

INTRADEPARTMENTAL CORRESPONDENCE

March 22, 2017
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: MISSION AREA DETECTIVE COMMAND ACCOUNTABILITY
PERFORMANCE AUDIT (AD NO. 16-020)

RECOMMENDED ACTIONS

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

DISCUSSION

The Detective Command Accountability Performance Audits (CAPAs) are intended to assess 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 and evaluation of the division's felony warrant files.

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

Respectfully,



CHARLIE BECK
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT

*MISSION AREA DETECTIVE COMMAND
ACCOUNTABILITY PERFORMANCE AUDIT*

(AD No. 16-020)



Conducted by
AUDIT DIVISION

CHARLIE BECK
Chief of Police

March 2017

MISSION AREA DETECTIVE COMMAND ACCOUNTABILITY PERFORMANCE AUDIT

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**EXECUTIVE SUMMARY
MISSION AREA DETECTIVE
COMMAND ACCOUNTABILITY PERFORMANCE AUDIT**
Conducted by
Audit Division
Fiscal Year 2015/16

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for fiscal year 2015/16, Audit Division (AD) conducted the Mission Area Detective Command Accountability Performance Audit (CAPA). The Detective 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 Mission Area Detective Commanding Officer related to specific detective procedures.

PRIOR AUDITS

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

SUMMARY OF FINDINGS

In the Evaluation of Detective Work Product, one case envelope out of 13 reviewed did not meet the standard; the remaining 12 (92%) of the 13 cases evaluated met the standards for this objective. All five Search/Ramey warrants reviewed met the standard. In the Evaluation of Case Clearances, there were three types of case clearances reviewed. The first was "Unfounded" cases. Nineteen (95%) of the 20 cases reviewed met the standards for the objective. The second was "Cleared Other." Fifty-four (98%) of the 55 Cleared Other cases met the standards for this objective. And in the third "Multiple" case clearance, 12 (92%) of the 13 cases reviewed met the standards for the objective. In the Evaluation of Case Categorization, 73 (99%) of the 74 cases reviewed met the standards for the objective. In the Evaluation of Detective Section's Felony Warrant Files, 34 (85%) of the 40 felony warrant files met the standards for this objective.

Summary of Audit Findings

Objective No.	Description	Total Meeting Standards	Total Reviewed	Percentage Meeting Standards
1. Evaluation of Detective Work Product				
1(a)	Evaluation of Case Envelopes	12	13	92%
1(b)	Evaluation of Search/Ramey Warrants	5	5	100%
2. Evaluation of Case Clearances				
2(a)	Evaluation of "Unfounded" Cases	19	20	95%
2(b)	Evaluation of "Cleared Other" Cases	54	55	98%
2(c)	Evaluation of "Multiple" Case Clearances	12	13	92%
3. Evaluation of Case Categorization				
		73	74	99%
4. Evaluation of the Detective Section's Felony Warrant Files				
		34	40	85%

RECOMMENDATIONS

None.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division discussed the audit report with the Commanding Officer, Mission Area, who indicated general agreement with the audit findings and subsequently provided a written response with corrective actions taken for the findings.

The audit report was submitted to the Chief of Detectives, and the Assistant to the Director, Office of Operations, both of whom were in general agreement with the audit findings.

**MISSION AREA DETECTIVE COMMAND ACCOUNTABILITY
PERFORMANCE AUDIT**

**Conducted by
Audit Division
Fiscal Year 2015/16**

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for fiscal year 2015/16, Audit Division (AD) conducted the Mission Area Detective Command Accountability Performance Audit (CAPA). The Detective 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 Commanding Officer (CO), Mission Area, related to specific detective procedures.

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards except peer review was not conducted as required.¹ Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

BACKGROUND

The purpose of the detective function is to investigate crimes and to identify, arrest, and assist with the prosecution of law violators. Additionally, the Department makes every reasonable effort to recover property, identify the rightful owner, and ensure the prompt return of the respective property. Each of the geographic Areas has a detective section consisting of a variety of investigative tables.

Mission Area Detective Section consists of the following investigative tables:

- Autos;
- Burglary;
- Crimes Against Persons (CAPS);
- Homicide²
- Major Assault Crimes (MAC);
- Robbery; and
- Sexual Assault.

¹ U.S. Government Accountability Office, Generally Accepted Government Auditing Standards, December 2011.

² Mission Area Homicide table was assigned to the Detective Command until December 26, 2015. At that time all Homicide tables from the various patrol areas within Operation Valley Bureau (OVB) formed an OVB Homicide task force.

PRIOR AUDITS

No prior Detective CAPAs have been conducted within Mission Area.

SCOPE AND METHODOLOGY

Scope

The audit included the review of Detective-Initiated Arrests (DIAs)/Arrest Reports, Form 05.02.00, and associated documents, Investigative Reports, Form 03.01.00, Follow-up Investigation reports, Form 03.14.00, Search/Ramey Warrant packages, and Mission Detective Section's Felony Warrant Files. All reports were reviewed for supervisory and detective roles.

The audit period was January 2016. If a detective table had no reports during the audit period, auditors attempted to obtain additional reports from the prior two months (December and November 2015). However, if a table was not listed, it meant there were no reports identified, or there were no findings to report. The audit steps employed are further delineated under each audit objective.

Fieldwork

Fieldwork was performed between May 3, 2016, and June 20, 2016.

SUMMARY OF FINDINGS

Audit Division conducted an evaluation of detective work product by reviewing 13 case envelopes and five Search/Ramey warrants. Twelve (92%) of the 13 case envelopes evaluated met the standards for this objective. Additionally, all five of the Search/Ramey warrants reviewed met the standard. In the evaluation of case clearances, there were three types of case clearances reviewed. The first was "Unfounded" cases. Nineteen (95%) of the 20 cases reviewed met the standards for the objective. The second was "Cleared Other." Fifty-four (98%) of the 55 Cleared Other cases met the standards for this objective. And in the third "Multiple" case clearance, 12 (92%) of the 13 cases reviewed met the standards for the objective. In the evaluation of case categorization, 73 (99%) of the 74 cases reviewed met the standards for the objective. In evaluation of Mission Detective Section's felony warrant files, 34 (85%) of the 40 felony warrant files met the standards for this objective.

Summary of Audit Findings

Objective No.	Objectives	Total Meeting Standards	Total Reviewed	Total Percentage Meeting Standards
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3. Evaluation of Case Categorization		73	74	99%
4. Evaluation of the Detective Section's Felony Warrant Files		34	40	85%

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.

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

Criteria

Each Detective Case Envelope was examined for the following:

Legality of Arrest

Department Manual, 2nd Quarter 2016, 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."*

Approval of Reports

Department Manual, 3rd Quarter 2016, 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, 2nd Quarter 2016, 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, 2nd Quarter 2016, 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, 2nd Quarter 2016, 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, 2015, Volume I, Section 300.01, Purpose of Form, states, *"The Investigator's Final Report, Form 05.10.00, 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, 2015, Volume I, Section 310.10, Timeliness, states, *"A Form 05.10.00, shall be initiated during the booking process or as soon as practical after information requiring its initiation has been learned. A Form 05.10.00, 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 05.10.00 shall be submitted immediately for approval and distribution."

Supervisor Reviewing of Investigator's Final Report

Detective Operations Manual, 2015, 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 05.10.00 is distributed without delay."*

Juvenile Arrest Procedures

Department Manual, 2nd Quarter 2016, 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, 2nd Quarter 2016, Section 4/658.17, Telephone Calls – Juvenile in Custody, states, *"Immediately after being taken to a place of confinement, and no later than one hour after being taken into custody, the Department employee shall advise the juvenile of the right and provide the opportunity, to complete at least two telephone calls (one call to a parent or guardian, a responsible relative, or employer, and another call to an attorney). The juvenile has the right to make at least one additional telephone call within three hours of arrest."*

Manual of Juvenile Procedures, Chapter 17, 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, 2nd Quarter 2016, 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 (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 all detective personnel during the audit period. The Detective Case Envelopes and arrests were evaluated to determine whether they 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 whether all of the aforementioned policies and procedures established in the Department Manual and Detective Operations Manual were followed.

Audit Division identified 13 Case Envelopes (five from the Burglary table, one from the CAPS table, three from the MAC table, one from the Robbery table, and three from the Sexual Assault table). A copy of each Case Envelope was obtained directly from the Detective Section.

Findings

Twelve (92%) of the 13 cases evaluated met the standards for this objective. The case that did not meet the standards is detailed below:

Burglary Table

- *Booking No. 4562425* –The suspect was arrested for commercial burglary of several storage units. The suspect cut the storage units’ locks, removed the victims’ property and placed the property into a separate storage unit he rented at the location. During a search warrant of the suspect’s storage unit, a rifle belonging to one of the burglary victims was recovered. The detective completed the Property Report but did not complete the Firearm Supplemental Report, Form 10.01.01.

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, 3rd Quarter 2016, 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; and*
- *Sign and date the bottom of the final printout of the Warrant Tracking Log, at the completion of each month.”*

Los Angeles County District Attorney’s Office Search Warrant Manual, 2013, 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 the Warrant Tracking Logs (WTLs), Form 08.17.05, determined there were three Search/Ramey warrants with detective affiants served during the audit period. The search warrant packages were reviewed to determine if the following Department procedures from the Department Manual and Search Warrant 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 (CO) 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.

A copy of each Search/Ramey warrant package was obtained directly from the Detective Section.

Findings

Each (100%) of the Search/Ramey warrants evaluated met the standards for this objective.

Objective No. 2 – Evaluation of Case Clearances

Mission 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 policies and procedures.

Objective No. 2(a) – Evaluation of Unfounded Cases

Criteria

Each Unfounded report was examined for the following:

Report Unfounded

Detective Operations Manual, 2015, 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); and,*

- *'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 policies and procedures.

Audit Division identified 20 Unfounded cases (five from the Autos table, five from the Burglary table, five from the CAPS table and five from the MAC table). A copy of each report was obtained directly from Mission Detective Section.

Findings

Nineteen (95%) of the 20 cases reviewed met the standards for the objective. The case that did not meet the standards is detailed below:

Burglary Table

- *DR. No. 15-1923540* – This case involved the crime of theft. The Follow-Up Investigation does not indicate if the detective spoke to the victim. The investigation states that the detective attempted to contact the suspect. The investigation does not indicate if the suspect was positively identified using Department resources or if the victim positively identified the suspect. The detective did not attempt to file the case with the City Attorney. Instead, the detective cleared the case as Unfounded due to the statute of limitation being one year from the date of the crime.

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

Criteria

Each Cleared Other report was examined for the following:

Cleared Other

Detective Operations Manual, 2015, *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, 2015, 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 policies and procedures.

Audit Division identified 54 Cleared Other cases (two from the Auto table, five from the Burglary table, twenty from the CAPS table, nineteen from the MAC table, three from the Robbery table and five from the Sexual Assault table). A copy of each report was obtained directly from the Detective Section.

Findings

Fifty-four (98%) of the 55 Cleared Other cases met the standards for this objective. The case that did not meet the standard is detailed below:

Robbery Table

- *DR No. 15-1922875 – The crime involved the suspect (victim's brother) forcefully taking the victim's coin purse from the victim's hand during a verbal argument. The Follow-Up Investigation indicates the suspect is a transient. Despite that fact, the case was reviewed by the District Attorney's office and rejected. Due to the fact the suspect does not have a verifiable address, the case can't be classified as Cleared Other. This case should have been 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, 2015, *Volume I, Section 161.00*, Upper Portion of Form (follow-up to multiple reports), states, "When the Form 3.14 is being used as a multiple follow-up report, the upper portion shall be completed in the following manner:

- 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, 2015, *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, 2015, *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, 2015, *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 have the same case status. This includes both crime and non-crime reports."

Detective Operations Manual, 2015, 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, 2015, 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, 2015, Volume I, Section, 170.00, Distribution, states, "*After review and approval by a detective supervisor, the Follow-up Investigation, Form 3.14, shall be distributed immediately. It shall not be held.*"

Audit Procedures

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 policies and procedures.

Audit Division identified thirteen Multiple case clearances (two from the Auto table, three from the Burglary table, three from the CAPS table, three from the MAC table and two from the Sexual Assault table). A copy of each report was obtained directly from the Detective Section.

Findings

Twelve (92%) of the thirteen cases reviewed met the standards for the objective. The following did not meet the standards:

CAPS Table

- *DR No. 15-1917511/15-1917464* - The Follow-Up Investigation report has the upper portion of the form completed; however, it should only have the "multiple" box checked, date of the report and the DR No. in the top boxes with "See Below" in the Specific Type box. Additionally, the report did not label the headings of each case status.

Objective No. 3 – Evaluation of Case Categorization

Criteria

Each Category Two case was examined for the following:

Case Categorization

Detective Operations Manual, 2015, 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*
 - *All missing juvenile cases where the juvenile has not been found*
 - *Anytime when significant information is received*

(Refer: Manual of Juvenile Procedures, Chapter 21/2125).

- *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, 2015, 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, 2015, 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 policies and procedures. All forms were reviewed for completeness and the legality of officers' actions.

Audit Division identified 75 Category Two cases. A copy of each report was obtained directly from the Detective Division. Auditors were unable to locate one report. Therefore, 74 cases were reviewed.

Findings

Seventy-three (99%) of the 74 cases reviewed met the standards for the objective. The case that did not meet the standards is detailed below:

CAPS Table

- *DR No. 16-1904500* – The case involved an arrest for criminal threats. Based on the seriousness of the crime, the case should have been classified as a Category One.

Objective No. 4 – Evaluation of the Detective Section's Felony Warrant Files

Criteria

Each Felony Warrant file was examined for the following:

Warrant Packages

Detective Operations Manual, 2015, Volume II, Section 1300.15, Arrest 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 3.14.00*
- *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 08.48.00*
- *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, 2015, 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 the Mission Detective Section’s felony warrant files. Felony warrant files were evaluated to determine whether they contained all required documents and were completed per Department policies and procedures.

Audit Division utilized the Fugitive Warrant Section website to obtain the current list of felony arrest warrant files which were required to be maintained by the Mission Detective Section. Auditors identified 93 felony arrest warrant files.

A statistically valid random sample of 48 felony warrant files were selected.³ Six of the 48 felony warrant files were assigned to entities outside of Mission Detective Section, and two were for deceased suspects. Therefore, the number of felony warrant files evaluated was reduced to 40.

Findings

Thirty-four (85%) of the 40 felony warrant files met the standards for this objective. The following six could not be located in Mission Detective Section warrant files:

³ A 95 percent confidence level and 4% error rate was utilized.

Warrant Nos. –LASPA08349801, LASPA07626401, LASPA06703705, LASPA07927001, LASPA07020501, LASPA07409001.

RECOMMENDATIONS

None

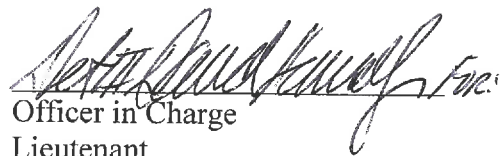
ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division discussed the audit report with the CO, Mission Area, who indicated general agreement with the audit findings, and subsequently provided a written response with corrective actions taken for the findings.

The audit report was submitted to the Chief of Detectives, and the Assistant to the Director, Office of Operations, both whom were in general agreement with the audit findings.



Project Manager
Detective



Officer in Charge
Lieutenant

Commanding Officer
Police Administrator

INTRADEPARTMENTAL CORRESPONDENCE

August 4, 2016

7.7

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Mission Area

SUBJECT: MISSION AREA DETECTIVE COMMAND ACCOUNTABILITY
PERFORMANCE AUDIT (AD NO. 16-020)

Mission Area has reviewed the Operations-Valley Bureau (OVV) Mission Area Detective Command Accountability Performance Audit (CAPA) conducted by Audit Division during Fiscal Year 2015/16. The audit listed several Findings attributed to the Mission Area Detectives related to multiple Audit Objectives.

Mission Area has reviewed the audit and is in general agreement with the findings. Irregularities identified and responses are summarized below:

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

Findings

Twelve (92%) of the 13 cases evaluated met the standards for this objective. The case that did not meet the standard is detailed below:

Burglary Table

- *Booking No. 4562425* –The suspect was arrested for commercial burglary of several storage units. The suspect cut the lock of various storage units, removed the victims' property and placed the property into a separate storage unit he rented at the location. During a search warrant of the suspect's storage unit, a rifle belonging to one of the burglary victims was recovered. The detective completed the property report but failed to complete the Firearm Supplemental Report, Form 10.01.01.

The concerned table coordinator discussed this issue with the involved personnel. In addition, the Detective Division Commanding Officer held a detective squad meeting on July 28, 2016, where these findings were discussed and appropriate training was provided to all Detective personnel.

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

Findings

All five (100%) of the search/Ramey warrants evaluated met the standards for this objective.

Objective No. 2 – Evaluation of Case Clearances

Mission 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 policies and procedures.

Objective No. 2(a) – Evaluation of Unfounded Cases

Findings

Nineteen (95%) of the 20 cases reviewed met the standards for the objective. The case that did not meet the standard is detailed below:

Burglary Table

- *DR. No. 15-1923540* – This case involved the crime of theft. The victim paid the suspect monetary payments totaling \$850.00 in U.S. currency with the agreement to file the victim's immigration paperwork. The Follow-Up Investigation does not indicate if the detective spoke to the victim. The investigation states that the detective attempted to contact the suspect. The investigation does not indicate if the suspect was positively identified using Department resources or if the victim positively identified the suspect. The detective did not attempt to file the case with the City Attorney. Instead, the detective cleared the case as Unfounded due to the statute of limitation being one year from the date of the crime.

The concerned table coordinator discussed this issue with the involved personnel. In addition, the Detective Division Commanding Officer held a detective squad meeting on July 28, 2016, where these findings were discussed and appropriate training was provided to all Detective personnel.

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

Findings

Fifty-four (98%) of the 55 Cleared Other cases met the standards for this objective. The case that did not meet the standard is detailed below:

Robbery Table

- *DR No. 15-1922875* – The crime involved the suspect (victim's brother) forcefully taking the victim's coin purse from the victim's hand during a verbal argument. The Follow-Up Investigation indicates the suspect is a transient. Despite that fact, the case was reviewed by the District Attorney's office and rejected. Due to the fact the suspect does not have a verifiable address, the case can't be classified as Cleared Other. This case should have been Investigation Continued.

The concerned table coordinator discussed this issue with the involved personnel. In addition, the Detective Division Commanding Officer held a detective squad meeting on July 28, 2016, where these findings were discussed and appropriate training was provided to all Detective personnel.

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

Findings

Twelve (92%) of the thirteen cases reviewed met the standards for the objective. The following did not meet the standards:

- *DR No. 15-1917511/15-1917464* - The Follow-Up Investigation report has the upper portion of the form completed. The only part of the upper portion to be completed is the multiple box checked, date of the report and the DR No. The specific type box can have "See Below." Also, the report does not label the headings of the case status which cause the report to not meet the standard of the objective.

The concerned table coordinator discussed this issue with the involved personnel. In addition, the Detective Division Commanding Officer held a detective squad meeting on July 28, 2016, where these findings were discussed and appropriate training was provided to all Detective personnel.

Objective No. 3 – Evaluation of Case Categorization

Findings

Seventy-three (99%) of the 74 cases reviewed met the standards for the objective. The case that did not meet the standard is detailed below:

CAPS Table

- *DR No. 16-1904500* – The case involved an arrest for criminal threats. The case should have been classified as a Category One.

The Detective Division Commanding Officer discussed the issue with the concerned detective supervisor who categorized the case and provided training. In addition, the Detective Division Commanding Officer held a detective squad meeting on July 28, 2016, where these findings were discussed and appropriate training was provided to all Detective personnel.

Objective No. 4 – Evaluation of the Detective Division’s Felony Warrant Files

Findings

Thirty-four (71%) of the 48 felony warrant files met the standards for this objective. Fourteen could not be located in the Detective Division warrant files. These include the following:

Warrant Nos. – LAVLA05887401, LAVLA05855601, LAVLA08215801, LASPA06677201, LASPA08349801, LASPA07626401, LASPA06703705, LASPA07927001, LASPA05706901, LASPA07020501, LASPA07409001, LAVLA08127301, LAVLA08003101, LASPA06420601.

A review of the above listed felony warrant packages revealed that six of them are assigned to entities outside of Mission Detective Division oversight and in two cases the suspects are deceased.

The remaining six warrant packages (LASPA08349801, LASPA07626401, LASPA06703705, LASPA07927001, LASPA07020501, and LASPA07409001) were verified to be missing and are now being recreated and submitted. The Detective Division Commanding Officer held a detective squad meeting on July 28, 2016, where these findings were discussed and appropriate training was provided to all Detective personnel. In addition, the divisional felony warrant package coordinator will institute a tracking system to ensure all packages are turned in and properly maintained.

	Name	DOB	Crime	Warrant Number/Year	Filing/Assigned	Issues/Response
1.	Manzar, Alberto	12/17/71	290 PC	LAVLA05887401	NOT MISN / OVB REACT	Missing File– CHK2 Incorrectly shows Misn DR 08-1914604, which does not belong to this Warr.
2.	Marequecho, Juan	06/14/56	290 PC	LAVLA05855601	NOT MISN / OVB REACT	Missing File
3.	Mendoza, Miguel	02/26/81	422 PC	LAVLA08215801	Mission/MAC	Missing File – Susp Deceased, case Cleared Other. 3.14 to Recall warrant & remove.
4.	Ramirez, Juan	01/01/58	290 PC	LASPA06677201	NOT MISN / OVB REACT	Missing File

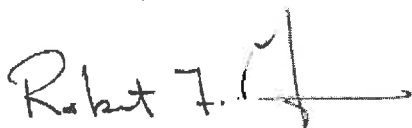
5.	Andino, Joseph	04/30/44	290 PC	LASPA05706901	NOT MISN / OVB REACT	Missing File
6.	Bell, Dennis	03/12/59	422 PC	LAVLA08127301	Mission/CAP's	Missing File – Susp Deceased, case Cleared Other. 3.14 to Recall warrant & remove.
7.	Salcedo, Isidro	11/08/74	288.5 PC	LAVLA08003101	NOT MISN / ACU	Missing File
8.	Garcia, Rodolfo	11/05/69	290 PC	LASPA06420601	NOT MISN / OVB REACT	Missing File

If you have any questions, please feel free to contact Lieutenant II Kathleen Burns, Commanding Officer, Mission Detective Division, at (818) 838-9941.



ROBERT E. MARINO, Captain
Area Commanding Officer
Mission Area

APPROVED:



ROBERT F. GREEN, Deputy Chief
Commanding Officer
Operations-Valley Bureau