

## INTRADEPARTMENTAL CORRESPONDENCE

February 12, 2016  
14.2

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

**FROM:** Chief of Police

**SUBJECT:** HARBOR AREA DETECTIVE COMMAND ACCOUNTABILITY  
PERFORMANCE AUDIT (AD NO. 15-007)

### RECOMMENDED ACTIONS

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

### DISCUSSION

The Detective Command Accountability Performance Audits 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 these operations and functions. The areas evaluated include detective work product, search and Ramey warrants, case clearances, case categorization, supervisory roles as well as 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

*HARBOR AREA DETECTIVE COMMAND  
ACCOUNTABILITY PERFORMANCE AUDIT*

*(AD No. 15-007)*



Conducted by  
AUDIT DIVISION

CHARLIE BECK  
Chief of Police

*February 2016*

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**EXECUTIVE SUMMARY  
HARBOR AREA DETECTIVE  
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT  
Conducted by  
Audit Division  
Fiscal Year 2014/15**

**PURPOSE**

The Detective Command Accountability Performance Audit (CAPA) was designed by Audit Division (AD) to determine adherence with Los Angeles Police Department standards and to identify best practices for Detective divisions and bureaus. This audit is intended to be used as a management tool to provide timely and useful feedback to Detective division commanding officers related to specific detective procedures.

**PRIOR AUDITS**

No prior Detective CAPAs have been conducted within Harbor Area by AD.

**SUMMARY OF FINDINGS**

**Summary of Audit Findings**

<b>Objective No.</b>	<b>Description</b>	<b>Total Meeting Standards</b>	<b>Total Reviewed</b>	<b>Percentage Meeting Standards</b>
<b>1. Evaluation of Detective Work Product</b>				
1(a)	Evaluation of Case Envelopes	23	24	96%
1(b)	Evaluation of Search/Ramey Warrants	4	5	80%
<b>2. Evaluation of Case Clearances</b>				
2(a)	Evaluation of "Unfounded" Cases	21	21	100%
2(b)	Evaluation of Cases "Cleared-Other"	29	30	97%
2(c)	Evaluation of "Multiple" Case Clearances	8	8	100%
<b>3. Evaluation of Case Categorization</b>		55	55	100%
<b>4. Evaluation of Supervisory Releases</b>		1	1	100%
<b>5. Evaluation of the Detective Section's Felony Warrant Files</b>		49	51	96%

**ACTIONS TAKEN/MANAGEMENT'S RESPONSE**

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

Harbor Area subsequently submitted a response and provided a detailed explanation as to the corrective actions taken for the findings.

**HARBOR AREA DETECTIVE 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 conducted the Harbor Area Detective Command Accountability Performance Audit (CAPA). The CAPAs 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 Harbor Detective Area Commanding Officer related to specific detective procedures.

Audit Division conducted this audit under the guidance of Generally Accepted Government Auditing Standards,<sup>1</sup> 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**

The purpose of the detective function 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. Each of the Department's geographic Areas has a Detective Section consisting of a variety of investigative tables.

Harbor Area Detective Section consists of the following investigative tables:

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

**PRIOR AUDITS**

No prior Detective CAPAs have been conducted within Harbor Area.

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<sup>1</sup>U.S. Government Accountability Office, Generally Accepted Government Auditing Standards, December 2011 Revision.

## **METHODOLOGY**

### **Scope**

The audit included the review of Detective Initiated Arrests (DIAs)/reports and associated documents, Investigative Reports, Form 03.01.00, Follow-up Investigation reports, Form 03.14.00, Search/Ramey Warrant packages and Detective Division's Felony Warrant Files. All reports were reviewed for supervisory and detective roles.

The audit period under review was November 2014. If a detective table had no reports during the audit period, auditors attempted to obtain additional reports from the prior two months (September and October 2014). However, if a table was not listed, it meant there were no reports identified, or there were no findings to report.<sup>2</sup> The audit steps employed are further delineated under each audit objective.

### **Fieldwork**

Fieldwork was performed between January 8, 2015, and March 10, 2015.

## **SUMMARY OF FINDINGS**

### **Summary of Audit Findings**

<b>Objective No.</b>	<b>Description</b>	<b>Total Meeting Standards</b>	<b>Total Reviewed</b>	<b>Total Percentage Meeting Standards</b>
<b>1. Evaluation of Detective Work Product</b>				
1(a)	Evaluation of Case Envelopes	23	24	96%
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<b>2. Evaluation of Case Clearances</b>				
2(a)	Evaluation of "Unfounded" Cases	21	21	100%
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<b>3. Evaluation of Case Categorization</b>		55	55	100%
<b>4. Evaluation of Supervisory Releases</b>		1	1	100%
<b>5. Evaluation of the Detective Section's Felony Warrant Files</b>		49	51	96%

## **DETAILED FINDINGS**

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

This objective included the review of DIAs/reports and search/Ramey warrants authored by detective personnel.

<sup>2</sup>This methodology was utilized for all of the objectives and sub-objectives, with the exception of Objective No. 5.

## **Objective No. 1(a) – Evaluation of Case Envelopes**

### **Criteria**

Each Detective Case Envelope 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, and 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.*”

#### *Approval of Reports*

Department Manual Section 5/030.60, Approval of Reports, states, “*All reports which require approval shall be checked and approved by a concerned supervisor for propriety, essential information, clarity, and legibility. When available, or in complex arrests requiring additional review, the investigative supervisor giving booking advice shall review all related reports for required content and place his/her initials and serial number at the conclusion of the narrative portion of each report.*”

#### *Medical Treatment of Unbooked Arrestees*

Department Manual Section 4/648.10, Medical Treatment of Unbooked Arrestees, states, “*An officer having custody of an unbooked arrestee who is, or complains of being, ill, injured or in need of medication shall:*

- *Cause the arrestee to be examined at a Department Jail Dispensary, a Los Angeles County Medical Center, or a Department contract hospital”;*

#### *Legality of Any Search Conducted*

Department Manual Section 4/217, Searches of Suspects and Arrestees, states, “*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”;*

### *Purpose of Investigator’s Final Report*

Detective Operations Manual Volume I, Section 300.01, Purpose of Form, states, “*The Investigator’s Final Report, Form 5.10, is the Department form used to record booking disposition and arrestee personal data/background information. Obtaining accurate information may aid officers in future investigations to locate suspects, associates and witnesses.*”

Detective Operations Manual Volume I, Section 310.10, Timeliness, states, “*A Form 5.10 shall be initiated during the booking process or as soon as practical after information requiring its initiation has been learned. A Form 5.10 shall be completed immediately when a complaint is obtained or refused, the charge is released or the arrestee is released to another law enforcement agency. Once completed, the Form 5.10 shall be submitted immediately for approval and distribution.*”

### *Supervisor Reviewing of Investigator’s Final Report*

Detective Operations Manual Volume I, Section 355.08, Supervisor Reviewing, states, “*The detective supervisor shall record their signature and serial number in this box after ensuring that all available information is properly recorded on both sides (Pages 1 and 2) of the form. After approval, the detective supervisor shall ensure that the Form 5.10 is distributed without delay.*”

### *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 An Arrestee, states, *"Property which has been taken from the possession of an arrestee shall be accounted for as follows:*

***Evidence.** Property taken from an arrestee which has, or may have, evidential value shall 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 Continuation (RFC) Report Continuation, Form 05.02.08; or Arrest Report, Form 05.02.00, when evidence to be booked is listed."*

#### **Audit Procedures**

Auditors reviewed Detective Case Envelopes completed for cases involving DIAs. Documents reviewed included arrest reports and associated documents completed by detective personnel assigned to Harbor Area during the audit period. The Detective Case Envelopes and arrests were evaluated to determine 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 whether a detainee was interrogated regarding his/her participation in criminal activity, for evidence of Miranda Rights violation, and if the policy and procedures established in the Department Manual and Detective Operations Manual were met.

Audit Division identified 24 Case Envelopes (five each from the Burglary, Robbery and Sex Assault tables, four each from the Autos and MAC tables and one from the Homicide table). A copy of each Case Envelope was obtained directly from Harbor Area Detective Section.

## **Findings**

Twenty-three (96%) of the 24 cases evaluated met the standards for this objective. The case that did not meet the standard is detailed below:

### Autos Table

- *Booking No. 4091887* – Receipt For Property Taken Into Custody, Form 10.10.00, was completed; however items two through five from the Property Report, Form 10.01.00, were not listed on the receipt as required.

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

### **Criteria**

Each search/Ramey warrant package was examined for the following:

#### *Search/Ramey Warrant Procedures*

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, 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”;*

District Attorney’s Office County of Los Angeles Search Warrant Manual, Chapter X Service of the Search Warrant, Time Limit for Execution of Search Warrant, states, “*In calculating the 10*

*days, the day of warrant is signed is "day zero" and the entire next day is day one. Saturdays, Sundays, and holidays are included in the counting of days."*

### **Audit Procedures**

This audit objective included the review of search/Ramey warrant packages completed by Detective personnel during the audit period. A review of Harbor Area Warrant Tracking Logs (WTL), Form 08.17.05, revealed there were five search/Ramey warrants served during the audit period where a detective was the affiant. The search warrant packages were reviewed to determine if the following Department policy and procedures found in the Search Warrant Manual as well as Department Manual 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 commanding officer 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 (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.

Audit Division identified five search/Ramey warrant packages (three from the Robbery table, one each from the Burglary and Homicide tables). A copy of each search/Ramey warrant package was obtained directly from Harbor Area Detective Section.

### **Findings**

Four (80%) of the five search/Ramey warrants evaluated met the standards for this objective. The one that did not meet the standard is detailed below.

#### Robbery Table

- *Search Warrant No. F69283* – Page four of seven was missing from the search warrant package. Additionally, the Receipt For Property Taken Into Custody was missing or not completed for items 16-29 of the property report.

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

Harbor Area 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**

#### **Criteria**

Each Unfounded report was examined for the following:

#### *Report Unfounded*

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 (e.g., victim recants), or did not occur 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**

This objective included the review of Unfounded cases completed by detectives during the audit period. Unfounded cases were evaluated to determine whether the classification was appropriate per Department policy and procedures. All forms were reviewed for completeness and for the legality of the officers’ actions.

Audit Division identified 21 Unfounded cases (five each from the Autos, Burglary and MAC tables, three each from the Robbery and Sex tables). A copy of each report was obtained directly from Harbor Area Detective Section.

#### **Findings**

All (100%) of the 21 cases reviewed met the standards for the objective.

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

### **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**

This objective included the review of Cleared Other cases completed by detectives during the audit period. Cleared Other cases were evaluated to determine whether the classification was appropriate per Department policy and procedures. All forms were reviewed for completeness and for the legality of the officers’ actions.

Audit Division identified 30 Cleared Other cases (five each from the Autos, Burglary, Filing, MAC, Robbery and Sex tables). A copy of each report was obtained directly from Harbor Area Detective Section.

### **Findings**

Twenty-nine (97%) of the 30 Cleared Other cases met the standards for this objective. The case that did not meet the standard is detailed below.

#### **Burglary Table**

- *DR No. 140515432* – The case involved the crime of Burglary. The Investigative Report stated that no suspect was seen. The investigating officer asked the victim if he saw the suspect burglarize his house. The victim responded “No.” Without a known suspect, this

case does not meet the requirements to be Cleared Other. This case should have been classified as Investigation Continued.

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

#### **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 03.14.00 is being used as a multiple follow-up report, the upper portion shall be completed in the following manner:*

- *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:*** *When listing DR numbers in ascending order, both the year and the Area digits shall be considered. When evaluating the year(s) of the DR number, assume all four digits are present (e.g., 2011).”*

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. (refer: **DOM Volume I, Sections 152.25 and 152.26 for requirements for clearance based on MO and confession**). 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 03.14.00, shall be distributed immediately. It **shall not** be held.”*

### **Audit Procedures**

This objective included the review of Multiple case clearances completed by detectives during the audit period. Multiple case clearances were evaluated to determine whether the classification was appropriate per Department policy and procedures. All forms were reviewed for completeness and for the legality of the officers’ actions.

Audit Division identified eight Multiple case clearances (one each from Autos, Filing and MAC tables, two from Burglary table and three from Robbery table).

### **Findings**

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

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

#### **Criteria**

Each Category Two case was examined for the following:

#### *Case Categorization*

Detective Operations Manual Volume I, Section 121.00, Case Categorization, states, *“All reports assigned to detectives are categorized into one of two categories to focus attention on those cases, which are more serious and/or solvable than others. To determine whether a report falls within Category One or Two, a detective supervisor **shall** review the original report and any accompanying reports for specific circumstances or significant facts which may demand further investigation and/or may lead to solving the crime. When making a determination, the detective supervisor should consider, but not be limited to the following:*

- *Suspect's Identity*
  - *Named suspect (including moniker) or associate*
  - *Physical evidence that could identify suspect*
  - *Possible address or location which the suspect frequents*
  - *Victim/witness could possibly identify suspect from a live or photographic show-up*
- *Vehicle*
  - *License number and/or vehicle description*
- *Seriousness of the Crime*
  - *Death or injury to victim/witness*
  - *Degree of potential hazard to the victim, witness and/or public*
  - *Sex crime involved*
  - *Weapon, force or threat used*
- *Property*
  - *Amount of property loss (amount is at commanding officer's discretion)*
  - *Serialized firearm*
  - *Other serialized articles*
  - *Uniquely described articles*
- *Investigative Knowledge*
  - *Major crime patterns (MO)*
  - *MOs of known suspect's*

*With the exception of the circumstances listed in DOM Volume I, Sections 121.01 through 121.02, the presence or absence of any of the above does not mean the case shall automatically be assigned to a particular category.*

*The detective supervisor shall exercise discretion when determining the appropriate category based upon experience, expertise and the chance that the crime may be solved."*

Detective Operations Manual Volume I, Section 121.03, Category Two, No Mandatory Victim Contact by Detectives, states, *"This category shall include all cases, which are not assigned to Category One. Detectives shall investigate Category Two cases only when all Category One cases have been handled. Category Two cases shall be reviewed by the detective supervisor, maintained in the appropriate detective's work folder and reviewed by the assigned detective to ensure knowledge of crime trends. Detectives are **not** required to routinely contact Category Two victims."*

## **Audit Procedures**

This objective included the review of Category Two cases completed by detectives during the audit period. Category Two cases were evaluated to determine whether the classification was



appropriate per Department policy and procedures. All forms were reviewed for completeness and for the legality of the officers' actions.

Audit Division identified 55 Category Two cases (20 each from Autos and Burglary tables and five each from MAC, Robbery and Sex tables). A copy of each report was obtained directly from Harbor Area Detective Section.

## **Findings**

All (100%) of the 55 cases reviewed met the standards for the objective.

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

#### **Criteria**

Each evaluation of Supervisory Release case was examined for the following:

##### *Reason For Release*

Detective Operations Manual Volume I, Section 256.00, Reason For Release, states, *“If a filing is rejected and the case is not set for a District Attorney or City Attorney hearing, the prosecuting agency last reviewing the case will complete Part B of the Form 05.09.00 and return the form to the detective presenting the case for forwarding to Records & Identification Division.”*

##### *849b(1) PC*

Detective Operations Manual Volume I, Section 256.03, 849b(1) PC, states, *“When an adult is arrested without a warrant and released without a case being presented to a prosecuting agency because there are insufficient grounds for making a criminal complaint, or the arrestee is being released pending further investigation, the 849b (1) PC box shall be checked. When the 849b (1) PC box is checked, the reason for the release shall also be checked”:*

##### *825 PC*

Detective Operations Manual Volume I, Section 353.14, 825 PC, states, *“Check this box when the detective intends to seek a complaint against the arrestee but lacks sufficient information and/or time to obtain a complaint within statutory time limits.”*

#### **Audit Procedures**

This objective included the review of arrests in which 825 PC or 849(b)(1) PC, Supervisory Releases, were utilized by detectives during the audit period. Evaluation of Supervisory Releases cases were evaluated to determine whether the classification was appropriate per Department policy and procedures. All forms were reviewed for completeness and for the legality of the officers' actions.

Audit Division identified one Supervisory Release case. A copy of the report was obtained from Harbor Area Detective Section.

## **Findings**

The one case reviewed met the standards for the objective.

### **Objective No. 5 – Evaluation of the Detective Section’s Felony Warrant Files**

#### **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 15.15.00, 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 15.31.00*
- *Follow-up Investigation, Form 03.14.00*
- *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 15.32.00*

**NOTE:** When the warrant is served and the suspect is booked, the “Cancellation” box on the copy of the Request for Police Bulletin, Form 15.32.00, shall be marked in **RED** and the date of arrest and booking number shall be entered in the narrative portion of the form in **RED**. This copy shall be forwarded to Investigative Analysis Section to cancel the Official Police Bulletin.

- *Due Diligence Investigation Checklist, Form 12.24.00*

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**

This objective included the review of Harbor Area Detective Section’s felony warrant files. The files were evaluated to determine whether they contained all required documents and they were completed properly per Department policy and procedures.

Audit Division utilized the Fugitive Warrant Section website to obtain the most recent list of felony arrest warrant packages which were required to be maintained by Harbor Area Detective Section. Auditors identified 138 felony arrest warrant packages.

A random sample of 51 felony arrest warrant packages was selected. The sample was calculated by using a one-tail test with a 95 percent confidence level with a four percent error rate, making the sample statistically valid.

### **Findings**

Forty-nine (96%) of the 51 warrant packages met the standards for this objective. The two that didn’t meet the standards are detailed below.

Two warrant packages (*Warrant Nos. – LBNA08759201 and LBNA08660501*) could not be located in the Harbor Area Detective Section warrant files, and a Document Sign Out Log, Form 15.31.00, was not present at the time auditors evaluated this objective.

### **ACTIONS TAKEN/MANAGEMENT’S RESPONSE**

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

Harbor Area subsequently submitted a response to the audit report and provided a detailed explanation as to the corrective actions taken for the findings.

## INTRADEPARTMENTAL CORRESPONDENCE

May 28, 2015

5.1.1

**TO:** Commanding Officer, Audit Division

**FROM:** Commanding Officer, Harbor Area

**SUBJECT:** RESPONSE TO HARBOR AREA DETECTIVE COMMAND  
ACCOUNTABILITY PERFORMANCE AUDIT (LAID NO. 15-007)

This correspondence serves as Harbor Area's formal response to the recently completed Harbor Area Detective Command Accountability Performance Audit (CAPA) conducted by Audit Division (AD). This is the first Detective CAPA conducted for Harbor Area Detective Division. The audit was performed to identify any issues or deficiencies and to determine Harbor Area Detective adherence with Department policies and procedures.

On May 21, 2015, Harbor Area and Detective Commanding Officers met with the AD audit staff to discuss the results of the audit. Harbor Area Command agreed with the below findings of the audit team.

Below are the AD Objectives whose standards were not met.

**Objective No. 1(a) – Evaluation of Case Envelopes**

**Findings:**

Twenty-three (96%) of the 24 cases evaluated met the standard for this objective. One case did not meet the standard. Harbor Area concurs with the findings of the auditors.

**Autos Table:**

**Booking No. 4091887** – Receipt for Property Taken into Custody, Form 10.10.00, was completed, however items 2-5 from the property report were not listed on Form 10.10.00, as required.

**Response:**

*This was discussed with the Investigating Officer and Table Coordinator. The Investigating Officer inadvertently omitted items two thru five from the Receipt of Property Taken into Custody. A Form 10.10.00 was completed including items two thru five and mailed to the arrestee. A copy of the revised Form 10.10.00 was placed in the arrest package.*

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

**Findings:**

Four (80%) of the five search/Ramey warrants evaluated met the standards for this objective. One did not meet the standard. Harbor Area concurs with the finding of the auditors.

**Robbery Table:**

**Search Warrant No. F69283** - Page number four of seven was missing from the search warrant package.

Receipt for Property Taken into Custody, Form 10.10.00 was missing or not completed for items 16-29 of the Property Report, Form 10.01.00.

*Response:* The missing search warrant page and missing property receipt were discussed with the concerned Table Coordinator, the Affiant, and the Search Warrant Coordinator. A copy of page number four will be obtained from the original search warrant and placed in the Divisional Search Warrant F69283 package.

*Secondly, a Form 10.10.00 was completed and mailed to the recipient whose property was taken into custody and a copy of the revised Form 10.10.00 was placed in the arrest and search warrant packages.*

*The Search Warrant Coordinator will review the Search/Ramey warrants to ensure that all required documentation associated with the warrants are included.*

*The Detective Commanding Officer will hold a Detective Squad meeting on June 2, 2015, to discuss these findings and provide training to all detective personnel.*

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

**Findings:**

Thirty "Cleared Other" cases were examined, and 29 (97%) met the standard. The remaining one case did not meet the standard. Harbor Area concurs with the findings of the auditors.

**Burglary Table:**

**DR No. 140515432** - This was a Burglary Investigation. The Investigative Report indicated that no suspect was seen. Detective interview with victim did not result in a suspect identification. This case does not meet the criteria to be "Cleared Other."

*Response:* A Follow-Up Investigation, Form 3.14, was completed on this case to correct the status to "Investigation Continued." The Detective Case Tracking System and CCAD were updated to reflect the correct status of "Investigation Continued." Training was provided to the concerned detective.

*The Detective Commanding Officer will hold a Detective Squad meeting on June 2, 2015 to discuss these findings and provide training to all detective personnel.*

**Objective No. 5 – Evaluation of the Detective Section’s Felony Warrant Files**

**Findings:**

Fifty-one warrant packages were examined and 49 (96%) met the standard. The two packages which were missing from the divisional files and did not meet the standards are:

LBNA08759201      Burglary                              LBNA08660501      Robbery

**Response:**

*The respective Table Coordinators, whose Felony Warrant packages are missing, will contact Fugitive Section to re-create the packages.*

*Harbor Area’s Search Warrant Coordinator will have the additional responsibility as the Felony Warrant Coordinator. The Search/Felony Warrant Coordinator will ensure Department policy and procedures are followed relating to Warrant packages.*

*Currently a Felony Warrant Package checklist is available. However, an exemplar Felony Warrant Package will be completed and made available to all detectives to ensure compliance with Department Policy. All packages will be reviewed by the Table Coordinators for approval then submitted to the Felony Warrant Coordinator for final review and approval.*

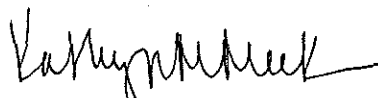
*The Felony Warrant Coordinator will be responsible for completing an annual package audit and provide training.*

*The Detective Commanding Officer will hold a Detective Squad meeting on June 2, 2015 to discuss these findings and provide training to all detective personnel.*

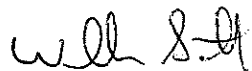
Harbor Area is pleased with the results of this CAPA, and the efforts of AD personnel in identifying these deficiencies. The Detective Commanding Officer will continue providing training and continue auditing to ensure Harbor Area detectives are complying with the Detective Operations Manual and all Department policies and Procedures.

If you should have any further questions, please contact Lieutenant Susan Willis, Commanding Officer, Harbor Area Detective Division, at (310) 726-7905.

APPROVED:



KATHRYN M. MEEK, Captain  
Commanding Officer  
Harbor Area



WILLIAM SCOTT, Deputy Chief  
Commanding Officer  
Operations-South Bureau