

INTRADEPARTMENTAL CORRESPONDENCE

April 6, 2017
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: TECHNICAL INVESTIGATION DIVISION AUDIT (AD No. 15-092)

RECOMMENDED ACTIONS

1. It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Technical Investigation Division Audit.
2. It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Executive Summary thereto.

DISCUSSION

Audit Division conducted the Technical Investigation Division 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,

A handwritten signature in blue ink, appearing to read 'C. Beck', with a stylized flourish at the end.

CHARLIE BECK
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT
TECHNICAL INVESTIGATION DIVISION
AUDIT

(AD No. 15-092)



Conducted by
AUDIT DIVISION

CHARLIE BECK
Chief of Police

March 2017

TABLE OF CONTENTS

TECHNICAL INVESTIGATION DIVISION AUDIT

PAGE NO.

EXECUTIVE SUMMARY	i
PURPOSE	1
BACKGROUND	1
PRIOR AUDITS	1
PRIOR RECOMMENDATIONS	2
METHODOLOGY	3
SUMMARY OF FINDINGS	3
DETAILED FINDINGS	4
OBJECTIVE No. 1 LATENT PRINTS UNIT	4
OBJECTIVE No. 1(a) COMPETENCY AND TRAINING ASSESSMENT	4
OBJECTIVE No. 1(b) TRAINING COMPARISON PROFICIENCY ASSESSMENT	5
OBJECTIVE No. 1(c) TIMELINESS OF LATENT PRINT ANALYSIS – PROPERTY CRIME	6
OBJECTIVE No. 1(d) TIMELINESS OF LATENT PRINT ANALYSIS VIOLENT CRIME – INFORMATION ONLY	8
OBJECTIVE No. 2 PHOTOGRAPHY UNIT	8
OBJECTIVE No. 2(a) REQUIRED CAMERA EQUIPMENT WAS ISSUED AND MAINTAINED	8
OBJECTIVE No. 2(b) RETURNING OF EQUIPMENT FROM PAST PERSONNEL	9
OBJECTIVE No. 2(c) QUALITY CONTROL ASSESSMENT	10
OBJECTIVE No. 2(d) EFFICIENCY OF PHOTOGRAPHERS PERFORMANCE ASSESSMENT - INFORMATION ONLY	12
OBJECTIVE No. 3 POLYGRAPH UNIT	12
OBJECTIVE No. 3(a) EXAMINERS COMPLETION OF REQUIRED TRAINING	13
OBJECTIVE No. 3(b) QUALITY CONTROL REVIEW – SUPERVISORY OVERSIGHT	15
OBJECTIVE No. 3(c) FACILITY ALARM DEVICES	16
OBJECTIVE No. 4 ELECTRONICS UNIT	16
OBJECTIVE No. 4(a) RETURN OF LOANED-OUT SURVEILLANCE EQUIPMENT	17
OBJECTIVE No. 4(b) SURVEILLANCE EQUIPMENT INVENTORY RECORDS	18
OBJECTIVE No. 4(c) PROCESSING CELLPHONES PERFORMANCE ASSESSMENT – INFORMATION ONLY	19
OTHER RELATED MATTERS	20
RECOMMENDATIONS	20
ACTIONS TAKEN/MANAGEMENT'S RESPONSE	20

TECHNICAL INVESTIGATION DIVISION AUDIT

Conducted by

Audit Division

First Quarter, Fiscal Year 2015/16

PURPOSE

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for fiscal year (FY) 2015/16, Audit Division (AD) conducted the Technical Investigation Division (TID) Audit to evaluate adherence with Department policy and procedures.

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.¹

BACKGROUND

The Office of the Chief of Police Notice, September 10, 2015, split the Scientific Investigation Division (SID) into the Forensic Science Division (FSD) and TID. This audit focused on TID.

The TID is located at the Piper Technical Center and consists of the Latent Prints (LPU), Photography, Polygraph and Electronics units. The LPU conducts latent print field investigations, comparisons of unknown prints to known exemplars, inputs evidence prints into the Los Angeles Automated Fingerprint Identification System (LAFIS) and searches Automated Fingerprint Identification Systems (AFIS) at county, state and federal levels. The Photography Unit provides photographic services including crime scenes, employee portraits, search warrants, follow-up investigations, victim injuries, and special events. The Polygraph Unit performs polygraph examinations for police applicants, criminal investigations, and internal candidate screening for specialized assignments. The Electronics Unit harvests data from cellular telephones, tablets, security cameras, and other electronic media.

PRIOR AUDITS

The LPU performance audit completed in the fourth quarter of FY 2011/12 contained five recommendations.

PRIOR RECOMMENDATIONS

The following recommendations were made in the LPU audit:

1. *"It is recommended that the SID Commanding Officer (CO) develop a latent prints manual. The manual should (minimally) address the following areas:*

- *Performance standards;*

¹United States Government Accountability Office, Generally Accepted Government Auditing Standards, December 2011 Revision.

- *Operation procedures, including facility and evidence security, evidence handling, case management, and records retention schedule;*
- *Analytical procedures;*
- *Documentation and reporting; and,*
- *Quality assurance.”*

Status on Recommendation No. 1: Implemented. Scientific Investigation Division created the Scientific Investigation Division Latent Print Unit Manual, August 2013.

2. *“It is recommended that the Department consider the feasibility of training officers to identify valuable prints for property crimes and properly lift prints for analysis.”*

Status on Recommendation No. 2: Implemented-Discontinued. The Department implemented a pilot program in 2010 which assigned and trained an officer at each geographic Area (19 at the time) to lift prints. Due to training requirements, the availability of officers, and high turnover, the number of officers dropped to seven after two years, making the program impractical.

3. *“It is recommended that the SID CO work with Detective Bureau to form a working group to develop procedures to reduce backlog, in consideration of proposed latent prints process for property crimes.”*

Status on Recommendation No. 3: Implemented. Chief of Detectives Notice, Prioritization Procedures for Submitting Property Crime, Related Requests for Processing to the LPU, November 1, 2012, established guidelines for geographic Detective Commanding Officers to prioritize property crimes within their divisions for expedited LPU analysis.

4. *“It is recommended that the SID CO revise the organizational chart by assigning the QA² unit directly under the SID CO. The QA unit should assist and oversee quality assurance programs for the Tech and Crime laboratories.”*

Status on Recommendation No. 4: Implemented. The LPU has a Quality Assurance Detail managed by a Senior Forensic Print Specialist.

5. *“It is recommended that the SID CO work with ITD³ to fully automate the entire case tracking and management process. At minimum, the LPU should be able to use the ITS⁴ to:*
 - *Automate the notification process since the ITS has already collected the Investigation Request, Form 12.01.00, document electronically;*
 - *Automate the counting function and group cases by status;*
 - *Automate the notification function when the case statute of limitation is approaching; and,*

² QA is the abbreviation for Quality Assurance.

³ITD is the abbreviation for *Information Technology Division*.

⁴ITS is the abbreviation for Incident Tracking System.

- *Automatically link the ITS to Detective Case Tracking System (DCTS) to allow the LPU to be notified when a case is closed in DCTS."*

Status on Recommendation No. 5: Partially Implemented. The counting function is on the Department Automated Field Data Reporting/Incident Tracking Application. The others were not implemented due to financial limitations.

METHODOLOGY

The audit period was January 1, 2015, through August 31, 2015, unless otherwise noted on the audit procedures. Each objective used varied populations.

SUMMARY OF FINDINGS

There were 14 objectives/sub-objectives, which included a review of four units within TID: 1) Latent Prints Unit; 2) Photography Unit; 3) Polygraph Unit; and, 4) Electronics Unit. Various processes were examined that were unique to each unit's main functions, such as training of personnel, quality control, and tracking of equipment. The TID did well with each of the objectives examined. One objective pertaining to timeliness of latent print analysis for property crimes resulted in the lowest percentage (81%) in meeting the standard (see table below). Research into this objective indicated there was a period of time of approximately one month wherein the Automated Fingerprint Identification System was inoperable, and therefore caused the primary delay. Nonetheless, there were an additional 37 cases that were completed within 10 days *after* the deadline.

Table – Summary of Audit Findings

Objective No.	Audit Objectives	Number Meeting Standards/Percentage Meeting Standards
1. Latent Prints Unit		
1(a)	Competency and Training Assessment	36/36 (100%)
1(b)	Training Comparison Proficiency Assessment	54/54 (100%)
1(c)	Timeliness of Latent Print Analysis - Property Crime	166/204 (81%)
1(d)	Timeliness of Latent Print Analysis Violent Crime – <i>Information Only</i>	448/482 (93%)
2. Photography Unit		
2(a)	Mandated Equipment	18/18 (100%)
2(b)	Returning of Equipment From Past Personnel	67/68 (99%)
2(c)	Quality Control Assessment	56/58 (97%)
2(d)	Efficiency of Photographers – <i>Information Only</i>	10/10 (100%)
3. Polygraph Unit		
3(a)	Examiners Completion of Required Training	12/12 (100%)
3(b)	Quality Control Review - Supervisory Oversight	2030/2030 (100%)
3(c)	Facility Security	20/20 (100%)
4. Electronics Unit		
4(a)	Return of Loaned-Out Surveillance Equipment	33/33 (100%)
4(b)	Surveillance Equipment Inventory Records	39/39 (100%)
4(c)	Processing Cellphones – <i>Information Only</i>	253/276 (92%)

DETAILED FINDINGS

Objective No. 1 – Latent Prints Unit

The LPU's responsibilities include recovering, preserving, and comparing latent prints, preparing and presenting evidence for judicial proceedings, and serving as latent print technical experts in court.

Objective No. 1(a) – Competency and Training Assessment

Criteria

Scientific Investigation Latent Print Unit Manual, Section 2.1.4, "Latent Print Unit Details," states:

Analytical Detail: Managed by a Senior Forensic Print Specialist, the Analytical Detail is responsible for entering latent prints (finger and palm) in an Automated Fingerprint Identification System (AFIS) that can link possible exemplar prints. The AFIS databases can also link unrelated crimes to a single latent print and link a new arrestee to a previous unmatched latent print entered into the system. The LPU uses AFIS systems with the ability to search local (Los Angeles County), state (California), and national databases. Analytical personnel also compare latent prints to exemplar prints, render a conclusion, and prepare related reports.

Scientific Investigation Latent Print Unit Manual, Section 6.1.1, "Training," states:

The Unit has a written training program that includes a series of initial competency tests that each FPS must satisfactorily complete prior to conducting independent casework. The training program enables analysts to understand the principles, application, and limitations of the methods, procedures, equipment, and instrumentation used within the LPU.

Audit Procedures

Audit Division found 56 LPU Forensic Print Specialists (FPSs) during Deployment Period (DP) 10, 2015. The objective assessed the 36 FPSs who worked on AFIS. The Department met the standard if the FPS completed AFIS training and passed a competency exam.

Findings

Each (100%) of the 36 FPSs met the standard. Thirty FPSs had documented scores, which averaged 97 percent. The LPU began documenting scores after 2009 (as opposed to pass/fail) to adhere to stringent accreditation standards.

Objective No. 1(b) – Training Comparison Proficiency Assessment

Criteria

Scientific Investigation Latent Print Unit Manual, Section 6.1.2, “Proficiency Testing,” states:

The Latent Print Unit subscribes to and participates in an annual proficiency testing program provided by Collaborative Testing Services (CTS) and/or Competency Assessment Services (CAS). Analysts performing independent casework are expected to demonstrate their continued competency and/or proficiency in analyzing case evidence by reaching the expected results concluded by the testing Agency. The results of the proficiency tests will be reviewed with the employee and any discrepancies in the proficiency testing will be handled in accordance with the Quality Assurance Program. The Quality Assurance Detail administers the proficiency test program, maintains all records, and coordinates any related corrective actions.

Scientific Investigation Latent Print Unit Manual, Section 6.1.3, “Personnel Standards and Expectations,” states:

In addition to meeting the qualifications outlined in the job description and the policies and protocols defined in the Department’s Manual, Quality Assurance Program, and Detail SOPs, each expert is expected to meet the following performance standards:

- Demonstrate their ability to competently perform independent casework by completing and successfully passing the annual proficiency examination as described in section 6.1.2.

Audit Procedures

Of the 56 FPSs, one was not assigned casework and another was on long-term leave, resulting in 54 FPSs assessed for this objective. The Department met the standard if the FPS passed the annual proficiency examination.

Findings

Each (100%) of the 54 FPSs met the standard.

Objective No. 1(c) – Timeliness of Latent Print Analysis – Property Crime

Criteria

Chief of Detectives Notice, “Prioritization Procedures for Submitting Property Crime, Related Requests for Processing to the Latent Print Unit,” November 1, 2012, states:

The LPU will report their latent print analysis back to the concerned geographic Detective C/O, via the Institutional Mailbox, within eight weeks of the form's submission via ITS each DP.

Audit Procedures

Audit Division analyzed a data run of latent print submissions by geographic Areas from January 1, 2015, through July 31, 2015.

Audit Division determined LPU received 1,012 crime-related print cases, including nine violent crime print cases which were deselected, leaving 1,003 property crime print cases.⁵ Of these, 799 were prints that were unable to be processed due to varying situations, which included duplicates, previously submitted prints with other investigations, and “no hits” results in AFIS whereby no further analysis was required. Audit Division reviewed the remaining 204 cases for this objective.

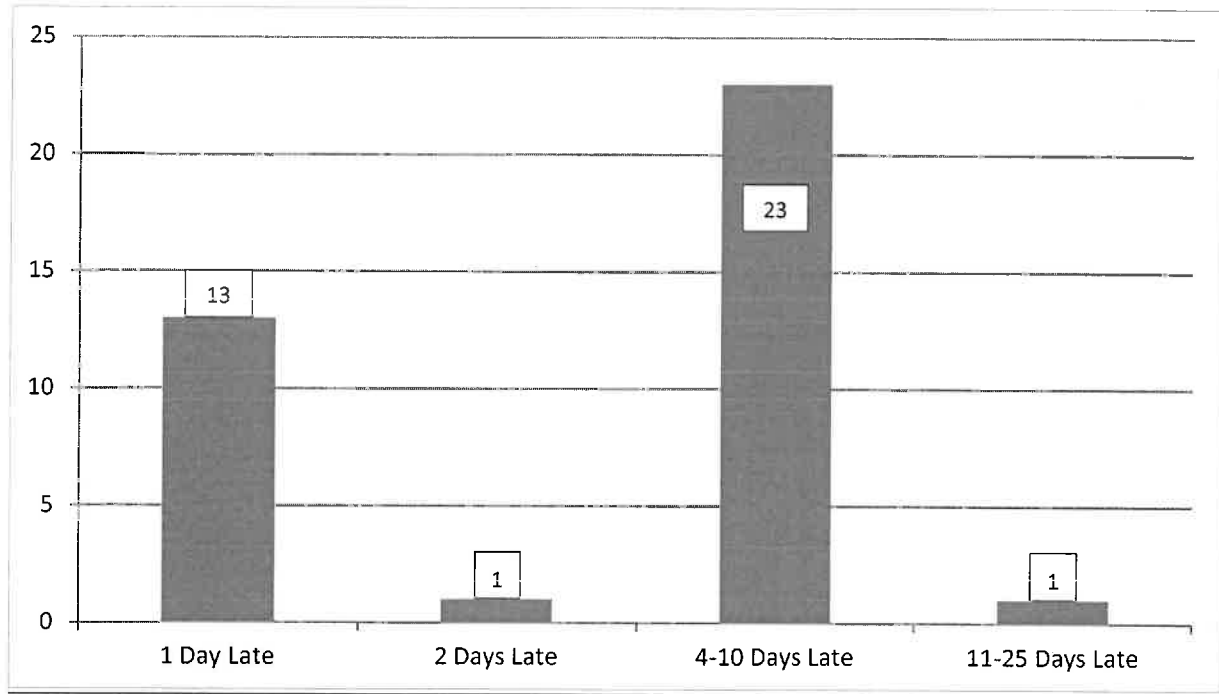
The Department met the standard if the print cases were analyzed and returned to the geographic detective commanding officer within eight weeks of the submission date.

Findings

One hundred sixty-six (81%) of the 204 cases met the standard.

⁵Violent crime print cases take priority over all other print cases at LPU. See Objective No. 1(d) for information only assessment of violent crime print analysis.

Figure No. 1 – Latent Print Unit Property Crime Analysis Late Times



The 38 late cases occurred in DP Nos. 3 and 4 with due dates of March 12, 2015, and April 9, 2015. Further research determined AFIS was inoperable 115 hours during DP No. 3 and 17 hours during DP No. 4, which was the primary cause of the delay. Despite this, 37 of the late cases were completed within ten days after the deadline.

Objective No. 1(d) – Timeliness of Latent Print Analysis Violent Crime – Information Only

Criteria

The LPU gives violent crime print cases priority over property crime cases.

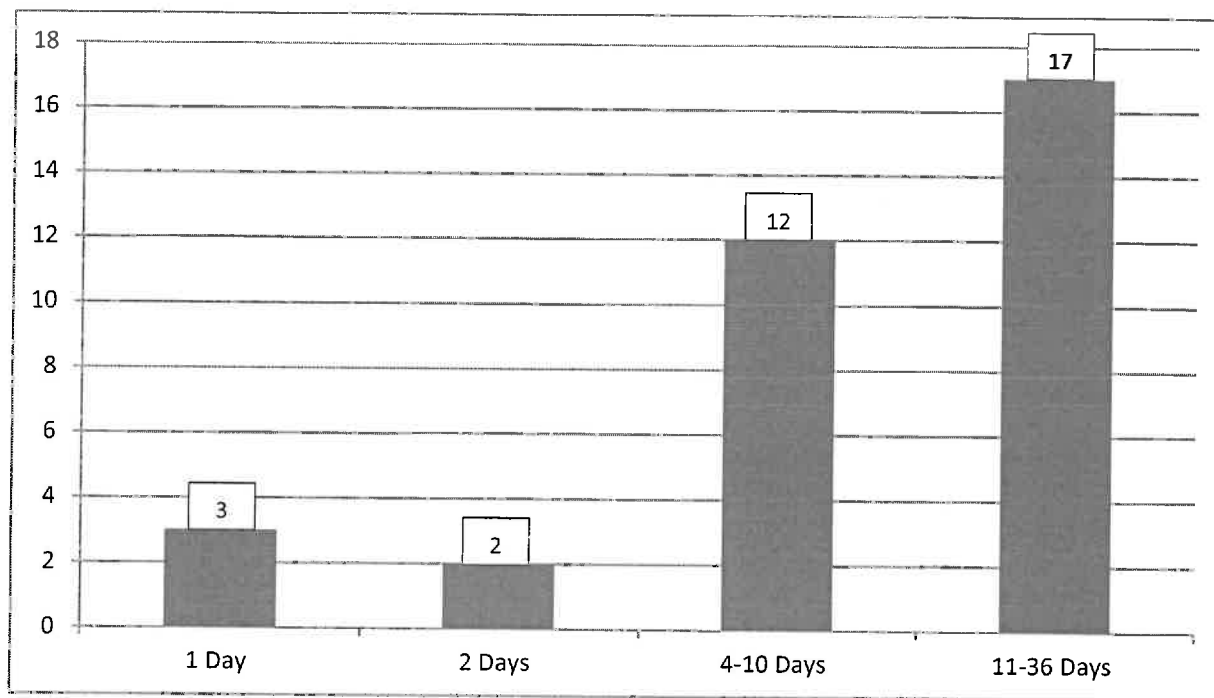
Audit Procedures

Audit Division obtained a data run of 482 violent crime print cases assigned to LPU from January 1, 2015, through June 30, 2015.

Conclusion

Four hundred forty-eight (93%) of 482 violent crime print cases were prioritized over property crime cases. Audit Division analyzed the number of days taken to complete a case analysis and determined, on average, it takes the LPU 28 days to complete.

Figure No. 2 – Latent Print Unit Violent Crime Analysis - Timeliness



Objective No. 2 – Photography Unit

The Photography Unit's duties include crime scene photography, surveillance images, documenting injuries in the Department studio or laboratory, arrest photos, latent print photographs (including chemical processing detail photographs), impression evidence, pattern evidence, and line-ups. Additionally, the Unit actively enhances the Department's image by photographing public affairs events, command staff and officer portraits. It operates 24 hours a day, seven days a week.

The Photography Unit is composed of the Field Detail and the Production Detail. The Field Detail is responsible for forensic, crime scene, aerial, and evidentiary photography. The Production Detail handles imagery printing and retention, and support for the LYNX Photo Management System, which allows officers and court personnel to access digital imagery.

Objective No. 2(a) – Required Camera Equipment was Issued and Maintained

Criteria

Standard Operating Procedures, "Digital Image Photography," states:

Assigned Equipment. Photographers are responsible for the equipment that they are assigned. They shall maintain it in good working order and promptly report any malfunctions to their immediate Supervisor on a pre-printed 15.07.

Camera Equipment Checklist

- 2 D-300 Nikon Cameras
- 2 SB-800 Nikon Flashes
- 28mm-200mm Telephotos Lenses
- 60mm Lens4 Nikon Batteries (Flash)
- SC-24 TTL Remote Cord (Flash)
- Remote Release Trigger
- 4 4GB CF Memory Cards w/ Carry Cases
- Camera Bag

Audit Procedures

The Photography Unit issued the above-listed equipment to photographers, who must maintain it during their tenure. Because multiple pieces of the same equipment are issued, the total per photographer was 17 pieces. For example, Nikon® batteries were issued in groups of four, which Audit Division counted as four separate pieces of equipment.

Audit Division obtained a personnel roster from the Photography Unit to identify all photographers as of DP No. 10, 2015, and a list of the equipment assigned to each photographer.

There were 22 photographers assigned to the unit, including four supervisors. Photography Unit supervisors were not issued complete equipment sets due to funding shortages and because they are not regularly in the field. Excluding supervisors, 18 photographers were assessed for this objective, with 17 pieces of equipment each. If a photographer had extra equipment such as an additional lens, it was not added to the population.

The Department met the standard if each photographer was assigned all required equipment.

Findings

Eighteen (100%) of the 18 photographers met the standard for this objective.

Objective No. 2(b) – Returning of Equipment from Past Personnel

Criteria

Standard Operating Procedures, “Digital Image Photography,” states:

Assigned Equipment - Photographers are responsible for the equipment that they are assigned. They shall maintain it in good working order and promptly report any malfunctions to their immediate Supervisor on a pre-printed 15.07.

Camera Equipment Checklist

- 2 D-300 Nikon Cameras
- 2 SB-800 Nikon Flashes

- 28mm-200mm Telephotos Lenses
- 60mm Lens
- 4 Nikon Batteries (Flash)
- SC-24 TTL Remote Cord (Flash)
- Remote Release Trigger
- 4 4GB CF Memory Cards w/ Carry Cases
- Camera Bag

Audit Procedures

Audit Division obtained a list of photographers who left the unit as of January 1, 2010⁶, and found:

- One retired;
- One resigned; and,
- Two were deceased.

According to the equipment master list, the Photography Unit assigned the four photographers 17 pieces of equipment each, totaling 68 pieces. The Department met the standard if the equipment was accounted for or returned.

Findings

Sixty-seven (99%) of the 68 pieces of equipment met the standard for this objective. One 60mm lens was unaccounted for.

Objective No. 2(c) – Quality Control Assessment

Criteria

Technical Investigation Division photographers must follow a checklist to ensure they properly document crime scenes.

Standard Operating Procedures, “Digital Image Photography, Crime Scene Photography Reference Checklist,” states:

Slate

With the known information filled out, photograph the C-Form as the slate. This shall be the first photograph of the assignment.

⁶Due to the Photography Unit’s relatively low attrition rate relative to other Department entities, Audit Division personnel determined that a viable number of retired/resigned/transferred employees were needed to properly test this objective therefore, a minimum five-year time period was selected.

Identification

Photograph street signs, and photograph the address and apartment number, if applicable. If no address is attached to the assignment, photograph the nearest applicable address.

Point of Entry

If the assignment is inside of a building, photograph the probable point of entry into the location. If the assignment is outdoors, photograph streets leading up to area being documented.

Evidence

1. Photograph all evidence and areas leading up to evidence.
2. When possible, photograph all areas before the area is processed.
3. All evidence, when possible, will be in a minimum of three (3) photographs. A long shot showing the overall area, a medium shot showing the general area of the evidence, and a close up shot showing details of the evidence. Long and medium shots can be used for multiple pieces of evidence and a separate long and medium photograph for each piece of evidence is not necessary.
4. All photography used for comparison work will be photographed in both RAW and JPG file format.
5. Photograph evidence from all sides that will assist in documenting, analysis and investigative work.
6. Ensure that if numbers or letters are used for evidence, they are visible in the photographs to delineate the individual evidence.
7. If specialized techniques area required (e.g. footwear impressions, tire track impressions, latent print impressions) refer to the applicable checklist.
8. Check for additional evidence.
9. Photograph any other requests by the IO.

Audit Procedures

Audit Division obtained a population of 930 Photography Unit crime scene assignments and randomly selected a statistically valid sample of 58 for this objective.⁷

The Department met the standard if the crime scene photographers adhered to the aforementioned procedures by capturing the slate, identification, point of entry, and evidence.

Findings

Fifty-six (97%) of the 58 photography assignments met the standard. One lacked a slate photo and another lacked the cross-street/address photo.

⁷The sample size was obtained by utilizing a one-tailed test with a 95 percent confidence level and a four percent error rate.

Objective No. 2(d) – Efficiency of Photographers Performance Assessment – Information Only

Criteria

By capturing and preserving crime scenes and other police activities, photographers are an integral piece to investigations.

Audit Procedures

Audit Division obtained a list of calls for assignments received by the Photography Unit from May 1, 2015, through August 31, 2015.

Audit Division determined 930 calls were for police activity assignments and 26 were for special events or other non-investigative assignments.⁸ Audit Division reviewed dates and times of the 26 non-investigative calls to determine if any overlapped with police activity calls, and how the Photography Unit prioritized conflicting calls. Of the 26, ten were scheduled at the same times as investigative calls for service.

Conclusion

Each (100%) of the 10 investigative calls for service, that overlapped non-investigative calls, were completed with priority.

Objective No. 3 – Polygraph Unit

The Polygraph Unit administers polygraph examinations to police applicants, suspects, victims, and witnesses involved in investigations, and to candidates applying to specialized units. The Polygraph Unit is comprised of civilian polygraph examiners. In 2001, the polygraph examination became a requirement in the police officer applicant process and has proven to be a useful investigative tool in background investigations. The polygraph exam uses a computerized polygraph instrument to record physiological data from three body systems. A typical polygraph examination includes a pre-test interview, a chart collection phase (in-test), a test data analysis phase, and a post-test interview/interrogation. The process takes two to three hours. Polygraph exams may be administered to verify the truthfulness of information and/or to determine participation in a crime.

The Polygraph Unit was inspected from January 2010, through May 2010 (five months) by the Polygraph Law Enforcement Accreditation (PLEA) to determine if it was operating under the “best polygraph practices” standard set by participating law enforcement agencies. According to William B. Gary, Jr., Chief of the Accreditation Inspection Group, “Accreditation demonstrates a standard of service that is ethical, professional, and provides reliable results for the jurisdictions

⁸There were 83 different types of investigative calls, ranging from Officer-Involved Shootings to Child Abuse Investigations.

served by an accredited polygraph unit.”⁹ The inspection examined a wide range of criteria, including policy and procedures, quality control, statistics and reports, technical practices, consistent and equitably applied approval procedures, examiner qualifications, selection criteria and training, and properly applied technology. In all areas, the Polygraph Unit was found to be in compliance and consistent with PLEA standards.

The Polygraph Information Network, operating under the auspices of the Federal Bureau of Investigation, incorporated the PLEA program to act as an oversight body. The National Center for Credibility Assessment in collaboration with several federal, state and local agencies, including the Department, was the driving force behind PLEA.

Polygraph experts from federal, state and local law enforcement (LE) agencies manage the PLEA program. The PLEA inspection process involves a comprehensive review of a LE agency’s polygraph program by subject matter experts to ensure the agency has developed and implemented polygraph standards that represent the best polygraph practices in the LE community. The polygraph standards adopted by PLEA are in the Polygraph Guide for Standards and Practices (Guide) and form the basis to accredit federal, state and local LE polygraph programs.

On May 27, 2010, the Department was the first municipal LE Polygraph Unit in the country to achieve accreditation.¹⁰

Objective No. 3(a) – Examiners Completion of Required Training

Criteria

Scientific Investigation Division Polygraph Unit Manual, Approved August 2014, states:

Polygraph Examiner III (PE III): The PE III acts as the technical lead employee and is an integral part of the daily polygraph process. Some of the PE-III responsibilities include:

- Maintain all training records for the Polygraph Unit Personnel and monitor the necessary examiner polygraph related training hours (PLEA guidelines require 30 hours every two years) are met.

Polygraph Law Enforcement Accreditation, “Polygraph Guide for Standards and Practices,” C12.4 and “Continuing Education,” subset C12.4.1, states:

Examiners should undergo continuing education of at least 30 hours every two calendar years.”

⁹News Release Thursday, June 3, 2010 Media Relations- “*The Los Angeles Police Department's Polygraph Unit First in California to Receive Accreditation NR10297kr*” – www.lapdonline.org

¹⁰News Release Thursday, June 3, 2010 Media Relations- “*The Los Angeles Police Department's Polygraph Unit First in California to Receive Accreditation NR10297kr*” – www.lapdonline.org

Polygraph Law Enforcement Accreditation, “Continuing Education,” subset C12.4.2, states:

Polygraph Continuing Education (CE) records should be maintained for a minimum of three years.”

Audit Procedures

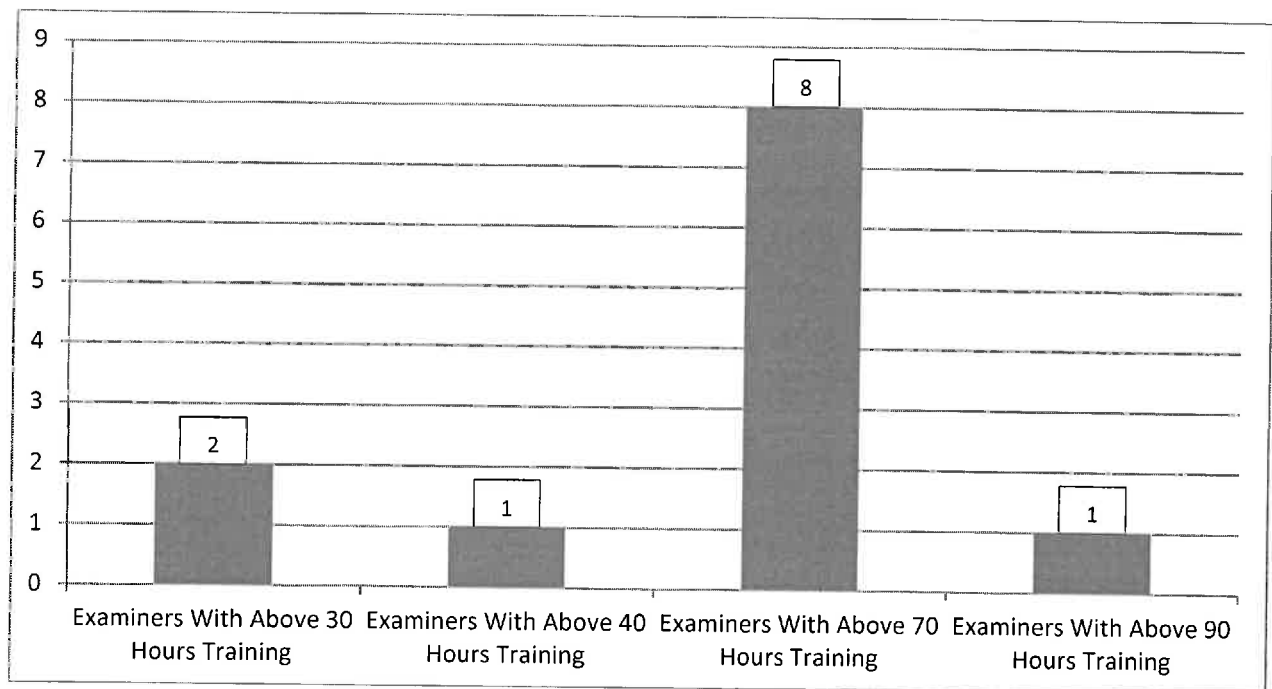
The Polygraph Unit consisted of 12 polygraph examiners during DP 10, 2015. Audit Division reviewed their training hours from December 1, 2013, through July 31, 2015, for 30 hours of polygraph examiner-related training every two years.

All polygraph examiners who completed the required training met the standard.

Findings

Each (100%) of the 12 polygraph examiners met the standard for this objective.

Figure No. 3 – Polygraph Unit Training Hours



Objective No. 3(b) – Quality Control Review - Supervisory Oversight

Criteria

Technical Investigation Division Polygraph Unit Manual, Section 11.2, “Quality Control Review,” states:

The QCR Examiner shall do the following:

- Review all charts and supporting documentation (crime report, polygraph report, etc.) for accuracy.
- If the examination is a police candidates re-test, the QCR examiner shall review the LAPD Hiring and Evaluation Section (HES) Recommendation to Administer Re-Test Polygraph request and the included polygraph report to ensure the Examiner tested to correct relevant issue(s).
- If the exam is a criminal, internal screen or administrative exam, the QCR examiner shall independently analyze the charts to ensure the results are confirmed (score the charts).
 - Police Candidate exams – Periodically analyze the charts to ensure the results are confirmed (spot check).
- Complete the Quality Control Review Checklist (QCR).

Technical Investigation Division Polygraph Unit Manual, Section 11, “Quality Control and Quality Control Review,” states:

The examiner that conducted the preliminary QC SHALL NOT be the same person conducting the QCR for the same polygraph examination.

Audit Procedures

Audit Division obtained a list of 2,030 police candidate polygraph examinations from January 1, 2015, through August 31, 2015. Audit Division verified whether quality control reviews (QCRs) were conducted and whether the QCR was conducted by the same person who conducted the Quality Control exam.

The Department met the standard if the QCR was completed and an examiner other than the initial examiner conducted independent reviews.

Findings

Each (100%) of the 2,030 examinations met the standards for this objective.

Note: The Polygraph Unit also conducted 165 re-tests or breakout tests and each (100%) of the tests had an independent Polygraph Unit supervisor complete the QCR for each examination.¹¹

Objective No. 3(c) – Facility Alarm Devices

Criteria

Technical Investigation Division Polygraph Unit Manual, Section 4, “Facility Security,” states:

The Polygraph Unit has been equipped with the following alarm devices:

- Wall panic buttons
- Panic Buttons in all TID polygraph suites
- Polygraph suite door alarms

It is essential that polygraph personnel utilize the alarm devices for the safety and security of all Tech Lab employees, police candidates, and visitors. It is each examiner’s responsibility to utilize such security features.

The examiner shall activate the door alarm anytime the examiner leaves the polygraph suite and any examinee (i.e. pre-employment exam, criminal exam, or internal screen exam) remains in the polygraph suite.

Audit Procedures

Audit Division established that there were 20 alarms in the Polygraph Unit suite. Audit Division physically assessed if the alarms were in good working order.

The Department met the standard if the Polygraph Unit suite alarms were in good working order.

Findings

Each (100%) of the 20 alarms in the Polygraph Unit suites met the standard for this objective.

Objective No. 4 – Electronics Unit

The Electronics Unit provides support services such as technical investigative support utilizing electronic surveillance devices. The Unit is comprised of Police Surveillance Specialists and clerical personnel. The Electronics Unit designs, constructs, and modifies electronic equipment to match the nature of the investigations they support. The Unit provides services such as reproducing audio and video evidence for court, repairing and maintaining recording equipment, audio and video enhancement and analysis, and cellphone analysis. The Electronics Unit also

¹¹A “breakout” test is a PLEA standard where tests are given immediately following a standard test, if the test was inconclusive.

conducts technical security countermeasure sweeps (debugging) for Department entities and City officials.

Objective No. 4(a) – Return of Loaned-Out Surveillance Equipment

Criteria

Chief of Detectives Notice, “Loan of Scientific Investigation Division Equipment for Shoulder Tap, Minor Decoy, and Trick Task Force Operations,” October 19, 2011, states:

All loaned equipment shall be returned to SID Electronics Unit, no later than the next business day following the operation's conclusion.

NOTE: Such equipment must be available, whenever possible, to support the Department's priority and high-profile operations. While it is understandable that Vice personnel may not be available for the timely return of loaned equipment, Vice supervisors should make arrangements with their respective Area Watch Commanders to return loaned equipment on the next business day following an operation's conclusion.

Department Manual, Section 3/568.05, “Electronic Surveillance Equipment – Defined,” states:

Restricted electronic surveillance equipment shall generally be used for a period of time not to exceed 30 days. However, equipment used in investigations by specialized units in certain divisions (e.g. Gang and Narcotics Division, Vice Division, Major Crimes Division, Professional Standards Bureau, etc.) may be used for the duration of the investigation, in excess of 30 days, provided that the equipment is accounted for, remains in good working order and prior approval is obtained. Should the investigation exceed the 30-day time limit, the investigating officer shall complete an Employee's Report, Form 15.07.00, documenting the reasons for the additional time required and the condition of the equipment. The Employee's Report shall be completed and approved prior to the expiration of the due date. The investigating officer shall forward the Employee's Report to his/her commanding officer for approval.

Audit Procedures

Surveillance equipment consistently loaned included: wire taps, transmitters, recorders, body wires, and body cameras. Audit Division obtained a list of all items, surveillance-related, loaned from January 1, 2015, through August 31, 2015. A review of the list determined that 33 pieces of surveillance equipment were loaned out during the period.

The Department met the standard if the equipment was checked out and returned within 30 days.

Findings

Each (100%) of the 33 pieces of surveillance equipment loaned met the standard for this objective.

Objective No. 4(b) – Surveillance Equipment Inventory Records

Criteria

Department Manual, Section 3/568.40, “Control of Electronic Surveillance Equipment,” states:

The Commanding Officer, Scientific Investigation Division, shall be responsible for the following duties and functions related to all electronic surveillance equipment:

- Maintaining inventory records for all Department electronic surveillance equipment. The Electronic Surveillance Equipment Inventory Card, Form 12.42.00, shall be used for this purpose

Audit Procedures

Surveillance equipment consistently loaned included: wire taps, transmitters, recorders, body wires, and body cameras. Audit Division obtained all Electronics Unit’s *Electronic Surveillance Equipment Inventory Cards, Form 12.42.00*, and reconciled them with the equipment the Electronics Unit has in inventory to determine if there was any outstanding equipment.

Audit Division determined that 39 pieces of surveillance equipment are the most frequently loaned for investigations:¹²

Recorders

- (4) Clandestine Recorders
- (6) Digital Audio Recorders

Repeaters

- (4) Audio Repeaters

Receivers

- (2) Audio Receivers

Audio Transmitters

- (15) Audio Transmitters

Video Recorders

- (7) Digital Video Recorders
- (1) Video Transmitter

The Department met the standard if the above listed surveillance equipment was available for inspection and documented on *Electronic Surveillance Equipment Inventory Cards*.

¹²Further, these pieces of surveillance equipment were most likely to be damaged or lost and therefore were the best sample to test for controls utilized by the Electronics Unit.

Findings

Each (100%) of the 39 pieces of surveillance equipment met the standard for this objective.

Objective No. 4(c) – Processing Cellphones Performance Assessment - Information Only

Criteria

According to the Electronics Unit, cellphones are processed within 60 days from when they are submitted. Although the processing time of 60 days is not a Department policy, the 60-day time frame was used to assess this objective.

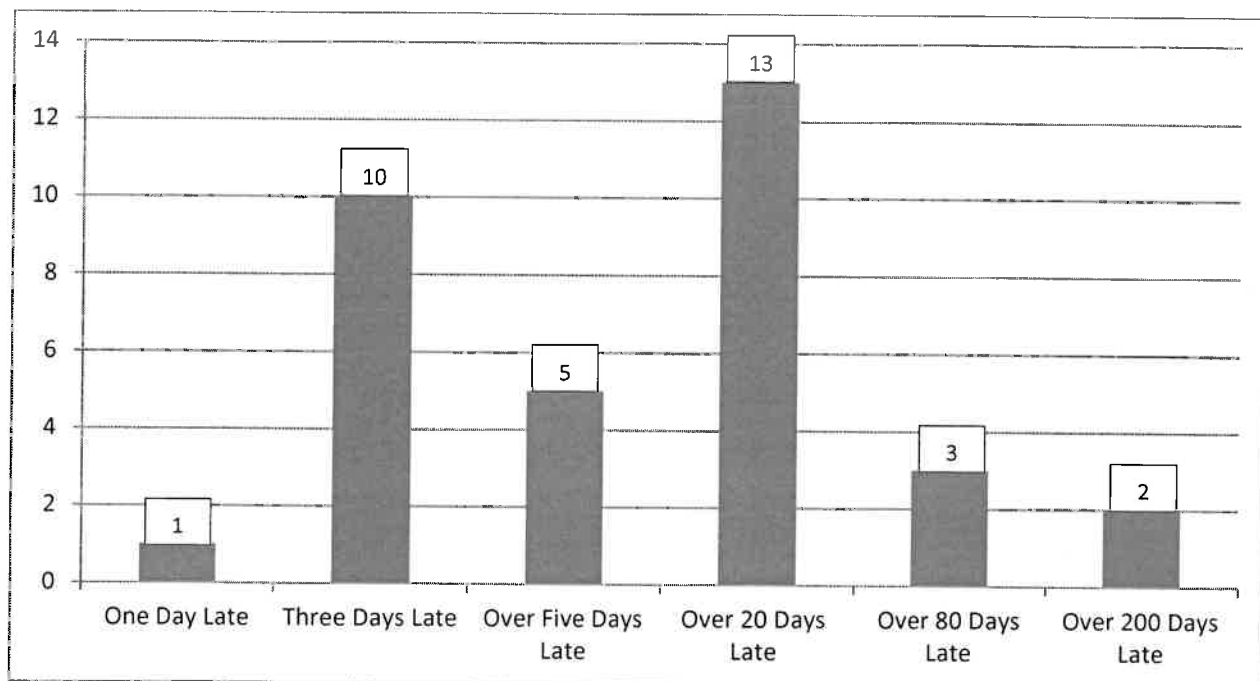
Audit Procedures

Audit Division obtained a list of cellphones examined by the Electronics Unit from January 1, 2015, through August 30, 2015. Audit Division assessed this objective using the Electronic Unit's self-imposed standard that cellphones are to be examined within 60 days. Audit Division determined the Electronics Unit examined 276 cellphones during the audit period.

Conclusion

Two hundred fifty-three (92%) of the 276 cellphones were processed within the 60 days. Figure No. 4 details the number of days beyond the 60-day parameter established for completing cellphone examinations.

Figure No. 4 – Electronics Unit Cellphone Examination Late Times



OTHER RELATED MATTER

Electronics Unit - Training Requirements

Long hours are spent testing new equipment and researching the ever-evolving forms of digital media and technology. The Department should consider a more comprehensive training schedule for Electronics Unit personnel to be more competitive in the electronic crime and evidence retention field.

RECOMMENDATIONS

None.

ACTIONS TAKEN/MANAGEMENT'S RESPONSE

1. The Commanding Officer, Technical Investigation Division, validated the findings.
2. Audit Division provided the audit report to the Assistant to the Director, Office of Special Operations, and the Commanding Officer, Detective Bureau; both agreed with the audit report.
3. The Commanding Officer, Technical Investigation Division, submitted a response to the audit findings. See Addendum.

INTRADEPARTMENTAL CORRESPONDENCE

June 27, 2016
8.5

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Technical Investigation Division

SUBJECT: RESPONSE TO FIRST QUARTER, FISCAL YEAR 2015/2016 TECHNICAL INVESTIGATION DIVISION AUDIT

As requested, the findings of the Technical Investigation Division (TID) Audit for the First Quarter, Fiscal Year 2015/16, have been reviewed. As a new division, the audit findings were extremely helpful in determining the existing levels of adherence to policy and procedure in our operational units in order to focus our efforts going forward. It was with great pleasure to note that of the 14 categories examined in the audit, 9 categories were found to be 100% in compliance, with four others at 92% compliance rate or higher and that the category with the lowest finding, the Timeliness of Latent Print Analysis for Property Crimes, had an 81% compliance rate.

The attached Fact Sheet documents our findings on those categories that were not found to be 100% within compliance and the steps taken to address the deficiencies. It should be noted that the Audit Division staff assigned to this audit were exceptionally professional and provided invaluable insight to the unit officers in charge who worked with them on this project.

Please contact me if you have any questions or require any additional information regarding this response. I can be reached at (213) 473-0630.



D'ANNA MARKLEY, Police Administrator
Commanding Officer
Technical Investigation Division

Attachment

FACT SHEET

TECHNICAL INVESTIGATION DIVISION AUDIT RESPONSE

June 27, 2016

Purpose. In accordance with the Los Angeles Police Department Annual Audit Plan for fiscal year (FY) 2015/16, Audit Division conducted an audit of the Technical Investigation Division (TID) to evaluate adherence with Department Directives. The period selected for evaluation was January 1 through August 31, 2015.

Findings. In their detailed findings, Audit Division concluded that TID achieved 100% compliance with the performance standards in 9 of 14 categories. This fact sheet addresses those categories in which it was determined that TID did not meet 100% compliance and identifies corrective action(s) taken.

Objective Nos. 1(c) and 1(d) – Latent Print Unit: Timeliness of Latent Print Analysis – Property Crime and Timeliness of Latent Print Analysis – Violent Crime

The audit indicated that the Latent Print Unit (LPU) met the Department standard of completing analysis and providing information to the investigating officers within 56 days on 81% of the requested property crime cases and 93% of the violent crime cases. Continued staffing shortages, the loss of Area Latent Print Officers (ALPOs), and an aging Los Angeles Fingerprint Identification System (LAFIS) have been identified as contributing factors to the LPU's difficulties in meeting deadlines for both property and violent crime print cases.

- **Staffing shortages.** The difficulties created by the loss of staff in this unit have been identified in previous audits, resulting in the 10-Case Prioritization Program, established in 2012. Under the program, all violent crime cases are analyzed by the LPU. In addition, each geographic Area has the ability to request analysis on 10 property crime cases each deployment period (DP). Since the implementation of the 10-Case Prioritization Program, the LPU has lost an additional 20 Forensic Print Specialists (FPS). To augment these losses, funding sources for cash overtime have been identified that have allowed the LPU to maintain service levels, and actually increase the number of cases from 10 to 13 cases per geographic Area each DP in 2016. However, all sources of cash overtime will be exhausted by the end of the current fiscal year (June 30).
 - The Department has made the hiring of new FPS staff a priority. In November 2015, eight vacant FPS positions were filled and another 16 were filled in May 2016. Additional hiring is tentatively scheduled for January 2017.
- **Loss of ALPOs.** The 10-Case Prioritized Property Crime Program was developed in conjunction with the implementation of the ALPO Program. The expectation at the time was that two ALPOs would be deployed at each geographic Area to respond to property crime scenes to collect latent print evidence, freeing FPS staff to address violent crime cases, launch print searches in LAFIS, and conduct comparisons. Due to the redeployment of sworn officers, most ALPO officers have been reassigned to patrol duties. At this time, only eight ALPOs remain active Citywide.

FACT SHEET

TECHNICAL INVESTIGATION DIVISION AUDIT RESPONSE

June 27, 2016

- The LPU has shifted staff from comparison work to the field to meet requests for prints. Effective July 1, the number of property crime print cases that can be submitted by geographic Areas will be reduced from 13 cases back to 10 cases per DP. This number may be reduced further should the LPU be unable to meet the eight-week due date for processing.
- **Obsolete equipment.** As identified in the audit, the County's aging LAFIS server is unable to keep pace with the demands placed upon it by the LPU. Since the end of the audit period, the system has experienced an additional 715 hours of inoperability. In addition to the noted downtime, even when operable the system is extremely slow with considerable lag time between keystroke operations, impacting the number of cases that can be processed.
- The TID management has escalated this issue with the County, who is the system administrator for the LAFIS system. An investigation determined that the server should be replaced. In January 2016, the Remote Access Network Board approved funding to purchase a new server, the purchase of which is currently in the County's procurement process. In addition, the County has approved a new Multimodal Biometric Identification System to replace the current LAFIS database. The system is currently under development and is scheduled to be installed by February 2017. The new system will be more efficient, faster, and will generate more accurate latent print matches from all fingerprint databases, including local agencies, the Department of Justice, and the Federal Bureau of Investigation. This system also incorporates facial, iris, and tattoo recognition that will provide additional investigative tools for detectives.

Objective No. 2(b) – Returning of Equipment from Past Personnel

The Photography Unit achieved 99% compliance on this objective. The audit identified that the unit was unable to verify that one piece of equipment from an employee that passed away had been returned. To prevent future discrepancies, the Photography Unit will ensure that a minimum of two employees are present when equipment is assigned or returned. In the event that the employee returning the equipment is not available, a supervisor will be present to ensure proper documentation is completed.

Objective No. 2(c) – Quality Control Assessment

The Photography Unit complied with internal, standard operating procedures on 97% of the crime scenes that were reviewed for the audit. Two cases were identified that were missing administrative components; one was missing a photo of the C-Form or slate, the other was missing a photo of relevant street signs. To prevent future occurrences, additional training will be provided to Photographers. The training will include an initial e-mail reminder, roll call training, and review of imagery by supervisors to ensure compliance.

FACT SHEET

TECHNICAL INVESTIGATION DIVISION AUDIT RESPONSE

June 27, 2016

Objective No. 4(c) – Processing Cellphones Performance Assessment – Information

The goal of providing analysis and data extraction on all cellular devices within 60-days of receipt is an internal goal established by the Electronics Unit. Analysis and data extraction was completed within 60 days on 92% of the cellular devices that were submitted. The Electronics Unit processed over 97% of the devices within 70 days of receipt. There are two primary causes that were identified for the devices that could not be processed within 60 days. The majority of the devices that did not meet the 60-day goal were newer model iPhones with updated operating systems. At the time the devices were received, there was no known hardware or software solution to successfully bypass the locking and/or encryption mechanisms. These devices were held while Unit personnel sought new technology to access the data. In other instances, the 60-day goal was exceeded due to the necessity to order parts to repair a damaged phone in order to access the contents. In each instance where a device remained with the Electronics Unit over the 60-day goal, Unit personnel maintained communication with the investigating officer to provide status updates. The recent implementation of a new tracking database designed by Information Technology Bureau will assist in the documentation of status updates provided by Electronics Unit staff.

Prepared by:
Technical Investigation Division