

LOS ANGELES POLICE COMMISSION

Review
Of the Department's
Quarterly Discipline Report
Fourth Quarter 2011
(PUBLIC, OPEN SESSION)



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

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Department Policy Manual Volume 1 § 210.35a

OFFICE OF THE INSPECTOR GENERAL
REVIEW OF THE DEPARTMENT'S QUARTERLY DISCIPLINE REPORT
FOURTH QUARTER 2011
Public Version

I. INTRODUCTION

Each quarter, the Los Angeles Police Department (LAPD or Department) publishes a Quarterly Discipline Report (QDR) regarding employee discipline imposed in connection with internal investigation cases closed during a specific calendar quarter and any discipline imposed for any Categorical Use of Force (CUOF) found to be out of policy. The Board of Police Commissioners (BOPC or Commission) then generally directs the Office of Inspector General (OIG) to conduct a review of the Department's report. In this report, the OIG reviews the Department's QDR for the Fourth Quarter (4Qtr) of 2011.

II. CONDITIONAL OFFICIAL REPRIMANDS

A. Department's Report on CORs

On April 24, 2012, the Department presented their report on Conditional Official Reprimands (COR) to the BOPC. Drafts of an Administrative Order related to CORs and a related Penalty Guide Matrix are currently with the Chief of Police for his review.

B. COR Data in This QDR

The OIG reviewed the Department's 4Qtr QDR for information related to CORs. In the QDR, the Department noted that 104 allegations of misconduct received a disposition of either sustained or guilty. The QDR further noted that 46 of the 104 sustained/guilty allegations resulted in a penalty of Official Reprimand (OR). The QDR, however, does not identify what number of these OR punishments are conditional.

By searching the Department's TEAMS II database,¹ the OIG determined that 34 of these 46 reprimands were CORs. The 34 COR penalties represent 33% of the total number of allegations resulting in penalties.

In preparing this report, the OIG reviewed the Department's Report on Conditional Official Reprimands (hereinafter "COR Report"), dated April 10, 2012. Although the COR Report describes a process for ensuring consistency in the application of CORs, the OIG noted potential disparities in the treatment of officers and will review several of these cases below.

¹ TEAMS is an acronym for the Training Evaluation and Management System database.

1. Failures to Appear

A Failure to Appear (FTA) occurs when an employee fails to appear in court after being properly served with a subpoena. During this past quarter, the Department issued CORs to two officers for FTAs.

Table 1: Fact summaries resulting in CORs as reported in 4Qtr QDR

#	Case No. & Rank	Allegation	Fact Summary ² & Employee Disciplinary History	Term ³
Sworn Employees				
A	10-003905 PO ⁴ II	Failure to Appear	After being properly subpoenaed on numerous occasions (3 separate court dates involving 5 traffic cases), failed to appear in court as required and failed to acknowledge electronic subpoenas. Disciplinary History: Unbecoming Conduct (2010), resulting in Comment Card Discourtesy (2010), resulting in Comment Card Alcohol Related Misconduct (2008), resulting in 10-day suspension	3y / 7d
B	11-000055 PO II	Failure to Appear	After being properly subpoenaed, failed to appear in court as required. Disciplinary History: FTA (2010), resulting in a Notice to Correct	5y / 10d

In one instance (Case A), the officer failed to appear for three separate court dates involving five different court cases. These five cases were ultimately dismissed because of the officer's FTAs. This officer had three prior complaints against him with two of those complaints occurring in the same year as this instance of misconduct. Notwithstanding the officer's disciplinary history or the case dismissals, this officer received a single COR for all three of these FTAs.

In another case (Case B), an officer failed to appear for a single court case. This officer had one prior FTA during the same year but no other misconduct. The Commanding Officer (CO) for this officer recommend a COR with 2 year/5 day term. The Chief of Police denied this recommendation and issued a COR that was more severe than Case A.

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² Fact summary as stated in the Dept. QDR, with OIG fact additions if any in parenthesis.

³ Values in this column expressed first as the number of years (y) that the condition remains in effect, or alternatively that the condition remains forever (E), followed by the penalty imposed if the same or similar act recurs, usually days (d) suspended from duty, or alternatively directed to a Board of Rights (BoR) hearing.

⁴ Police Officer.

2. Discourtesy

Discourtesy generally refers to the use of improper, rude, or offensive speech or conduct toward another person. The COR Report states that a COR may be considered for “[d]iscourtesy, such as mildly offensive remarks or gestures.” In reviewing CORs issued for discourtesy, the OIG noted that the Department’s discipline for officer discourtesy varied.

#	Case No. & Rank	Allegation	Fact Summary & Employee Disciplinary History	Term
C	10-002506 PO II	Discourtesy	On duty made a discourteous statement to complainant. Disciplinary History: Discourtesy (2009), Not Resolved Discourtesy (2008), Not Resolved Neglect of Duty (2008), Actions Could Have Been Different Discourtesy (2006), Not Resolved Discourtesy (2006), Actions Could Have Been Different	OR ⁵
D	10-003837 PO II	Discourtesy	On duty made a discourteous statement to complainant. Disciplinary History: Discourtesy (2008), Sustained - 2 day suspension.	5y / 10d
E	10-002323 PO III	Discourtesy	On duty uttered a discourteous remark. Disciplinary History: Discourtesy (2009), Not Resolved.	5y / 10d
F	10-002666 PO III	Improper Remark	On duty made a discourteous remark regarding a Department volunteer. <i>Deselected from PO III and downgraded to PO II as a result of this incident.</i> Disciplinary History: Unbecoming Conduct (2004), Actions Could Be Different – Counseling	E / 15d
G	11-001307 PO III+I	Improper Remark	On duty made an inappropriate comment in reference to a coworker. <i>Deselected from PO III+I and downgraded to PO III as a result of this incident.</i> Disciplinary History: Unbecoming Conduct (1989), Not Resolved.	E / BoR

Public Discourtesy

In Case C, an officer detained a group of males for a municipal code violation and then told them to “go with the f***ing program.” In investigating and ultimately sustaining this matter, the Department noted a “[prior] similar pattern of behavior related to the allegations of Discourtesy.” This officer received an OR for his comments.

⁵ An OR is a written reprimand that is less severe than a COR because no future “condition” is attached to the reprimand.

In Case D, an officer cited a citizen for a traffic violation and then asked him, “Are you stupid?” This officer had previously received a two-day suspension in 2008 for similar discourtesy to a citizen. The officer’s second violation for discourtesy in this incident resulted in less severe discipline, a COR (5 years/10 days).

In Case E, an officer while handling a landlord-tenant dispute, commented that “this situation is f***ed.” This comment was not directed toward anyone. The officer had no prior Sustained discipline and no identified negative behavior patterns. The officer however received a COR (5 years/10 days).

The offensive remarks in these three cases appear minor. The officer in Case E made statements that were not directed at any citizen and had no prior discipline yet that officer received the same discipline as the officer in Case D who directed his discourtesy statements at a citizen and had been previously disciplined for similar misconduct. The OIG cannot reconcile these two cases with Case C. In Case C, an officer directed derogatory comments to multiple individuals and had a prior pattern of similar misconduct. Even though this officer’s conduct and history appeared more egregious than both Case D and E, that officer received an OR with no conditions.

Workplace Discourtesy

The remaining two cases in this category involve improper remarks around coworkers.

In Case F, a female officer (Officer I) was disciplined for making an inappropriate comment at a Department picnic. During a private conversation with another female at this picnic, Officer F referred to a Department volunteer as a “boy toy.” No other individuals heard this comment and there was no complaint about this comment made at this time. Approximately one month later, Officer F made a complaint against her supervisor for sexual misconduct.⁶ On the day the supervisor received notice of the impending complaint investigation, the supervisor’s friend, who happened to be the female who heard the “boy toy” comment, filed a complaint against Officer F. Officer F was also informed that if she ever makes an Improper Remark again, she will receive a 15-day suspension.

In Case G, a female officer (Officer G) was disciplined for making an improper remark about another officer. When Officer G found that she had improperly been assigned two investigations by a coworker, Officer G pointed to the absent coworker’s empty desk, and said “he needs a bullet in his head.” When her colleagues were interviewed about the statement, several of them understood the statement as an expression of frustration. None of her colleagues believed that any violence would result from this comment.

When disciplining this officer, the Department stated that “any form of workplace violence cannot be tolerated.” The Department provided the officer with a COR with notice that any future improper remark would result in a Board of Rights with a recommendation for termination.

⁶ This supervisor was ultimately terminated for misconduct.

These two female officers had extensive time with the Department (more than 20 years of service each) and no history of discourtesy statements or other non-traffic related discipline. These officers received both discipline as well as an adverse administrative action for their discourtesy.⁷

3. Neglect of Duty

Neglect of Duty generally refers to an employee's failure to perform a task or action required as an ordinary exercise of employment duties.

#	Case No. & Rank	Allegation	Fact Summary & Employee Disciplinary History	Term
H	10-004205 PO II	Neglect of Duty	On duty failed to properly secure a Dept. issued police rifle and a personally owned authorized shotgun, and possessed unauthorized ammunition causing Bomb Squad response.	OR
I	10-003827 PO II	Neglect of Duty	On duty failed to report the loss of one badge and failed to report the recovery of another badge.	OR
J1 ⁸	10-002090 PO II	Neglect of Duty	On duty failed to monitor radio which left employee unaware of Citywide Tactical Alert, and left assignment at Citywide Tactical Alert without being excused by the Area Watch Commander.	5y / 3d
K	10-003371 PO II	Neglect of Duty	On duty failed to follow Dept. policy & procedure after becoming aware of a missing juvenile incident, failed to conduct a thorough missing juvenile investigation, and neglected to present the report to the Watch Commander.	5y / 5d
L	10-003473 Det ⁹ II	Neglect of Duty	On duty supervisor failed to enter (more than 100) Elder Abuse cases into the Case Tracking System, preventing timely investigation. CO recommended 5 day suspension, modified by Chief to COR. <i>Deselected from Det II and downgraded to Det I and transferred for this incident.</i> Disciplinary History: Discourtesy (2010), Insufficient Evidence to Adjudicate (IETA) Neglect of Duty (2010), Not Resolved Discourtesy (2009), Actions Could be Different - Training Discourtesy (2008), Not Resolved Failure to Qualify (2003), Sustained – 2 day suspension Failure to Qualify (2002), Sustained – 1 day suspension Failure to Qualify (2002), Sustained – Admonishment Shooting Violation (1983), Sustained – Relinquished 4 days off	5y / 10d
J2	10-002090 PO III	Neglect of Duty	On duty left assignment at Citywide Tactical Alert without being excused by the Area Watch Commander.	5y / 10d
M	10-002465 PO II	Neglect of Duty	On duty failed to complete a thorough investigation.	5y / 15d

⁷ According to the Department, the punishments in these cases were not based solely upon the instant complaints. In determining these officers' punishment, the Department considered the facts and circumstances of the instant offenses as well as the officers' prior actions.

⁸ Cases M and Q both involve 2 officers, each accused of the same Neglect of Duty.

⁹ Detective.

#	Case No. & Rank	Allegation	Fact Summary & Employee Disciplinary History	Term
N1	11-000592 PO II	Neglect of Duty	On duty failed to conduct a Missing Persons investigation as required.	5y / 15d
N2	11-000592 PO II	Neglect of Duty	On duty failed to conduct a Missing Persons investigation as required.	5y / 15d
O	10-000468 PO II+II	Neglect of Duty	Off duty, failed to advise a supervisor of an on duty injury recurrence. <i>Deselected from PO II+II and downgraded to PO II for this incident.</i> Disciplinary History: FTA (2009), Sustained – 5 day suspension FTA (2008), Sustained – 2 day suspension FTA (2008), Sustained – OR FTA (2006), Sustained – OR FTQ (2005), Sustained – Admonishment	5y / 15d ¹⁰
P	10-000577 Sgt ¹¹ II	Neglect of Duty	On duty knew or should have determined that a use of force occurred and failed to take appropriate action.	5y / Demote
Q	09-004615 PO II	Neglect of Duty	On duty failed to take a crime report. Disciplinary History: Neglect of Duty (2004), Sustained – 2 day suspension Neglect of Duty (2003), Actions Could Be Different – Training Discourtesy (2002), Actions Could Be Different – Training Neglect of Duty (2000), Sustained – Admonishment Neglect of Duty (1999), IETA Improper Remarks (1998), IETA Neglect of Duty (1989), Sustained – 2 day suspension	E / 10d
R	10-001869 Sgt I	Neglect of Duty	On duty failed to complete a Complaint Form after being notified of misconduct.	E / Demote

In Case L, an officer's repeated inaction jeopardized the investigation of numerous vulnerable victims. In that case, a detective supervisor failed to enter critical information related to elder abuse into a database. For over a year this supervisor neglected to input some 100 to 300 cases of elder abuse into a Department database. The Department uses this database to assign these cases to Department personnel for investigation. Despite the severity of the detective's actions, the Department disciplined this officer with a COR and an administrative downgrade.

Whenever an officer provides a response regarding proposed discipline, that response is generally presented to the Chief of Police for his consideration in ultimately determining the appropriate punishment. Here, the detective's written response showed a failure to accept responsibility for his actions by calling his repeated failures an "infraction," and then complaining that the recommended discipline was "an abuse of power. In reviewing the 34 CORs awarded this past quarter, the OIG determined that the discipline for this detective was on par with discipline for more minor forms of misconduct and not commensurate with the severity of the detective's actions.

¹⁰ The adjudicator in this case noted that prior reprimands and suspensions did not change the officer's behavior, and did not believe "additional suspension days would have a positive impact."

¹¹ Sergeant.

4. Conduct Unbecoming or Alcohol-Related Misconduct

Conduct unbecoming generally refers to actions that are excessive, unwarranted, or both.¹² Alcohol-related misconduct generally refers to actions which involve the employee in possession or under the influence of alcohol, or both.

#	Case No. & Rank	Allegation	Fact Summary & Employee Disciplinary History	Term
S	10-003680 PO II	CUBO ¹³	Off duty unlawfully operated a motor vehicle with tinted windows and was driving in excess of the posted speed on a highway.	OR
T	10-002740 PO II	Alcohol Related	Off duty officer involved in incident resulting in arrest for drunk in public by an outside law enforcement agency.	5y / 10d
U	10-003303 PO I	CUBO	On duty inappropriately tried to turn an on duty contact into a social relationship.	5y / 10d
V	10-003222 PO II	Other Policy Rule	On duty requested on duty Dept. personnel to access Dept. databases for unofficial purposes, and provided printouts from Dept. databases to an unauthorized person.	E / 22d
X	10-000641 DET I	CUBO	Off duty visited citizen's private residence uninvited and after repeated requests to refrain from this activity, failed to do so; unnecessarily identified self as police officer; caused the response of on duty officers resulting in a criminal trespass investigation report; drove vehicle in an unsafe manner on private property.	E / 22d- Term

In Case X, the Detective essentially stalked a celebrity for approximately 17 days. After this celebrity was arrested, the detective made a series of off-duty and unwelcomed visits to the individual's home.¹⁴ Initially, the detective went to the celebrity's home asking for a large donation for her church. When approached by residents of the community and asked to leave the area, the detective claimed to know the celebrity. The detective then continued to return to the celebrity's home. When residents again asked her to leave the area and threatened to call police, the detective showed her badge and identified herself as police. The residents attempted to surround her until the police arrived, but the detective drove over a lawn to escape. Responding officers took a criminal trespass report but no charges were filed.

When Internal Affairs Group (IAG) officers attempted to serve the detective with notice of the misconduct investigation, she refused to accept or sign any Department documents. During her IAG interview, she told the investigators that she wanted to help the celebrity with his drug problem. However, in a later statement to a supervisor, she admitted that she was in love with the celebrity and wanted to break him out of County Jail so that she could marry him.

The OIG questioned the Department on the appropriateness of a COR for Case X. According to the Department, there were evidentiary considerations that precluded the Department from recommending more severe punishment for this officer's actions.

¹² Department Manual Vol. 1 § 210.35, Conduct Unbecoming An Officer (see Appendix pg. a for full text of this section).

¹³ Acronym for Conduct Unbecoming an Officer.

¹⁴ Department records indicate that the detective made between 5 and 14 visits to the home, including one with her 10 year daughter.

C. “Serious” CORs

In Section IV of the COR Report, the Department describes the COR process, and among other things explains that a COR can be modified to reflect the serious nature of the misconduct. The Department explains, in relevant part, that:

The COR is most often used for minor cases. However where it is used for more serious cases, that is stated explicitly in the wording of the COR and the penalty range for the future penalty rises according to the seriousness of the case for which the COR is administered. Because a COR which is administered for serious misconduct explicitly identifies the misconduct as serious, such a COR in the record of employee has the effect of what traditionally had been a suspension.¹⁵

The “serious” categorization does not appear limited to serious misconduct. In reviewing the 34 CORs in the QDR, the OIG determined that all but one COR (Case Q) was coded as “serious.” The OIG cannot determine why Case Q did not receive a “serious” designation when other, less serious misconduct in this report received that distinction.

In Case Q, an officer assigned to the front desk was the subject of an integrity audit due to complaints that he refused to complete crime reports. An undercover operative (UC) from the Department posed as a citizen and approached the officer to report a stolen bike. The officer told the UC to take a seat and an officer would be available shortly. About 20 minutes later, a citizen came to the desk and also asked to make a report. The UC heard the officer tell the citizen that it would be faster for the citizen to go to another police station to make the report and that it would be a 2 to 3 hour wait if the citizen wanted to make a police report at this station. The citizen left. The UC then asked how long it would take for the bike report, and the officer then found a junior officer not assigned to the desk to take the UC’s report.

The integrity audit validated the various complaints against the officer for neglecting his duties in refusing to take police reports. These were not isolated incidents. The Department noted in its investigation that this officer had a history of similar behavior, including 4 sustained complaints for Neglect of Duty. The OIG noted that this officer had twice before received suspension days for Neglects of Duty. Despite this history of misconduct, the Department disciplined the officer with a lesser form of punishment, a COR.

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¹⁵ COR Report, Section IV, “The COR Defined,” pg. 21.

III. WORKPLACE INCIDENT

Since 2010, the OIG has twice used QDR data to review cases of alleged workplace misconduct.¹⁶ In both of those reviews, the OIG focused only on allegations of retaliation where an employee claimed the Department imposed negative treatment in response to the employee's report of misconduct by another employee. In this review, the OIG considers workplace incidents more broadly.

SWAT Kimber Pistol Purchases

A. First Investigation

In 2002, the Department entered into a contract with Kimber Firearms for a one-time purchase of 144 pistols. Kimber provided these firearms to the Department for the discounted price of \$400. At some unknown time later, Special Weapons and Tactics (SWAT) personnel entered into new purchase contracts with Kimber for between 51 and 324 additional pistols. The purchase order showed that these additional pistols were purchased for the discounted price of \$600 each.¹⁷ These pistols bore a unique "LAPD SWAT" machine-stamping, and therefore had a resale value of approximately \$1,600 to \$3,500.

In 2010, a commanding officer requested Employee A to perform an inventory of Metropolitan Division's firearms. While performing this inventory, Employee A learned that officers within the unit were purchasing these Kimber firearms for official use and possibly reselling them to third parties for large profits. Employee A also determined that officers, unbeknownst to the Department or Kimber, were allowing "Cinema Weaponry" to purchase these pistols at the discounted price, and "Lucas Ranch Gun Sales" to charge fees in facilitating the transfer of the pistols from Kimber to officers.¹⁸

Employee A determined that Employee B and other officers were responsible for these transfers. Concerned about these practices and their legal ramifications, Employee A reported to his¹⁹ Commanding Officer and together they contacted IAG about Employee B. Employee A's Chain of Command immediately relieved Employee B from his position and began reviewing the matter.

IAG performed a limited investigation into this matter and then it was ultimately determined that no misconduct occurred. The investigator did not interview Employee A, Employee B, or other

¹⁶ OIGs review of the Dept.'s QDR for the Third Quarter of 2009 (issued Feb. 4, 2010), and for the Fourth Quarter of 2010 (issued May 10, 2011).

¹⁷ CF 10-001872, addendum item #2A, purchase invoice dated 07-06-09. Pistols with additional modifications sold for \$630.

¹⁸ The Department did not investigate whether either entity was subject to City purchasing rules, which were established to prevent claims of favoritism or undue influence with City affairs.

¹⁹ The masculine pronouns (he, his, and him) will be used in this report in situations where the referent could in actuality be either male or female.

potentially involved officers. There was no investigation into the number of pistols purchased from Kimber or the identity of individuals reselling these pistols for profit. The investigation concluded with the Department noting that there was no policy governing an officer using the Department as a conduit to purchase and resell pistols.²⁰

B. Second Investigation

While the Department was conducting its limited investigation into the Kimber resales, a complaint investigation was opened on Employee A. The individual accused of reselling Kimber pistols (i.e., Employee B) prompted the second investigation. Employee B complained that Employee A disclosed information about the initial investigation to others.

The Department did a thorough investigation into Employee A and was unable to determine whether Employee A disclosed information related to the initial investigation.²¹ The Department ultimately sustained a complaint against Employee A for providing inaccurate statements, finding that Employee A made contradictory statements regarding whether he knew that Employee B was the subject of a formal IAG complaint investigation. Employee A received a five-day suspension for this sustained allegation.

The OIG noted that Employee A made contradictory statements during the investigation. Employee A was clearly aware that his concerns had prompted his superiors to remove Employee B from his duties. Employee A was also aware that IAG was involved in this matter. However, when Employee A attempted to obtain the status of this complaint, the investigating officer at IAG indicated that there was no such investigation. When IAG initiates a complaint investigation, it generally interviews the complainant and then provides the individual with a formal order not to discuss the investigation. This, however, did not occur here. Employee A was never formally interviewed and there appeared to be no formal investigation into the matter. There appeared to be mixed messages from the Department on whether an actual complaint was initiated in this case. The command acted upon Employee A's complaint and immediately removed Employee B from his position, but the investigating officer equivocated on whether any IAG investigation was occurring and failed to interview either the complainant or the subjects of the complaint.

²⁰ Although there was no Department policy on this matter, the purchase of firearms with the intent to immediately transfer the weapon to a third party may violate City ethics regulations and federal firearm laws.

²¹ The entire First Investigation with appendices (including multiple pages of purchase orders) was 39 pages. The Second Investigation regarding Employee A involved 5 tape-recorded interviews and a 257 page report (including interview transcripts and exhibits).

C. Going Forward

The Department's investigation into the purchase and resale of these Kimber firearms was deficient. Despite the shortcomings of this particular case, the caliber of IAG's investigation into high risk complaints is generally very good. When the OIG notified IAG about the concerns with this investigation, the Commanding Officer of IAG immediately launched a follow up investigation to thoroughly examine the entire Kimber sale issue. IAG expects that this investigation will be concluded in approximately one month.

The OIG and IAG are also working on a notification system where the OIG is immediately alerted to potentially high risk complaints and then updated on the status of these investigations bimonthly. The OIG will then monitor these complaints through the investigative process in an effort to assist the Department in mitigating the risks of any substandard investigation occurring in the future. The Department and OIG will brief the Commission on these revisions in the next month. If these revisions are approved, the Department expects to phase in this process within approximately nine months.

In the second complaint investigation, the Department thoroughly investigated the complaint. The OIG noted that the investigator and adjudicators for these two complaints differed. The OIG recommends that the Department develop a process where complaints that share the same facts or officers be quickly identified so that the Department may properly assess risk management issues before adjudicating these complaints. Once alerted to the possibility that complaints may have some circumstances linking them, the Department should ensure that the adjudicators are aware of the salient facts of both complaints or, in some circumstances, should consolidate the two complaints thereby ensuring one investigator and one adjudicator.

The Department concurs with this assessment and believes that a systemic solution should be put in place to reasonably protect against future recurrences and to provide adjudicators with meaningful information upon which to make an appropriate assessment. IAG investigators will soon be required to provide background information for complaints that will allow adjudicators to understand all the equities and concerns for particular cases. The IAG will train its investigators on this approach in the coming month.

The Department is also modifying the Letters of Transmittal (LOT) used in adjudicating personnel complaints. This LOT modification will require the officers who make recommendations on complaints to complete a "Risk Management" field on the transmittal form. This field will require these officers to both identify risk management issues in particular complaints as well as discuss their actions in mitigating these issues.

The OIG will continue to work with IAG to explore ways to improve the complaint process.

VII. RECOMMENDATIONS

After reviewing the QDR, the OIG takes the following action:

1. The OIG recommends that the Department work to maintain consistency in COR application. While it is recognized that discipline is within the authority of the Chief of Police, the disparate application of that discipline authority should be of concern to the Commission.
2. The OIG encourages the Commission to direct the Department to report back to the BOPC at the conclusion of the current investigation regarding Kimber pistol purchases, addressing future regulation of Department-sponsored weapon purchases, subsequent employee resale, compliance with federal regulations, and application of City regulations regarding vendor participation in and profit from any weapons purchase or resale.

If the Commission adopts any or all of these recommendations, the OIG will follow up and report on the status of these recommendations in future OIG reports.

APPENDIX

*From Section II. Conditional Official Reprimands, Page 8, Footnote 15
Department Policy Manual Volume 1 § 210.35.*

CONDUCT UNBECOMING AN OFFICER. A police officer is the most conspicuous representative of government, and to the majority of the people, the officer is a symbol of stability and authority upon whom they can rely. An officer's conduct is closely scrutinized, and when the officer's actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life. Since the conduct of officers, on- or off-duty, may reflect directly upon the Department, officers must at all times conduct themselves in a manner which does not bring discredit to themselves, the Department, or the City.