

INTRADEPARTMENTAL CORRESPONDENCE

February 26, 2021
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: ELECTRONIC SUSPECTED CHILD ABUSE REPORT SYSTEM AUDIT
(AD NO. 20-003)

RECOMMENDED ACTION

It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Electronic Suspected Child Abuse Report System Audit.

DISCUSSION

Audit Division conducted the Electronic Suspected Child Abuse Report System Audit to evaluate compliance with Department policies and procedures.

If additional information regarding this audit is required, please contact Trina Unzicker, Commanding Officer, Audit Division, at (213) 486-8480.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT

ELECTRONIC SUSPECTED CHILD ABUSE REPORT SYSTEM AUDIT (AD No. 20-003)



Conducted by
AUDIT DIVISION

MICHEL R. MOORE
Chief of Police

February 2021

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AD No. 20-003

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ELECTRONIC SUSPECTED CHILD ABUSE REPORT SYSTEM AUDIT
Conducted by
Audit Division
2020

OVERVIEW

Audit Division (AD) conducted a performance audit of the Electronic-Suspected Child Abuse Report System (E-SCARS) in response to a request from the Los Angeles Police Board of Police Commissioners. The audit was performed to determine if the Suspected Child Abuse Reports (SCARS) and Electronic Suspected Child Abuse Reports (ESCARS)¹ with “No Investigation” dispositions conducted by the Los Angeles Police Department (LAPD or the Department) adhere to the Department policy, procedures, and the operational agreement between Los Angeles County District Attorney’s Office and the LAPD.² This is the first E-SCARS Audit that AD conducted.

After evaluating 60 ESCARs with a closed disposition of “No Investigation” from January 1, 2020 through March 31, 2020, AD determined that:

- ESCARs were appropriately closed as “No Investigation” 93 percent of the time (Objective No. 1);
- The ESCARs reviewed with a “No Investigation” disposition were correctly classified 100 percent of the time (Objective No. 2 a-e); and,
- All ESCARs, regardless of status, were opened on time 99 percent of the time and completed on time 70 percent of the time (Objective No. 3 a-b).

In response to a request from Office of Operations (OO) and Juvenile Division (JD), AD performed additional testing in September 2020 to determine the impact that an alternative method of measuring timely completion could have on the audit results for Objective No. 3(a-b). Audit Division found that using the alternative method resulted in a projected timely completion rate of 73 percent (See Additional Assessment Section).

BACKGROUND

In 2009, the Los Angeles County District Attorney, Los Angeles County Sheriff’s Department, and Department of Children and Family Services (DCFS) jointly launched the E-SCARS database (Database). E-SCARS is a web-based application that allows law enforcement agencies within Los Angeles County to cross-report allegations of child abuse, review information about the victims and suspects, and transmit ESCARs through the Database among themselves and DCFS. The usage of the Database has since been guided by the Los Angeles County E-SCARS Memorandum of Understanding (MOU) and Operational Agreement.

In 2015, LAPD signed an Agreement with the Los Angeles County District Attorney’s Office on participation in the E-SCARS to fulfill the responsibilities of receiving, investigating and responding to an ESCAR as noted in the MOU, Section V, entitled “Law Enforcement Agency

¹ The acronym E-SCARS refers to the system while the acronym ESCARs or ESCAR refers to the electronic reports. The acronym SCAR or SCARS refers to the physical report that is entered into the E-SCARS.

² Auditors conducted this audit in accordance with the U.S. Government Accountability Office, *Generally Accepted Government Auditing Standards (GAGAS)*, July 2018 Revision.

Responsibilities/Best Practices,” and “Training.” The LAPD’s reviews and dispositions of Suspected Child Abuse Investigations are guided by this Agreement, the Department Manual, and Office of the Chief of Police Notice dated November 21, 2019. Auditors also reviewed JD’s Audit Report titled *Juvenile Division Suspected Child Abuse Report Inspection*, dated December 2, 2019 for additional information.

SCOPE AND METHODOLOGY

Auditors used the DCFS E-SCARS Database to obtain a list of 5,462 ESCARs received by Department personnel between January 1, 2020 and March 31, 2020. The audit focused on 386 ESCARs that were dispositioned as “No Investigation” to evaluate how they were handled. From these, auditors selected a statistically valid random sample of 60 ESCARs. Auditors divided the reviews into three phases as each month’s ESCARs became available so that a random sample of 20 was selected for each month during the audit period.

SUMMARY OF FINDINGS

Table No. 1 summarizes the audit findings:

Table No. 1 – Summary of Findings

Objective No.	Audit Objectives	No. Meeting Standards	Percent Meeting Standards
1	ESCARs were Appropriately Closed as “No Investigation”	56/60	93%
2	ESCARs with “No Investigation” Disposition were Classified Correctly		
2(a)	Non-Criminal Emotional Abuse and General Neglect	13/13	100%
2(b)	Duplicate ESCAR	25/25	100%
2(c)	Non-Criminal Alert of Potential Future Risk	15/15	100%
2(d)	Incident Occurred Outside of Jurisdiction	2/2	100%
2(e)	Death that Occurred at a Medical Facility due to a Medical Condition	1/1	100%
3	Timely Completion of All ESCARs Regardless of Status		
3(a)	Timely Opening of All ESCARs	5,388/5,462	99%
3(b)	Timely Investigation and Completion of All ESCARs within 10 Calendar Days	3,838/5,462	70%

DETAILED FINDINGS

Objective No. 1 – ESCARs were Appropriately Closed as "No Investigation"

Criteria

All ESCARs should be opened upon receipt and the status of the ESCAR should be changed from Unopened to Pending, Crime Suspected, or No Crime Suspected. If the law enforcement agency does not intend to investigate, the ESCARs status should be updated to the "No Investigation" category with a written explanation.³

Audit Procedures

Auditors reviewed each of the 60 ESCARs, ESCAR details, and relevant reports to determine if the disposition of "No Investigation" was justified. If the disposition of "No Investigation" was justified with supporting documents and a written explanation, it met the standards for this Objective.

Findings

Fifty-six of 60 ESCARs (93%) met the standards. The four ESCARs that did not meet the standards are detailed in the following table:

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³ Los Angeles County Electronic-Suspected Child Abuse Report System (E-SCARS) Memorandum of Understanding and Operational Agreement, Section V, "Law Enforcement Agency Responsibilities/Best Practices."

Table No. 2 – Detailed Findings for Objective No. 1⁴

Area	Referral No.	ESCAR Creation Date	Findings
Operations—Central Bureau			
Northeast	1316-4764-2840-8141711	1/2/2020	Though the Notes Section in the ESCAR indicated an Arrest Report (DR#191118570) had been properly completed, the ESCAR was incorrectly closed as “No Investigation.” It should have been closed as “Crime is Suspected.”
Newton	0724-6946-4741-6025489 -1	3/12/2020	Though the Notes Section in the ESCAR indicated an Injury Report (DR#201308047) had been properly completed, the ESCAR was incorrectly closed as “No Investigation.” It should have been closed as “No Crime is Suspected.”
Operations—South Bureau			
77 th Street	1014-2472-3596-0062135	2/10/2020	The correct disposition should have been “No Crime is Suspected” instead of “No Investigation” because a Coroner’s autopsy report of the victim was pending, and the mode of death was undetermined.
Southeast	1311-5401-9160-8070066	2/18/2020	Though the Notes Section in the ESCAR indicated an Injury Report (DR#201807323) had been completed, the case was incorrectly closed as “No Investigation.” It should have been closed as “No Crime is Suspected.”

Objective No. 2 – ESCARs with “No Investigation” Disposition were Classified Correctly

A review of JD’s Audit Report titled, *Juvenile Division Suspected Child Abuse Report Inspection*, dated December 2, 2019, and the MOU indicated that the rationales for the “No Investigation” disposition were grouped into the following categories:

- 2(a). Non-criminal Emotional Abuse and General Neglect;
- 2(b). A Duplicate ESCAR;
- 2(c). An ESCAR with no specific allegation of a crime or abuse, but one that “alerts” the agency to potential future secondary risk to a child;
- 2(d). Occurrences out of State or country;
- 2(e). A Death that Occurred at a Medical Facility due to a Medical Condition;
- 2(f). An ESCAR Forwarded to or Handled by Another Agency;
- 2(g). A DCFS input error or missing pertinent information;
- 2(h). Administratively handled by the Los Angeles Unified School District (LAUSD); and,
- 2(i). Human Trafficking Unit Investigation.

⁴ The JD Commanding Officer was immediately notified of these findings and took corrective actions.

This Objective used the categories above and ultimately assessed Objective Nos. 2(a-e) below to determine if the remaining 56 ESCARs from Objective No. 1 with “No Investigation” dispositions were classified appropriately.

Objective No. 2(a) – Non-Criminal Emotional Abuse and General Neglect

Criteria

All ESCARs should be opened upon receipt and the status of the ESCAR should be changed from Unopened to Pending, Crime Suspected, or No Crime Suspected. If the law enforcement agency (LEA) does not intend to investigate, the ESCAR’s status should be updated to the “No Investigation” category with a written explanation.⁵

Penal Code 11166.05 makes reporting of emotional child abuse discretionary. A LEA should evaluate and encourage an investigation of an allegation of suspected emotional child abuse given the potentially serious consequences that can occur when a child feels isolated and/or without support.⁶

Emotional abuse and general neglect are not criminal acts that require a law enforcement response. The LAPD’s current procedure requires ESCARs with emotional abuse and general neglect to be classified as “No Investigation” and forwarded to DCFS for further investigation and findings documentation.⁷ (See attached Addendum No. 1 - LAPD E-SCARS Reporting Chart)

Audit Procedure

The 56 ESCARs were reviewed to determine if they were closed with a disposition of “No Investigation” because they were identified as non-criminal emotional abuse and general neglect incidents. Thirteen ESCARs met the criterion to be assessed for this objective. Auditors reviewed the 13 ESCARs, ESCAR details, and relevant reports to determine if any contained non-criminal emotional abuse and general neglect incidents. The Department met the standard if the ESCAR contained information that involved allegations of non-criminal emotional abuse and general neglect that supported the “No Investigation” disposition.

⁵ *Los Angeles County Electronic-Suspected Child Abuse Report System (E-SCARS) Memorandum of Understanding and Operational Agreement*, Section V., “Law Enforcement Agency Responsibilities/Best Practices,” Sub-section A, “Receiving a SCAR via E-SCARS.”

⁶ *Los Angeles County Electronic-Suspected Child Abuse Report System (E-SCARS) Memorandum of Understanding and Operational Agreement*, Section V, “Law Enforcement Agency Responsibilities/Best Practices,” Sub-section B, “Responding to a SCAR from DCFS.”

⁷ *Child Abuse and Neglect Reporting Act*, Section 11165.2 (b).

Findings

Each of the 13 ESCARs (100%) that closed with a disposition of “No Investigation” met the standard because they were supported with allegations of non-criminal emotional abuse and general neglect incidents.

Objective No. 2(b) – Duplicate ESCAR

Criteria

Juvenile Division’s review process includes determining whether the ESCAR requires law enforcement investigation, and if it does, whether the ESCAR warrants an immediate Department response. If the immediate dispatch of a unit is required, but there was a delay in reporting or other circumstances indicate that the call may have already been handled, staff from the receiving division (e.g., JD or Detective Support and Vice Division) shall query the Department computer system using the alleged victim’s name and address to determine if a report regarding the incident has already been completed. If a report has been completed, the DR number, type of report, and the date of the report shall be included in the ESCAR. No further preliminary investigation is required.⁸

Audit Procedures

The 56 ESCARs were reviewed to determine if they were closed with a disposition of “No Investigation” because they were identified as a duplicate ESCAR. Twenty-five ESCARS were determined to be duplicate reports of a primary incident and met the criterion to be assessed for this Objective. Auditors reviewed the 25 ESCARs, ESCAR details, and other relevant documentation in the Database to determine if the duplicate ESCAR was in fact a duplicate. The Department met the standard if the primary incident ESCAR existed and the details within the report supported the “No Investigation” disposition.

Findings

Each of the 25 ESCARs (100%) that closed with a disposition of “No Investigation” met the standard because they were duplicates.

Objective No. 2(c) – Non-Criminal Alert of Potential Future Risk

Criteria

Newly-received ESCARs should not remain in the Unopened category for more than three days. All ESCARs should be opened and the allegations should be carefully reviewed upon receipt,

⁸ *Department Manual*, 3rd Quarter 2019, Vol. 4, “Line Procedures,” Section 218.53, “Reporting SCAR Investigations.”

and the status of the ESCAR should be changed from Unopened to Pending, Crime Suspected, or No Crime Suspected. If the LEA does not intend to investigate, the ESCAR's status should be updated to the "No Investigation" category with a written explanation.⁹

Additionally, an ESCAR is to be generated if there are potential future secondary risk factors such as additional children at the same location who have close contact with a victim or suspect.

Audit Procedure

The 56 ESCARs were reviewed to determine if they were closed with a disposition of "No Investigation" because they were identified as non-criminal alerts of potential future secondary risk to a child. Fifteen ESCARs met the criterion to be assessed for this objective. Auditors reviewed the 15 ESCARs, ESCAR details, and relevant reports to determine if any contained non-criminal alerts of potential future secondary risk to a child. The Department met the standard if the ESCAR contained information that involved information for non-criminal alerts of potential future secondary risk to a child that supported the "No Investigation" disposition.

Findings

Each of the 15 ESCARs (100%) that closed with a disposition of "No Investigation" met the standard because they were supported with information for non-criminal alerts of potential future secondary risk to a child.

Objective No. 2(d) – Incident Occurred Outside of Jurisdiction

Criteria

Upon receipt of an ESCAR, LEAs shall verify that the incident occurrence location is within their jurisdiction. If the location is not within the agency's jurisdiction, or if the ESCAR is missing critical information, the ESCAR shall be re-routed to DCFS through E-SCARS for transmission to the proper LEA or for additional information.¹⁰

Audit Procedure

The 56 ESCARs were reviewed to determine if they were closed with a disposition of "No Investigation" because the incidents occurred outside of the Department's jurisdiction. Two ESCARs met the criterion to be assessed for this Objective. Auditors reviewed the two ESCARs, ESCAR details, and relevant reports to determine if the incidents in fact occurred

⁹ *Los Angeles County Electronic-Suspected Child Abuse Report System (E-SCARS) Memorandum of Understanding and Operational Agreement*, Section V., "Law Enforcement Agency Responsibilities/Best Practices," Sub-section A, "Receiving a SCAR via E-SCARS."

¹⁰ *Los Angeles County Electronic-Suspected Child Abuse Report System Memorandum of Understanding and Operational Agreement*, Section V, "Law Enforcement Agency Responsibilities/Best Practices," Sub-section A, "Receiving a SCAR via E-SCARS."

outside of the Department's jurisdiction and if so, were re-routed to DCFS through E-SCARS for transmission to the proper LEA for additional information. The Department met the standard if the ESCAR contained information that indicated the incidents occurred outside of the Department's jurisdiction to support the "No Investigation" disposition and was appropriately re-routed to DCFS through E-SCARS.

Findings

Each of the two ESCARs (100%) that closed with a disposition of "No Investigation" met the standard because they contained information that indicated the incidents occurred outside of the Department's jurisdiction.

Objective No. 2(e) – Death that Occurred at a Medical Facility due to a Medical Condition

Criteria

Department procedure requires ESCARs to be closed as "No Investigation" if a death occurred in a medical setting due to a medical condition with a doctor in attendance who will sign a death certificate.¹¹

Audit Procedure

The 56 ESCARs were reviewed to determine if they were closed with a disposition of "No Investigation" because the death occurred at a medical facility due to a medical condition with a doctor in attendance who will sign a death certificate. One ESCAR met the criterion to be assessed for this Objective. Auditors reviewed the ESCAR, ESCAR details, and relevant reports to determine if the incident in fact occurred as mentioned above. The Department met the standard if the ESCAR contained information that indicated the incident occurred at a medical facility due to a medical condition with a doctor in attendance who signed a death certificate to support the "No Investigation" disposition.

Findings

One ESCAR (100%) that closed with a disposition of "No Investigation" met the standard because it contained information that indicated the incident occurred at a medical facility due to a medical condition with a doctor in attendance who signed the death certificate.

Additional Assessment

Juvenile Division's audit report, *Juvenile Division Suspected Child Abuse Report Inspection*, included four additional areas that were assessed within Objective No. 2 [Objective Nos. 2(f-i)].

¹¹ *Los Angeles County Electronic-Suspected Child Abuse Report System Memorandum of Understanding and Operational Agreement*, Section V, "Law Enforcement Agency Responsibilities/Best Practices", Sub-section B, "Responding to a SCAR from DCFS."

The 56 ESCARs were reviewed to determine if they were closed for the four remaining situations, specifically:

- ESCAR Forwarded to or Handled by Another Agency - If the ESCAR incident occurred in another jurisdiction, if so, whether the SCAR was forwarded to that agency for appropriate investigation;
- A DCFS Input Error/Information Missing - If the ESCAR case, received from DCFS, contained input errors and/or missing critical information to allow for review or investigation and it was rerouted to DCFS for additional information;
- Los Angeles Unified School District (LAUSD) Administrative Handle - If the ESCARs contained any incidents handled administratively by the LAUSD as an administrative investigation; and,
- The Department's Human Trafficking Unit (HTU) Investigation – If the ESCARs contained any incidents involving the sexual exploitation of human beings through prostitution, it will be forwarded to HTU for the investigation and enforcement of State and federal crimes.

None of the ESCARs in the sample of 56 were closed for any of the above situations.

Objective No. 3 – Timely Completion of All ESCARs Regardless of Status

For Objective Nos. 3(a-b), auditors assessed whether all ESCARs created during the audit period were opened and completed in a timely manner as required by the MOU and Chief of Detectives Notice. There were 5,462 ESCARs created during the audit period of January 1, 2020 through March 31, 2020.

Objective No. 3(a) – Timely Opening of All ESCARs

Criteria

Newly-received ESCARs should not remain in the Unopened category for more than three days. All ESCARs should be opened and the allegations should be carefully reviewed upon receipt, and the status of the ESCAR should be changed from Unopened to Pending, Crime Suspected, or No Crime Suspected. If the LEA does not intend to investigate, the ESCAR's status should be updated to the "No Investigation" category with a written explanation.¹²

Audit Procedures

Auditors used the DCFS E-SCARS Database to determine if each ESCAR was opened and reviewed and its status changed from Unopened to Pending, Crime is Suspected, or No Crime Suspected within three days from the date of creation.

¹² *Los Angeles County Electronic-Suspected Child Abuse Report System Memorandum of Understanding and Operational Agreement*, Section V, "Law Enforcement Agency Responsibilities/Best Practices," Sub-section A, "Receiving a SCAR via E-SCARS."

Auditors elected to assess all 5,462 ESCARs created during the audit period because the formatting of the data enabled the assessment to be completed electronically.

The Department met the standards if the ESCARs were opened, reviewed, and their statuses changed within the three-day period.

Findings

The assessments resulted in 5,388 of 5,462 ESCARs (99%) that met the standards. A review of the 74 ESCARs not opened in a timely manner did not yield a pattern or distinction.

Objective No. 3(b) – Timely Investigation and Completion of All ESCARs within 10 Calendar Days

Criteria

All ESCARs shall be handled as high priority cases and investigated within 10 calendar days of physical receipt of the ESCAR.¹³

Audit Procedures

Auditors used the DCFS E-SCARS Database to determine if each ESCAR was investigated within 10 calendar days from the date of physical receipt. Auditors used the date that a division opened an ESCAR in the Database as the date of the physical receipt of the ESCAR, while the dates used to determine timely completion were the dates that the Department completed the ESCAR investigation in the Database.

The Department met the standard if the ESCARs were investigated within the 10 calendar-day period.

Findings

Auditors found that 3,838 of 5,462 ESCARs (70%) met the standards. The 1,624 ESCARs that did not meet the standards were analyzed for their timely investigations by the four geographic bureaus. This analysis included the number of days required to investigate the ESCARs and the percentages of ESCARs completed within the 10 calendar-day time frame for each bureau. The results are detailed in Table No. 3:

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¹³ Office of the Chief of Police Notice, November 21, 2019, “Suspected Child Abuse Report Investigative Response, Review, Dispatch and Case Prioritization.”

Table No. 3 - Timely Investigation of ESCARs by Area

Bureau	Area	0 - 10 Days	Over 10 Days	Total
CENTRAL	Central	44	11	55
	Hollenbeck	209	79	288
	Newton	134	233	367
	Northeast	191	18	209
	Rampart	262	20	282
BUREAU TOTAL		840	361	1,201
		70%	30%	100%
SOUTH	77 th Street	340	190	530
	Harbor	313	7	320
	Southeast	335	164	499
	Southwest	218	161	379
BUREAU TOTAL		1,206	522	1,728
		70%	30%	100%
WEST	Hollywood	76	39	115
	Olympic	159	74	233
	Pacific	68	50	118
	West LA	79	18	97
	Wilshire	52	42	94
BUREAU TOTAL		434	223	657
		66%	34%	100%
VALLEY	Devonshire	214	7	221
	Foothill	119	191	310
	Mission	369	63	432
	N. Hollywood	127	98	225
	Topanga	174	75	249
	Van Nuys	210	6	216
	West Valley	145	78	223
BUREAU TOTAL		1,358	518	1,876
		72%	28%	100%
TOTAL		3,838	1,624	5,462
		70%	30%	100%

Additional Assessment

After discussing the findings for Objective No. 3(b) with representatives from JD and OO in August 2020, AD agreed to perform additional analysis of the 1,624 ESCARS that did not meet the 10 calendar-day requirement. The purpose of this review was to determine whether using the date that the Division of Records (DR) number was issued to the ESCAR rather than the date the ESCAR was closed in the Database would yield a more accurate assessment. Auditors agreed that using the date the DR number was issued is a valid alternative methodology. Table No. 4 provides a breakdown of the 1,624 ESCARS to which the additional assessment applied:

Table No. 4 – Breakdown of ESCARs Not Meeting Standards

Days to Investigate	Not Meeting Standards			Total
	11-20 Days	Over 20 Days	Sub-total	
Crime Suspected/No Crime Suspected	904	356	1,260	78%
No Investigation	34	15	49	3%
Unopened	1	2	3	0%
Pending	68	244	312	19%
Percent	62%	38%	1,624	100%

Among the 1,624 ESCARs not investigated within 10 calendar days, 1,260 ESCARs had a disposition of “Crime Suspected” or “No Crime Suspected,” and auditors determined that these ESCARs are more likely to have an associated DR number. Auditors used an 11 to 20-day time frame to capture any potential lag time between the issuance of a of DR number and the completion date in E-SCARS. Auditors then selected a statistically valid random sample of 58 from the 904 ESCARs completed between 11 and 20 days.¹⁴

Auditors researched each of these 58 ESCARs in the DCFS Database to find the associated DR numbers. The DR numbers were then submitted to personnel at Application Development and Support Division who provided the dates that the DR numbers were generated. Table No. 5 details the adjusted results:

Table No. 5 – Sample of ESCARs by DR-Generated Dates

Days to Investigate Based on Date DR Number Generated	Within 10 Days	11-20 Days	Total
Crime Suspected/No Crime Suspected	9	49	58
Percent	16%	84%	100%

Nine of the 58 ESCARs (16%) with a disposition of “Crime Suspected” or “No Crime Suspected” were completed within 10 calendar days. The remaining 49 ESCARs had the same timeframes (11-20 days) when using both methods of testing and therefore remained as findings.

The additional assessment analysis showed a slight increase from 70 percent to 73 percent in the overall compliance rate which was calculated as follows:

¹⁴ Auditors were unable to assess all 904 ESCARs because of the length of time required to determine the associated DR numbers.

- Applied 16 percent (see Table No. 5) to the 904 ESCARs initially found to have been investigated within 11-20 days which resulted in an additional 145 ESCARs brought into compliance;
- Added 145 to the number meeting standards in Objective No. 3(b) which resulted in an adjusted number of 3,983 ESCARs in compliance; then,
- Divided the adjusted number (3,983) by the total ESCARs which resulted in an adjusted number of 73 percent of ESCARs meeting standards.

Auditors believe that the 58 ESCARs sample selected for additional analysis is representative of the initial population of ESCARs and it is therefore reasonable to conclude that the original 70 percent rate of completion within 10 days results in a projected rate of completion of 73 percent when DR number-generated dates are used.

RECOMMENDATION

It is recommended that Juvenile Division develop and implement a system to help the Department adhere to the instructions within the *Office of the Chief of Police Notice*, dated November 21, 2019, "Suspected Child Abuse Report Investigative Response, Review, Dispatch and Case Prioritization" that all Electronic Suspected Child Abuse Reports (ESCARs) shall be handled as high priority cases and investigated within 10 calendar days of physical receipt of the ESCAR (e.g., email, fax, etc.) [(see Objective No. 3(b))].

ACTIONS TAKEN/MANAGEMENT RESPONSE

1. The audit report was provided to the Director, OO, and Commanding Officer, JD. After a meeting to discuss an alternative method to more accurately measure timely completion of ESCARs and reviewing AD's Additional Assessment, OO and JD were in general agreement with the audit findings. The OO provided a detailed response (attached).
2. A Chief of Detectives Notice dated July 30, 2020, "Standardized Disposition of Suspected Child Abuse Reports (SCAR) Within the Electronic SCAR (E-SCAR) Database", indicating that the geographical Area ESCAR Coordinator must ensure that ESCAR investigations are completed within 10 calendar days of receipt, is attached.

APPENDIX I

Audit Division Contact: Police Performance Auditor III Sophia Liu, Serial No. N3298, (213) 486-8480 or N3298@LAPD.Online

Staff Acknowledgments: In addition to the contact named above, Police Performance Auditor I Christina Youssef, Serial No. N65676, made key contributions to this report.

Handwritten signature of Sophia Liu in black ink, with the number 30158 written above it.

SOPHIA LIU

Project Manager, Audit Division
Police Performance Auditor III

Handwritten signature of Cynthia Chow in black ink, with the number 30158 written above it.

CYNTHIA CHOW

Officer in Charge, Audit Division
Sergeant II

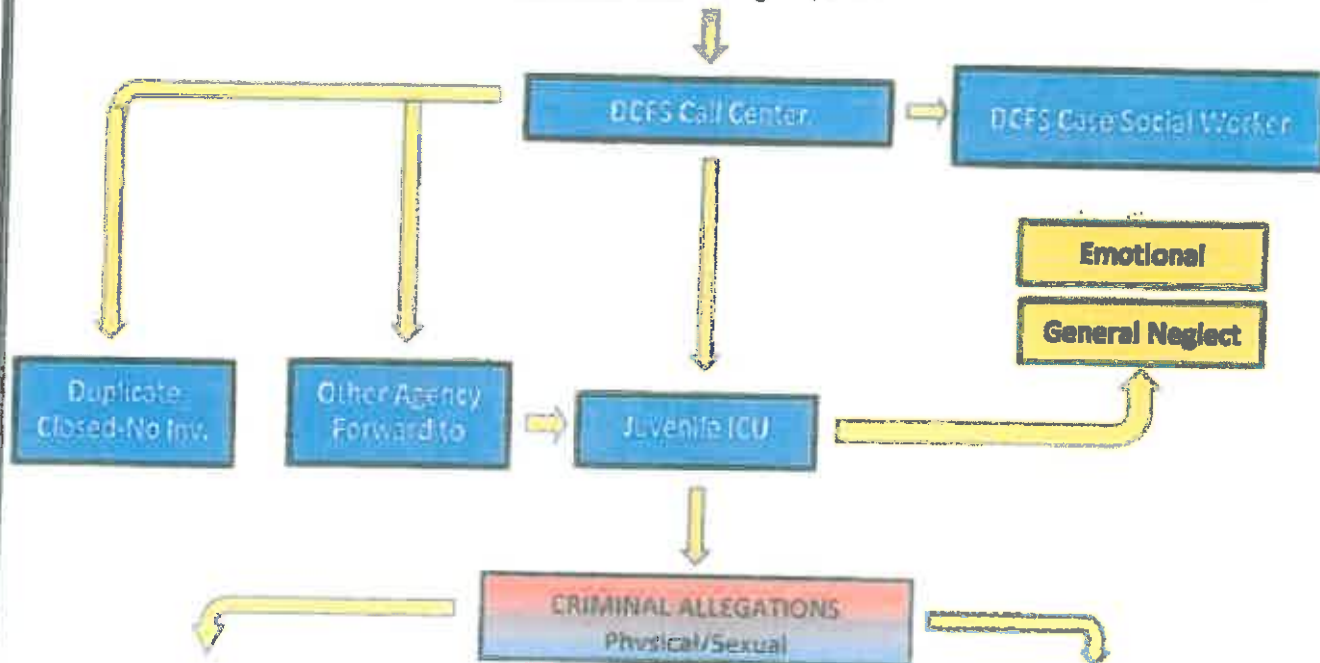
Handwritten signature of Trina Unzicker in blue ink.

TRINA UNZICKER

Commanding Officer, Audit Division
Police Administrator I

LAPD E-SCARS REPORTING

Mandated Reporter



Revised as of November 26, 2019

INTRADEPARTMENTAL CORRESPONDENCE

August 31, 2020

8.3

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Juvenile Division

SUBJECT: RESPONSE TO AUDIT OF DEPARTMENT PERFORMANCE WITHIN THE
DEPARTMENT OF CHILDREN AND FAMILY SERVICES (DCFS)
ELECTRONIC SUSPECTED CHILD ABUSE REPORT (ESCAR) SYSTEM

PURPOSE: In the fall of 2019, the Los Angeles Police Commission requested that Audit Division conduct an audit of the Department's performance within the DCFS ESCAR system. The audit was performed to determine if ESCARs with a disposition of "No Investigation" adhered to Department policy, procedure, and the Memorandum of Understanding and Operational Agreement between the Department and the County of Los Angeles.

This Intradepartmental Correspondence is a formal response to the findings and recommendations contained within the Department's performance audit of the DCFS ESCAR system. While there was 100% compliance in four of the inspected areas, this document will specifically address audit findings related to Audit Objective No. 1 and Audit Objective No. 3(a), which were less than 100%.

The Office of Operations (OO) will respond separately to Audit Objective No. 3(b), also less than 100% compliance, for which OO has oversight responsibility.

RESPONSE: Juvenile Division has reviewed the findings and recommendations of this audit and has determined the following:

AUDIT OBJECTIVE NO. 1-SCARS WERE APPROPRIATELY CLOSED AS "NO INVESTIGATION"

The audit findings illustrated a 93% compliance rate (56/60 ESCARs reviewed met the standards for completion) for the appropriate disposition of "No Investigation." However, audit findings illustrated that the Department has lacked consistency closing out ESCARs. The lack of consistency came to the attention of the Department as a result of a media inquiry and an inspection conducted by Juvenile Division in 2019. Juvenile Division immediately provided training to the geographic Area Juvenile Coordinators and authored a Chief of Detective's Notice titled "Standardized Disposition of Suspected Child Abuse Reports (SCAR) Within the Electronic SCAR Database." The standardized response to all ESCAR dispositions, including "No Investigations" was addressed to maintain uniformity Department-Wide for the disposition of all ESCAR investigations. The notice was published on July 30, 2020. The detailed findings of the audit revealed that the (4) ESCARs that did not meet the audit standard were in fact thoroughly investigated and appropriately reported with the only failure being the incorrect disposition category in the ESCAR database.

AUDIT OBJECTIVE NO. 3(a) – TIMELY OPENING OF ALL ESCARS

The audit findings illustrated a 99% compliance rate (5,388 of 5,462 ESCARs reviewed met the standards for completion) for ESCARs opened within three days of receipt by the Department. However, audit findings illustrated that 1% (74 ESCARs) were not opened, reviewed, and set to "Pending" within three days as stipulated in the DCFS MOU and Operational Agreement.

The Department provides 24-hour coverage of the DCFS ESCAR system to ensure that ESCARs are opened, reviewed, designated for immediate or divisional response and the status change to "Pending" is completed to meet the Department's obligation.

A detailed review of the 1% (74 ESCARs) not meeting the standard found that the majority, were forwarded to the Department through a separate "Forwarded Request Received" tab on the ESCAR Dashboard page that is separate from the usual incoming ESCAR. While every ESCAR has an official creation date, the status of an ESCAR reverts to "Unopened" when it is forwarded between geographic Areas or outside Agencies, and it must be re-opened and reviewed within three days by the Department to adhere to the mandate.

The oversight regarding this type of forwarded ESCAR occurred in part due to unexpected turnover of supervision and personnel within the Investigative Control Unit (ICU) of Juvenile Division. Training was provided by the current Juvenile Division supervision to all ICU personnel to ensure that the ESCARs received under the separate "Forwarded Request Received" tab are opened, reviewed and the status changed to "Pending" within the mandated three day time period. The ICU has incorporated this action into a list of "daily best practices" that has become part of the training protocol for anyone assigned to ICU.

If there are any questions related to this response, please contact the Juvenile Division, Investigative Control Unit at (213) 486-0531.



CHRIS WATERS, Captain
Commanding Officer
Juvenile Division

INTRADEPARTMENTAL CORRESPONDENCE

October 7, 2020
11.2

TO: Commanding Officer, Audit Division

FROM: Assistant to the Director, Office of Operations

SUBJECT: 2020 ELECTRONIC SUSPECTED CHILD ABUSE REPORT SYSTEM
(E-SCARS) AUDIT RESPONSE

Audit Division conducted an Electronic Suspected Child Abuse Report System (E-SCARS) audit which assessed compliance with Department policies and procedures for the period January 1, 2020 through March 31, 2020. It was noted that the Department requires improvement related to the objectives stated below:

- **Objective No. 1 – SCARS were Appropriately Closed as “No Investigation”:** 56 of 60 SCARS (93%) met the standards as the Department did not intend to investigate and a written explanation was documented.
- **Objective No. 3 (b) – Timely Completion of SCARS within Ten Days:** 3,838 out of 5,642 (70%) SCARS met the standard as being completed in a timely manner based on a review of the Department of Children and Family Services (DCFS) E-SCARS database.

The deficiencies noted in the audit will be handled by both Juvenile Division and the Office of Operations. With respects to Objective No. 1, Juvenile Division provided training to the geographic Area Juvenile Coordinators and published Chief of Detective’s Notice, *Standardized Disposition of Suspected Child Abuse Reports (SCAR)*, dated July 30, 2020, to clarify how E-SCARS should be dispositioned.

With respects to Objective No. 3 (b) the Office of Operations will address the deficiencies as follows:

- The Office of Operations will remind Area Commanding Officers and Area Juvenile Detective personnel to investigate and complete E-SCARS within 10 calendar days, in accordance with Office of the Chief of Police Notice, *Suspected Child Abuse Report Investigative Response, Review, Dispatch and Case Prioritization*, dated November 21, 2019;
- The Office of Operations will work with Detective Bureau to establish how investigation timelines will be formally defined and documented;
- All current policies and procedures associated with E-SCAR investigations will be re-circulated to all Geographic bureaus and Areas as a reminder; and,
- The Office of Operations will research best practices employed by the Area E-SCAR coordinators and implement a standardized handling/tracking process for E-SCARS. The

Office of Operations

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intent of the new process will be to ensure E-SCARs are investigated and documented in the system in a timely manner.

Juvenile Division has conducted an internal inspection of timely completion of SCARs for the period June 1, 2020 through July 4, 2020. It was noted that the Department improved significantly with 1,237 out of 1,326 SCARS, or 92%, being completed timely within required ten days.

If you have any questions, please contact Lieutenant II Hayley Smith, Office of Operations, at (213) 486-6050.

A handwritten signature in dark ink, appearing to be "MR." with a stylized flourish.

MICHAEL P. RIMKUNAS, Commander
Assistant to the Director, Office of Operations

CHIEF OF DETECTIVES

NOTICE 8.3

JULY 30, 2020

TO: All Concerned Personnel

FROM: Chief of Detectives

SUBJECT: STANDARDIZED DISPOSITION OF SUSPECTED CHILD ABUSE
REPORTS (SCAR) WITHIN THE ELECTRONIC SCAR DATABASE

PURPOSE: This Notice provides guidance to Los Angeles Police Department (Department) personnel regarding standardized disposition of Suspected Child Abuse Reports (SCAR) within the Electronic SCAR (ESCAR) database.

BACKGROUND: Suspected Child Abuse Reports are generated and sent to the Department by the Department of Children and Family Services (DCFS). The initial intake of ESCARs occurs during business hours at Juvenile Division (JUV). The Investigative Control Unit (ICU) reviews incoming ESCARs, triages, and if necessary, dispatches calls for immediate investigation of child abuse. The Department Operations Center assumes this responsibility off-hours.

A recent inspection of the ESCAR database for SCARs investigated and administratively closed as "No Investigation" was completed to ensure the appropriateness of the disposition. The inspection revealed a Department-wide lack of standardization for all disposition categories within the ESCAR database.

GUIDELINES: Special Order No. 26 (SO #26), dated August 28, 2006, Procedures for Suspected Child Abuse Investigations -- Revised, established the guidelines for reporting SCAR investigations. This notice provides guidelines for the standardized disposition of SCARs within the ESCAR database.

PROCEDURE: The ESCAR database has five "Status Update" options to indicate the progress and/or disposition of a SCAR investigation.

How to Enter A Status Update:

Utilizing the ESCAR System, the ESCAR Coordinator should click the "LEA Action" expansion tab. Click the blue "Update" tab, and a secondary window, the "Status Update" box will appear. This box will be populated with the ESCAR referral number, a "Status" drop-down menu, and a LEA Comment field. Enter the information as follows:

1. **"LEA Report Number":** Enter the DR Number (DR# 20-9912345).

2. **“Status”**: Click on the “Status” drop-down menu and select the appropriate investigative status or disposition (Pending, No Crime Suspected, Crime Suspected, Crime Suspected- No Child Abuse).
3. **“LEA Comment”**: a) Enter the type of report (Injury/Missing/Crime Report);
b) The assigned unit designation (i.e. 1A12);
c) The assigned officers’ name and serial number (i.e. Smith, #12345/ Jones, #56789); and
d) Any pertinent information the ESCAR Coordinator wants to add.
4. **“Update”**: Click the blue “Update” tab. This action will save the disposition and closes the Status Update box.

A. Status/Disposition Categories

The following is the criteria for each status or disposition category:

1. Pending

All ESCARs received by the Department are initially reviewed by ICU and assigned a status of “Pending” within the ESCAR system. The ICU will either contact Communications Division to generate an immediate call for service or will place the ESCAR in a geographic Area’s queue for an investigation to be completed within 10 days. The “Pending” designation remains until the SCAR has been investigated and the appropriate report has been completed by Area investigative personnel. Any ESCAR with a “Pending” status is considered overdue if the investigation has not been completed within 10 days of its receipt by the geographic Area ESCAR Coordinator.

2. No Crime Suspected

Upon completion of an ESCAR investigation, it is determined that no crime occurred or if there is insufficient evidence to determine if a crime has occurred, a non-crime report, i.e., Injury Investigation Report or a Missing Report should be completed.

Note: Suicidal ideation or self-harming indicated in an ESCAR requires a complete investigation and documentation on an Injury Report, prior to close out.

After the DR number is obtained, the ESCAR Coordinator should place the incident information (required information is delineated above, procedure #3) in the “LEA Comments” section of the assigned “Status Update” drop box.

3. Crime Suspected

The disposition of “Crime Suspected” is only used if the investigation revealed that the crime of child abuse occurred. After the DR number is obtained for the Investigative Report (IR), the ESCAR coordinator should place the incident information in the “LEA Comments” section of the assigned “Status Update” drop box (report title examples include; Child Abuse/Simple Assault or Sexual Battery/Crime Against Child).

4. Crime Suspected – No Child Abuse

The disposition “Crime Suspected – No Child Abuse” is only used if the ESCAR investigation determined that a crime occurred other than child abuse. After the DR number is obtained, the ESCAR coordinator should indicate the incident information in the “LEA Comments” section of the assigned “Status Update” drop box (report title examples include; Intimate Partner Abuse, Criminal Threats, or Assault with a Deadly Weapon).

- When the disposition “Crime Suspected – No Child Abuse” is selected, a second drop-down menu will appear with two options: “Domestic Violence” and “Other.” An option has to be selected before the user can click the blue “Update” tab to save the entry.

5. No Investigation

The Department also receives ESCARs that are classified as Mental/Emotional Abuse or General Neglect. While both types of abuse are significant, they are not indicative of a crime. When a Mental/Emotional Abuse or General Neglect ESCAR is received, the ICU or the ESCAR Coordinator should evaluate the report to determine if a crime has occurred. The ESCAR coordinator should indicate the lack of the elements of a crime in the “LEA Comments” section of the assigned “Status Update” drop box and include the reviewing officer’s serial number.

Note: Any ESCAR with the designation “Evaluated Out” (sometimes listed as “E/O” in the ESCAR narrative) indicates that there will be no investigation completed by DCFS. The investigative responsibility for these ESCARs has been placed with LAPD and should not be closed as “No Investigation.”

- If an investigation results in a courtesy report for another agency, an appropriate Status Update **other than** “No Investigation” should be selected. When Department personnel have conducted the preliminary investigation, the ESCAR should be updated with the correct disposition. The disposition “No Investigation” is **not appropriate** if another agency has completed a courtesy report for LAPD. An applicable Status Update should be selected if a preliminary investigation occurred.
- If an ESCAR is received and the narrative indicates that it is a “Secondary,” “Companion,” or “Duplicate” ESCAR to another ESCAR with an older origination date, the narrative must be reviewed to determine if the latest ESCAR contains information previously not disclosed, i.e., additional allegations of abuse, victims, at-risk siblings or witnesses that were not contacted during the original investigation. If it is determined that the original ESCAR already addressed the new information listed on the additional ESCARs, a disposition of “No Investigation” should be used to close out that secondary, companion or duplicate ESCARs.

- If it is determined that the new/additional information has not been investigated, a new investigation should be conducted and the additional ESCAR should be closed out with the appropriate disposition other than “No Investigation”.

GEOGRAPHIC AREA ESCAR COORDINATOR RESPONSIBILITIES: The ESCAR Coordinator is responsible for reviewing and assigning, for investigation, all ESCARs assigned to the geographical Area. The ESCAR Coordinator must ensure that ESCAR investigations are completed within 10 calendar days of receipt, in accordance with the Office of the Chief of Police (OCOP) Notice, dated November 21, 2019, Suspected Child Abuse Report Investigative Response, Review, Dispatch and Case Prioritization.

Note: Any deviation from the 10-day rule should be explained in the “LEA Comments” section of the “Status Update” drop-down box, i.e. the 10-day rule was not met due to receipt on a weekend/holiday.

JUVENILE DIVISION RESPONSIBILITIES: The ICU, Juvenile Division is responsible for oversight of all ESCARs received by the Department and tasks including:

- Monthly and yearly assessment of all ESCARs received by the Department and forwards these assessments to COMPSTAT Division. The ICU also provides the geographic Areas a list of all overdue ESCARs. The ICU also completes quarterly and yearly inspections of SCAR investigations to ensure appropriate and timely disposition of SCAR investigations.
- The routing of ESCARs to DCFS, between geographic Areas or other jurisdictions. The ICU is also responsible for the review and distribution of all ESCARs designated as “Sensitive.”
- Entering the Status/Disposition of “Child Fatality” and “Sensitive” ESCARs assigned to the Abused Child Section (ACS).

Note: Area ESCAR Coordinators should only close out Child Fatality ESCARS if their respective Bureau Homicide Team was assigned investigative responsibility for the incident.

DEPARTMENT OPERATIONS CENTER RESPONSIBILITIES: The Department Operations Center (DOC) is responsible for review of ESCARs sent to the Department during off-hours and on weekends and holidays. Additionally, the DOC produces and emails a “Daily ESCAR Log” to ICU for secondary review of all ESCARs received during off-hours by the DOC.

DETECTIVE COMMANDING OFFICER RESPONSIBILITIES: The geographic Area Detective Commanding Officer is responsible for ensuring that a detective supervisor is trained and assigned as the ESCAR Coordinator to oversee the investigation of all ESCARs assigned to their geographic Area.

AREA COMMANDING OFFICER RESPONSIBILITIES: The Area Commanding Officer is responsible for the overall management of SCAR investigations assigned to the Area in accordance with SO #26, and the OCOP Notice dated November 21, 2019.

AUDIT DIVISION RESPONSIBILITIES: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

Should you have any questions regarding this Notice, please contact the Investigative Control Unit, Juvenile Division, at (213) 486-0531.

APPROVED:



KRIS E. PITCHER, Deputy Chief
Chief of Detectives



DOMINIC H. CHOI, Deputy Chief
Chief of Staff
Office of the Chief of Police

DISTRIBUTION "D"