

INTRADEPARTMENTAL CORRESPONDENCE

March 1, 2023
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: CRIMINAL OFFENDER RECORD INFORMATION AUDIT (AD NO. 21-007)

RECOMMENDED ACTION

It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Criminal Offender Record Information Audit.

DISCUSSION

Audit Division conducted the Criminal Offender Record Information Audit to evaluate compliance with State law and Department policies and procedures.

If additional information regarding this audit is required, please contact Senior Management Analyst II Sharon Sargent, Acting Commanding Officer, Audit Division, at (213) 486-8480.

Respectfully,

A handwritten signature in blue ink, appearing to read 'MICHEL R. MOORE', with a stylized flourish extending from the end.

MICHEL R. MOORE
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT
CRIMINAL OFFENDER RECORD
INFORMATION AUDIT 2021

(AD NO. 21-007)



Conducted by
AUDIT DIVISION

MICHEL R. MOORE
Chief of Police

February 2023

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CRIMINAL OFFENDER RECORD INFORMATION AUDIT

Conducted by
Audit Division
2021

OVERVIEW

Audit Division (AD) conducted the Criminal Offender Record Information (CORI) Audit to evaluate the Department's adherence to policies and procedures regarding the accessing of CORI information. Criminal Offender Record Information consists of records and data compiled by Criminal Justice agencies to identify criminal offenders and maintain a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release.

Such information is maintained in the California Department of Justice (DOJ) database, Automated Criminal History System (ACHS). The Department uses the Network Communications System (NECS) to access CORI, which is contained in ACHS. In September 2019, the DOJ conducted an onsite audit of the Department's use of CORI.¹

The following findings were the results from this audit:

- Right-to-Know (User Access Termination). Deactivation of the NECS account once an employee was separated from the Department occurred zero percent of the time (*Objective No. 1*);
- Need-to-Know. While conducting the query on duty, the officer contacted the offender 100 percent of the time (*Objective No. 2*);
- Division of Records Number (DR #)/Reason Field was completed without using abbreviations or generic terms 43 percent of the time (*Objective No. 3*); and,
- Source Documentation was provided that supported the query 95 percent of the time (*Objective No. 4*).

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¹ The DOJ's findings are noted under "Background."

BACKGROUND

Criminal Offender Record Information consists of records and data compiled by Criminal Justice agencies to identify criminal offenders and maintain a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. Law enforcement agencies have access to this information via different applications, one of which is NECS. Network Communications System is a legacy system with limited capabilities which does not allow users to view CORI queries once the queries get recorded into NECS.

In September 2019, the DOJ conducted an onsite audit of the Department's use of ACHS to access CORI.² The audit findings were as follows:

- California DOJ was unable to verify some of the, "Need-to-Know" inquiries due to lack of substantiating documentation (see Objective No. 4);³
- The Department was not in compliance with Title 11, Section 707(c) of the California Code of Regulations which requires the Department to maintain and make available for inspection an audit trail for a period of not less than three years from the date of release of CORI;⁴
- The Department was not in compliance with Section 1.6.1 E2 of the California Law Enforcement Telecommunications System (CLETS) Policies, Practices and Procedures which states, "Terminals are not authorized to access the CA DOJ ACHS through the CLETS for licensing, certification or employment purposes" (see Objective No. 3);
- The Department was not in compliance with the requirements outlined in Information Bulletin 97-12-BCIA, which states, "Test data is provided to enable local agency personnel to demonstrate and practice using the CLETS network without using actual case information relating to person(s), vehicles, property, firearms, or criminal history" (see Objective No. 3);
- The Department was not in compliance with the DOJ's requirements regarding the use of the 30-character, "route to" field (see Objective No. 3); and,
- The Department did not properly use the National Crime Information Center's Interstate Identification Index, "purpose" field due to lack of substantiating documents.⁵

SCOPE AND METHODOLOGY

The scope of the audit focused on policies and procedures related to CORI. Due to different areas of testing, the objectives have different populations, sample sizes, and audit time periods.

² Criminal Offender Record Information data is stored in DOJ's ACHS database. The Department uses NECS to access CORI, which is contained in ACHS.

³ See Department Manual, 4th Quarter 2020, Volume 3, "Management Rules and Procedures," Section 408.16, "Releases of CORI-Determination of Right-To-Know/Need-To-Know," for definition of need to know.

⁴ Audit Division did not have access to Criminal Offender Record Information data; therefore, could not address this issue regarding auditing records of three years.

⁵ Audit Division did not have access to National Crime Information Center's Interstate Identification Index data; therefore, could not address this issue regarding lack of substantiating documents.

For Objective No. 1 (Right-to-Know – Deactivation of the NECS Account Once an Employee was Separated from the Department), AD obtained the Confidential Termination Report generated by Personnel Division, which contains the names of employees who separated from the Department by Deployment Period (DP). The audit period covered DP No. 8 of 2021 (August 1 through August 28, 2021) and a total population of 46 employees were tested. Auditors cross-referenced those employees against NECS to determine if those employees had access to NECS after being separated from the Department.

For Objective Nos. 2 (Need-to-Know - While Conducting the Query on Duty, the Officer Contacted the Offender) and 4 (Source Documentation was Provided that Supported the Query), AD obtained a population of all criminal history queries from DOJ for the audit period of July 1, 2021, through July 31, 2021. This is a Department-wide audit consisting of five Areas from the Office of Operations (OO) and 13 divisions/sections from other specialized units. The total population of queries was 4,674. Auditors selected a statistically valid random sample of 356.⁶ The sample size was stratified between OO and other specialized divisions resulting in a sample size of 268 for OO and 88 for specialized divisions.

For Objective No. 3 (DR #/REASON Field was Completed Without Using Abbreviations or Generic Terms), AD obtained the population of all criminal history queries from the DOJ for the audit period July 1 to July 31, 2021. The total population of 4,674 queries were tested.

Table No. 1 summarizes the audit periods, populations, and sample sizes:

Table No. 1 – Audit Scope

Objective No.	Audit Period	Population	Sample Size
1	August 1, 2021, through August 28, 2021	46	46
2	July 1, 2021, through July 31, 2021	4,674	193 ⁷
3	July 1, 2021, through July 31, 2021	4,674	4,674
4	July 1, 2021, through July 31, 2021	4,674	337 ⁸

⁶ A one-tailed test with a 95 percent confidence level, five percent error rate, and 50 percent proportion of success was used to obtain the sample size.

⁷ The sample size for Objective No. 2 was 356; however, 163 Body Worn Videos were unavailable as officers are not required to activate body worn cameras when they are not in contact with the public.

⁸ The sample size for Objective No. 4 was 356; however, 19 queries were not applicable due to additional standards provided by the California Department of Justice (see Other Related Matters for details).

SUMMARY OF FINDINGS

Table No. 2 summarizes the audit findings for each objective:

Table No. 2 – Findings by Objective

Objective No.	Audit Objectives	No. Meeting Standards/ Evaluated	Percent Meeting Standards
1	Right-To-Know - Deactivation of the NECS Account Once an Employee was Separated from the Department	0/46	(0%)
2	Need-to-Know - While Conducting the Query on Duty, the Officer Contacted the Offender	193/193	(100%)
3	DR #/Reason Field was Completed Without Using Abbreviations or Generic Terms	2,005/4,674	(43%)
4	Source Documentation was Provided that Supported the Query	320/337	(95%)

DETAILED FINDINGS

Objective No. 1 – Right-to-Know – Deactivation of the NECS Account Once an Employee was Separated from the Department

Criteria

Department Manual, 4th Quarter 2020, Volume 3, “Management Rules and Procedures,” Section 408.16, “Releases of CORI – Determination of Right-To-Know/Need-To-Know,” states:

Right-to-Know. The Right-to-Know is the legal authority for a person or agency to have access to Criminal Offender Record Information. Those persons or agencies authorized by law to access CORI are defined in California Penal Code Sections 11105 and 13300.

California Penal Code, Part 4, “Prevention of Crimes and Apprehension of Criminals,” Title 1, “Investigation and Control of Crimes and Criminals,” Chap. 1, “Investigation, Identification, and Information Responsibilities of the Department of Justice,” Section 11105, states:

The Attorney General shall furnish state summary criminal history information to the following, if needed in the course of their duties...peace officers of the state...

Audit Procedures

Department employees access CORI through NECS. Auditors tested 46 Department employees (42 sworn and four civilians) who separated from the Department during the audit period to verify if the NECS accounts were deactivated once the employees separated from the Department. If the NECS accounts were deactivated, then the Department met the standard for this objective.

Findings

None of the 46 Department employees (zero percent) had their NECS accounts deactivated once they separated from the Department and did not meet the standard for this objective (see Recommendation No. 1).

Objective No. 2 – Need-to-Know – While Conducting the Query on Duty, the Officer Contacted the Offender

Criteria

Department Manual, 4th Quarter 2020, Volume 3, “Management Rules and Procedures,” Section 408.16, “Releases of CORI – Determination of Right-To-Know/Need-To-Know,” states:

Need-to-Know. The Need-to-Know is the official purpose for which the information is being requested. The purpose or compelling requirement for the information must be directly related to official duties and/or responsibilities of the person or agency initiating the request.

Audit Procedures

Auditors determined if the query of the offender met the criteria of “Need-to-Know.” Auditors obtained the name of the offender that was searched in CORI and verified it against the Body Worn Video (BWV) to determine if the officer had contact with the offender in the BWV while the officer was on duty.⁹ If the officer had contact with the offender while the officer was on duty, then the Department met the standard for this objective.

Findings

Each of the 193 (100 percent) met the standard for this objective.

Objective No. 3 – DR #/REASON Field was Completed Without Using Abbreviations or Generic Terms

Criteria

Office of the Chief of Police Notice, April 3, 2020, “California Department of Justice Guidelines,” states:

The “Need-to-Know” must be substantiated for all Criminal Offender Record Information queries in ACHS. The DR #/REASON field is a mandatory field which shall contain either a Division of Records (DR) number or booking number. The use of generic terms or abbreviations such as “inv,” “invest,” “arrest,” “info,” “warrant,” etc., are not acceptable and shall not be used.

⁹The sample only included officers from OO who had BWV and excluded all other officers who are not required to wear BWV.

Audit Procedures

Auditors reviewed the DR #/REASON field in the criminal history query to determine if the field stated a reason for the request and that the field did not contain abbreviations or generic terms. If the DR #/REASON field stated a reason for the request and did not contain generic terms or abbreviations, then the Department met the standard for this objective.

Findings

The finding determined that 2,005 of the 4,674 (43 percent) met the standard for this objective. A total of 2,669 of the 4,674 (57 percent) did not meet the standard for this objective (see Recommendation No. 2).

Of the 2,669 that did not meet the standards, a total of 2,340 queries (88 percent) contained the words, “Arrest,” “Arr,” and “Inv” in the DR #/REASON field (see Table No. 5 for detailed breakdown of abbreviations and generic terms).

Table No. 3 summarizes the Area/division that did not meet the standard for this objective:

**Table No. 3 – DR #/REASON Field was Completed Using Abbreviations or Generic Terms
Findings by Area/Division**

Area/Division	Total	Percentage
Central Area	501	19%
Hollywood Area	551	21%
77 th Street Area	786	29%
Mission Area	393	15%
West Valley Area	2	0%
South Bureau Homicide Division	14	1%
Valley Traffic Division	136	5%
Internal Affairs Division	1	0%
Robbery Homicide Division	43	1%
Juvenile Division	21	1%
Major Crimes Division	46	2%
Metropolitan Division	23	1%
Gang and Narcotics Division	146	5%
Training Division	5	0%
Communications Division	1	0%
Total	2,669	100%

Objective No. 4 – Source Documentation was Provided that Supported the Query

Criteria

Office of the Chief of Police Notice, April 3, 2020, “California Department of Justice Guidelines,” states:

The DOJ requires documentation to support all queries. Therefore, the justification must be linked to a verifiable document such as an Automated Field Data Report (AFDR), warrant package, supervisors log, case file, WeTip file, etc.

Audit Procedures

Auditors reviewed the DR #/REASON field to determine if documentation such as Automated Field Data Report (AFDR), warrant package, supervisors log, case file, WeTip file, etc., supported the query. If a document that supported the query was located, then the Department met the standard for this objective.

Findings

The finding determined that 320 of the 337 (95 percent) provided documentation such as an arrest report, Investigative Report, etc., and met the standard for this objective.

A total of 17 of the 337 (5 percent) did not meet the standard for this objective (see Other Related Matter No. 1 and Recommendation Nos. 3 and 4).

Table No. 4 summarizes the Area/division that did not meet the standard for the objective:

Table No. 4 – Source Documentation was Not Provided that Supported the Query Findings by Area/Division

Area/Division	Total	Percentage
Central Area	1	5.88%
Hollywood Area	3	17.65%
77 th Street Area	1	5.88%
Mission Area	3	17.65%
South Bureau Homicide Division	1	5.88%
West Valley Area	2	11.76%
Valley Traffic Division	3	17.65%
Metropolitan Division	3	17.65%
Total	17	100%

OTHER RELATED MATTER

1. Source Documentation

While testing for Objective No. 4 - Source Documentation was Provided that Supported the Query, auditors discovered that information such as date, officer's name or identifier (serial number), subject's name, and the reason for the search were not noted in the source documents. Information Bulletin No. 13-04-CJIS, dated April 12, 2013, states that each authorized agency maintain, and make available for inspection, an audit trail for a period of three years from the date of release of CORI from an automated system. The audit trail must provide an agency with sufficient information to substantiate the "Need-to-Know."

The term "sufficient information" for an audit trail in the Information Bulletin No. 13-04-CJIS does not clarify the standards required to satisfy as an audit trail; therefore, AD obtained guidance from the DOJ regarding Objective No. 4 - Source Documentation was Provided that Supported the Query. The DOJ requires the following information be present in the source documents: date, officer's name or identifier (serial number), subject's name, and the reason for the search.

The Office of Operations provided AD with 19 source documents for 19 queries. The source documents provided some of the information necessary to connect to the queries; however, it did not meet the additional guidance provided by DOJ. To ensure the Department documents sufficient information to support the need to conduct a CORI query, AD recommends that the *Office of the Chief of Police Notice*, titled "California Department of Justice Guidelines," dated April 3, 2020, be amended to include the additional guidelines provided by DOJ (see Recommendation No. 4).

RECOMMENDATIONS

Audit Division recommends that:

1. Information Technology Division develop policies and procedures for disabling NECS accounts for Department employees who separate from the Department (Objective No. 1).
2. Department employees receive training on the changes to the "route to" field in NECS and to not use abbreviations in the DR #/REASON field (Objective No. 3).
3. Department employees be reminded to maintain source documentation for CORI queries per *Office of the Chief of Police Notice*, dated April 3, 2020 (Objective No. 4).
4. The Office of Operations revise the *Office of the Chief of Police Notice*, dated April 3, 2020, to align with the DOJ's requirements for the "Need-to-Know" basis (Objective No. 4).

ACTIONS TAKEN/MANAGEMENT RESPONSE

The findings were validated by the Commanding Officer, Detective Bureau, Commanding Officer, Training Bureau, and the Commanding Officer, Information Technology Bureau, who were in general agreement with the audit findings.

The Assistant to the Director, Office of Operations, acknowledged the findings for Objective Nos. 3 and 4 and responded with an action plan to address the findings.

APPENDIX I

**Table No. 5 – Abbreviations and Generic Terms Used in the DR #/REASON Field
(Objective No. 3)**

Abbreviations or Generic Terms Used	Total	Percentage
ADMIN	16	1%
RPT	19	1%
INFO	67	2%
INVEST	135	5%
ARREST	752	28%
ARR	791	30%
INV	797	30%
Others ¹⁰	92	3%
Total	2,669	100%

¹⁰ There were 92 other abbreviations and generic terms used in the DR #/REASON field. Some of the words used in the field were “App,” “Ofcrthrt,” “Propdispo,” “Desk,” “Volunteer,” “Trng,” “Report,” “File,” “RFC,” “SCAR,” etc.

Criminal Offender Record Information Audit

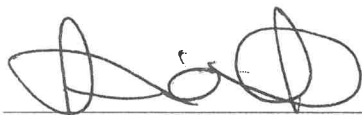
APPENDIX II

Audit Division Contact: Police Performance Auditor III Christine Shin, Serial No. N5398,
(213) 486-8380 or N5398@lapd.online

Staff Acknowledgments: In addition to the contact named above, Police Officer III Danny Chew, Serial No. 35793, and Sergeant II Eugene Bedolla, Serial No. 30210, made key contributions to this report.



CHRISTINE SHIN
Project Manager, Audit Division



SERGIO SAIS
Officer in Charge, Audit Division



SHARON SARGENT, Senior Management Analyst II
Acting Commanding Officer
Audit Division

INTRADEPARTMENTAL CORRESPONDENCE

May 31, 2022

11.2

TO: Commanding Officer, Audit Division

FROM: Assistant to the Director, Office of Operations

SUBJECT: 2021 CRIMINAL OFFENDER RECORD INFORMATION (CORI) AUDIT –
RESPONSE

In September 2019, the California Department of Justice (DOJ) conducted an onsite audit on the Los Angeles Police Department's (Department) use of DOJ's Automated Criminal History System (ACHS) and the Federal Bureau of Investigation's Interstate Identification Index (III) purpose code use. Based on the DOJ's audit, the Audit Division (AD) initiated the 2021 Criminal Offender Record Information (CORI) audit in accordance with DOJ guidelines and the Department's policies and procedures delineated by the Chief of Police Notice, *California Department of Justice Guidelines*, dated April 3, 2020. The time period analyzed in the audit varies depending on the Objective.

In order to access the ACHS and retrieve CORI queries, the Department utilizes the Network Communications System (NECS) application. Department employees are mandated to adhere to DOJ requirements and the "Need to Know" must be substantiated for all CORI queries in the ACHS through the NECS application. The DR#/REASON field in the NECS Criminal History Inquiry interface is a mandatory field and generic terms or abbreviations shall not be used. Also, all CORI queries shall be supported and linked by verifiable documentation such as Divisional Record (DR) number(s), booking number(s), Automated Field Data Report(s) (AFDR), warrant packages, supervisor logs, case file(s), etc.

The Office of Operations (OO) reviewed the draft audit report and will address the findings that pertain to the OO from Objective No. 3 and No. 4. All remaining findings will be addressed by the respective Areas and divisions. The audit period for Objective No. 3 and No. 4 is July 1, 2021, through July 31, 2021. The OO reviewed Objective No. 3 and No. 4 as follows:

- **Objective No. 3 – DR#/REASON Field was Completed Without Using Generic Terms or Abbreviations:** 2,005 of 4,674 (43%) total sample did meet the standard for the Objective. 3,535 of 4,674 total samples pertain to the OO geographic Areas or divisions. 1,288 of 3,535 (36%) did meet the standard for the Objective.
- **Objective No. 4 – Source Documentation was Provided that Supported the Query:** 320 of 337 (95%) total sample did meet the standard for the Objective. 265 of 337 total sample pertain to the OO geographic Areas or divisions. 254 of 265 (96%) met the standard for the Objective.

Objective No. 3, DR#/REASON Field was completed without using generic terms or abbreviations. The AD noted that auditors reviewed the DR#/REASON field in the Criminal History Inquiry interface, NECS, to determine if the field contained a reason for the request, and that the field did not contain generic terms or abbreviations. The OO did not meet the standard for this objective. The use of generic terms or abbreviations such as “inv,” “arr,” “arrest,” etc., were used in the DR#/REASON field. The following table illustrates the findings by Area and division:

Table No. 1: Objective 3 - DR#/REASON Field was Completed Using Abbreviations or Generic Terms – Findings by Area/Division

Area/Division	Total
Central Area	501
Hollywood Area	551
77 th Area	786
Mission Area	393
West Valley Area	2
South Bureau Homicide Division	14
Total Findings	2,247

During the validation process, the Inspections Unit, Office of Operations (OOIU), was not able to retrieve the information from the ADDITL REASON field that is required when querying for the CORI when there is no connecting DR or booking number, as guided by the Chief of Police Notice, *California Department of Justice Guidelines*. However, to substantiate the “Need to Know” criteria, other methods were used to procure the required source documentation.

The OOIU consulted with the Emergency Command Control Communications Systems Division on the NECS application to seek guidance in retrieving the ADDITL REASON field data relating to the Criminal History Inquiry interface. To date, the Department is migrating to a new server system, PremierOne Motorola, from the original mainframe, BlueZone IBM 3270 that the NECS application has been operating from; thus, all resources in maintaining, upgrading, and modifying the NECS application have been discontinued.

Consequently, the OOIU consulted with the Innovative Management Division (IMD) on the new server system, which is supported by PremierOne Computer-Aided Dispatch (CAD) and Records software. The new server operates with the following subsystem elements: CAD Subsystem, Records System, CommandCentral Responder, and Third-Party (CommSys CLIPS) Subsystem. The Third-Party (CommSys CLIPS) Subsystem includes newly designed interfaces to access the ACHS for CORI queries. The NECS application will no longer be utilized for the purpose of CORI queries once the Third-Party Subsystem integration is complete.

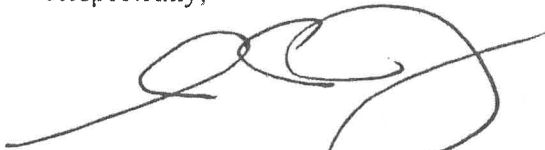
The Office of Operations will address the deficiencies for Objective No. 3 as follows:

1. A notification will be made to the respective Area commands of the audit deficiencies for review;
2. Because resources are not available to upgrade and/or modify the NECS application, the OO will collaborate with the Office of Constitutional Policing and Policy to amend the guidelines in the Chief of Police Notice, *California Department of Justice Guidelines*, dated April 3, 2020;
3. The new Notice will be disseminated to all bureaus and their respective Area or division commanding officers and Area or division training coordinators to be reviewed and discussed during roll call; and,
4. Since the integration of the new system with PremierOne software is currently in effect, the OO will consult and collaborate with the IMD in developing best practices and new guidelines for using the Third-Party Subsystem (CommSys CLIPS) Subsystem for CORI queries.

If you have any questions, please contact Police Performance Auditor IV Yadira Huerta, OOIU Officer in Charge, at (213) 486-6960.

Please contact me if you would like further information.

Respectfully,

A handwritten signature in black ink, appearing to read 'Louis Paglialonga', with a long horizontal line extending to the left.

LOUIS PAGLIALONGA, Commander
Assistant to the Director, Office of Operations

INTRADEPARTMENTAL CORRESPONDENCE

January 6, 2022

1.12

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Training Bureau

SUBJECT: RESPONSE TO AUDIT DIVISION CRIMINAL OFFENDER
RECORDS INFORMATION AUDIT

This correspondence has been prepared to respond to discrepancies identified by Audit Division (AD) during the most recent audit of the Criminal Offender Records Information (CORI) System.

Relative to Objective No. 3, AD identified one instance wherein the incorrect Identification of Source Documentation number was utilized during a CII inquiry. The CII number used for training was the generic training number for CCHRS training as opposed to the California State Department of Justice CORI system. The instructor has been provided training to correct this error. As such, Training Bureau is in general agreement with this finding.

Relative to Objective No 4, AD identified five instances wherein the "reason," field was TRNG. These incidents occurred during recruit training. According to Chief Clerk Saul Aviles, Records and Identification Division, the TRNG term used was appropriate while conducting training; therefore, Training Bureau disagrees with this finding.

Should you have any questions regarding this correspondence, please contact Lieutenant Jake Bushey, Adjutant, Training Bureau, at (213) 486-7090.



MARC REINA, Deputy Chief
Commanding Officer
Training Bureau

RECEIVED

JAN 11 2021

Audit Division

INTRADEPARTMENTAL CORRESPONDENCE

March 3, 2022

1.8

TO: Commanding Officer, Audit Division

FROM: Chief of Detectives

SUBJECT: CORI AUDIT FINDINGS – DETECTIVE BUREAU PROJECT NO. 1078147

Audit Division (AD) conducted a Criminal Offender Records Information (CORI) audit for all entities within Detective Bureau.

The California Department of Justice (CAL-DOJ) requires documentation to support all queries whether an individual is arrested or not. The criteria used to test the below objectives was documented in the Office of the Chief of Police (OCOP) Notice, dated April 3, 2020, CALIFORNIA DEPARTMENT OF JUSTICE GUIDELINES. The audit process involved a validation of findings where the audited entities were given an opportunity to review the findings and state if they agreed with the findings. The objectives tested for this audit included:

- Objective No. 3: Proper completion of the DR#/REASON Field in NECS; and,
- Objective No. 4: Identification of Source Documentation.

The audited Detective Bureau entities included Robbery-Homicide Division (RHD), Commercial Crimes Division (CCD), Gang and Narcotics Division (GND), Detective Support and Vice Division (DSVD), and Juvenile Division (JUV).

FINDINGS

Robbery-Homicide Division

Due to the confidential nature of RHD, Police Performance Auditor (PPA) Christine Shin, Serial No. N5398, AD, agreed to conduct the inspection in-person at RHD.

- Objective No. 3: Proper Completion of the DR #/REASON Field in NECS

The Division agreed with this finding. Of the 43 queries, 12 were conducted by two non-RHD personnel. Shin advised the query was based on a terminal with the Originating Agency Identifier (ORI) number “35.” These two employees were likely at RHD to consult with detectives on cases and utilized RHD computers at that time. Shin was able to verify the employees were not assigned to RHD and removed them from RHD’s findings.

The remaining 31 queries were conducted by eight RHD employees. When obtaining the supporting documentation for these queries, detectives noted many of the queries were conducted regarding officer threat assessments or during ongoing investigations where a Division of Records (DR) had not yet been obtained. Detective Sharlene Johnson, Serial No. 31825, RHD, clarified with Shin regarding how these queries should be properly documented for the DR#/REASON field. Shin indicated in circumstances where no DR number or booking number was available, the section of the appropriate Code for the crime/potential crime under investigation should be listed. To ensure future compliance, the RHD Training Coordinator will ensure all personnel are aware of the acceptable use of the appropriate Code section in DR#/REASON field as necessary.

- Objective No. 4: Identification of Source Documentation

The Division agreed with this finding. Detective Johnson obtained the source documentation for the three inquiries audited and provided them to Shin for review. Robbery-Homicide Division was then found to be in-compliance.

Commercial Crimes Division

- Objective No. 4: Identification of Source Documentation

The Division agreed with this finding. The two criminal history queries were in response to assist the Florence, Kentucky Police Department to identify two unknown suspects. The facsimile, photos, statement and reference request from the Florence Police Department were provided to Shin. Commercial Crimes Division was then found to be in-compliance.

Gang and Narcotics Division

- Objective No. 3: Proper Completion of the DR #/REASON Field in NECS

The Division agreed with this finding. The DR numbers and/or federal identification numbers were provided to Shin as well as sufficient information to justify the rationale for the queries. The GND was then found to be in-compliance.

- Objective No. 4: Identification of Source Documentation

The Division agreed with this finding. There were seven queries in which the auditors could not locate supporting documents. The source documentation to support the seven queries was located and provided to Shin. Gang and Narcotics Division was then found to be in-compliance.

Detective Support and Vice Division

- Objective No. 3: Proper Completion of the DR #/REASON Field in NECS
- Objective No. 4: Identification of Source Documentation

The Division agreed with these findings. Of the 29 queries, two of them were traced to a detective assigned to Major Crimes Division and the supporting documentation was provided to Shin. The remaining 27 queries were made by an officer assigned to the DSVD Case Assessment Management Program (CAMP). All queries involved subjects and the long-term management of their mental health issues.

The investigations are documented on the Mental Evaluation Unit (MEU) internal reports which contain protected patient information. The source documentation is available but protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Detective Support and Vice Division was found to be in-compliance.

Juvenile Division

- Objective No. 3: Proper Completion of the DR #/REASON Field in NECS

The Division agreed with this finding. During preliminary investigations, Division personnel often conduct queries relative to child abuse during call-outs and death investigations prior to issuance of a DR number or determining whether a crime has occurred. The Division contacted AD to inquire whether there was a California CAL-DOJ approved method to query a subject's name administratively, but AD was not aware of any.

Detective Bureau contacted Chief Clerk Police (CCP) Saul Aviles, Serial No. G9592, Records and Identification Division, who advised that CAL-DOJ provides the end-user guidelines and audits the use of the Automated Criminal History System (ACHS) for criminal history ("rapsheet") inquiries. However, per CAL-DOJ, it is the responsibility of each agency to develop their own usage policy.

To address the "Need to Know" criteria, the DR #/REASON field is a mandatory entry. In cases where Department personnel are conducting preliminary investigations and a DR number or booking number are not yet available, Aviles, consistent with Shin, advised that Department personnel use the appropriate Code section for the crime being investigated. To ensure future compliance, the JUV Training Coordinator will ensure all personnel are aware of the acceptable use of the appropriate Code section in DR#/REASON field as necessary.

- Objective No. 4: Identification of Source Documentation

The Division agreed with this finding. For the three queries identified in the audit, the source documentation was located and provided to Shin. Juvenile Division was then found to be in-compliance.

Commanding Officer, Audit Division

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All DB entities have been reminded of the guidelines as outlined in the Office of the Chief of Police (OCOP) Notice dated April 3, 2020, CALIFORNIA DEPARTMENT OF JUSTICE GUIDELINES, stating the DR #/REASON in the criminal history query format is mandatory for all CORI queries and must indicate the specific reason for the request to ensure there is sufficient information to justify the "need to know" criteria.

To ensure future compliance, the Bureau Training Coordinator will ensure all Bureau personnel are aware of the acceptable use of the appropriate Code section in DR#/REASON field as necessary.

If you have questions concerning this matter, please contact Lieutenant Richard Ulley, Detective Bureau, at (213) 486-7000.



KRISTA E. FITCHER, Deputy Chief
Chief of Detectives

Attachments

INTRADEPARTMENTAL CORRESPONDENCE

February 17, 2023
1.17

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Information Technology Bureau

SUBJECT: RESPONSE TO THE CRIMINAL OFFENDER RECORD INFORMATION (CORI) AUDIT

On February 9, 2023, Information Technology Bureau (ITB) received the results of an audit conducted by Audit Division regarding Criminal Offender Record Information (CORI) to evaluate the Department's adherence to the policies and procedures regarding accessing of CORI information.

All listed findings appear to be valid and ITB is in general agreement that the discrepancies did not meet the standard as required. Audit Division made one recommendation based upon their findings in the audit:

Recommendation No. 1: *Information Technology Bureau develop policies and procedures for disabling Network Communication Systems (NECS) accounts for Department employees who separate from the Department.*

Upon completion of the audit, ITB created a process to terminate NECS accounts for employees who have separated from the Department. Information Technology Division (ITD) will receive a weekly list from the Personnel Department identifying employees who are no longer with the Department. Once this list is received, ITD personnel will manually terminate the NECS accounts, rendering them disabled.

Should you have questions regarding this mater, please contact Lieutenant Karen Leong, Serial No. 33563, Information Technology Bureau, at (213) 486-0370.


JOHN McMAHON, Deputy Chief
Commanding Officer
Information Technology Bureau