INTRADEPARTMENTAL CORRESPONDENCE

June 18, 2024
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: WARRANT APPLICATIONS AUDIT (AD NO. 23-007)

RECOMMENDED ACTION

It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Warrant Applications Audit.

DISCUSSION

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

If additional information is required, please contact Police Administrator Sharon Sargent, Commanding Officer, Audit Division, at (213) 486-8480 or N1039@lapd.online.

Respectfully,

DOMINIC H. CHOI
Chief of Police

Attachment

Warrant Applications Audit
Conducted by
Audit Division
2023

OVERVIEW

Audit Division (AD) evaluated the Los Angeles Police Department's (Department) policies and procedures related to the Warrant Applications Packages in accordance with the Department's Annual Audit Plan for Calendar Year 2023.

This Audit was last performed in 2018. The Department's overall compliance rates and comparison to the prior audit are summarized in Table No. 1.

Table No. 1 – Findings by Objective and Comparison to Prior Years Audit.

Objective No.	Audit Objectives	2018		2023	
		Number Meeting Standards/ Evaluated	Percent Meeting Standards	Number Meeting Standards/ Evaluated	Percent Meeting Standards
1	**Completion of Warrant Packages**	60/66	91%	56/62	90%
2	**Warrant Tracking Log**				
2(a)	Timely Service of Warrant and Return	66/66	100%	62/62	100%
2(b)	Search Warrant Number Recorded on Tracking Log and Addendum	59/66	89%	42/53	79%
3	**Supervisory Oversight**				
3(a)	Supervisory Oversight of Search Warrant	62/66	94%	57/62	92%
3(b)	Commanding Officer Review Pre-Incident	N/A[1]	N/A	41/53	77%
3(c)	Commanding Officer Review Post-Incident	45/48	94%	43/53	81%
3(d)	Commanding Officer Analysis	44/48	92%	50/53	94%

BACKGROUND

The successful execution of a warrant requires careful operational planning. When properly planned and executed, search and Ramey warrants assist the investigating officer in the recovery of evidence and apprehension of criminal suspects.[2] Additionally, a well-thought-out plan minimizes the likelihood that personnel will inadvertently commit some violation of Department rules, policies, or procedures.

PRIOR AUDITS

Audit Division conducted the Search Warrant Applications and Supporting Affidavits Audit in 2018. The audit was comprised of the following 12 objectives:

---

[1] This objective was not examined in the prior audit.

[2] A Ramey warrant is similar to an arrest warrant because it authorizes law enforcement to effectuate the detention of a criminal suspect.

- Required Forms;
- Forms Properly Completed;
- Canned Language;
- Inconsistent Information;
- Legality of Execution of the Search Warrant;
- Warrant Served/Returned Within the Required Time;
- Pre-Incident Review;
- Applicable Supervisor at Incident;
- Post-Incident Review;
- Accuracy and Completeness of the Warrant Tracking Log;
- Warrant Tracking Log Approved Within the Required Time; and,
- Commanding Officer's Analysis.

Five of the above objectives were not tested in this year's audit due to compliance rates that ranged between 97 percent and 100 percent.[3]

Auditors did not have any recommendations for the 2018 Search Warrant Applications and Supporting Affidavits Audit. The compliance rates ranged between 89 percent to 100 percent.

SCOPE AND METHODOLOGY

The audit scope includes all search/Ramey warrants (warrant packages) served between July 1, 2023, through September 30, 2023. Third-party warrants, cell phone location tracking (whether in use or not, cell phones continually scan for the nearest cell tower, and as the phone moves with the user, connectivity is relayed from tower to tower. A record of the dates, times, and locations of cell-phone tracking allows law enforcement officers to derive the past movements of individuals, thereby placing them in the vicinity of a crime, or not.),[4] Global Position System (GPS) tracking, Official Police Garage vehicle searches, suspects in custody, swabs, Property Division records, and bank records were excluded. Specialized Divisions were also excluded as past Search Warrant Audit findings were mainly attributed to the geographic Areas.

Based on a review of Warrant Tracking Logs collected Department-wide, AD identified a population of 288 warrant packages and selected a stratified random sample of 62.[5]

---

[3] The Objectives not tested were: Forms Properly Completed, Canned Language, Inconsistent Information, Legality of Execution of the Warrant, and Warrant Tracking Log Approved Within the Required Time.

[4] The Criminal Justice Institute, Los Angeles County District Attorney's Office, One Minute Brief Number: 2018- 11, Date: 6-22-18, BY: Devallis Rutledge, Topic: Cell-site Surveillance.

[5] Audit Division utilized a one-tail test with a 95 percent confidence, a 94 percent proportion of success, and a five percent error rate for the sample selection. Auditors stratified the samples by geographic Area.

DETAILED FINDINGS

Objective No. 1 – Completeness of Warrant Packages

Criteria

Warrant packages were considered complete if all documents essential to the evaluation of the warrant preparation and/or service could be obtained through the Department's electronic data and file record systems. The Search Warrant and Warrant Service/Tactical Plan Checklist, Form 12.25.01, was used as a reference for warrant package contents.

Audit Procedures

Auditors reviewed the warrant packages to determine whether the documents supporting the warrant application and affidavit, and the execution of the search warrant were available.

Required documents included:

- Warrant Application;
- Search Warrant and Warrant Service/Tactical Plan Checklist, Form 12.25.01;
- Property Report, Form 10.01.00;
- Receipt for Property Taken into Custody, Form 10.10.00;
- Pre/Post Warrant Photographs;
- Warrant Tracking Log, Form 08.17.05;
- Warrant Service/Tactical Plan Report, Form 12.25.00; and,
- Employee's Report, Form 15.07.00 (if a Tactical Plan Report is not required).

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

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

The Department met the standards for this objective if a warrant package included the above applicable documents.

Findings

Of the 62 warrant packages reviewed, 56 (90 percent) met the standard while six did not.[6]

---

[6] See Addendum, Table No. 2 for detailed findings.

Objective No. 2 – Warrant Tracking Log

Objective No. 2(a) – Timely Service of Warrant and Return

Criteria

Department Manual Section 4/742.10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023, states:

> "***COMMANDING OFFICER'S RESPONSIBILITIES.*** *The CO of each Area/specialized division (or designated Area detective CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:*
>
> - *Ensure that the warrant number and return date are entered on the Warrant Tracking Log no later than ten business days from the date of service, with the exception of third-party records warrants;*
>
> ***Note:*** *The return date may not be available to be entered into the return date box of the final printout of the Warrant Tracking Log if the warrant was served on or near the end of the month. Should this be the case, the investigating officer shall print the return date on the original printout signed by the CO and shall ensure that this date matches the date entered into the Detective Case Tracking System...."*

Audit Procedures

Auditors reviewed the Warrant Tracking Log to determine whether the warrant number and the return date were entered no later than ten business days from the date of service. The Department met the standard for this objective if the warrant number and the return date were entered on the Warrant Tracking Log no later than ten business days from the date of service (except for third-party records warrants).

Findings

Each of the 62 (100 percent) warrant packages reviewed met the standard.

Objective No. 2(b) – Search Warrant Number Recorded on Tracking Log and Addendum

Criteria

Department Manual Section 4/742.10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023, states:

> *"**COMMANDING OFFICER'S RESPONSIBILITIES.** The CO of each Area/specialized division (or designated Area detective CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:*
>
> - *Ensure that the warrant number is recorded on both the Warrant Tracking Log and the first page of the Tactical Operation Plan's Warrant Addendum;..."*

Audit Procedures

Auditors reviewed the Warrant Tracking Log and the first page of the Tactical Operation Plan Warrant Addendum to determine whether the warrant number had been recorded. The Department met the standard for this objective if the warrant number was recorded on both the Warrant Tracking Log *and* the first page of the Tactical Operation Plan's Warrant Addendum.

Of the 62 warrant packages reviewed, nine were deemed not applicable to this objective. Therefore, AD personnel tested 53 warrant packages.[7]

Findings

Of the 53 warrant packages reviewed along with their corresponding tracking logs, 42 (79 percent) met the standard for this objective while 11 did not.[8]

Objective No. 3 – Supervisory Oversight

Objective No. 3(a) – Supervisor Oversight of Search Warrant

Criteria

Department Manual Section 4/742,10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023, states:

> *"**SUPERVISOR RESPONSIBILITIES.** The concerned supervisor shall place his or her initials and serial number on the lower right hand corner of each page of the original copy of the warrant affidavit, indicating that he or she has thoroughly reviewed the document."*

Audit Procedures

Auditors reviewed the warrant affidavits for the concerned supervisor's initials and serial number. The Department met the standard for this objective if the concerned supervisor placed their initials *and* serial number on the lower right-hand corner of each page of the warrant affidavit.

---

[7] Nine warrant packages did not require a Tactical Operation Plan.
[8] See Addendum, Table No. 3 for detailed findings.

Findings

Of the 62 warrant affidavits reviewed that require a supervisor's initials and serial number, 57 (92 percent) met the standard for this objective while five did not.[9]

Objective No. 3(b) – Commanding Officer Review Pre-Incident

Criteria

Department Manual Section 4/742.10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023, states:

> ***"COMMANDING OFFICER'S RESPONSIBILITIES.*** *The CO of each Area/specialized division (or designated Area detective CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:*
>
> - *Prior to the service, the commanding officer or designee shall review and approve the Tactical Operation Plan with Warrant Addendum (in accordance with Use of Force - Tactics Directive No. 10.3, March 2019), by placing his or her initials on the bottom right hand corner of Pages 1 and 6 (i.e., the Addendum's first page)..."*

Audit Procedures

Auditors reviewed the Tactical Operation Plan with Warrant Addendum for the commanding officer or designee's initials on pages one and six. The Department met the standard for this objective if the bottom right-hand corner of pages one and six of each Tactical Operation Plan with Warrant Addendum was initialed by the commanding officer before service.

Of the 62 warrant packages reviewed, nine were deemed not applicable to this objective. Therefore, AD personnel tested 53 warrant packages.[10]

Findings

Of the 53 warrant packages that require commanding officer's initials on the lower right-hand corner of the Tactical Operation Plan with Warrant Addendum, 41 (77 percent) met the standard for this objective while 12 did not.[11]

---

[9] See Addendum, Table No. 4 for detailed findings.
[10] Nine warrant packages did not require a Tactical Operation Plan.
[11] See Addendum, Table No. 5 for detailed findings.

Objective No. 3(c) – Commanding Officer Review Post-Incident

Criteria

Department Manual Section 4/742.10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023, states:

> *"**COMMANDING OFFICER'S RESPONSIBILITIES.** The CO of each Area/specialized division (or designated Area detective CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:*
>
> - *Following service of the warrant, the commanding officer shall review the Tactical Operation Plan for completeness and sign Page 9;...."*

Audit Procedures

Auditors reviewed the Tactical Operation Plan for the commanding officer's signature on page nine. The Department met the standard for this objective if the commanding officer reviewed the Tactical Operation Plan following the service of the warrant and signed page nine.

Of the 62 Tactical Operation Plans reviewed, nine were deemed not applicable for this objective. Therefore, AD personnel tested 53 search warrant packages.[12]

Findings

Of the 53 warrant packages that required a commanding officer's signature on page nine of the tactical plan, 43 (81 percent) met the standard while 10 did not.[13]

Objective No. 3(d) – Commanding Officer's Analysis

Criteria

Department Manual Section 4/742.10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023, states:

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

---

[12] Nine warrant packages did not require a Tactical Operation Plan.
[13] See Addendum, Table No. 6 for detailed findings.

- *Complete an analysis of the performance of the supervisor providing supervisory oversight (designated supervisor) at the service of a search warrant and document the results on an Employee Comment Sheet, Form 01.77.00…"*

Audit Procedures

Auditors reviewed the Employee Comment Sheet Folders to determine if the Employee Comment Sheet, Form 01.77.00, was completed for the respective warrant package. The Department met the standard for this objective if the commanding officer completed an Employee Comment Sheet, Form 01.77.00, documenting an analysis of the supervisor's performance at the warrant service.

Of the 62 warrant packages reviewed, nine were deemed not applicable for this objective, therefore 53 were reviewed.[14]

Findings

Of the 53 warrant packages that required an Employee Comment Sheet, Form 01.77.00, documenting an analysis of the supervisor's performance at the warrant service, 50 (94 percent) met the standard while three did not.[15]

ACTIONS TAKEN/ MANAGEMENT RESPONSE

Auditors submitted a draft of this audit report to the Office of Operations (OO). See attached form 15.2 for OO response.

[14] Nine warrant packages did not require a Tactical Operation Plan.
[15] See Addendum, Table No. 7 for detailed findings.

ADDENDUM

Table 2 - Completeness of Warrant Package
Objective No. 1

		Missing Documents (X)					
Area/Division	**Warrant No.**	**Tactical Plan Check List**	**Property Report**	**Property Receipt**	**Pre/Post Photos**	**Tactical Plan Report**	**Employee Report**
Hollenbeck	3776	X			X		
Hollywood	4737				X		
West L.A.	4002	X					
Wilshire	3932	X					
Devonshire	4828						X
Devonshire	0425				X		

Table 3 – Search Warrant Number Recorded on Tracking Log and Addendum
Objective No. 2(b)

Area/Division	Warrant No.
Central	4495
Hollenbeck	4142
Hollenbeck	3776
Newton	4563
Newton	4034
Pacific	0074
Pacific	0093
West L.A.	4002
Devonshire	0425
Topanga	0310
West Valley	0535

Table 4 - Supervisory Oversight of Warrant
Objective No. 3(a)

		Missing Supervisor's initials and serial on right hand corner of each page of the affidavit (X)	
Area/Division	**Warrant No.**	**Initials**	**Serial**
Hollenbeck	4142	X	X
77th	0446	X	
Mission	0229		X
Mission	0223		X
Mission	0203		X

Table 5 - Commanding Officer Review Pre-Incident
Objective No. 3(b)

		Missing CO's initials on right hand corner of page 1 and 6 of the Tactical Plan (X)		
Area/Division	**Warrant No.**	**Page 1**	**Page 6**	**Missing Page 6**
Hollenbeck	4142	X	X	
Newton	4563		X	
Southeast	0543			X
77th	4159			X
Hollywood	4437		X	
Pacific	0093		X	
Wilshire	3806		X	
Wilshire	3932		X	
Mission	0223		X	
Van Nuys	0546	X		X
Van Nuys	0727	X		X
Van Nuys	0537			X

Table 6 - Commanding Officer Review Post-Incident
Objective No. 3(c)

		Missing CO's signature on page 9 of the Tactical Plan after warrant service (X)	
Area/Division	**Warrant No.**	**Missing CO's signature on page 9**	**Missing Page 9**
Hollenbeck	4142	X	
Newton	4563	X	
Newton	4034	X	
Pacific	0093	X	
Wilshire	3806	X	
Wilshire	3932	X	
Mission	0223	X	
Van Nuys	0546		X
Van Nuys	0727		X
Van Nuys	0537		X

Table 7 - Commanding Officer Analysis
Objective No. 3(d)

		Missing the Employee Comment Sheet, Form 01.77.00, completed by the CO for the supervisor at service of the warrant (X)	
Area/Division	**Warrant No.**	**Missing Comment Sheet, Form 01.77.00**	**Warrant served by Metropolitan Division**
Southeast	0045	X	
Southeast	0470	X	X
Wilshire	05148	X	

APPENDIX II

Audit Division Contact: Sergeant II Silvia Holguin, Serial No. 37168, (213) 486-8363 or 37168@lapd.online

SILVIA HOLGUIN
Project Manager, Audit Division

FOR:
SERGIO SAIS
Officer in Charge, Audit Division

FOR:
SHARON SARGENT, Senior Management Analyst II
Commanding Officer Audit
Division

INTRADEPARTMENTAL CORRESPONDENCE

May 24, 2024
11.2

TO: Commanding Officer, Audit Division

FROM: Assistant to the Director, Office of Operations

SUBJECT: 2023 WARRANT APPLICATION AUDIT – RESPONSE

Audit Division (AD) evaluated the Los Angeles Police Department's (Department) policies and procedures related to the Warrant Application Packages in accordance with the Department's Annual Audit Plan for Calendar Year 2023. The scope of the audit included all warrant packages served from July 1, 2023, through September 30, 2023.

Based on a review of Warrant Tracking Logs collected Department-wide, AD identified a population of 288 warrant packages and selected a stratified random sample of 62.

The AD noted the following deficiencies:

- Objective 1 – Completion of Warrant Packages: 56 (90%) out of 62 warrant packages met the standard for this objective;
- Objective 2(a) – Timely Services of Warrant and Return: 62 (100%) out of 62 warrant packages met the standard for this objective;
- Objective 2(b) – Search Warrant Number Recorded on Tracking Log and Addendum: 42 (79%) out of 53 warrant packages met the standard for this objective;
- Objective 3(a) – Supervisory Oversight of Search Warrant: 57 (92%) out of 62 warrant packages met the standard for this objective;
- Objective 3(b) – Commanding Officer Review Pre-Incident: 41 (77%) out of 53 warrant packages met the standard for this objective;
- Objective 3(c) – Commanding Officer Review Post-Incident: 43 (81%) out of 53 warrant packages met the standard for this objective; and,
- Objective 3(d) – Commanding Officer Analysis: 50 (94%) out of the 53 warrant packages met the standard for this objective.

After review of AD's draft report, it was determined that the Office of Operations (OO) is in general agreement with the audit findings.

The OO addressed the deficiencies noted above as follows:

1. Area and bureau Commanding Officers were reminded of the related Department policies regarding the Warrant Application Packages to ensure appropriate training is disseminated to all geographic Area personnel. The following will be recirculated:

    a. *Search Warrant and Warrant Service/Tactical Plan Checklist*, Form 12.25.01; and,
    b. Department Manual Section 4/742.10, *Search Warrant and Probable Cause Arrest Warrant Procedures*, dated Quarter 1, 2023; and,

2. To help facilitate training at the Area level with respect to the Warrant Application Packages, the OO forwarded all deficiencies noted by AD to the four Bureau Inspection Units to be discussed at their quarterly meetings with the bureau and Area Training Coordinators.

If you should have any questions regarding this correspondence, please contact Police Performance Auditor IV, Yadira Huerta, Office of Operations, at (213) 486-6960.

BRYAN D. LIUM, Commander
Assistant to the Director, Office of Operations