

INTRADEPARTMENTAL CORRESPONDENCE

October 8, 2014
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BPC #14-0370

TO: The Honorable Board of Police Commissioners

FROM: Inspector General, Police Commission

SUBJECT: OFFICE OF THE INSPECTOR GENERAL'S INVESTIGATION OF THE DEPARTMENT'S PATROL DEPLOYMENT PRACTICES

RECOMMENDED ACTION

REVIEW and APPROVE the Office of the Inspector General's Investigation of the Department's Patrol Deployment Practices.

DISCUSSION

In March 2014, the Office of the Inspector General (OIG) became aware that personnel in five geographic Areas of the Los Angeles Police Department (LAPD or "Department") were over-reporting internally the number of officers or police cars on patrol and available to respond to calls for service. As a result, the OIG initiated an investigation into patrol deployment in two Areas within one Bureau, as well as the Department's overall policies, goals, and strategies governing its patrol operations.

The OIG's investigation determined that Areas were reporting inaccurate patrol deployment numbers internally. Additionally, the OIG found that it occurred during multiple shifts at different times of day, involved officers of differing ranks, and was carried out differently depending on who was involved and where they were assigned. Consequently, the OIG is concerned that without appropriate controls to prevent it from happening, inaccurate patrol numbers could potentially undermine the Department's patrol operations, in particular its ability to accurately record, analyze, and deploy patrol resources where and when needed.

The OIG has concluded that the Department's patrol policies and strategies must be clarified and enforced. The OIG's investigation was limited to an examination of internal patrol deployment reporting practices and did not analyze other matters such as response times. The OIG brought these matters to the Department's attention and the Department took immediate action. The Department has also been working with the OIG to develop controls to prevent these practices from continuing.

The Honorable Board of Police Commissioners

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I am available to provide any information the Board may require.

E-Copy – Original Signature on File with the Police Commission

ALEXANDER A. BUSTAMANTE

Inspector General

Police Commission

Attachment

- c: Executive Director Richard M. Tefank
- Chief of Police Charles L. Beck
- Assistant Chief Earl C. Paysinger, Director, Office of Operations
- Commander Matt Blake, Assistant to the Director, Office of Operations
- Police Administrator Arif Alikhan, Special Assistant for Constitutional Policing
- All Geographic Bureau Commanding Officers
- All Geographic Area and Patrol Commanding Officers
- All Traffic Division Commanding Officers

LOS ANGELES POLICE COMMISSION

INVESTIGATION OF THE DEPARTMENT'S PATROL DEPLOYMENT PRACTICES



Conducted by the

OFFICE OF THE INSPECTOR GENERAL

ALEXANDER A. BUSTAMANTE

Inspector General

October 8, 2014

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**OFFICE OF THE INSPECTOR GENERAL
INVESTIGATION OF THE DEPARTMENT'S
PATROL DEPLOYMENT PRACTICES**

I. INTRODUCTION

In March 2014, the Office of the Inspector General (OIG) became aware that personnel in five geographic Areas of the Los Angeles Police Department (LAPD or “Department”) were over-reporting internally the number of officers or police cars on patrol and available to respond to calls for service. As a result, the OIG initiated an investigation into patrol deployment in two Areas within one Bureau, as well as the Department’s overall policies, goals, and strategies governing its patrol operations.¹

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The OIG has concluded that the Department’s patrol policies and strategies must be clarified and enforced. The OIG’s investigation was limited to an examination of internal patrol deployment reporting practices and did not analyze other matters such as response times. The OIG brought these matters to the Department’s attention and the Department took immediate action. The Department has also been working with the OIG to develop controls to prevent these practices from continuing.

II. BACKGROUND

The current foundation of the Department’s patrol strategy is the 7/40 mandate and the Basic Car program.² The primary instrument for allocating patrol resources throughout the Department is a computer system known as Patrol Plan, which is described in more detail below.

The 7/40 mandate requires officers to respond to all emergency calls within 7 minutes and to devote 40 percent of their time to proactive policing activities.³ The Basic Car program organizes each of the Department’s Areas into districts that correspond to identifiable

¹ The Department is made up of four Bureaus, encompassing 21 separate geographic Areas. For more information, as well as a list of all Department Bureaus and Areas, visit www.lapdonline.org.

² The Basic Car program is detailed in Office of the Chief of Police, Administrative Order No. 2, “Institutionalization of the Ideal Basic Car,” dated March 28, 2001.

³ Calls are prioritized in three ways: emergency (lights and siren), urgent, and routine. LAPD Manual, Volume 4, Section 120.40 Radio Codes and Procedures.

communities, where possible. Districts are patrolled by Basic Cars.⁴ Basic Cars are primarily responsible for responding to calls for service, while also engaging in proactive problem solving with the community.

Beginning in the 1980s, the City Council received complaints from residents that the Department's response times for calls for service were unequal throughout the City. In response, the City Council directed the Board of Police Commissioners (BOPC or "Police Commission") to hire a consultant to study the Department's patrol deployment practices and response times and report back to City Council with recommendations. The BOPC hired a consultant who released their report in February 1988. As a result of the report's recommendations, the Department implemented a number of major changes to its patrol operations, including instituting the 7/40 mandate and introducing Patrol Plan to help manage patrol deployment going forward.

III. THE LAPD'S MANAGEMENT OF PATROL OPERATIONS

The Department's Office of Operations (OO) oversees the Patrol Plan system, as well as the overall patrol operations and assignment of uniformed and investigative resources across the Department. The Director of OO is one of three Assistant Chiefs of Police.

a. The Patrol Plan System

Patrol Plan is a computer software program that was created specifically for the Department to help allocate its patrol resources strategically, equitably, and efficiently. Effectively, Patrol Plan creates a blueprint for Areas to know how many police cars to put on the street. Patrol Plan is used by OO to analyze overall workload needs, forecast projected workloads by quarter and by Bureau, and calculate the specific number of patrol cars necessary for each Area to be able to respond to emergency calls within 7 minutes.⁵ To do this, Patrol Plan analyzes data on a total of 25 factors. Patrol Plan does not factor in crime in its analysis; however, the Department and OO can respond to contemporaneous crime patterns and move resources around based on need, independent of Patrol Plan.

⁴ For purposes of this report, the term Basic Car applies to all uniformed officers whose primary assignment is patrol. This includes A, X, XL, and L-cars, and does not include detective, gang, vice, bicycle, narcotics, or foot beat units, which are known as "Fixed Post" assignments. Fixed Post units actively operate within each Area, in investigative and administrative capacities, and may be available to respond to calls; however, Communications Division will not assign calls to these units nor is their primary responsibility to respond to calls for service. An A-car is a regular patrol car with two officers assigned to it. An X-car is an extra patrol unit. An L-car is a one-officer unit, most often operated by a field supervisor. An "L" immediately following a different unit letter signifies that that car is being operated by one officer on that particular date and time. Accordingly, an XL-car is a one-officer extra patrol car. LAPD Manual, Volume 4, Section 110.50 Service Identification Letters.

⁵ Although Areas as a whole are required to meet both components of the 7/40 mandate, the Department advised the OIG during its investigation that it does not allocate individual resources to meet the 40 percent proactive policing goal. In part, the Department argued, because many of its other resources, including officers in gang, vice, narcotics, and special enforcement units regularly engage in proactive policing activities, on a daily basis. Therefore, the Department does not deploy resources to specifically meet the 40 percent goal.

In addition to calculating the number of patrol cars, OO computes the number of officers needed to operate those cars.⁶ The Patrol Plan computation is communicated by OO to the Bureaus on a quarterly basis; Bureaus and Areas are responsible for 100 percent compliance with Patrol Plan in a 24-hour period.⁷ Each Bureau's compliance with Patrol Plan, as well as each Area's compliance, is monitored by OO. Specifically, OO looks at compliance with required patrol levels across all watches, days of the week, and Areas. Bureau or Area commanding officers must provide an explanation for those instances when Patrol Plan was not met. Sometimes this is simply a note in a Watch Commander's log. If a larger pattern of not meeting Patrol Plan emerges, however, they must answer directly to OO. Bureau and Area commanding officers are held accountable for levels of patrol under their commands.

b. Area Management of Patrol Deployment

Areas manage their patrol deployment in several ways. At the beginning of each shift, a Watch Commander evaluates the available resources and personnel for that shift. Every officer working that day attends roll call and is given an assignment by the Watch Commander. Such assignments may include the front desk, Kitroom⁸, traffic enforcement, or patrol. Watch Commanders must complete a list—the “lineup”—that accounts for every officer and their assignment, including the officers who are on vacation, regular days off, compensatory time off, holidays, training, military deployment, sick, or suspension days. The OIG was told by Area personnel during its investigation that that list is finalized at or near the end of each shift and gets recorded electronically in the Department's deployment database.^{9,10}

In addition to recording officers' assignments in the deployment system, all Areas are also required to self-report their deployment statistics directly to OO for all officers in their command, including how each was utilized. To that end, each Area submits its total performance according to Patrol Plan to the respective Bureau, where it is compiled and reviewed by the Bureau. The Bureau then submits aggregate performance data to OO every morning. There is also an automatic check that occurs twice a day—once at 12:00 p.m. and

⁶ To do this, OO multiplies the number of units calculated by Patrol Plan by a Staffing Factor. The current Staffing Factor for a 12-hour shift is 5.38 and for a 10-hour shift is 4.48.

⁷ The Director of OO has discretion to vary the compliance number.

⁸ An Area Kitroom is where all of the field equipment (e.g., radios, shotguns, beanbag shotguns, patrol rifles, TASERs, radars, cameras, microphones, and car keys) is stored. Kitroom officers distribute the equipment to field officers, log all of the checked out equipment, and test the equipment to determine if anything is missing or not working.

⁹ This database, the Deployment Planning System, is also used to generate payroll records of days worked during a pay period.

¹⁰ The Office of the Chief of Police issued an order in 2012 requiring specialized unit supervisors to brief patrol watch commanders as to their respective unit's operational objectives and provide printed lineup from the Deployment Planning System at the start of their watch. The order also requires all patrol watch commanders to maintain a tracking system of the specialized units deployed during the watch. Operations Order No. 1, “Check-In Procedures For Area Specialized Units,” dated January 10, 2012.

again at 10:00 p.m.—where deployment statistics for all four Bureaus and each of the 21 Areas are sent by email to all command and staff officers and others Departmentwide.¹¹

The OIG was told of instances in which Areas and specific shifts were in danger of not meeting the Patrol Plan mandate and logged on officers before the checks to make it look as though officers were on or available for patrol, then logged them off. That meant inaccurate counts of A, X, XL, and L-cars were being sent to Department executives and management resulting in the appearance that more patrol resources were available than there really were.

IV. THE OIG'S INVESTIGATION

The OIG initiated its investigation immediately upon learning of the practice of assigning officers to patrol that were never intended to be deployed or to respond to calls for service. As part of its initial investigation, the OIG gathered evidence and statements that demonstrated the practice had existed for longer than a month. The evidence further showed the practice existed in at least five Areas across three Bureaus. In order to quickly ascertain whether a more thorough investigation was warranted, the OIG narrowed its preliminary investigation to two Areas, in the same Bureau, for the period of March 2014.

The OIG's investigation included several components independent of interviews of Department employees. The OIG examined patrol-related documents and records, including supervisors' and officers' daily reports, sign-in logs, deployment records, and individual units' computer histories. The OIG also searched numerous Department databases for records of officers' activities to verify information in the daily reports and claims by Department members interviewed by the OIG. Finally, the OIG evaluated the Department's policies related to patrol operations and patrol car deployment.

The OIG specifically looked for instances, as described below, where an officer was assigned to patrol on paper or in one of several databases but was never intended to go on patrol or to respond to calls for service. It appears that Area personnel provided inaccurate accounts of actual patrol strength to OO, and not to the public, for the express purpose of meeting the Patrol Plan mandate.

The OIG also met and discussed its investigation with the Department, which, through OO, then initiated its own investigation. In order to protect the identity of those employees who came forward with information, the OIG did not share its documents or evidence with OO nor did the OIG disclose any names or assignments.

¹¹ This check is referred to as the "Logged On Units Report," and it is tallied and sent out by Real-Time Analysis and Critical Response (RACR) Division. This is informally referred to as the "RACR dump." The OIG did not review logged-on data as part of its preliminary investigation due to limitations in the Department's ability to gather these data in time to be included in this report.

V. CONCLUSION

The OIG's investigation determined that the patrol deployment issues clearly existed in at least two Areas. Among the examples of incorrect accounts found by the OIG are the following, each of which resulted in a portrayal that more officers were on the streets patrolling than actually existed.

- An officer assigned to an investigative support position logged on as an XL-car but did not respond to any calls for service during the shift. After logging on, this officer went "Code Six" at the police station and proceeded to conduct follow-up investigations (e.g., testing for fingerprints at crime scenes) at various locations.¹²
- Records showed that a Kitroom officer was assigned to work as an XL-car then went "Code Six" at the station. No other activity was recorded for the officer for the remainder of the shift. In this instance, the officer spent the day fulfilling their Kitroom responsibilities even though they were shown in the system as a field unit and available to respond to calls for service.
- A gang unit deployed as an A-car and went "Code Six" at the police station, completed administrative work and gang unit-related duties, and did not respond to calls for service during the officers' shift.
- A police officer deployed as an XL-car. Shortly after logging on, the officer went "Code Six" in the Area detective office at the police station. For the next six hours, the officer wrote reports, completed detective administrative work, and conducted follow-up investigations. The officer did not respond to any calls for service during the shift.
- Records showed that an Area Watch Commander logged on with a field supervisor designation.¹³

VI. GOING FORWARD

The OIG's investigation determined that in two divisions the patrol deployment numbers and Area compliance with Patrol Plan were being misreported to OO. The OIG provided its findings to the Department. The Department was immediately responsive to these concerns and took immediate actions to ensure that all divisions within the Department were aware that this behavior was inappropriate and must immediately cease.

¹² "Code Six" is a radio designation used when a unit is conducting a field investigation. LAPD Manual, Volume 4, Section 120.40 Radio Codes and Procedures.

¹³ According to the Department Manual, "Watch commanders shall be assigned the unit number "10." LAPD Manual, Volume 4, Section 110.40 Field Unit Designations.

The Department notified its four Bureau commanding officers who oversee patrol operations in their respective Bureaus that the practice of concealing actual patrol strength by submitting inaccurate deployment reports was to be stopped immediately. For example, the Director of OO sent an email to all OO staff officers – the rank of commander and above – explicitly stating that the practice of “inappropriately deploying patrol personnel” was prohibited. The email stated, in pertinent part, “Be very clear that employing this type of feigned deployment practice is NOT permissible. If such a strategy is currently being utilized on any watch or in a specialized unit in your bureau, you shall cause it to be terminated immediately.”¹⁴ (Emphasis in original) This response has appeared to remedy the situation. The Department has also indicated that this report will be required reading for all captains and above involved in patrol deployments.

To ensure that this behavior will not reappear, the OIG and the Department have worked together to fashion detailed, rotating audits and inspections to be conducted by the Department of Area compliance with Patrol Plan, subject to review by the OIG. These audits and inspections will not be announced ahead of time and every Area will be accounted for within a 24-month time period. These audits will examine, among other things, the following: 1) the assignment and status of all personnel logged on as a Basic Car (e.g., restricted duty, sick, days off, training, loans, or vacation); 2) breaks in officer activity or other irregularities that might indicate an officer was not involved in patrol-related activity; and 3) patrol-related documents, logs, and reports for evidence of possible noncompliance.

¹⁴ Email from the Director of OO to OO staff officers, dated May 17, 2014.