Bureau

SUBJECT: RESPONSE TO OPERATIONS-SOUTH BUREAU NARCOTICS
ENFORCEMENT DETAIL COMMAND ACCOUNTABILITY PERFORMANCE AUDIT, FIRST
QUARTER, FISCAL YEAR 2014/15

The fiscal year 2014/2015 Operations-South Bureau (OSB), Narcotics Enforcement Detail (NED) Command Accountability Performance Audit (CAPA) was completed by Internal Audits and Inspection Division (IAID). There were fourteen objectives and sub-objectives examined for the audit. The audit revealed several anomalies within several of the objectives that required a response for action by the involved NED Unit. The results were as follows:

Objective No. 1 – Evaluation of Arrest Reports

A total of 49 Arrest Reports were reviewed in the audit. Sub-objectives (a) and (b) were 100% in compliance. Sub-objective (c) had two reports of the 47 (96%) that had anomalies identified. The issues identified and remedies were:

Objective No. 1(a) – Articulation of Reasonable Suspicion and Probable Cause to Arrest

Each (100%) of the 49 arrest reports met the standards for this objective.

Response: OSB concurs with this finding, NED supervisors reviewed this objective and no action was taken.

Objective No. 1(b) – Articulation of Search and Seizure

Each (100%) of the 49 arrest reports met the standards for this objective.

Response: OSB concurs with this finding, NED supervisors reviewed this objective and no action was taken.

Objective No. 1(c) – Admonition of Miranda Rights

Forty-seven (96%) of the 49 arrest reports met the standards for this objective. The two arrest reports that did not meet the standards are detailed below:

Southwest Area

Divisional Record Nos. 14-03-12335 and 14-12-13300 – The arrest report narrative indicates there were several arrestees, and each one was given the Miranda Rights Admonition; however, only one arrestee's response was documented in the report.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in the Learning Management System (LMS).

Objective No. 2 Evaluation of Search/Ramey Warrants Packages

A total of 31 Search Warrant Packages were reviewed in the audit, and 6 sub-objectives of review (2a thru 2f) applied to them. The issues identified and remedies were:

Objective No. 2(a) – Magistrate Approved the Search/Ramey Warrant-

Each (100%) of the 31 search warrant packages met the standards for this objective.

Response: OSB concurs with this finding, NED supervisors reviewed this objective and no further action was taken.

Objective No. 2(b) – Completeness of the Warrant Tracking Log

Six (50%) of the 12 WTLs met the standards for this objective. The six WTLs below did not meet the standards for the following reasons and remedies were:

Southwest Area

- Warrant Tracking Log, June 2014 (Search Warrant No. 68361) – The "Return Date" was inconsistent with the date on the Return to Search Warrant.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Harbor Area

- Warrant Tracking Log, April 2014 (Search Warrant No. F68533) – The address on the WTL was inconsistent with all other documents. Additionally, the WTL indicated a Return Date inconsistent with the Return to Search Warrant.
- Warrant Tracking Log, June 2014 (Search Warrant No. F68705) – The WTL did not contain the name of the affiant as required.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- Warrant Tracking Log, April 2014 (Search Warrant No. 67970) – The WTL did not contain the “time” the warrant was issued.
- Warrant Tracking Log, June 2014 (Search Warrant No. 68257) – The WTL did not contain the “time” the warrant was issued.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Southeast Area

- Warrant Tracking Log, May 2014 (Search Warrant No. SW 227) – The time listed was inconsistent with the time documented on the affidavit.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Objective No. 2(c) – Supervisor Approval of Search/Ramey Warrant Packages

Twenty-six (84%) of the 31 search warrant packages met the standards for this objective. The five search warrant packages below did not meet the standards for the following reasons:

Harbor Area

- Search Warrant No. F68508 – The approving supervisor did not initial and document his/her serial number on all of the warrant affidavit pages.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- Search Warrant No. 67970 – The supervisor initialed the search warrant affidavit; however, the serial number was not documented as required.
- Search Warrant No. 68388 – The supervisor documented as conducting the tactical debrief was not listed on the roster at the search warrant location.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Southeast Area

- Search Warrant No. SW 214 – The affiant did not sign the Search Warrant Affidavit.
- Search Warrant No. SW 227 – The signature on page one of the Tac Plan was the affiant’s and not a supervisor.

Response: OSB concurs with this finding on SW 214 and does not concur with SW 227. The oversight on SW 214 was addressed with counseling and training was provided to the NED supervisors. The

training was documented and verified in LMS. The review of the tac-plan in question for SW 227 revealed it was signed by a supervisor who was not the affiant. This case met the standard of review.

Objective No. 2(d) – Completion of Required Employee Comment Sheets

Seventeen (55%) of the 31 search warrant packages met the standards for this objective. The 14 search warrant packages listed below did not meet the standards for the following reasons and remedies:

Southwest Area

- Search Warrant No. 68172 – IAID was unable to locate the Employee Comment Sheet for the supervisor who provided supervisory oversight.

Response: OSB concurs with this finding. The comment sheet was misplaced. It has been located and filed correctly. This oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Harbor Area

- Search Warrant Nos. F68533, F68705, and F68738 – The C/O did not date the Employee Comment Sheet as required; therefore, IAID was unable to determine if it was completed within the required seven days.
- Search Warrant No. F68668 – The C/O did not sign or date the Employee Comment Sheet as required.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- Search Warrant Nos. 67970, and 68388 – The C/O did not date the Employee Comment Sheet as required; therefore, IAID was unable to determine if it was completed within the required seven days.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Southeast Area

- Search Warrant Nos. SW162, SW173, and 68070 – The C/O did not date the Employee Comment Sheet as required; therefore, IAID was not able to determine if it was completed within the required seven days.
- Search Warrant No. SW 214 – The C/O did not sign the Employee Comment Sheet as required.
- Search Warrant Nos. SW 227, SW230, and SW255 – The C/O did not sign or date the Employee Comment Sheet as required.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Objective No. 2(e) – Adherence to other Significant Policies and Procedures

Twenty-seven (87%) of the 31 search warrant packages met the standards for this objective. The four search warrant packages below did not meet the standards for the following reasons and remedies:

Harbor Area

- Search Warrant No. F68705 – The debriefing date documented on the Tac Plan proceeds the date the search warrant was served.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- Search Warrant No. 68249 – The Adult Detention Log, Form 06.19.00, listed the illnesses of both arrestees; however, there was nothing documented in the arrest report narrative indicating if the arrestees were medically treated.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Southeast Area

- Search Warrant No. 68070 – The Return to Search Warrant was not returned within ten calendar days of issuance as required.

- Search Warrant No. SW 214 – The affiant did not sign the warrant affidavit.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Objective No. 2(f) – Evaluation of Confidential Informants

Of the 80 arrest reports and search warrant packages reviewed, six indicated that a CI was used, and were applicable for this objective. Four (67%) of the six CI packages reviewed met the standards for this objective. The CI packages below did not meet the standards for the following reasons and remedies:

Southwest Area

- Search Warrant No. 68631 – The CI package did not contain an entry for the contact made with the informant.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- Search Warrant No. 68309 – The CI package did not contain an entry for the contact made with the informant.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Objective No. 3 – Consistency of Arrest Report and Search/Ramey Warrant Packages

Seventy-six (95%) of the 80 arrest reports and search warrant packages reviewed met the standards for this objective. The four arrest reports/search warrant packages below did not meet the standards for the following reasons and remedies:

Harbor Area

- Divisional Record No. 14-05-00845 – The Watch Commander's (WCs) name documented in the arrest report as giving booking approval is different than the WC on the booking approval.

Response: OSB concurs with this finding. The oversight was addressed with counseling and training was provided to the NED supervisors and to Harbor Area Watch Commanders during a supervisors meeting.

77th Street Area

- Divisional Record No. 14-12-15247 – Item No. 1 on the Property Report is not consistent with the arrest report narrative. The description and weight of the item differs from the arrest report and the Property Report. Additionally, item No. 2 of the Property Report is inconsistent with the Property Receipt. The weight of an item described on the Property Report is inconsistent with the Property Receipt.

- Divisional Record No. 14-12-11803 – Item No. 4 listed on the Property Report does not reflect the correct amount. In addition, item No. 3 is not listed on the Property Receipt.

Response: OSB concurs with this finding. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified on LMS. Additional training was provided to watch commanders at a monthly supervisors meeting.

Southeast Area

- Divisional Record No. 14-18-09674 – The Property Report lists item No. 15; however, the item is not listed on the Property Receipt.

Response: OSB concurs with this finding. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified on LMS. Additional training was provided to watch commanders at a monthly supervisors meeting.

Objective No. 4 – Completion of Standards Based Assessments

Thirty (82%) of the 38 SBAs met the standards for this objective. The eight SBAs below did not meet the standards for the following reasons and remedies:

Southwest Area

- Three Division Employee Folders did not contain a current SBA.

- One SBAs and respective Performance Evaluation Report Action Items (PERAI) were closed beyond 90 calendar days of the date issued.

Response: OSB concurs with this finding. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS. The SBA's have been located and filed in the packages as required. The SBA's were located at the employee's prior command.

Harbor Area

- One SBA did not contain the RMIS Action Item number.

Response: OSB does not concur with this finding. The two SBA's reviewed for this audit were for personnel not assigned to the Harbor NED.

77th Street Area

- Two Division Employee Folders did not contain a current SBA.

Response: OSB concurs with this finding. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified on LMS. The ratings were located and filed correctly.

Southeast Area

- One Division Employee Folder did not contain a current SBA.

Response: OSB does not concur with this finding. The SBA reviewed for this audit was not assigned to the NED unit for the period in question.

Objective No. 5–Evaluation of NEDs documentation of Investigative Activities

A total of 49 DAL's were reviewed in the audit, and 2 sub-objectives of review (5a and 5b) applied to them. The issues identified and remedies were:

Objective No. 5(a)–Officers thorough and accurate completion of DALs

Of the DALs reviewed, 29 (59%) of the 49 met the standards for this objective. The 21 DALs that did not meet the standards and remedies are detailed below:

Southwest Area

- 04/24/14, 04/25/14, and 05/21/14 - The end of watch was not documented.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Harbor Area

- 04/16/14 – The shop number was not documented.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- 04/03/14, 04/18/14, 04/29/14, 05/28/14, and 06/04/14 – The DALs indicated the partner's DAL should be referenced for additional details.
- 05/12/14 – The DAL indicated the partner's DAL should be referenced for additional details. Additionally, the start of watch and end of watch was not documented.
- 06/11/14 – The partner information and the shop number were not documented.
- 06/27/14 – The partner information and the shop number were not documented. In addition, the DAL indicated that the partner's DAL should be referenced for additional details.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Southeast Area

- 04/03/14 and 05/01/14 – The DALs indicated the partner's DAL should be referenced for additional details.
- 05/08/14 – The DAL did not document the overtime hours worked.
- 05/15/14 – The shop number was not documented.
- 05/27/14 – The DALs indicated the partner's DAL should be referenced for additional details. Additionally, the overtime hours worked were not documented.
- 06/18/14 – The DAL indicated the partner's DAL should be referenced for additional details.
- 05/29/14 – Officers did not document the location of the arrest.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Objective No. 5(b) – Supervisors thorough and accurate completion of SDRs

Of the 49 arrest reports reviewed, five arrests occurred on the same date; therefore, 44 SDRs were applicable for this objective.

Twenty-one (48%) of the 44 SDRs reviewed met the standards for this objective. The SDRs below did not meet the standards and remedies for the following reasons:

Southwest Area

- 05/28/14 and 06/04/14 – The watch commander's start and end of watch was not documented. In addition, the overtime hours worked was not documented, and the correct department form was not used.
- 06/21/14 – The start and end of watch documented is incorrect, and the correct department form was not used.

- 06/27/14 – The overtime hours the employees worked were not documented, and the correct department form was not used.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Harbor Area

- The SDRs dated 05/22/14 and 05/28/14 – The watch commander's start and end of watch time was not documented. Additionally, the incorrect form was used.

Response: OSB concurs with these findings. The oversight was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

77th Street Area

- 04/03/14, and 06/11/14 – The supervisor initialed the DAL seven days after the date of entry.
- 04/18/14 – The overtime hours worked by the employees were not documented. In addition, the start of watch documented on the DAL is inconsistent with the start of watch documented on the SDR.
- 04/29/14 and 05/12/14 – The overtime hours worked by the employees were not documented.
- 05/28/14 and 06/04/14 – The end of watch documented on the SDR is inconsistent with the DAL.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Southeast Area

- 04/03/14, 04/07/14, and 05/08/14 – The watch commander's start and end of watch was not documented.
- 04/24/14 – The watch commander's start and end of watch was not documented. In addition, the end of watch for the unit was not documented and neither was the overtime information.
- 04/25/14 – The watch commander's start and end of watch was not documented. In addition, the incorrect end of watch for the employee was documented.
- 05/01/14 - The watch commander's start and end of watch was not documented. In addition, the incorrect end of watch for the employee was documented. The date the supervisor initialed the DAL precedes the date of entry.
- 05/06/14 and 05/15/14 – The watch commander's start and end of watch was not documented. In addition, the overtime hours worked by the employees were not documented.
- 06/25/14 and 06/26/14 – The end of watch documented on the SDR is inconsistent with the DAL.

Response: OSB concurs with these findings. The oversights were addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Objective No. 6 – Adherence to Confidential Financial Disclosure Requirements

Each (100%) of the 38 officers assigned had completed the required Confidential Financial Disclosure Report.

Response: OSB concurs with this finding, NED supervisors reviewed this objective and no further action was taken.

Other Related Matters

Southeast

Search Warrant No. 208- DR No.14-1810274 served on May 6, 2014. The Tactical plan showed the NED Officer In Charge (OIC) on the assignment roster as a participant on the warrant service. Timekeeping indicated the NED OIC was not at work on the date. This was due to inattentiveness to detail. This issue was addressed with counseling and training was provided to the NED supervisors. The training was documented and verified in LMS.

Summary and Actions Taken

A comparison of these findings to the last OSB NED CAPA Audit showed a continual upward trend in several areas and downward trends in a few areas. Many proactive systems were put in place and the results indicate for the most part have been effective.

Each OSB Command was directed to review and respond to the findings. A closer review of the core issues of the anomalies faulted inattention by the officers who wrote the reports and the reviewing supervisors. Based upon the anomalies found, there were no issues with the prosecution of any case identified with an anomaly. The OSB expectation is to ensure that an accurate, concise, and detailed report is completed every time; and that all Warrant Packages meet the standard.

Each OSB Command was directed to enact proactive measures to address and rectify the identified anomalies and the cause to prevent future anomalies. Those measures are:


- Monthly supervisor meetings to include training on report review and approval, specifically on common issues on specialized unit approvals.
- GIT OIC's have a system of review for all NED reports to ensure standards are met. To provide immediate feedback and training to NED personnel for any discrepancy noted.
- All NED supervisors shall review reports prior to submitting to watch commanders for approval.

As a result of the findings, the Commanding Officer, OSB, also directed to enact proactive measures to address and rectify the identified anomalies. Those measures are as follows:

- The OSB Bureau Gang Coordinator (BGC) has met with all Gang Impact Team Officers in Charge (GIT OIC) to provide insight and recommendations on addressing the identified issues. Training to all NED supervisors: emphasis was placed on review of all documents, including arrest reports, search warrants and daily activities reports.
- The Gang Assessment Detail, OSB will conduct a random "spot" check assessment of the Objective No. 1 and No. 2 CAPA evaluation topics. The Gang Assessment Detail has met with auditors from IAID to obtain additional insight and direction to ensure assessment criteria is uniform with that utilized by IAID.
- The OSB BGC has met with all Bureau Detective Commanding Officers to ensure that all Bureau Detective personnel receive training to cover the CAPA findings for Objective No. 2 (Evaluation of Search/Ramey Warrant Packages). To ensure that each area has a Search Warrant Package Coordinator and a system in place to provide review of packages as they are completed and stored.
- The OSB Commanding Officer has directed each Area to provide the results of Objective 1 (Evaluation of Arrest Reports) and 3 (Consistency of Arrest Reports and Search/Ramey Warrant Packages) to their Watch Commanders and specific supervisors who approved the reports that did not meet the standard. The training was to provide an emphasis on review of any reports that are reviewed and approved.
- There was an OSB GIT supervisor training day scheduled January 8, 2015, to discuss progress of new measures, goals and training of CAPA results. Training was provided on the results of this audit and each anomaly identified was discussed.

Operations-South Bureau will continue to utilize the aforementioned strategies, as well as seek additional methods to ensure and maintain acceptable levels of compliance in the areas identified.

Should you have any questions regarding this correspondence, please contact either myself, or Lieutenant II Darrell Belthius, Bureau Gang Coordinator, Operations-South Bureau at (323)786-5080.


WILLIAM SCOTT, Deputy Chief
Commanding Officer
Operations-South Bureau