

LOS ANGELES POLICE COMMISSION

**AUDIT OF COMPLAINT
INVESTIGATIONS
INVOLVING GANG AND NARCOTIC
OFFICERS**



CONDUCTED BY

OFFICE OF THE INSPECTOR GENERAL

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Inspector General

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**OFFICE OF THE INSPECTOR GENERAL
AUDIT OF COMPLAINT INVESTIGATIONS
INVOLVING GANG AND NARCOTIC OFFICERS**

PURPOSE

The Office of Inspector General (OIG) has conducted an audit of complaint investigations (Audit) in which allegations were made against gang or narcotic officers. The purpose of the audit was to determine if the complaint investigations were of good quality and the adjudications were based on the available evidence.

BACKGROUND

The Department annually investigates approximately 4,000 personnel complaints against its police officers. About half of the complaints are investigated by Internal Affairs Group (IAG) with the remaining complaints investigated by a supervisor in the accused officers' chain of command (COC). The COC investigates complaints with lower-risk allegation types, including Neglect of Duty, Discourtesy and Unbecoming Conduct. Conversely, IAG investigates complaints with allegations that are higher-risk. Two of these types are False Imprisonment and Unlawful Search. These allegation types are higher risk because they relate to constitutional rights issues. Gang and narcotic officers were selected for the Audit due to the enforcement nature of their responsibilities.

All complaint allegations, regardless whether investigated by COC or IAG, are adjudicated by the accused employee's commanding officer. At the conclusion of the investigation, the commanding officer is required to choose the most appropriate allegation disposition from the 18 available disciplinary and non-disciplinary categories. The most common disciplinary categories are Sustained, Exonerated, Unfounded and Not Resolved.

SCOPE AND METHODOLOGY

A total of 29 complaints were closed from January through September of 2012 with one or more allegations of False Imprisonment or Unlawful Search filed against gang or narcotic officers. In all, 25 gang and 21 narcotic officers were named in the allegations. The Audit included all 29 complaints in its testing sample. The Audit reviewed the documentation of each complaint including 139 related audio-recorded interviews.

Complaints often contain multiple allegations of misconduct. Such was the case with the complaints reviewed in the Audit. Within the 29 complaints, there were 32 allegations of False Imprisonment. Twenty four of the allegations involved arrested individuals. The dispositions for these 32 False Imprisonment allegations resulted in 31 Unfounded and 1 Not Resolved.

Additionally, the 29 complaints included 21 Unlawful Search allegations. Of these allegations, eight involved a residence or business, seven involved a vehicle, five involved a person and one involved a cellular phone. The dispositions for these 21 Unlawful Search allegations resulted in 19 Unfounded, 1 Exonerated and 1 Not Resolved.

The OIG conducted the audit in accordance with generally accepted government auditing standards. These standards require that the audit is adequately planned, performed, and

supervised, and that sufficient, competent, relevant evidence is examined to provide a reasonable basis for the results and conclusion.

AUDIT OBJECTIVES AND RELATED COMPLIANCE RATES

The table below lists the nine audit objectives and the related compliance rates for each objective, based on a review of 29 complaints.

OBJ. NO.	OBJECTIVE DESCRIPTION	COMPLIANCE %	NO. OF COMPLAINTS
1	Determine if the investigating officer accurately framed all allegations.	97	28/29
2	Determine if the investigating officer attempted to interview all individuals relevant to the investigation.	100	29/29
3	Determine if the investigating officer asked appropriate questions in the interviews.	100	29/29
4	Determine if the investigating officer audio recorded all interviews, unless the complainant or witnesses refused to be recorded.	100	29/29
5	Determine if the investigating officer accurately summarized all interviewee statements relevant to the investigation.	97	28/29
6	Determine if the investigating officer identified all significantly different interviewee accounts of the incident.	100	29/29
7	Determine if the investigating officer appropriately analyzed all physical and documentary evidence relevant to the investigation.	100	29/29
8	Determine if the investigating officer accurately presented the evidence gathered in the investigation.	100	29/29
9	Determine if the commanding officer provided a rationale for each allegation disposition based on the available evidence.	97	28/29

RESPONSE OF COMMANDING OFFICER OF INTERNAL AFFAIRS GROUP

The Commanding Officer of Internal Affairs Group expressed general agreement with the Audit results.

CONCLUSION

Based on the review of the complaint investigation documentation coupled with the compliance rates, the OIG concluded that the complaint investigations were of good quality and that the adjudications were based on a review of the available evidence.