

INTRADEPARTMENTAL CORRESPONDENCE

February 24, 2017
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS
AUDIT (AD No. 15-077)

RECOMMENDED ACTIONS

1. It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Search Warrant Applications and Supporting Affidavits Audit.
2. It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

Audit Division conducted the Search Warrant Applications and Supporting Affidavits Audit to evaluate compliance with Department policies and procedures.

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

*SEARCH WARRANT APPLICATIONS AND
SUPPORTING AFFIDAVITS AUDIT*

(AD No. 15-077)



Conducted by
AUDIT DIVISION

CHARLIE BECK
Chief of Police

February 2017

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EXECUTIVE SUMMARY
SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS AUDIT
Conducted by
Audit Division
Third Quarter, 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 Search Warrant Applications and Supporting Affidavits Audit to evaluate warrants for legality and conformance with Department policies and procedures as they relate to the preparation, service, and oversight of search warrants.

PRIOR AUDITS

Audit Division has conducted the Search Warrant Applications and Supporting Affidavits audit annually for the past 11 years. The last audit was completed in February 2015 and reported that the Department met the standard in the majority of the audit objectives.

SUMMARY OF FINDINGS

The audit did not identify any high-risk deficiencies that would affect the prosecution of related cases. However, the audit did identify deficiencies in administrative procedures related to the Post-Incident Supervisory Review of the Warrant Service/Tactical Plan Report, Form 12.25.00. A majority of the issues were attributed to not following Department policy and could easily be corrected with training by the respective Area Search Warrant coordinator.

RECOMMENDATIONS

The following recommendation was from the FY 2013/14 audit:

It is recommended that Department Manual Section 4/742.10, and the Search Warrant and Warrant Service/Tactical Plan Checklist, Form 12.25.01, be amended to require when a supervisor determines that a Tactical Plan Report is unnecessary and opts to complete an Employee's Report that the date and time of entry; method of entry; the condition of the location before officers entered and when they exited; pre/post photos; any injury or damage as a result of police action taken; and identification of personnel and supervisor in charge at scene, be included. This measure would more thoroughly document the warrant service and assist with investigations of potential claims for damages.

Status on recommendation: In Progress. The Commanding Officer (CO), Policies and Procedures Division, indicated that the recommendation is still under review.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division presented the audit findings to the Area and division COs; the Assistant to the Director, Office of Operations; and the Assistant CO, Detective Bureau, all of whom expressed general agreement with the findings.

Additionally, each Area/division with Findings indicated they would provide the necessary training to correct the identified deficiencies.

Table - Findings by Objective and Comparison to Prior Year's Audit

Objective No.	Objective	2013/14		2015/16	
		Packages Meeting Standards/ Evaluated	Percentage Meeting Standards	Packages Meeting Standards/ Evaluated	Percentage Meeting Standards
1.	Completeness	51/53	96%	53/56	95%
2.	Authenticity				
2(a)	Canned Language	53/53	100%	56/56	100%
2(b)	Inconsistent Information	49/53	92%	55/56	98%
3.	Legality				
3(a)	Legality of Execution of the Search Warrant	50/50	100%	51/51	100%
3(b)	Warrant Served/Returned Within the Required Time	53/53	100%	56/56	100%
4.	Use of Confidential Informant	5/5	100%	11/11	100%
5.	Supervisory Oversight				
5(a)	Pre-Incident Review	51/53	96%	54/56	96%
5(b)	Applicable Incident	44/44	100%	49/49	100%
5(c)	Post-Incident Review	38/44	86%	43/49	88%
6.	Warrant Tracking Log				
6(a)	Accuracy and Completeness of the Warrant Tracking Log	27/27	100%	27/27	100%
6(b)	Warrant Tracking Log Approved Within the Required Time	27/27	100%	25/27	93%
7.	Commanding Officer's Analysis				
7(a)	Evaluation of each At-Scene Supervisor	44/44	100%	45/49	92%
7(b)	Completeness of the Employee Comment Sheet	43/44	98%	45/45	100%
7(c)	Employee Comment Sheet Completed Within the Required Time	41/44	93%	41/45	91%

SEARCH WARRANT APPLICATIONS AND SUPPORTING AFFIDAVITS AUDIT

Conducted by

Audit Division

Third Quarter, 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 Search Warrant Applications and Supporting Affidavits Audit to evaluate warrants for legality and conformance with Department policies and procedures as they relate to the preparation, service, and oversight of search warrants.

Audit Division conducted this 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 the 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.¹

BACKGROUND

Conducting a warrant service is potentially one of the most dangerous operations a police officer undertakes. The successful execution of a warrant service is a direct consequence of careful operational planning. When planned and executed properly, search and Ramey warrants assist the Investigating Officer in the recovery of evidence and apprehension of criminal suspects. An equally important consideration to the use of search and Ramey warrants is the preventive effect they have on allegations of misconduct in that a well thought-out plan minimizes the likelihood that personnel will inadvertently commit some violation of Department rules, policies or procedures.

Search Warrant Defined

A search warrant is an order in writing, in the name of the people, signed by a magistrate, directed to a peace officer, commanding the officer to search for a person or persons, a thing or things, or personal property, and, in the case of a thing or things or personal property, bring the same before the magistrate.²

Probable Cause Arrest (Ramey) Warrant Defined

A probable cause arrest warrant is an order in writing, in the name of the people, signed by a magistrate, directed to a peace officer, commanding the officer forthwith to arrest a person and bring said person before a magistrate in the county of issuance, or in lieu thereof, release said person from custody prior to the time limitations of 825 PC without bail, or appearance before a magistrate. The arrestee may also be released on bail in an amount established by the magistrate.

Affidavit Defined

For search warrant purposes, an affidavit is a statement made under penalty of perjury before a magistrate.

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

² California Penal Code (PC) Section 1523.

PRIOR AUDITS

Audit Division has conducted the Search Warrant Applications and Supporting Affidavits Audit annually for the past 11 years. The last audit was completed in February 2015 and reported that the Department met the standard in the majority of the audit objectives (see Summary of Findings).

PRIOR RECOMMENDATIONS

The following recommendation was from the FY 2013/14 audit:

It is recommended that Department Manual Section 4/742.10, and the Search Warrant and Warrant Service/Tactical Plan Checklist, Form 12.25.01, be amended to require when a supervisor determines that a Tactical Plan Report is unnecessary and opts to complete an Employee's Report that the date and time of entry; method of entry; the condition of the location before officers entered and when they exited; pre/post photos; any injury or damage as a result of police action taken; and identification of personnel and supervisor in charge at scene, be included. This measure would more thoroughly document the warrant service and assist with investigations of potential claims for damages.

Status on recommendation: In Progress. The Commanding Officer, Policies and Procedures Division, indicated that the recommendation is still under review.

SCOPE AND METHODOLOGY

The scope of the audit included all search/Ramey warrants (warrant packages) issued during October 2015, excluding third-party warrants (e.g., telephone or bank records). Based on a review of Warrant Tracking Logs collected citywide, AD identified a population of 118 warrant packages. Audit Division selected a stratified random sample of 56 warrant packages from the population.³

Seven objectives with 13 sub-objectives were established to determine if the warrant packages met Department standards regarding policy and procedure.

The warrants reviewed were in the following categories:

- Search Warrants – Warrants seeking to obtain property or evidence;
- Ramey Warrants – Warrants submitted to the magistrate for issuance based on the probable cause for arrest; and,
- Combination Warrants – A combination of any of the above listed warrants.

³A One-Tailed Test with a 95 percent confidence level and a four percent error rate yielded a statistically valid random sample of 56 warrant packages.

SUMMARY OF FINDINGS**Table No. 1 – Findings by Objective and Comparison to Prior Year's Audit**

Objective No.	Objective	2013/14		2015/16	
		Packages Meeting Standards/ Evaluated	Percentage Meeting Standards	Packages Meeting Standards/ Evaluated	Percentage Meeting Standards
1.	Completeness	51/53	96%	53/56	95%
2.	Authenticity				
2(a)	Canned Language	53/53	100%	56/56	100%
2(b)	Inconsistent Information	49/53	92%	55/56	98%
3.	Legality				
3(a)	Legality of Execution of the Search Warrant	50/50	100%	51/51	100%
3(b)	Warrant Served/Returned Within the Required Time	53/53	100%	56/56	100%
4.	Use of Confidential Informant	5/5	100%	11/11	100%
5.	Supervisory Oversight				
5(a)	Pre-Incident Review	51/53	96%	54/56	96%
5(b)	Applicable Incident	44/44	100%	49/49	100%
5(c)	Post-Incident Review	38/44	86%	43/49	88%
6.	Warrant Tracking Log				
6(a)	Accuracy and Completeness of the Warrant Tracking Log	27/27	100%	27/27	100%
6(b)	Warrant Tracking Log Approved Within the Required Time	27/27	100%	25/27	93%
7.	Commanding Officer's Analysis				
7(a)	Evaluation of each At-Scene Supervisor	44/44	100%	45/49	92%
7(b)	Completeness of the Employee Comment Sheet	43/44	98%	45/45	100%
7(c)	Employee Comment Sheet Completed Within the Required Time	41/44	93%	41/45	91%

DETAILED FINDINGS

Objective No. 1 – Completeness

Criteria

A warrant package was considered complete if all documents essential to the evaluation of the warrant preparation and/or service could be obtained through the Department's electronic data and file record systems. The Search Warrant and Warrant Service/Tactical Plan Checklist, Form 12.25.01, was used as a reference for warrant package contents. Errors and/or omissions found in individual documents were not measured for adherence in this objective, but were reported under other objectives as appropriate.

Audit Procedures

The warrant packages were reviewed to determine whether the documents supporting the warrant application and affidavit, and the execution of the search warrant, were available. If the necessary documents were not in the packages, auditors made a good-faith effort to determine the existence of the document(s), and made reasonable efforts to obtain copies. Required documents included:

- Search Warrant and Warrant Service/Tactical Plan Checklist;
- Property Reports, Form 10.01.00;
- Receipts for Property Taken into Custody, Form 10.10.00;
- Pre/Post Warrant Photographs;
- Warrant Tracking Logs, Form 08.17.05;
- Warrant Service/Tactical Plan Reports, Form 12.25.00;
- Employee Comment Sheet, Form 01.77.00; and,
- Employee's Report, Form 15.07.00.

If the search warrant narrative referred to a Division of Record number or booking number, auditors checked for the following corresponding reports as applicable:

- Investigative Reports, Form 03.01.00;
- Investigator's Final Reports, Form 05.10.00;
- Arrest Reports, Form 05.02.00, if applicable; and,
- Follow-up Reports, Form 03.14.00, if applicable.

Warrant packages that contained the required documents met the standards for this objective.

Findings

Fifty-three (95%) of the 56 warrant packages met the standards for this objective. The three warrant packages not meeting the standards are detailed below:

Operations-South Bureau

- Search Warrant No. 71631 – No Tactical Plan Report or Employee’s Report.
- Search Warrant No. 79-2015SW0590 – Missing Receipt for Property Taken into Custody.

West Valley Area

- Search Warrant No. 15LAT0302 – Missing Receipt for Property Taken into Custody.

Objective No. 2 – Authenticity

The Warrant Review Officer’s review of warrant packages, the use of canned language, and inconsistent information, were examined in Objective Nos. 2 (a-c).

Objective No. 2(a) – Canned Language

Criteria

Department Search Warrant Service Procedures Guide, 2003, Chap. II, “Mechanics of Preparation,” Section A, “Procedure,” p. 8, states:

The approving supervisor shall review each request for a search or Ramey warrant and all reports prepared in support of the warrant application. Such review shall include:

- A review of completeness of the information contained within the documents and for authenticity to ensure the warrant does not fail to articulate a legal basis for the warrant, or contain any “canned” language or inconsistent information;

NOTE: “Canned” or “boilerplate” language generally refers to “cut and paste,” or “preprinted, fill in the blanks” language.

Audit Procedures

The warrant packages were reviewed to determine if the affidavit lacked originality that could be indicative of canned language. In addition to the application and affidavit, supporting documents were reviewed to determine if canned language was used in any other aspect of the warrant process. A warrant package met the standards for this objective if the documents did not indicate the use of canned language.

Findings

Each (100%) of the 56 warrant packages reviewed met the standards for this objective.

Objective No. 2(b) – Inconsistent Information

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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

Information in the affidavit was compared to that in the supporting documents to determine whether significant inconsistencies existed. Significant inconsistencies were defined as conflicting or omitted information from either the affidavit or supporting documents that might call into question the authenticity of the warrant.

The warrant packages were reviewed for errors or omissions in the completion of the application, the return, and related documents. Warrant packages were also reviewed to verify the affiant and supervisor at-scene were not the same.

A warrant package with no significant inconsistencies identified, that did not contain errors, omissions, and the affiant and the supervisor at-scene were not the same, met the standards for this objective.

Findings

Fifty-five (98%) of the 56 warrant packages reviewed met the standards for this objective. The one warrant package not meeting the standards is detailed below:

Olympic Area

- Search Warrant No. 71523 – The CO signed on page seven of the Tactical Plan Report 12 days after warrant service operation, which was not in compliance with the Department’s seven business day requirement.

Objective No. 3 – Legality

The legality of the search warrant service/return and authorized warrant service timeframes were evaluated in Objective Nos. 3(a-b).

Objective No. 3(a) – Legality of Execution of the Search Warrant

Criteria

California Penal Code, Title 12, “Of Special Proceedings of a Criminal Nature, Chap. 3, “Of Search Warrants,” Section 1523, states:

A search warrant is an order in writing, in the name of the people, signed by a magistrate, directed to a peace officer, commanding him or her to search for a person or persons, a thing or things, or personal property, and, in the case of a thing or things or personal property, bring the same before the magistrate.

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

Audit Procedures

The warrant packages were reviewed to determine whether the affidavit articulated the probable cause for the warrant. An affidavit that articulated probable cause met the standards for this objective.

Findings

Each (100%) of the 51 warrant packages reviewed met the standards for this objective.⁴

⁴Five of the 12 Hobbs search warrant packages could not be fully examined as key portions of the affidavits were sealed by Court Order, therefore, five warrant packages were not evaluated for this objective

Objective No. 3(b) – Warrant Served/Returned within the Required Time

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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 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.

Department Search Warrant Service Procedures Guide, 2003, Chap. I, “Search Warrant and Affidavit,” Section B, “Search Warrant Defined,” p. 2, states:

A magistrate may insert a direction in a search warrant that it may be served at any time of the day or night. In the absence of such direction, the warrant shall be served only between the hours of 7 a.m. and 10 p.m. A search warrant shall be executed and returned within 10 days after date of issuance.

Audit Procedures

The warrant packages were reviewed to determine if they were served and returned within the required time. Warrant packages that were served and returned within the required time met the standards for this objective.

Additionally, the warrant packages were also reviewed to determine if they were served at the correct time of day. Warrant packages that indicated the warrant was served at the time authorized by the court, met the standards for this objective.

Findings

Each (100%) of the 56 warrant packages reviewed met the standards for this objective.

Objective No. 4 – Use of Confidential Informant

Criteria

Department Informant Manual, March 2008, Volume 2, “Investigation Officer (I/O) Responsibilities,” Section 200, “Management of Informants and Informant Packages,” states:

The use of informants is restricted to non-uniform personnel assigned to Department investigative entities, e.g., Area detectives and specialized detective divisions.

Audit Procedures

Of the 56 warrant packages reviewed, 11 indicated that a Confidential Informant (CI) was used. Each of the 11 CI packages was reviewed for evidence that the CIs were handled according to Department policy and procedure. If the warrant articulated the reliability and corroboration of the CI, whether the CI was used by personnel in a non-uniformed assignment, and whether a CI package existed and documented the contact for the corresponding warrant, the warrant package met the standards for this objective.

Findings

Each (100%) of the 11 warrant packages reviewed met the standards for this objective

Objective No. 5 – Supervisory Oversight

The supervisor's review of the warrant affidavits and Tactical Plan Reports, and the CO's review of the Tactical Plan Reports, the presence of supervisors at warrant services, and the post-service brief by supervisors, were evaluated in Objective Nos. 5(a-c).

Objective No. 5(a) – Pre-Incident Review

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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.

Special Order No. 7, February 27, 2009, "Warrant Service/Tactical Plan Report Procedures – Revised; and Warrant Review Officer – Established," p. 3, states:

The designated supervisor shall review the Tactical Plan Report and, if approving, sign page one. . . .

Prior to the service, the CO 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.

Audit Procedures

Each warrant application and affidavit was reviewed to determine:

- If the supervisor reviewed the Warrant Affidavit and placed his/her initials and serial number on the lower right hand corner of each page of the original warrant;
- If the supervisor reviewed and approved the Tactical Plan Report(s) prior to the warrant service and signed as *Approving Supervisor* at the bottom of page one;
- That the Tactical Plan Report(s) approving supervisor was not the same person as the Affiant); and,
- If the CO or designee reviewed and approved the Tactical Plan Report by placing his/her initials on the bottom right hand corner of page one.

The packages that contained the required signatures, initials, and serial numbers met the standards for this objective.

Findings

Fifty-four (96%) of the 56 packages reviewed met the standards for this objective. The two packages not meeting the standards are detailed below:

Wilshire Area

- Search Warrant No. 4424 – The supervisor’s initial and serial number were only on the first page of the search warrant.

Operations-South Bureau

- Search Warrant No. 71613 – The CO did not initial page one of the Tactical Plan Report.

Objective No. 5(b) – Applicable Incident

Criteria

Department Search Warrant Service Procedures Guide, 2003, Chap. IV, “Warrant Service Planning,” Section A, “Supervisor at Location,” p. 17, states:

A supervisor (Sergeant I, Detective II, or higher) shall be present at each warrant service location.

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 742.30, “Supervision at Search Warrant Locations,” states:

A lieutenant or above shall be present at the execution of all search warrants where GED/CLEAR personnel are involved in the service of the warrant. . . .

Note: The presence of a lieutenant or above is required for search or Ramey warrants initiated by any uniformed gang enforcement-related specialized detail or any warrants where uniformed gang enforcement officers act as affiants.

Audit Procedures

The warrant packages were reviewed for documentation of appropriate levels of supervision at the warrant service location. Warrant packages that contained documentation of appropriate levels of supervision met the standards for this objective. Of the 56 warrant packages reviewed, 49 required a Tactical Plan Report. The seven remaining warrant packages were secured locations and only required the completion of an Employee's Report to document the warrant service.⁵ Therefore, 49 warrant packages were reviewed for an appropriate level of supervision at the warrant service.

Findings

Each (100%) of the 49 warrant packages reviewed met the standards for this objective.

Objective No. 5(c) – Post-Incident Review

Criteria

Department Search Warrant Service Procedures Guide, 2003, Chap. IV, "Warrant Service Planning," Section A, "Supervisor at Location," p. 17, states:

However, at the discretion of the commanding officer, the debriefing report for the overall investigation may be consolidated on the Warrant Service/Tactical Plan Report to be completed by the designated supervisor.

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 742.10, "Search Warrant and Probable Cause Arrest Warrant Procedures," p. 17, states:

Following the warrant service, the on-scene supervisor shall review the overall service, as well as the Tactical Plan Report, and provide the following:

- A summary of pre/post search conditions (page six);
- Whether the supervisor was present throughout the entire search;
- Whether the assigned supervisor ensured all involved personnel received a proper briefing prior to the service;
- Whether the supervisor ensured the proper documentation of any currency or valuables discovered during the search;
- Whether the supervisor ensured that a copy of the search warrant was left at the location;

⁵In the seven instances auditors verified that each warrant package contained an Employee's Report documenting the search warrant service as required.

Note: As a reminder, the reviewing supervisor **shall** place his/her initials and serial number on the lower right hand corner of each page of the original affidavit.

- Documented confirmation that a debriefing with involved personnel was conducted no later than the next working day after the warrant service (page seven); and,
- A summary of the debriefing no later than the next working day after the warrant service.

The “Debriefing Summary” section on page seven of the Tactical Plan Report shall, at a minimum, address the following issues:

- Presence/absence of photos, audio, and/or video tapes;
- Supervisory oversight before, during, and after service of the warrant; and,
- Date, time, and location of the debriefing, issues discussed, and any training needs identified.

Department Manual Section, 3rd Quarter 2015, Vol. 5, Section 12.25.00, “Warrant Service/Tactical Plan Report, Form 12.25.00,” states:

Commanding Officer. Following service of the warrant, the commanding officer shall review the Tactical Plan Report for completeness and sign page seven.

Audit Procedures

The warrant packages were reviewed to determine the following:

- After the warrant service, the designated supervisor completed the Pre/Post Search Conditions section on page six of the Tactical Plan Report;
- Following the service of the warrant, the on-scene supervisor at the search warrant service conducted a debriefing no later than the next working day;
- The name of the supervisor conducting the debriefing is documented on page seven of the Tactical Plan Report, in the box labeled *Debriefing Conducted By*;
- The concerned debriefing supervisor completed the section on page seven labeled *Debriefing Comments*. The *Debriefing Comments* shall include, at a minimum, information regarding the presence/absence of photographs, audio, and/or video; supervisory oversight before, during and after the service; the date, time and location of the debriefing; issues discussed; and any training needs that were identified; and,
- Following the warrant service, the CO reviewed the Tactical Plan Report for completeness and signed page seven.

Warrant packages that documented the above criteria met the standards for this objective. Of the 56 total packages, 49 required the Tactical Plan Reports. The seven remaining warrant packages were secured locations and only required an Employee’s Report. Therefore, 49 warrant packages were reviewed for an appropriate level of supervision at the warrant service.

Findings

Forty-three (88%) of the 49 warrant packages met the standards for this objective. The six warrant packages not meeting the standards are detailed below:

Operations-South Bureau

- Search Warrant No. 71613 – There was no CO signature on page seven of the Tactical Plan Report.

Gang Narcotics Division

- Search Warrant No. 71611 – There was no CO signature on page seven of the Tactical Plan Report.

West Valley Area

- Search Warrant No. 15LAT0307 – There was no CO signature on page seven of the Tactical Plan Report.

Devonshire Area

- Search Warrant No. 15LAT0280 – The search warrant was served at five locations. There was no documentation of a debriefing conducted at one of the locations.

Southwest Area

- Search Warrant No. 71715 – The Debriefing Comments section on page seven of the Tactical Plan Report indicated the Affiant conducted the briefing.

Foothill Area

- Search Warrant No. 15SR229 – The Debriefing Comments section on page seven of the Tactical Plan Report indicated the Affiant conducted the briefing.

Objective No. 6 – Warrant Tracking Log

The Warrant Tracking Log completion and review were evaluated in Objective Nos. 6(a-b).

Objective No. 6(a) – Accuracy and Completeness of the Warrant Tracking Log

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 742.10, “Search Warrant and Probable Cause Arrest Warrant Procedures,” states:

Officer's Responsibility

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

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

- Ensure that the warrant number and return date are entered on the Warrant Tracking Log no later than ten business days from the date of service, with the exception of third-party records warrants;
- Ensure that the warrant number is recorded on both the Warrant Tracking Log and the first page of the Tactical Plan Report;
- Sign and date the bottom of the final printout of the Warrant Tracking Log, at the completion of each month.

Audit Procedures

Each warrant package was reviewed to determine if the corresponding Warrant Tracking Logs were completed and maintained as required. Warrant Tracking Logs were obtained from the 27 Areas/divisions. Warrant Tracking Logs that identified the affiant, the location of the search warrant or suspect to be arrested, the approving supervisor, and the CO's approval, met the standards for this objective.

Findings

Each (100%) of the 27 Warrant Tracking Logs reviewed met the standards for this objective.

Objective No. 6(b) –Warrant Tracking Log Approved within the Required Time

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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:

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

Audit Procedures

Each Warrant Tracking Log was reviewed for appropriate approval by the CO or designee within the required time. Warrant Tracking Logs that contained the required approval signature and were approved within the required time, met the standards for this objective.

Findings

Twenty-five (93%) of the 27 Warrant Tracking Logs reviewed met the standards for this objective. The two Warrant Tracking Logs not meeting the standards are detailed below:

Operations-South Bureau

- Search Warrant No. 71506 – The Warrant Tracking Log for October 2015 was signed by CO over a month later, December 8, 2015.

Gang Narcotics Division

- Search Warrant No. 155SR218 – The Warrant Tracking Log for October 2015 was signed by the CO 12 business days after the end of October; November 17, 2015.

Objective No. 7 – Commanding Officer's Analysis

The documentation of the CO's evaluations of supervisors present during the warrant service were evaluated in Objective Nos. 7(a-c).

Objective No. 7(a) – Evaluation of each At-Scene Supervisor

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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.

Audit Procedures

The warrant packages were reviewed for the completion of an Employee Comment Sheet for the supervisor at-scene by the CO. The warrant package met the standards if the CO documented his/her evaluation of the supervisor on an Employee Comment Sheet.

Findings

Forty-nine of the 56 warrant packages were evaluated for this objective. Seven packages were not applicable as the warrants did not require a Tactical Plan Report and therefore Employee Comment Sheets were not prepared.

Forty-five (92%) of the 49 warrant packages reviewed met the standards for this objective. The four packages not meeting the standards are detailed below:

Operations-South Bureau

- Search Warrant No. 71613 – The CO did not complete an Employee Comment Sheet.
- Search Warrant No. 79-2015SW0590 – The CO did not complete an Employee Comment Sheet.

Southwest Area

- Search Warrant No. 71625 – The Employee Comment Sheet was not located.

Devonshire Area

- Search Warrant No. 15LAT0280 – The Employee Comment Sheet was not located.

Objective No. 7(b) – Completeness of the Employee Comment Sheet

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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 [*sic*] 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.

Audit Procedures

The warrant packages were reviewed for the completion of an Employee Comment Sheet for the at-scene supervisor by the CO. The package met the standards if the CO provided adequate analysis of the supervisor; addressing at a minimum the six areas listed in the criteria.

Findings

Forty-five warrant packages were applicable to this objective because they each contained Employee Comment Sheet(s).

Each (100%) of the 45 warrant packages reviewed met the standards for this objective.

Objective No. 7(c) – Employee Comment Sheet Completed within the Required Time

Criteria

Department Manual Section, 3rd Quarter 2015, Vol. 4, Section 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.

Audit Procedures

The warrant packages were reviewed to determine the timely completion of an Employee Comment Sheet for the supervisor at-scene by the CO. Employee Comment Sheets that were dated within seven business days of the warrant service met the standards for this objective.

Findings

Forty-five warrant packages were applicable to this objective because they contained Employee Comment Sheets with a date of completion.

Forty-one (91%) of the 45 warrant packages met the standards for this objective. The four not meeting the standards are detailed in the following table:

Table No. 2 – Findings by Area/Search Warrant No.

Reason	Area/Search Warrant No.
There was no date on the Employee Comment Sheet indicating when the employee was served.	Southwest - 71715
	Wilshire - 4424
	Topanga - 15LAY0308/4385
	Devonshire - 15LAT0275

RECOMMENDATIONS

None.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

Audit Division presented the audit findings to the Area and division COs, the Assistant to the Director, Office of Operations, and the Assistant CO, Detective Bureau, all whom expressed general agreement with the findings.

Additionally, each Area/division with Findings indicated they would provide the necessary training to correct the identified deficiencies.