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June 9, 2020

TO: Daryl L. Osby, Fire Chief  
Fire Department

FROM: Mike Pirolo, Chief *MP*  
Audit Division

SUBJECT: **FIRE DEPARTMENT – IMPROVEMENT OPPORTUNITIES NOTED DURING LIMITED REVIEW (CASE #2017-13194) - FIRST AND FINAL FOLLOW-UP REVIEW**

We have completed a follow-up review of the Fire Department (Fire or Department) Improvement Opportunities Noted During Limited Review dated June 11, 2019 (Case #2017-13194). As summarized in Table 1, Fire fully implemented the one recommendation to enhance their evidence handling processes.

**Table 1 - Results of First and Final Follow-up Review**

PRIORITY RANKINGS	TOTAL RECOS	RECOMMENDATION IMPLEMENTATION STATUS		
		FULLY IMPLEMENTED	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED
PRIORITY 1	0	0	0	0
PRIORITY 2	1	1	0	0
PRIORITY 3	0	0	0	0
TOTAL	1	1	0	0
				0

Attachment I details our review and the Department’s corrective actions.

We thank Fire management and staff for their cooperation and assistance during our review. If you have any questions please call me at (213) 253-0100.

AB:PH:MP:YK:cc

Attachment (Report #K20ET)

c: Arlene Barrera, Auditor-Controller  
Audit Committee  
Office of Countywide Investigations

# LOS ANGELES COUNTY AUDITOR-CONTROLLER

**Peter Hughes**  
ASSISTANT AUDITOR-CONTROLLER

**Mike Pirola**  
DIVISION CHIEF

## AUDIT DIVISION

Report #K20ET

### FIRE DEPARTMENT – IMPROVEMENT OPPORTUNITIES NOTED DURING LIMITED REVIEW (CASE #2017-13194) - FIRST AND FINAL FOLLOW-UP REVIEW

	RECOMMENDATION	A-C COMMENTS
1	<p><b>Priority 2</b> - Fire Department (Fire or Department) management take the following actions before conducting any new Arson Fire Investigation Unit (AFIU) buy-bust operations and/or collecting evidence pursuant to criminal investigations:</p> <ul style="list-style-type: none"> <li>a) Consult with County Counsel, the District Attorney's Office (DA), and the Sheriff's Department (Sheriff) on legal requirements and best practices for collecting, handling, and safeguarding cash evidence collected during AFIU investigations.</li> <li>b) Expand formal policies and procedures for handling cash evidence arising from AFIU investigations consistent with the best practices identified by County Counsel, the DA, and Sheriff.</li> <li>c) Train AFIU investigators on the new policies and procedures.</li> <li>d) Create a process for conducting periodic, independent reviews to ensure the proper disposition of evidence collected during AFIU buy-bust operations in accordance with the law and/or court instructions.</li> </ul> <p><b>Original Issue/Impact:</b> AFIU did not handle cash evidence in a manner consistent with accepted best practices for law enforcement agencies and lacked formal policies and procedures for seizing funds during evidence collection.</p> <p>In December 2015, Fire developed written evidence handling procedures indicating the Department will not collect cash evidence during AFIU buy-bust operations and that local law enforcement is responsible for collecting, handling, and safeguarding cash, weapons, and contraband evidence. However, the procedures had not been implemented at the time of our original review. This increases the risk of inappropriate recording and safeguarding of evidence and may create the appearance of</p>	<p><b>Recommendation Status: Implemented</b></p> <p>We confirmed Fire management consulted with County Counsel, the DA, and Sheriff on legal requirements and best practices for collecting, handling, and safeguarding cash evidence by reviewing the Department's internal memo, which details the departmental contacts and their opinion of Fire's evidence handling procedures. All three departments confirmed that Fire's procedures are sufficient since AFIU no longer collects cash evidence.</p> <p>We also confirmed Fire management implemented and trained AFIU investigators on evidence handling procedures and created a process to conduct periodic independent reviews of evidence to ensure evidence has been properly disposed of by reviewing the training sign-in sheet and two of Fire's independent quarterly evidence reviews.</p>

**Priority Ranking:** Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Department's operations if corrective action is not taken.

<b>RECOMMENDATION</b>	<b>A-C COMMENTS</b>
impropriety and endanger the integrity of AFIU investigations.	

We conducted our review in conformance with the International Standards for the Professional Practice of Internal Auditing. For more information on our auditing process, including recommendation priority rankings, the follow-up process, and management’s responsibility for internal controls, visit [auditor.lacounty.gov/audit-process-information](http://auditor.lacounty.gov/audit-process-information).

**Priority Ranking:** Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency’s operations if corrective action is not taken.