

Los Angeles County Sheriff's Department

Audit and Accountability Bureau



PUBLIC COMMENTS AUDIT
PATROL OPERATIONS –
NORTH PATROL DIVISION –
LANCASTER SHERIFF'S STATION



Robert G. Luna, Sheriff

Project No. 2022-10-A

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau

PUBLIC COMMENTS AUDIT – PATROL OPERATIONS
NORTH PATROL DIVISION – LANCASTER SHERIFF'S STATION
Project No. 2022-10-A

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Public Comments Audit – Patrol Operations – North Patrol Division, Lancaster Sheriff's Station under the authority of the Sheriff of Los Angeles County. The audit was performed to determine how the Los Angeles County Sheriff's Department's (Department) Lancaster Sheriff's Station (Lancaster) adhered to the Manual of Policy and Procedures (MPP), Unit Orders, Service Comment Report Handbook, and the provisions of the United States Department of Justice (DOJ) Antelope Valley Settlement Agreement (AV Agreement)¹ regarding public comments, specifically service and personnel complaints documented on the Watch Commander Service Comment Report (SCR).²

The AAB conducted this audit under the guidance of Generally Accepted Government Auditing Standards.³ The AAB determined the evidence obtained was sufficient and appropriate to provide reasonable assurance of the results based on the audit objectives.

BACKGROUND

On April 28, 2015, the Department entered into the AV Agreement with the DOJ regarding police services in the Antelope Valley area which includes the cities of Lancaster and Palmdale, and the surrounding unincorporated Los Angeles County areas. In the AV Agreement, the Department agreed to ensure all public complaints are received, properly classified, and fully and fairly investigated.

The Department classifies public complaints into two categories: service complaints and personnel complaints.⁴ Service complaints are external communications of dissatisfaction with Department service, procedures or practices, response times, traffic citations, and those not involving employee misconduct. Personnel complaints are external allegations of misconduct against a Department member, either a violation of law or Department policy, to include but not limited to: discourtesy; dishonesty; unreasonable force; improper tactics; improper detention, search or arrest; neglect of duty; operation of vehicle; off-duty conduct; harassment; or discrimination. Public trust is vital to the Department's mission and rests on the Department's responsiveness to community needs and expectations. To foster public confidence in

¹ United States Department of Justice – Los Angeles County Sheriff's Department, Settlement Agreement Number CV 15-03174, April 2015.

² Manual of Policy and Procedures §3-04/010.05, Procedures for Department Service Reviews, December 2013.

³ United States Government Accountability Office, Government Auditing Standards, July 2018.

⁴ Manual of Policy and Procedures §3-04/010.00, Department Service Reviews, December 2013.

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the Department and to promote constructive communication, public comments must be received with equal professional interest and courtesy and given appropriate supervisory attention.⁵

PRIOR AUDITS

The AAB has conducted five prior public comments audits for Lancaster Sheriff’s Station.

METHODOLOGY

Scope

The audit encompassed seven main objectives and included an evaluation of completed SCR reviews from the Lancaster Sheriff’s Station to ensure compliance with the MPP, Unit Orders, Service Comment Report Handbook, and the AV Agreement. An SCR review was considered completed when approved and signed by the division commander.

- Objective No. 1 – Complaint Intake: To determine if personnel complaint forms and informational materials are made available to the public as required; if complaints made were accepted and reviewed; if a Department member refused to accept a personnel complaint, discouraged the complainant from filing a complaint, or provided false or misleading information about filing a complaint.
- Objective No. 2 – Complaint Classification: To determine if personnel complaints were not classified as service complaints; if complaints were appropriately classified; if allegations of misconduct were investigated.
- Objective No. 3 – Complaint Investigations: To determine if complaints were investigated thoroughly and by the appropriate/required individuals; if all persons at the scene giving rise to a misconduct allegation were identified; if interviews were performed, conducted separately, and recorded in their entirety.
- Objective No. 4 – Adjudication of a Service Comment Report: To determine whether the disposition of an SCR review was supported by sufficient information and relevant evidence.

⁵ Manual of Policy and Procedures §3-04/000.00, Personnel Investigations, April 1996.

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- Objective No. 5 – Timeliness: To determine whether the SCR review was completed and forwarded to Division Headquarters within 30 days; if the SCR review was forwarded to the Discovery Unit within 60 days.
- Objective No. 6 – Accuracy of the SCR information in the Performance Recording and Monitoring System (PRMS): To determine whether the Result of Service Comment Review and the SCR information were entered accurately in PRMS.
- Objective No. 7 – Completion of Corrective Action: To determine if the personnel complaint disposition recommends corrective action, and if it was subsequently completed, and documented.

Auditors reviewed documentation comprised of completed SCR forms, Result of Service Comment Review forms, associated memoranda, correspondence, reports, audio and video recordings, and photographs. The SCR reviews were obtained from Lancaster Sheriff’s Station and Risk Management Bureau’s Discovery Unit.

In order to measure the Department’s compliance with the provisions of the AV Agreement, auditors conducted a qualitative assessment, as necessary, throughout the audit. This included an assessment of all available documentation for each SCR review to determine whether the complaints were received, appropriately classified, fully and fairly investigated up to the adjudication of the complaint in compliance with the applicable criteria. Finally, auditors verified accurate recording in the PRMS and that recommended corrective actions were completed.⁶

Audit Time Period

The audit time period was from February 1, 2022, through May 31, 2022.

⁶ AV Agreement, XI. Monitoring, B. Compliance Reviews and Audits, paragraph 149, April 2015, states compliance reviews and audits will contain both qualitative and quantitative elements as necessary for reliability and comprehensiveness.

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Audit Population

All documented service and personnel complaints generated by the public against personnel from the Lancaster Sheriff’s Station, which were fully investigated with final approval by a commander at the division level, were included in the population. Thirty-one SCR reviews were identified from the data sources for the audit time period. One SCR review was not completed during audit fieldwork and therefore was excluded. Auditors evaluated 30 SCR reviews for this audit of which 23 were personnel complaints, six were service complaints, and one was a dual complaint.

The SCR population was identified through the PRMS, Service Comment Module.⁷ The population was also cross referenced with entries in the Station/Bureau Administration Portal (SBAP).⁸ External commendations documented on SCR forms were not included in the audit.

Patrol station watch commanders are responsible for documenting in the Watch Commander’s Daily Log when a public complaint is received. This includes documenting anytime an SCR form is completed. The Watch Commander’s Daily Log is stored as an electronic record in the SBAP. Auditors reconciled this to the PRMS records.

All use of force incidents evaluated in Objective No. 2(c) were identified through the PRMS, Force Module and were cross referenced with entries in the SBAP.

Auditors identified varying populations to examine the different aspects of the seven main objectives, which are described in the Audit Details and Results Section of this report.

⁷ The PRMS provides systematic recording of data relevant to incidents involving uses of force, shootings, and commendations/complaints involving Department personnel. The Service Comment Module contains information on personnel and service complaints.

⁸ The SBAP is a data entry system designed to collect and track data related to risk management incidents at patrol stations. The system includes data on use of force, traffic collisions, public comments, pursuits, administrative investigations, and employee injuries and lawsuits/claims.

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AUDIT DETAILS AND RESULTS

Objective No. 1 – Complaint Intake

Objective No. 1(a) – Determine if personnel complaint forms and informational materials are made available to the public.

Criteria

Manual of Policy and Procedures, Section 3-04/010.35, Public Accessibility to Information About the Complaint Process (October 2014), states:

Each Bureau, Station and facility shall maintain a supply of the Department forms SH-CR-596 and SH-CR-596A (Spanish version). These forms, entitled "Procedures For Public Complaints," explain how the Department conducts complaint inquiries...

Lancaster Sheriff’s Station, Unit Order #69, Supplemental Supervisory Responsibilities, Community Complaint Materials (July 2021), states:

The Community Relations sergeant shall ensure the following locations listed have a visible supply of the Citizen Complaint Form, in both English and Spanish, and complaint information posters (where appropriate) on display when the location is operable:

- *Lancaster Station Lobby*
- *Lake Los Angeles Library*
- *Lancaster Library*
- *Quartz Hill Library*
- *Michael Antonovich Antelope Valley Court House (Inside the Sheriff’s office)*
- *Antelope Valley Juvenile Court (Inside the Sheriff’s office)*

Antelope Valley Settlement Agreement, Subsection A, Complaint Intake, paragraph 124 (April 2015), states:

LASD shall continue to make personnel complaint forms and informational materials, including brochures and posters, available at appropriate County or municipal properties in the Antelope Valley, including, at a minimum, LASD stations, courts, county libraries, and LASD websites, and make them available to community groups upon request.

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Antelope Valley Settlement Agreement, Subsection A, Complaint Intake, paragraph 125 (April 2015), states:

... Any Limited English Proficient (LEP) individual who wishes to file a complaint about a LASD deputy or employee shall be provided with a complaint form and informational materials in the appropriate non-English language and/or be provided appropriate translation services in order to file a complaint.

Antelope Valley Settlement Agreement Compliance Metrics, Paragraph 124 and 125 (October 2019), Section 3C states:

3. *LASD will be deemed in substantial outcomes compliance when:*

C. Upon inspection, no more than one of the operable locations above fails to have any of the requisite complaint materials available.

The unavailability of complaint material at a non-LASD facility will not be considered a failure if LASD has documented they have made reasonable efforts within 30 days preceding the inspection(s) to ensure complaint material was readily available at the location.

Procedures

On November 17, 2022, auditors visited Lancaster Sheriff’s Station Lobby, Lancaster Library, Lake Los Angeles Library, Quartz Hill Library, Michael Antonovich Antelope Valley Courthouse, Antelope Valley Juvenile Court, and the Department’s website to determine whether English and Spanish personnel complaint forms and informational materials and/or translation services were available to LEP individuals.

Results

All sites and the Department website (100%) met the criteria for this objective. Each location and the Department website had the required forms and informational materials.

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Objective No. 1(b) – Determine if complaints made through the dispatch center were accepted and reviewed.

Criteria

Manual of Policy and Procedures, Section 3-04/010.00, Department Service Reviews (December 2013), states:

The Department will accept and review any comment from any member of the public concerning Departmental service or individual performance...

Antelope Valley Settlement Agreement, Subsection A, Complaint Intake, paragraph 125 (April 2015), states:

LASD will continue to accept all personnel complaints, including anonymous and third-party complaints, for review and investigation. Complaints may be made in writing or verbally, in person or by mail, telephone (or TDD), facsimile, or electronic mail, as well as in the field...

Procedures

Auditors obtained and examined recorded inbound dispatch telephone call segments to determine whether incoming telephone call complaints were accepted. Auditors identified a total of 10,161 inbound station dispatch telephone call segments from the NICE Inform Client system for the month of May 2022. A statistically valid random sample⁹ of 95 call segments was selected to determine whether all complaints were accepted and reviewed during their initiation.

Results

The 95 call segments reviewed did not result in any complaints.

⁹ Using a statistical one-tail test with a 95% confidence level and a 4% error rate, a statistically valid random sample was identified.

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Objective No. 1(c) – Determine if complaints made to the watch commander’s telephone line were accepted and reviewed.

Criteria

Manual of Policy and Procedures, Section 3-04/010.00, Department Service Reviews (December 2013), states:

The Department will accept and review any comment from any member of the public concerning Departmental service or individual performance...

Manual of Policy and Procedures, Section 3-04/010.05, Procedures for Department Service Reviews (December 2013), states:

During telephonic comments or complaints, the Watch Commander shall field the call on a taped line if equipment is in place to do so, and shall provide the person with the Service Comment Report number prior to the conclusion of the telephone call...

Antelope Valley Settlement Agreement, Subsection A, Complaint Intake, paragraph 125 (April 2015), states:

LASD will continue to accept all personnel complaints, including anonymous and third-party complaints, for review and investigation. Complaints may be made in writing or verbally, in person or by mail, telephone (or TDD), facsimile, or electronic mail, as well as in the field...

Procedures

When complainants call the Lancaster Sheriff’s Station, their initial point of contact is a station telephone operator or a dispatcher. Complaint calls are then forwarded to the watch commander. The watch commander’s line is a recorded telephone line.

Auditors identified a total of 312 inbound recorded watch commander telephone call segments from the NICE Inform Client system for the month of May 2022. A statistically valid random sample of 74 call segments was selected to determine if complaints were made and accepted by the watch commander at the Lancaster Sheriff’s Station.

Of the 74 call segments, 72 were not complaints. The remaining two call segments were complaints and were evaluated for this objective.

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Results

One (50%) of the two complaint calls met the criteria for this objective. The one remaining complaint call contained comments from a member of the public that should have resulted in an SCR.

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Objective No. 1(d) – Determine if a Department member refused to accept a personnel complaint, discouraged the complainant from filing a complaint, or provided false or misleading information about filing a complaint.

Criteria

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Accepting Complaints (July 2021), states:

...The refusal to accept a personnel complaint, discouraging the filing of a complaint, or providing false or misleading information about filing of a complaint, shall be grounds for discipline...

Antelope Valley Settlement Agreement, Subsection A, Complaint Intake, paragraph 126 (April 2015), states:

The refusal to accept a personnel complaint, discouraging the filing of a complaint, or providing false or misleading information about filing a complaint, shall be grounds for discipline, up to and including termination.

Procedures

Auditors evaluated 30 SCR reviews identified for the audit time period, including related source documentation and audio/video files, to determine whether a Department member refused to accept a personnel complaint, discouraged the complainant from filing a complaint, or provided false or misleading information about filing a complaint.

Of the 30 SCR reviews, three were received from sources other than Lancaster Sheriff's Station (See Table No. 1) and were excluded from this objective. Therefore, the remaining 27 SCR reviews were evaluated for this objective.

Results

All 27 (100%) SCRs met the criteria for this objective. One of the SCR reviews claimed a deputy attempted to discourage reporting party from filing the complaint. However, after the investigation was conducted, there was no evidence that was true.

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The table below summarizes the filing locations for all the SCR reviews.

Table No. 1 – Complaint Filing Location

Complaint Received By	Number of SCRs
Lancaster Sheriff’s Station	27
Palmdale Sheriff’s Station	1
Santa Clarita Sheriff’s Station	1
Internal Affairs Bureau	1
TOTAL	30

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Objective No. 2 – Complaint Classification

Objective No. 2(a) – Determine if personnel complaints were misclassified as service complaints.

Criteria

Manual of Policy and Procedures, Section 3-04/010.00, Department Service Reviews (December 2013), states:

The Department will accept and review any comment from any member of the public concerning Departmental service or individual performance...

- *Service Complaint: an external communication of dissatisfaction with Department service, procedure or practice, not involving employee misconduct; and*
- *Personnel Complaint: an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department.*

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

...Supervisors shall ensure that personnel complaints are not misclassified as service complaints...

Antelope Valley Settlement Agreement, Subsection B, Complaint Classification, paragraph 128 (April 2015), states:

LASD will ensure that personnel complaints are not misclassified as service complaints.

Procedures

Auditors evaluated the 30 SCR reviews, including related source documentation and audio/video files, to ensure they were properly classified as service complaints. Twenty-three of the SCR reviews were excluded from this objective because they were personnel complaints. Therefore, auditors evaluated six service SCR reviews and one dual complaint (service and personnel) SCR review for this objective.

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Results

All seven (100%) SCRs reviewed met the criteria for this objective.

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Objective No. 2(b) – Determine whether Service Comment Reports were appropriately classified.

Criteria

Manual of Policy and Procedures, Section 3-04/010.05, Procedures for Department Service Reviews (December 2013), states:

...The Watch Commander shall place a mark in the appropriate box indicating the nature of the comment, and shall mark the appropriate sub-category(s) as accurately as possible...

Manual of Policy and Procedures, Section 3-04/010.25, Personnel Complaints (October 2014), states:

The Watch Commander shall also check the fact page of the Service Comment form and ensure that it is filled out completely and correctly. He shall confirm that the proper categories are marked reflecting the nature of the complaint...

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Supervisors shall ensure that all personnel complaint allegations are accurately classified at all investigative stages, from intake through resolution...

Antelope Valley Settlement Agreement, Subsection B, Complaint Classification, paragraph 130 (April 2015), states:

Antelope Valley unit commanders shall be responsible for appropriately classifying each allegation and personnel complaint raised at the outset or during the investigation/review of a complaint...

Procedures

Auditors evaluated the 30 SCR reviews, including their related source materials to determine whether the complaints were appropriately classified during the initial intake, or were later modified to reflect the correct classification.

Results

All 30 (100%) SCRs met the criteria for this objective.

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Objective No. 2(c) – Determine if all allegations of misconduct were investigated.

Criteria

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Supervisors shall... investigate every allegation of misconduct that arises during an investigation even if an allegation is not specifically articulated as such by the complainant...

Antelope Valley Settlement Agreement, Subsection B, Complaint Classification, paragraph 130 (April 2015), states:

... LASD shall investigate every allegation of misconduct that arises during an investigation even if an allegation is not specifically articulated as such by the complainant.

Procedures

Auditors identified and reviewed 39 use of force incidents that occurred during the month of April 2022. Auditors determined whether allegations of misconduct were present and, if so, that they were documented on an SCR and investigated.

Of the 39 use of force incidents, 36 did not contain allegations of misconduct. Therefore, the remaining 3 were evaluated for this objective.

Results

All three (100%) use of force incidents met the criteria for this objective.

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Objective No. 3 – Complaint Investigations

Objective No. 3(a) – Determine if all investigations of personnel complaints were thorough as necessary to reach reliable, objective, and complete findings.

Criteria

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

All investigations of personnel complaints, including reviews, shall be as thorough as necessary to reach reliable, objective, and complete findings. In each investigation, supervisors shall consider all relevant evidence, including circumstantial, direct and physical evidence, as appropriate, and make credibility determinations based upon that evidence. There will be no automatic preference for a deputy’s statement over a non-deputy’s statement, nor will supervisors disregard a witness’ statement merely because the witness has some connection to the complainant or because of any criminal history. Supervisors shall fully investigate each complaint, and make efforts to resolve any material inconsistencies between witness statements and/or the statements of deputies.

At the conclusion of the complaint investigation, each employee shall have their own disposition sheet and each allegation made against that employee shall be listed and have its own disposition...

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 131 (April 2015), states:

All investigations of Antelope Valley personnel complaints, including reviews, shall be as thorough as necessary to reach reliable and complete findings. In each investigation, LASD shall consider all relevant evidence, including circumstantial, direct and physical evidence, as appropriate, and make credibility determinations based upon that evidence. There will be no automatic preference for a deputy’s statement over a non-deputy’s statement, nor will LASD disregard a witness’ statement merely because the witness has some connection to the complainant or because of any criminal history. LASD shall make efforts to resolve material inconsistencies between witness statements.

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Procedures

Auditors examined the 30 SCR reviews to determine whether the complaints were thoroughly investigated. Six of the SCR reviews were excluded from this objective because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective.

Auditors reviewed source documentation narratives, interviews, correspondence, and audio/video files. Auditors conducted a qualitative assessment of those documents to determine if supervisors documented and considered all relevant evidence as appropriate. This included determining whether all potential parties and involved Department personnel were identified, contacted, and interviewed or provided written statement.

Results

All 24 (100%) SCR reviews met the criteria for this objective. All investigations of personnel complaints were thorough as necessary.

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Objective No. 3(b) – Determine if alleged incidents of misconduct were referred to the Internal Affairs Bureau (IAB) or Internal Criminal Investigations Bureau (ICIB).

Criteria

Manual of Policy and Procedures, Section 3-04/010.25, Personnel Complaints (October 2014), states:

The concerned Unit Commander is responsible for evaluating each personnel complaint to determine the appropriate supervisory response. The nature and seriousness of the allegation(s), the potential for employee discipline, and the concerned employee’s performance history are potential factors to consider in the evaluation. Generally, the following courses of action are options:

- *request that ICIB conduct a criminal investigation if there is reason to believe a crime has been committed...;*
- *request that IAB conduct an administrative investigation...;*
- *conduct a Unit level administrative investigation; and*
- *initiate a service review.*

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 132 (April 2015), states:

LASD agrees to continue to require station commanders in the Antelope Valley to refer alleged incidents of misconduct to the IAB or ICIB for further investigation or review...

Procedures

Auditors evaluated the 30 SCR reviews, including related source materials to determine whether complaints requiring referral to IAB or ICIB were referred. Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective. Of the 24 applicable SCR reviews, none were required to be referred to IAB.

Results

None if the SCR reviews were applicable for this objective.

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Objective No. 3 (c) – Determine if the Division Chief reviewed the matter with the unit commander of Internal Affairs Bureau if the case proceeded criminally.

Criteria

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 132 (April 2015), states:

... If the case proceeds criminally, the Division Chief over the Antelope Valley will review the matter with the unit commander of IAB to determine whether the administrative investigation may proceed on a parallel track. The Division Chief or unit commander of IAB may consult with the prosecuting agency for its input. If the matter proceeds on a parallel track, any compelled interview of the subject deputies may be delayed. The Division Chief shall document the reasons for the decision.

Procedures

Auditors evaluated the 30 SCR reviews, including related source documentation and audio/video files, to determine if the case proceeded criminally, and whether the Division Chief reviewed the matter with the unit commander of IAB.

Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective. Of the 24 applicable SCR reviews, none were evaluated for this objective because none proceeded criminally.

Results

None if the SCR reviews were applicable for this objective.

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Objective No. 3(d) – Determine if an involved supervisor, or any supervisor who authorized the conduct that led to the personnel complaint, did not conduct the complaint investigation.

Criteria

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Any involved supervisor who is party to the complaint, or any supervisor who authorized the conduct that led to a complaint, shall not conduct the complaint investigation...

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 133 (April 2015), states:

LASD will not permit any involved supervisor, or any supervisor who authorized the conduct that led to the complaint, to conduct a complaint investigation.

Procedures

Auditors evaluated the 30 SCR reviews, including their related source materials, to determine whether the supervisor who conducted the SCR investigation was not an involved supervisor or any supervisor who authorized the conduct that led to the complaint unless sufficient justification was documented in the SCR investigation.

Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective.

Results

All 24 (100%) SCR reviews met the criteria for this objective. A supervisor, that was not involved and did not authorize the conduct that led to the personnel complaint, conducted the investigation.

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Objective No. 3(e) – Determine if all persons at the scene giving rise to a misconduct allegation were identified.

Criteria

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Supervisors shall seek to identify all persons at the scene giving rise to a misconduct allegation, including all deputies. The supervisor shall note in the investigative report the identities of all deputies and other witnesses who were on the scene but assert they did not witness and were not involved in the incident...

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 134 (April 2015), states:

The misconduct investigator shall seek to identify all persons at the scene giving rise to a misconduct allegation, including all LASD deputies. The investigator shall note in the investigative report the identities of all deputies and other witnesses who were on the scene but assert they did not witness and were not involved in the incident...

Procedures

Auditors evaluated the 30 SCR reviews, including related source documentation and audio/video files, to ensure all persons at the scene giving rise to a misconduct allegation were identified.

Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective.

Results

All 24 (100%) SCR reviews met the criteria for this objective.

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Objective No. 3(f) – Determine if the complainant, involved employees, and all witnesses (including deputies) provided a written statement of the incident or were interviewed.

Criteria

Manual of Policy and Procedures, Section 3-04/010.05, Procedures for Department Service Reviews (December 2013), states:

The Watch Commander of the Unit shall initiate a service review by immediately interviewing any member of the public who, whether in person or by telephone, offers a comment.

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Supervisors shall interview each complainant in person, if practical, and will conduct additional interviews as necessary to reach reliable and complete findings. If an interview is not done in person, the reason shall be articulated in the complaint memorandum...

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 135 (April 2015), states:

All witnesses, including deputies witnessing or involved in an incident that becomes the subject of a personnel complaint, shall provide a written statement regarding the incident or be interviewed...

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 136 (April 2015), states:

The SCR complaint investigator shall interview each complainant in person, if practical...

Procedures

Auditors evaluated the 30 SCR reviews, including related source documentation and audio/video files, to determine whether the complainants, the involved employees, and all witnesses (including deputies) provided a written statement of the incident or were interviewed. Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective.

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Results

All 24 (100%) SCR reviews met the criteria for this objective.

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Objective No. 3(g) – Determine if the complainant and non-deputy witness interviews were recorded in their entirety.

Criteria

Manual of Policy and Procedures, Section 3-04/010.05, Procedures for Department Service Reviews (December 2013), states:

During telephonic comments or complaints, the Watch Commander shall field the call on a taped line if equipment is in place to do so...

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Interviews shall be recorded in their entirety, absent documented extraordinary circumstances...

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 136 (April 2015), states:

... Interviews shall be recorded in their entirety, absent documented extraordinary circumstances.

Procedures

Auditors evaluated the 30 SCR reviews, including related source materials, to determine whether existing complainant and witness (non-deputy) interviews were recorded in their entirety, absent documented extraordinary circumstances. Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective.

Results

All 24 (100%) SCR reviews met the criteria for this objective.

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Objective No. 3(h) – Determine if complainant, involved employee, and all witness (including deputy) interviews were conducted separately.

Criteria

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

During the complaint process, it shall be documented that each complainant, witness and involved employee were interviewed separately, or noted why they were not.

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 137 (April 2015), states:

Consistent with current policy, interviews shall be conducted separately...

Procedures

Auditors evaluated the 30 SCR reviews, including related source materials, to determine whether the complainants, the involved employee, and all witness (including deputy) interviews were conducted separately. Of the 30 SCR reviews, six were excluded because they were service complaints. Therefore, auditors evaluated 23 personnel SCR reviews and one dual SCR review for this objective.

Results

All 24 (100%) SCR reviews met the criteria for this objective.

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Objective No. 3(i) – Determine if interpreters used for Limited English Proficient (LEP) complainants or witnesses were not party to the complaint, if applicable.

Criteria

Manual of Policy and Procedures, Section 3-09/004.00, Limited English Proficiency and Language Assistance Plan (April 2018), states:

Department members shall take reasonable steps to ensure effective and accurate communication with a LEP individual when providing assistance or Department programs and services. Personnel will use qualified bilingual persons as translators and interpreters as set forth in this policy...

Lancaster Station Unit Order Number 69, Supplemental Supervisory Responsibilities, Supervisor Inquiry (July 2021), states:

Supervisors shall not use department personnel who are party to the complaint as an interpreter for LEP complainants or witnesses.

Antelope Valley Settlement Agreement, Subsection C, Investigations, paragraph 137 (April 2015), states:

... An interpreter not involved in the underlying complaint will be used when taking statements or conducting interviews of any LEP complainant or witness.

Procedures

Auditors evaluated the 30 SCR reviews, including related source materials, to determine whether interpreters used for LEP complainants or witnesses were party to the complaint.

Results

None of the complainants or witnesses in the 30 SCR reviews required an LEP interpreter.

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Objective No. 4 – Adjudication of the Service Comment Report – Determine if the disposition of the Service Comment Report review was supported by sufficient information and relevant evidence.

Criteria

Service Comment Report Handbook, Section III, Adjudication of an SCR (June 2011), states:

*...Service reviews should be concise yet need to include sufficient information in order for the **Unit Commander** to make an appropriate assessment. The review should be objective and each allegation should be thoroughly addressed. During the adjudication stage, it is the responsibility of the Unit Commander to ensure that the recommended disposition is supported by the statements and evidence...*

C. Adjudication of an SCR:

*If the complaint is handled as a service review, then the **Unit Commander** is responsible for approving the recommended review disposition. The service review must contain sufficient information in order for the Unit Commander to make a final determination and that determination must be supported by the information contained in the review...*

*The **Unit Commander** should use neutral and objective criteria, weigh evidence appropriately to distinguish strong evidence from questionable or less material evidence, and not indulge in presumptions that bias the findings...*

E. Directions for Completing the “Result of Service Comment Review” Form:

2). **REVIEW DISPOSITION:**

c). **Review Comp - Service Only - No Further Action:**

(Used only when a complaint is categorized as a “Service Complaint.”)...

d). **Employee Conduct Appears Reasonable:** *(Review indicated the employee’s actions appear to be in compliance with procedures, policies, guidelines or training.)...*

e). **Appears Employee Conduct Could Have Been Better:** *(The employee’s actions were in compliance with procedures, policies, and guidelines. The complaint could have been minimized if the employee had employed tactical communication principles or common sense.)...*

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- f). **Employee Conduct Should Have Been Different:** *(The employee’s actions were not in compliance with established procedures, policies, guidelines or training. Watch Commander will take appropriate action.)...*
- g). **Unable to Make a Determination:** *(The review revealed insufficient information to assess the employee’s alleged conduct or to identify the employees involved.)...*
- h). **Resolved - Conflict Resolution Meeting:** *(A conflict resolution meeting with the reporting party and involved employee(s) was held. The meeting adequately addressed all concerns and no further actions are deemed necessary.)...*

Antelope Valley Settlement Agreement, Subsection E, Personnel Complaint Audits, paragraph 140 (April 2015), states:

LASD shall conduct a semiannual, randomized audit of LASD-AV’s complaint intake, classification, and investigations. This audit will assess whether complaints are accepted and classified consistent with policy, investigations are complete, and complaint dispositions are consistent with a preponderance of the evidence.

Procedures

The adjudication of an SCR is documented on the *Result of Service Comment Review* form and is evidenced by the Unit Commander’s signature attesting he/she agreed with the recommended disposition made by the supervisor completing the investigation. Auditors examined the SCR reviews to determine whether the disposition was supported by sufficient information and relevant evidence contained in the review. This included assessing whether automatic preference for a deputy’s statement was given over a non-deputy’s statement.

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Results

All 69 (100%) SCR dispositions met the criteria for this objective.

Table No. 2 represents the dispositions for the SCRs reviewed. The number of dispositions does not equal the number of SCRs in the audit period because multiple Department members may have been involved in a single complaint requiring a separate disposition for each Department member.

Table No. 2 - Result of Service Comment Review

Review Disposition	Number of Dispositions
Review Completed – Service Only	7
Employee Conduct Appears Reasonable	55
Appears Employee Conduct Could Have Been Better	3
Employee Conduct Should Have Been Different	2
Unable to Make a Determination	0
Resolved – Conflict Resolution Meeting	1
Unit Level Administrative Investigation Initiated	0
Watch Commander’s Discretion Service Review Terminated	1
Exoneration	0
TOTAL	69

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Objective No. 5 – Timeliness

Objective No. 5(a) – Determine if the Service Comment Report review was completed within 30 days and forwarded to Division.

Criteria

Manual of Policy and Procedures, Section 3-04/010.05, Procedures for Department Service Reviews (December 2013), states:

NOTE:

Watch Commander Service Comment Reports shall be completed within 30 calendar days...

Service Comment Report Handbook, Section III, Subsection A(1), Due Dates (June 2011), states:

Service reviews shall be completed within 30 calendar days...

Procedures

Auditors examined the 30 SCR reviews for their complaint intake dates and the dates the unit commander signed the SCR reviews, including the dates Division Headquarters time stamped the received SCR review. Auditors determined whether the SCR reviews were completed within 30 calendar days and forwarded to Division Headquarters.

Results

None (0%) of the 30 SCR reviews met the criteria for this objective.

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The table below summarizes the duration for the SCR reviews to be completed at the unit level.

Table No. 3 - Timely Completion of the SCR Reviews

Number of Days for SCR review to be completed	
0-30 Days	0
31-40 Days	0
41-50 Days	0
51-60 Days	1
61-70 Days	0
71-80 Days	2
81-90 Days	3
91+ Days	24
TOTAL	30

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Objective No. 5(b) – Determine if the Service Comment Report review was forwarded to the Discovery Unit within 60 days.

Criteria

Manual of Policy and Procedures, Section 3-04/010.05, Procedures for Department Service Reviews (December 2013), states:

...Unit Commanders shall ensure that the Service Comment Report is completed and forwarded to the Discovery Unit within 60 days of receipt of the initial complaint.

Service Comment Report Handbook, Section III, Subsection A(1), Due Dates (June 2011), states:

The completed SCR package shall be forwarded to the Discovery Unit within 60 calendar days...

Procedures

Auditors examined the 30 SCR reviews for their complaint intake dates and PRMS for the Discovery Unit’s received date to determine whether the SCR review was forwarded to the Discovery Unit within 60 days.

Results

None (0%) of the 30 SCR reviews met the criteria for this objective.

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The table below summarizes the duration for the SCR reviews to be forwarded to division headquarters.

Table No. 4 – SCR Reviews Forwarded to Division Headquarters

Number of Days for SCR review to be forwarded to Division	
0-60 Days	0
61-70 Days	1
71-80 Days	0
81-90 Days	3
91-100 Days	2
101-110 Days	3
111-120 Days	4
121+ Days	17
TOTAL	30

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Objective No. 6 – Accuracy of the Service Comment Report Data

Objective No. 6(a) – Determine if the Result of Service Comment Review information was entered accurately in the Performance Recording and Monitoring System.

Criteria

Service Comment Report Handbook, Section III, Adjudication of an SCR, (June 2011), states:

*...Service reviews should be concise yet need to include sufficient information in order for the **Unit Commander** to make an appropriate assessment. The review should be objective and each allegation should be thoroughly addressed. During the adjudication stage, it is the responsibility of the Unit Commander to ensure that the recommended disposition is supported by the statements and evidence.*

*In addition to the **Unit Commander** and **Division Chief/Commander**, independent reviewers have access to service reviews in order to assess our thoroughness and fairness.*

Service Comment Report Handbook, Section III, Subsection B, Result of Service Review (June 2011), states:

*Upon completion of a service review about a public personnel complaint, the **Unit Commander** shall ensure that the “Result of Service Comment Review” form is completed (MPP 3-04/010.25-Personnel Complaints, revised 01/05/03).*

Procedures

Auditors examined the 30 SCR reviews and their related entries in PRMS to determine whether the information on the Result of Service Comment Review form was accurately entered in PRMS.

Results

All (100%) SCR reviews met the criteria for this objective. The information on the Result of Service Comment Review information was accurately entered in the PRMS.

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Objective No. 6(b) – Determine if the Service Comment Report information was entered accurately in the Performance Recording and Monitoring System.

Criteria

Antelope Valley Settlement Agreement, Subsection A, Personnel Performance Index, paragraph 142 (April 2015), states:

LASD-AV will ensure that PPI [now PRMS] data is accurate and hold responsible Antelope Valley personnel accountable for inaccuracies in any data entered.

Procedures

Auditors examined the 30 SCR reviews and their entries in PRMS to determine whether information was accurately entered in PRMS.

Results

All (100%) SCR reviews met the criteria for this objective. The Service Comment Report information was accurately entered in the PRMS.

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Objective No. 7 – Completion of Corrective Action

Objective No. 7 – Determine if the personnel complaint disposition recommended corrective action that was subsequently completed by the Department employee.

Criteria

Service Comment Report Handbook, Section II, Conducting the “Service Review” of Complaint, Subsection H, Personnel Complaint Dispositions (June 2011), states:

Appears Employee Conduct Could Have Been Better...This disposition will generally result in corrective action, which may include verbal or documented counseling (Unit Performance Log entry), training, etc.

Service Comment Report Handbook, Section II, Conducting the “Service Review” of Complaint, Subsection H, Personnel Complaint Dispositions (June 2011), states

Employee Conduct Should Have Been Different....This disposition will generally result in documented counseling (Unit Performance Log entry) or an appropriate level of corrective action.

Procedures

The disposition of an SCR is documented on the *Result of Service Comment Review* form and is evidenced by the Unit Commander’s signature approving the recommended disposition made by the supervisor completing the investigation.

Auditors examined the dispositions of the 23 personnel SCR reviews and one dual SCR review to determine whether the disposition was “Appears Employee Conduct Could Have Been Better” or “Employee Conduct Should Have Been Different”.

Of the 24 applicable SCRs, five resulted in dispositions of either “Appears Employee Conduct Could Have Been Better” or “Employee Conduct Should Have Been Different”. Therefore, five dispositions were evaluated for this objective.

Results

Four (80%) of the five SCRs met the criteria for this objective. The remaining SCR did not document what the recommended corrective action was, and if it was administered.

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SUMMARY OF AUDIT RESULTS

The audit yielded the following results:

Table No. 5 - Summary of Audit Results

Objective No.	Audit Objectives	Met the Criteria	
		2022	2021
1	COMPLAINT INTAKE		
1(a)	<i>Determine if personnel complaint forms and informational materials are made available to the public, as required.</i>	100%	100%
1(b)	<i>Determine if complaints made through the dispatch center were accepted and reviewed.</i>	Not Applicable	Not Applicable
1(c)	<i>Determine if complaints made to the watch commander’s telephone line were accepted and reviewed.</i>	50%	33%
1(d)	<i>Determine if a Department member refused to accept a personnel complaint, discouraged the complainant from filing a complaint, or provided false or misleading information about filing a complaint.</i>	100%	100%
2	COMPLAINT CLASSIFICATION		
2(a)	<i>Determine if personnel complaints were misclassified as service complaints.</i>	100%	100%
2(b)	<i>Determine whether Service Comment Reports were appropriately classified.</i>	100%	100%
2(c)	<i>Determine if all allegations of misconduct were investigated.</i>	100%	78%
3	COMPLAINT INVESTIGATIONS		
3(a)	<i>Determine if all investigations of personnel complaints were thorough as necessary to reach reliable, objective and complete findings.</i>	100%	100%
3(b)	<i>Determine if alleged incidents of misconduct were referred to the Internal Affairs Bureau (IAB) or Internal Criminal Investigations Bureau (ICIB).</i>	Not Applicable	Not Applicable
3(c)	<i>Determine if the Division Chief reviewed the matter with the unit commander of Internal Affairs Bureau if the case proceeded criminally.</i>	Not Applicable	Not Applicable
3(d)	<i>Determine if an involved supervisor, or any supervisor who authorized the conduct that led to the personnel complaint, did not conduct the complaint investigation.</i>	100%	100%
3(e)	<i>Determine if all persons at the scene giving rise to a misconduct allegation were identified.</i>	100%	100%
3(f)	<i>Determine if the complainant, involved employees, and all witnesses (including deputies) provided a written statement of the incident or were interviewed.</i>	100%	96%
3(g)	<i>Determine if the complainant and non-deputy witness interviews were recorded in their entirety.</i>	100%	100%
3(h)	<i>Determine if complainant, involved employee, and all witness (including deputy) interviews were conducted separately.</i>	100%	96%
3(i)	<i>Determine if interpreters used for Limited English Proficient (LEP) complainants or witnesses were not party to the complaint, if applicable.</i>	Not Applicable	100%
4	ADJUDICATION OF A SERVICE COMMENT REPORT		
	<i>Adjudication of the Service Comment Report – Determine if the disposition of the Service Comment Report review was supported by sufficient information and relevant evidence.</i>	100%	100%
5	TIMELINESS		
5(a)	<i>Determine if the Service Comment Report review was completed within 30 days and forwarded to Division.</i>	0%	24%

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Objective No.	Audit Objectives	Met the Criteria	
5(b)	<i>Determine if the Service Comment Report review was forwarded to the Discovery Unit within 60 days.</i>	0%	38%
6	ACCURACY OF SCR REVIEW INFORMATION IN PRMS		
6(a)	<i>Determine if the Result of Service Comment Review information was entered accurately in the Performance Recording and Monitoring System.</i>	100%	93%
6(b)	<i>Determine if the Service Comment Report information was entered accurately in the Performance Recording and Monitoring System.</i>	100%	97%
7	COMPLETION OF CORRECTIVE ACTION		
	<i>Determine if the personnel complaint disposition recommended corrective action that was subsequently completed by the Department employee.</i>	80%	33%

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OTHER RELATED MATTERS

Documentation of the Date Discovery Unit Received the SCR Review

Auditors noted that the “Received at Discovery Unit by” section on the “Result of Service Comment Review” form was consistently incomplete. In order to obtain the date that Discovery Unit received the SCR review, auditors had to locate this information in PRMS. Therefore, every effort should be made to ensure that Discovery Unit properly documents the receipt of the completed SCR reviews to verify that documents were properly forwarded on a timely basis. This issue has been noted on a prior audit.

Recommendations and Corrective Actions

Auditors noted that the Watch Commander Memorandums contain sections with the following titles:

- Recommended Findings;
- Recommended Review Disposition;
- and Recommendation(s).

Auditors noted that there is no place for watch commanders to document any administered corrective actions. The Service Comment Report Handbook recommends that watch commanders administer corrective action when warranted. In an effort to enhance accountability, the SCR form should allow for watch commanders to document corrective actions in a consistent manner.

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CONCLUSION

The AAB auditors performed analyses and made assessments to identify areas that needed improvement. The AAB considers the results of this audit to be a helpful management tool for all Department personnel. The evidence presented provides reasonable assurance that Department personnel are not adhering to all of the audited provisions in the AV Agreement as identified in the above-mentioned criteria.

RECOMMENDATIONS

When Departmental policies and procedures and the AV Agreement are not adhered to, it may result in an increased risk for an inability to be compliant. Department management should disseminate the results of this audit to its personnel. Additionally, as best practice, Department management is encouraged to conduct recurring and ongoing briefing of policies and procedures. The AAB considers the results of this audit to be a helpful management tool and therefore, makes the following recommendations:

1. It is recommended the Department formalize the Service Comment Report training. Formal training may limit the risk that management apply SCR policies and procedures in a disparate manner. (All Objectives)
2. It is recommended Lancaster Sheriff’s Station conduct recurring and ongoing briefings to personnel on Unit Order No. 14-06 to ensure that all allegations of misconduct are documented on an SCR and investigated. (Objective No. 2)
3. It is recommended the Department evaluate whether the current SCR Timeline – Summary of Due Dates in the SCR Handbook are feasible for SCR Reviews. (Objective No. 5)
4. Based on Department practice of corrective action resulting from a disposition of “Appears Employee Conduct Could Have Been Better” or “Employee Conduct Should Have Been Different,” it is recommended that the Service Comment Report Handbook, Section III, Subsection E(2), Directions for Completing the “Result of Service Comment Review” Form, be revised to require that corrective action be administered and documented in a consistent manner. (Objective No. 7).

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Views of Responsible Officials

On January 26, 2023, the North Patrol Division command staff submitted a formal response to the AAB concurring with the audit results.

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This audit was submitted on this February 28, 2023, by the Audit and Accountability Bureau.

Original signature on file at AAB

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