

INTRADEPARTMENTAL CORRESPONDENCE

May 12, 2021
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: AUDIT RECOMMENDATIONS STATUS REPORT FOR DECEMBER 2020

RECOMMENDED ACTIONS

That the Board REVIEW and FILE the attached Audit Recommendations Status Report for December 2020.

DISCUSSION

Pursuant to its 2021 Charter, the Audit Division reports audit recommendations and the implementation status of recommended corrective actions through the Office of Constitutional Policing and Policy to the Board of Police Commissioners. The purpose of this is to share information with Department management and promote accountability and transparency to the public that the Department serves.

The attached Audit Recommendations Status Report (ARSR) provides details regarding recommendations that were implemented, in progress, or closed between January 2019 and December 2020. The ARSR is typically issued twice a year and the next ARSR will reflect the period from January 2021 through June 2021.

If there are any questions regarding this report, please contact Trina Unzicker, Commanding Officer, Audit Division, at (213) 486-8480.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachments

**EXECUTIVE SUMMARY
AUDIT RECOMMENDATIONS STATUS REPORT
Audit Division, December 2020**

OVERVIEW

Audit Division’s (AD) Audit Recommendations Status Report provides the Board of Police Commissioners (BOPC) with the status of BOPC-approved audit recommendations. This report details recommendation activity that occurred during the last three reporting periods (July 2019 through December 2020).

Auditors present reports containing recommendations to the BOPC for their approval throughout the year. Among AD’s responsibilities detailed in the BOPC-approved *Audit Division Charter* is to evaluate plans and actions taken to correct reported findings, ensure that any BOPC-approved corrective action is taken, and report the status of these corrective actions to the BOPC to promote accountability and transparency. After the BOPC approves an audit report, AD tracks the implementation of the recommendations. Auditors identify the lead entities responsible for addressing the recommendations and coordinate with them to ensure that changes to policy, procedure, or function are implemented. The AD reviews each recommendation’s disposition to determine whether the corrective action identified in the audit is implemented, in progress, or not implemented, and provides details regarding the status of implementation.

SUMMARY - STATUS OF AUDIT RECOMMENDATIONS

For this report, AD tracked a total of 20 recommendations, including 15 from previous reporting periods and five newly-added recommendations. For detailed status updates regarding each of these recommendations, please refer to the attached December 2020 Audit Recommendations Status Report.

Status	Total	Percent
Recommendations in Progress Prior to July 2019	15	75%
Recommendations Added Since July 2019	5	25%
Total Recommendations July 2019 – June 2020	20	100%
Recommendations Implemented Since July 2019	11	55%
Recommendations Closed/Not Implemented	5	25%
Recommendations in Progress	4	20%
Total Recommendations July 2019 – June 2020	20	100%

Eleven recommendations from seven audits have been implemented:

- Audit No. 16-002 (Categorical Use of Force Process)
 - Recommendation No. 1: *Special Order No. 29, Non-Categorical Use of Force Administrative Disapproval Internal Process Receipt – Activated; And, Commanding Officer’s Responsibilities – Revised*, published to the Local Area Network (LAN) on December 9, 2020.
- Audit No. 16-011 (Standards Based Assessment and Employee Evaluation Report)
 - Recommendation No. 1: New process has been developed and Department-wide training is planned in three phases. Remote learning is being developed due to COVID-19 issues with in-person training.

- Recommendation No. 2: *Administrative Order No. 16, "Service Rating Reports – Civilian Employees – Revised,"* was published on October 10, 2019.
- Audit No. 18-007 (Juvenile Arrest Procedures)
 - Recommendation No. 1: *Administrative Order No. 11, Notification to Parents – Juvenile Arrest – Revised* was published on July 30, 2019.
- Audit No. 18-008 (Confidential Informant Package)
 - Recommendation No. 1: The *Confidential Informant Manual* was approved and uploaded to the Local Area Network (LAN) on January 2020. A login procedure change for all Department Confidential Informant Coordinator employees was also implemented.
 - Recommendation No. 2: *The Confidential Informant Contact Form* was published to the LAN on September 16, 2020.
- Audit No. 18-009 (Missing/Found Persons Investigation)
 - Recommendation No. 1: This resulted in an issuance of a *Chief of Detectives Notice, Missing Juvenile Investigation Follow-Up Guidelines* on October 9, 2019. The *Detective Operations Manual* update was completed and posted to LAN on March 5, 2020.
- Audit 18-016 (CalGang Criminal Intelligence System)
 - Recommendation No. 1: *Administrative Order No. 22, Contacts with Gang Members - Revised; Miscellaneous Forms and Guides Pertaining to the Gang Enforcement Detail and Gang Impact Team Operations in Reference to the Shared Gang Database – Revised; and, Shared Gang Database Spreadsheet Guide, Form 12.16.24 – Activated,* dated December 9, 2019, was issued. It should be noted that the Department's withdrawal from participation in the CalGang Database impacted further implementation.
- Audit 19-005 (Gang Enforcement Detail Extension Criteria)
 - Recommendation No. 1: *Office of the Chief of Police Notice, Gang Enforcement Detail as Limited Tour Assignment* was posted on the LAN on January 24, 2020 as a reminder and clarification of the procedures for an employee's extension to participate in the Gang Enforcement Detail (GED). The Notice also addresses the transition of officers and supervisors assigned to GED.
 - Recommendation No. 2: As of July 2020, the Office of Operations implemented a notification and tracking system to monitor GED extension due dates for GED supervisors.
 - Recommendation No. 3: *Office of the Chief of Police Notice, Gang Enforcement Detail as Limited Tour Assignment* was posted on LAN in January 2020 as a reminder and clarification of the bureau commanding officer's role and responsibilities with regard to GED extension requests.

Three recommendations from two audits are in progress:

- Audit No. 18-005 (Property Division) requires additional time to work with the Fiscal Group to plan funding for property and evidence room cameras and with the Facilities Management Division to provide panic alarm training.
- Audit No. 18-014 (Operations–Valley Bureau Digital In-Car Video System) requires additional time to obtain a signed notice from the Chief of Police.

Five recommendations from two audits will not be implemented:

- Audit No. 18-016 (CalGang Criminal Intelligence System) contained three recommendations that will not be implemented due to the Department's withdrawal from the use of the CalGang Database.
- Audit No. 19-006 (Selection Criteria) contained two recommendations that will not be implemented due to the deterioration of negotiations between Employee Relations Group (ERG) and Los Angeles Police Protective League regarding proposed revisions to Department policy and the potential effect on special assignments. The agreement between the COs of Risk Management and Legal Affairs Division and Professional Standards Bureau (PSB) was that after disputed matters were resolved, PSB or ERG will either re-open the project or initiate a new project to implement the Department's intent regarding Limited Tour assignments.

Attachment: December 2020 Audit Recommendations Status Report

AUDIT DIVISION

AUDIT RECOMMENDATIONS STATUS REPORT AS OF DECEMBER 2020

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
16-002	2015/16	Categorical Use of Force Process	17-0161	<p>1. It is recommended that Policies and Procedures Division re-visit <i>Department Manual</i>, Vol. 3, "Management Rules and Procedures," Section 792.20, "Administrative Disapproval (Tactics, Drawing And Exhibiting Or Use Of Force)," to incorporate a 90-day timeframe for completion of remedial actions and documentation criteria subsequent to the Board of Police Commissioner's concurrence of the findings.</p> <p>This recommendation will be consistent with the timeliness of the 90-day requirements for the General Training Update (subsequent to the Categorical Use of Force incident) and the Tactical Debrief (subsequent to the Board of Police Commissioner's review). Objective No. 4(c).</p>	<p>Implemented</p> <p>In December 2019, the Director, Office of Support Services (OSS), met with the Commanding Officer (CO), Critical Incident Review Division (CIRD), regarding the draft special order. The Director, OSS, presented the draft to the Chief of Police for his input on issues raised by CIRD. OSS returned the draft in June 2020 to the Risk Management and Policies Division OSS UOF Subcommittee for revisions. It should be noted that this recommendation was merged with another UOF project that was published as Special Order No. 29 on the LAN in December 2020.</p>	RMPD

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
16-011	2015/16	Standards Based Assessment and Employee Evaluation Report	17-0093	<p>1. It is recommended that Application Development and Support Division consider developing a program to automatically generate a Performance Evaluation Report Action Item (PERAI) that provides for a monthly alert to supervisors indicating an Employee Evaluation Report (EER) is due for a civilian employee. The proposed PERAI for EERs would mirror the PERAI for SBAs that is currently in place. Objective No. 2(d).</p> <p>2. It is recommended that Policies Procedures Division incorporate the guidelines for calculating the rating period for civilian employees currently documented on a Desk Note published by the Personnel Records Section, onto the Department's LAN as an Order or in the <i>Department Manual</i>. Other Related Matter.</p>	<p>Implemented Application Development and Support Division (ADSD) completed functionality testing and formed a pilot program with Personnel Division and staff from ADSD, Information Technology Group, Information Technology Division, and Emergency Command Control Communication Services Division. ADSD also developed a Train-the-Trainers course for TEAMS II Coordinators. Pending publication of a Personnel Division Notice, Department-wide roll out is planned in quarterly phases. The 1st and 2nd Quarter roll outs have been delayed due to COVID-19 and Safer LA mobilizations, but ADSD will develop a remote learning schedule to move the roll-out along.</p>	ADSD
					<p>Implemented <i>Administrative Order No. 16</i>, "Service Rating Reports – Civilian Employees – Revised," was published October 10, 2019.</p>	

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
18-005	2018	Property Division	19-0091	<p>1. It is recommended that the Commanding Officer, Property Division, consult with the Commanding Officer, Facilities Management Division, to ensure that all Property Division officers and respective division Watch Commanders and Department employees receive appropriate training on the use of the installed security panic alarms and implement monthly testing at all Area property rooms. Objective No. 1(d).</p> <p>2. It is recommended that the Commanding Officer, Property Division, consult with the Commanding Officer, Facilities Management Division, to ensure that all property and evidence rooms have a panic alarm installed to ensure the safety of Property Division staff. Objective No. 1(d) Other Related Matter.</p>	<p>In Progress The CO, Evidence and Property Management Division (EPMD) submitted a request in May 2019 to the CO, Facilities Management Division (FMD) to obtain panic alarm training. The CO, EPMD will provide a status report to address appropriate action. Not training provided as of February 2020 due to COVID-19.</p> <p>In Progress The CO, EPMD submitted a request in May 2019 to the CO, FMD to fund and install panic alarms. EPMD will work with FMD to plan the installation for the panic alarms. As of February 2021 there are no new updates to this recommendation due to budget issues.</p>	EPMD
18-007	2018	Juvenile Arrest Procedures	19-0039	<p>3. It is recommended that the Commanding Officer, Property Division, consult with the Commanding Officer, Facilities Management Division, to install a camera at the Pacific Area Property Room. Other Related Matter.</p> <p>1. It is recommended that the Commanding Officer, Juvenile Division evaluate <i>Department Manual</i>, 2nd Quarter 2017, Vol. 4, "Line Procedures," Section 218.80, "Notification to Parents – Juvenile Arrest," which states: "When an officer takes a juvenile arrestee to a place of confinement (i.e., Area station, juvenile detention center, etc.), the officer shall take immediate steps to notify the juvenile's parent, guardian or responsible relative that the juvenile is in custody and of the location where the juvenile is being held."</p> <p>The word "immediate" in the <i>Department Manual</i> should be specified to be consistent with the current Juvenile Arrest Supplemental Report, Form 05.02.06 (JASR), which specifies "immediate" as one-hour. Objective No. 4(a).</p>	<p>In Progress The CO, EPMD submitted a request in May 2019 to the CO, FMD to obtain a Pacific Station Property Room surveillance camera. EPMD will work with FMD to plan the installation of the camera at the Pacific Area Property Room. As of February 2021 there are no new updates to this recommendation due to budget issues.</p> <p>Implemented <i>Administrative Order No. 11</i>, "Notification to Parents – Juvenile Arrest – Revised," was published July 30, 2019.</p>	EPMD

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
18-008	2018	Confidential Informant Package	19-0049	<p>1. It is recommended that the Department Confidential Informant Coordinator (DCIC) assign user IDs for the current DCIC Unit staff. Once assigned, each user should set up his or her unique password, use these user credentials to login into the Confidential Informant Tracking System Database and change their password at least once every 120 days. Also, it is recommended that the DCIC remove user IDs for individuals who are no longer assigned to the Unit. Furthermore, it is recommended that the DCIC periodically monitor the activity on the Log to ensure only authorized users are accessing the database and access is performed during their normal business hours. Objective Nos. 1(c) and 1(d).</p>	<p>Implemented The Gang and Narcotics Division (GND) assigned individual user logins/passwords to employees and removed access to previously assigned employees. Department Confidential Informant Coordinator (DCIC) supervision will continue to monitor access and remove employees re-assigned outside the DCIC. Pending confirmation from GND, ADSD modified the Confidential Informant Tracking System on the standalone computer (CITSD) so that it will automatically shut off at 20:01 hours daily. ADSD wrote and installed a program on the CITSD that will require staff to change passwords after 120 days. The Confidential Informant Manual was approved and uploaded to the LAN in January 2020.</p>	GND
				<p>2. It is recommended that the Department Confidential Informant Coordinator review the Informant Information Form to identify information that is no longer relevant. Once irrelevant information is identified, the form should be updated to expedite the completeness and review of the form. Objective Nos. 2(a-c).</p>	<p>Implemented GND completed revisions to the Confidential Informant Contact Form, Form 03.23.05 (currently known as the Informant Contact Form); Informant Information Form, Form 03.23.00; and the Non-Confidential Informant Admonishment and Consent Form. The Confidential Informant Contact Form was published to the LAN on September 16, 2020.</p>	GND
18-009	2018	Missing/Found Persons Investigation Reports	19-0173	<p>1. It is recommended that the Chief of Detectives review the language in <i>Detective Operations Manual</i>, Sections I/133 and I/120, and provide clear due dates regarding when a Follow-up Investigation, Form 03.14.00, is to be completed when juveniles remain missing more than 30 days. Objective No. 3.</p>	<p>Implemented The Detective Bureau issued a Chief of Detectives Notice on October 9, 2019 reminding personnel of the missing juvenile investigation follow-up guidelines. The Office of Operations directed all geographic Area commands to comply with the 30-day follow-up requirement for all missing juveniles. The updated Detective Operations Manual was posted to the LAN on March 5, 2020.</p>	DB

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
18-014	2018	Operations-Valley Bureau Digital In-Car Video System	19-0281	1. It is recommended that <i>Office of Operations Notice, March 15, 2018, "Standardized Video Inspection Procedures"</i> expand on the duties of the bureau inspection units to include those areas identified in Objective Nos. 3, 4, and 5.	<p>In Progress</p> <p>The OCPP states that a project is in progress to consolidate all Body Worn Video (BWV) and Digital In-Car Video System (DICVS) notices and orders into one Office of the Chief of Police (OCOP) Notice. As part of this consolidation, all policies will be assessed and revised to provide clarity and guidance, including those of the Bureau Inspection team. The Office of Operations (OO) advised of a new BWV/DICVS inspection process with a focus on assessing operational usage rather than administrative duties. This new inspection process was approved by the LAPPL and went into e-review in September 2020. An OCOP Notice will be published after the e-review is complete. The notice was pending COP signature in February 2021.</p>	OO

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
18-016	2018	CalGang Criminal Intelligence System	19-0252	<p>1. It is recommended Gang and Narcotics Division work with Risk Management and Policies Division in revising Department Manual, Vol. 4, Section 269.30, to mirror California Penal Code Section 186.34(c)(1) regarding written notices for juveniles. Objective No. 2(d) and Other Related Matter.</p> <p>2. It is recommended the Office of Operations implement a supervisory review of available documents and relevant Body Worn and/or Digital In-Car Video prior to any new individual being added into CalGangs to verify, to the extent possible, the accuracy of the reason for entry into the CalGang System.</p> <p>3. It is recommended the Office of Operations and Gang and Narcotics Division implement periodic inspections of a sample of documents and video related to updates to existing subjects in CalGangs by the divisional, bureau, and GND gang coordinators to verify, to the extent possible, the accuracy of the reason for entry into the CalGang System. Other Related Matter.</p> <p>4. It is recommended the Office of Operations implement mandatory video reviews and better tracking of any appeals by individuals contesting their inclusion into the CalGang System. Other Related Matter.</p>	<p>Implemented</p> <p>Administrative Order No. 22, "Contacts with Gang Members – Revised; Miscellaneous Forms and Guides Pertaining to the Gang Enforcement Detail and Gang Impact Team Operations in Reference to the Shared Gang Database – Revised"; and, Shared Gang Database Spreadsheet Guide, Form 12.16.24 – Activated," were published on December 9, 2019. It should be noted, however, that Department's withdrawal from participation in the CalGang Database impacted further implementation (see below).</p>	GND
					<p>Closed/Not Implemented</p> <p>The OCPP states that this recommendation was closed without implementation due to the withdrawal of the Department's participation in the CalGang Database System in July 2020.</p>	GND
					<p>Closed/Not Implemented</p> <p>Same as Recommendation No. 2. See above.</p>	GND
					<p>Closed/Not Implemented</p> <p>Same as Recommendation No. 2. See above.</p>	GND

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
19-005	2019	Gang Enforcement Detail Extension Criteria	19-0314	<p>1. It is recommended that the Office of Operations review the policies and procedures regarding the Gang Enforcement Detail (GED) extension request approval process to ensure the Chief of Police is allotted enough time (see Table No. 3) to approve extension requests. Currently, Department policy does not specify a time frame to begin the process. The <i>Department Manual</i> only indicates, "Commanding officers must anticipate the culmination of these limited tours of duty and prepare for the transition of the officers and supervisors assigned to a GED." (Vol. 3, "Management Rules and Procedures," Section 763.78, "Gang Enforcement Detail as a Limited Tour Assignment.") Objective No. 2(a).</p> <p>2. It is recommended that the Office of Operations develop a notification/tracking system to be implemented either at each geographic Area and their respective bureaus, or both. This notification system should notify the Gang Enforcement Detail supervisors when the end of an officer's tour of duty (due-out date) approaches and when the extension request process should begin. Objective No. 2(a).</p>	<p>Implemented Office of Operations Notice, "Gang Enforcement Detail as a Limited Tour Assignment - Clarification and Reminder," was posted on the LAN on January 24, 2020. It stated that any requests to extend an employee's assignment shall be included in a completed GED Extension Request Package no later than 30 calendar days prior to the due-out date.</p> <p>OO</p>	OO
				<p>3. The bureau commanding officer's role in the approval process for extension requests for 13 additional deployment periods is not specified in Department policy. However, currently the bureau commanding officer's signature for approval is part of the review and approval process for Gang Enforcement Detail (GED) extensions of 13 deployment periods. It is recommended that the Office of Operations review the approval process and include, in the related policies and procedures, the bureau commanding officer's role and responsibilities with regard to GED extension requests. Objective No. 2(a).</p>	<p>Implemented In November 2019, the OO sent a badge note to all Area commanding officers and bureau gang coordinators reminding them of GED extension procedures and instructing them to use the existing GED Tour Database to manage and meet all GED tour deadlines and extension requests. OO began a program to identify all GED personnel whose tour will end within the next 120 days as of December 2019. These personnel will be monitored to ensure their extensions are completed in a timely manner. As of July 2020, OO implemented a notification and tracking system to monitor GED extension due dates for GED supervisors. An e-mail enhancement to the notification system is in progress.</p>	OO
					<p>Implemented Office of Operations Notice, "Gang Enforcement Detail as a Limited Tour Assignment - Clarification and Reminder," was posted on the LAN on January 24, 2020 to remind personnel and provide clarification of the approval process for limited tours of duty and preparation for the transition of officers and supervisors assigned to GED.</p>	OO

Audit Division No.	Audit Fiscal Year or Calendar Year	Audit Title	BOPC Agenda No.	Audit Recommendations	Comments	Lead Entity
19-006	2019	Selection Criteria	20-0005	<p>1. It is recommended that Risk Management and Policies Division review Department Manual section 3/762.80, which includes the completion of a Training Evaluation and Management System (TEAMS) Evaluation Report, Form No. 01.78.04 (TER), and provide a distinction of when the TER is to be completed for the various assignments, as such, prior to a command making a selection for assignments to Professional Standards Bureau (PSB), Force Investigation Division (FID), Field Training Officer (FTO), Gang Enforcement Detail (GED), Community Law Enforcement and Recovery (CLEAR) Program, Narcotics Enforcement Detail (NED) or NARC Major Enforcement Section, Gang and Narcotics Division (GND); and, when an officer transfers or is loaned into a new command, the commanding officer must ensure that the watch commander or officer in charge reviews the officer's TEAMS II report within ten calendar days from publication of the transfer order or notification of the loan and completes the Transfer Action Item (TAI) or Teams Evaluation Report (TER). Objective No. 3(b).</p>	<p>Closed/Not Implemented</p> <p>Professional Standards Bureau (PSB) will adopt Audit Division's interpretation of the timeframe for Training Evaluation and Management System (TEAMS) Evaluation Report, Form No. 01.78.04 (TER). This will ensure that the TER is approved prior to the transfer publication and the audit checklist used internally will be updated. The OO Inspection Unit will work with the Employee Selection Division to help ensure that the employee selection process is performed, documented, and maintained appropriately. The Limited Tour project with RMPD (#17-0219) was closed in March 2020. At the time, meet-and-confer negotiations between ERG and LAPPL deteriorated regarding the proposed revisions to Department policy and their potential effect on special assignments. The agreement between the COs of RMPD and PSB is that when disputed matters are resolved, PSB or ERG will re-open or initiate a new project to implement the Department's intent with respect to Limited Tour assignments.</p>	OO/PSB
				<p>2. It is recommended that Professional Standards Bureau and Office of Operations collaborate with Risk Management and Policies Division by reviewing the requirements of the Training Evaluation and Management System (TEAMS) Evaluation Report, Form No. 01.78.04 (TER), where a "current" TEAMS Report is required to be submitted by the candidate; however, "current" is not defined for every position and is open for interpretation. Currently, Gang Enforcement Detail requirements specifically define "current" as "not older than 30 days." Objective No. 4.</p>	<p>Closed/Not Implemented</p> <p>See Recommendation No. 1</p>	OO/PSB