

NOV 16 2009

LOS ANGELES FIRE DEPARTMENT



MILLAGE PEAKS
FIRE CHIEF

November 4, 2009

TO: Board of Fire Commissioners

FROM: Millage Peaks, Fire Chief

BOARD OF FIRE COMMISSIONERS
FILE NO. 09-130

SUBJECT: ARSON/COUNTER TERRORISM SECTION AUDIT REPORT

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

SUMMARY

Over the past several years, a number of issues have risen from the Arson/Counter Terrorism Section (ACTS) concerning policy and work environment issues. In an effort to objectively identify these issues, an independent audit was conducted by the Los Angeles Police Department at the request of the Los Angeles Fire Department Command Staff. The LAFD's Workforce Excellence Unit (WEU) was also requested to provide assistance. Two reports were developed; both bodies of work have identified issues, concerns, alternative practices and recommendations which are in the process of implementation. For the purpose of this document, only the LAPD Audit recommendations will be addressed. The Workforce Excellence Unit's assessment of the work environment has been submitted to the Board for discussion at the November 16th HRDC/Personnel Committee meeting.

BACKGROUND

By power of the City Charter, the Fire Department has the authority to investigate all fires that occur within the City of Los Angeles. The Los Angeles Fire Department has a signed Memorandum of Agreement with the Los Angeles Police Department stating that "the Fire Department shall retain responsibility for all arson investigations, as well as any arson/insurance fraud occurring within the City, with the Police Department acting in

a supportive role. When another crime is identified, i.e. arson/murder, the appropriate entity with the Police department shall have the investigative authority."

ACTS is comprised of a Section Commander (Battalion Chief), a Captain II, Captain I, six Special Duty (Day) Investigators, a Management Analyst, two Senior Clerk Typists and a Clerk Typist (currently vacant) all working a 4/10 or 9/80 work schedule.

Two A-Units are staffed on a platoon duty (24 hour) schedule by 12 Investigators. Supervisors generally rotate through this assignment every two years, while the investigators normally remain in this assignment for the balance of their career. This results in a very cohesive group of investigators and a continuous rotation of new supervisors.

The assignment at ACTS is viewed as "specialized and unique" considering that the sworn members at this assignment have peace officer responsibilities under section 830.37 of the California State Penal Code that other members of the Department do not. These responsibilities require special training to enforce the laws related to the crime of arson and to arrest offenders. The powers of arrest, carrying of a firearm and the independent nature of the work is far beyond the customary duties and responsibilities of other sworn members of the Department.

The main office of ACTS is located at the Frank Hotchkin's Memorial Training Center (FHMTTC). ACTS maintains a public counter as part of its responsibilities as the Custodian of Records. The Section also maintains two additional satellite work locations for the on duty A-Units. A-Unit 1 is housed at Fire Station 21 in South Los Angeles and A-Unit 2 is housed at Fire Station 99 near Bel-Air. A-Unit 1 and A-Unit 2 are assigned to a platoon-duty schedule to ensure 24-hour coverage and to respond to incidents and requests from field resources. After regular business hours and on weekends, supervision is provided by an on-call supervisor.

AUDIT

In 2003, the responsibility for the management of ACTS was transferred from the Bureau of Fire Prevention and Public Safety to the Emergency Services Bureau in an effort to more closely align the work of ACTS with the public and to improve the responsiveness of the Section's resources within the Department. The objectives of ACTS have undergone significant changes in the aftermath of 9/11, and although the primary mission continues to be one of fire origin and cause determination, the section has taken on an expanded role. Investigators now work in conjunction with local and federal law enforcement agencies on arson cases that also have a domestic terrorism nexus.

In late 2008, LAPD's Audit Division conducted an "operational" audit of ACTS Policies and Investigative Practices. The Audit determined that *"fire cause and origin investigations were generally sound; however, there were fundamental weaknesses with the criminal investigations. Both training and supervisory oversight requirements must be formally established and approved by LAFD management and enforced to effectively manage the quality of the investigations."* This audit resulted in 13 recommendations to improve ACTS efficiency and performance with respect to the investigation of criminal fires.

These recommendations include:

- Reviewing and updating the Office Procedure Manual (OPM).
- Establishing formal investigative training requirements and standards.
- Formal approval of the OPM.
- Formal distribution and receipt of the OPM to ACTS personnel.
- Determining whether NFIRS criteria for incidents forwarded to ACTS for response and investigation is consistent with LAFD's departmental goals and objectives.
- Developing and implementing an arson case categorization system to prioritize cases based on established criteria, including existence of witnesses and suspects, number of fatalities/injuries, amount of property damage, possible hate crime, legal risks, etc.
- Expand the role of the first responder to conduct more in depth preliminary investigations to "filter" and categorize incidents assigned to ACTS.
- Develop an arson incident tracking system to analyze criminal fire trends and patterns.
- Establish a joint task force program to assign experienced detectives from law enforcement agencies to provide management and operational expertise in criminal investigation. Alternatively, establish a personal loan program for temporary assignment of ACTS investigators to LAPD detective units to obtain hands on criminal investigative training.
- Establish formal LAFD procedures for first responders to identify witnesses and collect their contact information for follow up by ACTS investigators.
- Establish formal supervisory review requirements for 1) fire investigative reports, 2) booking approval and 3) arrest reports. Signing approvers must be classified as supervisory positions by civil service rules.
- Establish a database to collect and track incident data.
- Establish a formal case management process.

CONSENSUS PROCESS

As part of an established process, audit implementation recommendations have been developed by the ACTS command team and forwarded to the Guiding Coalition Work Group made up of selected members representing day and platoon Investigators, the civilian staff and the Captains for review.

This process was developed with the assistance of the WEU in which items are discussed at the coalition group level, and when consensus is developed on acceptance or modification to the recommendation, the recommendation is forwarded to the Management Review Panel, consisting of the Emergency Services Deputy Chief, the Assistant Chief assigned to Special Operations and the ACTS Battalion Chief. The Management Review Panel agrees or disagrees with the Work Groups decision and is then forwarded to the Emergency Operations Chief Deputy for a final decision. This process allows for all parties to have a voice in the decision process. This process also brings to light different perspectives that otherwise may not have been discussed or considered.

Consensus has been reached on the implementation of every recommendation in the LAPD Audit, however, in cases where dissenting perspectives have been identified, they are listed in the attached worksheets. These recommendations are in various stages of development, research, approval and implementation. Several recommendations may also raise labor issues requiring clarification from the affected employee organizations. Prioritization has been based on operational importance, management expectations and management/liability concerns. Recommendations that involve little or no change and require little or no funding to complete received a higher priority and have shorter deadlines than those that are more complex and require increased funding.

Complex audit items, particularly those that involve data tracking and fire crime analysis, remain in the research and development stage. Implementation of systems suitable for ACTS use will involve multiple agencies and expertise in systems, system integration and security.

Board report prepared by members of ACTS Workgroup, Workforce Excellence Unit, Chairperson Battalion Chief Michael A. Greenup.

ATTACHMENTS

November 4, 2009

MATRIX AUDIT IMPLEMENTATION PLAN

I. POLICIES, PROCEDURES & STRUCTURE		
LAPD AUDIT	ACTS GOALS	TIMELINES/ RESPONSIBLE PARTIES
<p>Objective #1: A. Review and update the Office Procedures Manual (OPM) B. Formally approve the OPM C. Formally distribute and evidence receipt of the OPM to ACTS personnel</p>	<p>GOAL #1: Create, approve and distribute the ACTS Procedural Manual (APM), a new, multi-sectioned publication that merges the OPM, Arson Procedural Bulletins, Clerical Procedures, and other related documents.</p>	<p>August 1, 2011 R. Tufts, M. Neu, M. Greenup</p>
<p>Objective #1: D. Establish formal investigative training requirements and standards. Consider the LAPD detective school and courses offered by the Robert Presley Institute of Criminal Investigation.</p>	<p>GOAL #2: Establish on-going training and certification requirements that exceed minimum training standards for members assigned to ACTS.</p> <p>GOAL #3: Establish a clear and formalized preparation and promotional path for investigators and supervisors entering ACTS.</p>	<p>February 15, 2009 F. Oglesby, D. Liske, P. Proni</p> <p>Short-term: February 28, 2010 Long-term: July 1, 2012 R. Tufts, D. Liske, P. Proni</p>
II. TRACKING, CATEGORIZATION & MEASUREMENT		
<p>Objective #2: A. Determine whether the NFIRS criteria for incidents forwarded to ACTS for response and investigation is consistent with LAFD's departmental goals and objectives.</p>	<p>GOAL #4: Review NFIRS criteria for forwarding case files to ACTS to determine if those criteria meet current department goals. Decide which, if any, supplemental criteria are needed to further comply with departmental goals and objectives.</p>	<p>December 1, 2009 T. Martin, D. Liske, M. Greenup</p>
<p>Objective #2: B. Develop and implement an arson case categorization system to prioritize cases based on established criteria, including existence of witnesses and suspects, number of fatalities/injuries, amount of property damage, (possible) hate crime, legal risks, etc.</p> <p>Objective #5: B. Establish a formal case management process.</p>	<p>GOAL #5: Set up a system to categorize, prioritize, assign and manage incoming cases.</p>	<p>April 30, 2010 T. Martin, D. Liske, M. Rueda</p>

<p>Objective #2: C. Develop an arson incident tracking system to analyze criminal fire trends and patterns.</p> <p>Objective #5: A. Establish a database to collect and track incident data.</p>	<p>GOAL #6: Establish data infrastructure capabilities to permit timely analysis of criminal fire incidents, with special emphasis on intentional fire incidents. The projected final system's analytical capabilities should exceed minimum NFIRS standards and track information in a manner compatible with accurate and timely compliance with mandatory crime reporting requirements.</p>	<p>September 1, 2010 D. Liske, T. Martin, M. Neu, P. Proni, M. Rueda, M. Greenup</p>
<p>III. INVESTIGATIONS</p>		
<p>Objective #3: A. Establish a joint task force program to assign experienced detectives from law enforcement agencies to provide management and operational expertise in criminal investigation.</p> <p>Alternatively, establish a personnel loan program for temporary assignment of ACTS investigators to LAPD detective units to obtain hands-on criminal investigation training.</p>	<p>GOAL #7: Establish an internal culture and external support and linkage systems that align with the primary law enforcement duties of ACTS: criminal investigation and apprehension, felony case preparation, custodian of records, subpoena control, and crime analysis & reporting.</p>	<p>September 1, 2010 M. Camello, D. Liske, M. Rueda</p>
<p>Objective #2: D. Expand the role of first responders to conduct more in depth preliminary investigations to "filter" and categorize incidents assigned to ACTS.</p> <p>Objective #3: B. Establish formal LAFD procedures for first responders to identify witnesses and collect their contact information for follow-up by ACTS investigators. This potentially yields more productive canvass results as fire incidents attract spectators and possible witnesses who may no longer be at the scene when ACTS arrives.</p>	<p>GOAL #8: Assist field personnel in understanding the vital role they play in the identification and expedient data entry of potential arson incidents as well as identification of evidence and witnesses on-scene.</p>	<p>June 30, 2010 T. Derby, M. Camello, P. Proni</p>
<p>IV. SUPERVISION</p>		
<p>Objective #4: Establish formal supervisory review requirements for:</p> <ul style="list-style-type: none"> A. Fire investigation reports; B. Booking approval; C. Arrest reports. <p>Signing approvers must be classified as supervisory positions by civil service rules.</p>	<p>GOAL #9: Establish a level of supervisory notification and review that reflects regular communication between investigators and supervisors and a joint commitment to managing risk and liability to the Department.</p>	<p>January 1, 2010 T. Crass, M. Camello, P. Proni</p>

V. OTHER		

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #1

GOAL #1
Create, approve and distribute the ACTS Procedural Manual (APM), a new multi-sectioned publication that merges the Office Procedures Manual (OPM), Arson Procedural Bulletins (APBs), Clerical Procedures, and other related documents.
Audit Objective(s) Addressed
Objective #1: Policies and Procedures
Audit Recommendation
1A. Review and update the OPM 1B. Formally approve the OPM 1C. Formally distribute and evidence receipt of the OPM to ACTS personnel
Guiding Coalition/Management Review Panel Proposal
<p>Basing operations upon outdated policies and procedures jeopardizes successful resolution of investigations, therefore, the OPM will be reviewed and systematically updated as the Audit items are addressed and approved. The updated OPM and APBs will be merged to create the APM. The APM will be approved by the Fire Chief. All members assigned to ACTS will be provided a copy of the APM and a receipt of that issuance maintained on file at ACTS.</p> <p>Subsequent to the audit and initial distribution to all ACTS members, the APM will be maintained as a living document, with updates taking place as policies and procedures are amended, changed,</p>
Strategic Action Steps/Timeline
<ol style="list-style-type: none">1. Revise highest-risk APBs to reflect recent changes and current policies. <i>Completed 11/1/09.</i>2. Research the feasibility of bringing on additional staff to conduct ongoing research of department policies, the law, LAPD practices, NFPA, and related investigatory practices and procedures etc. to assess and update the APM. See <i>Resources Required</i> section for more information. <i>1/15/10.</i>3. Revise remaining APBs. <i>3/15/10</i>4. Obtain ACTS supervisor approval for APBs and incorporate into APM draft. <i>5/1/10.</i>5. Once additional staff is brought on, they will complete scope of work listed in step #2 and identify proposed changes. <i>11/30/10.</i>6. Submit proposed changes to ACTS supervisors for approval. <i>1/15/11</i>7. Approved changes will be submitted through the chain of command for Fire Chief's approval. <i>4/1/11</i>8. Approved documents will be returned to support staff/ACTS for inclusion/replacement of expired material in the APM. <i>6/1/11.</i>9. Changes will be submitted to all members of ACTS. <i>8/1/11</i>
Responsible Parties
Primary Contacts: Investigator Rosa Tufts, Investigator Michael Neu, Chief Michael Greenup Office of the Fire Chief; ESB; ACTS Supervisors, Investigators and additional staff; Manuals and Orders Unit.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #1

Indications of Progress/Measurement of Success
<ul style="list-style-type: none">• LAPD performs a follow-up audit of APM to confirm necessary updates have been made.• Hard copies and electronic versions of the APM are readily available and easily located.
Resources Required or Impediments to Implementation
<ul style="list-style-type: none">• Purchase and subscribe to relevant textbooks, reference materials and periodicals to create a technical reference library. This library will assist the section with staying current with legal and investigative practices. Costs should not exceed \$3,500 per annum.• The amount of revising and updating far exceeds the capacity of current staff. At least one full-time or two part-time staff members will be needed. The following options should be explored to minimize the fiscal impact of hiring additional personnel:<ul style="list-style-type: none">• 90-day Personal Service Contracts for retired civilian employees;• Graduate interns from criminal justice, public policy, emergency management programs;• Variable staffing hours for members with legal, law enforcement or academic research backgrounds.
Consensus or Dissent Process
Consensus is paramount, and has been achieved through several meetings on a case-by-case basis for each APB. Dissenting opinions have been solicited and incorporated when appropriate, confirming the value of employee input.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #2

GOAL #2
Establish on-going training and certification requirements that exceed minimum training standards for members assigned to ACTS.
Audit Objective(s) Addressed
Objective #1: Policies and Procedures.
Audit Recommendation
1D. Establish formal investigative training requirements and standards. Consider the LAPD Detective School and courses offered by the Robert Presley Institute of Criminal Investigation.
Guiding Coalition/Management Review Panel Proposal
Establish formal investigative training requirements and standards. Standards implemented will consist of annual continuing professional education in investigation-related subject areas. Certification requirements will also require 40 hours of annual continuing education for all investigative personnel. Continuing education requirements would include approved courses related to arson investigation, law enforcement, legal updates, firearms/tactical skills training and pertinent, adjunctive seminars or documented presentations.
Strategic Action Steps/Timeline
<ol style="list-style-type: none">1. Convene working group consisting of Guiding Coalition members and ACTS supervisors to discuss and establish training standards, including minimum and maximum number of hours, recommended and required training. <i>Completed 10/15/09</i>2. This group will periodically assess the available training courses offered by the State Fire Marshal's Office, the Public Agency Training Council, LAPD, and community colleges, pertaining to fire origin and cause, investigatory practices, and report writing on their value to investigators and supervisors. <i>Ongoing</i>3. A report of these recommended courses, and to whom they pertain, will be submitted through channels to the Fire Chief for approval. <i>12/15/09</i>4. After approval has been obtained these recommendations will be distributed to investigators and supervisors. <i>1/15/10</i>5. A mutually agreeable scheduling for ACTS employees to attend the identified courses will be developed by the ACTS supervisors. <i>2/15/10</i>
Responsible Parties
Primary Contacts: Investigator Frank Oglesby, Sr. Investigator David Liske, Captain Paul Proni Office of the Fire Chief; ESB commander; ACTS supervisors; Guiding Coalition members.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #2

Indications of Progress/Measurement of Success
<ul style="list-style-type: none">• Work produced by ACTS personnel will improve in quality and adherence to current practices.• Necessary certifications can more easily be tracked.• The number re-certification lapses will be reduced.• Reduction in liability to section, department, and city due to stricter adherence to state and federally mandated training.
Resources Required or Impediments to Implementation
<ul style="list-style-type: none">• Fiscal issues will be the most significant impediments for the implementation of training that is mandated, and subsequently paid for, by the Department.• The standardization of training for members of ACTS may be a labor issue. Therefore, it is recommended that employee labor groups representing Chief Officer and Firefighter bargaining units be apprised of progress and decisions as they are made.
Consensus or Dissent Process
<p>Consensus has been reached on this matter through meetings between the Guiding Coalition and the Management Review Panel. It should be noted, however, that while the two groups have reached consensus, there are individual members of ACTS that have differing opinions on whether or not training can or should be mandated and the number of hours that are required to be completed. However, it is widely believed among the majority of investigators in ACTS that continuing professional education is a necessary requirement for staying current with trends in fire/arson investigation, safety (tactics), law, and legal updates.</p>

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #3

GOAL #3

Establish a clear and formalized preparation and promotional path for investigators and supervisors entering ACTS.

Audit Objective(s) Addressed

Objective #1: Policies and Procedures.

Audit Recommendation

1D. Establish formal investigative training requirements and standards. Consider the LAPD Detective School and courses offered by the Robert Presley Institute of Criminal Investigation.

Guiding Coalition/Management Review Panel Proposal

Short-term: Establish formal investigative training requirements and standards for members preparing to enter ACTS as investigators or supervisors. Prior to assignment, prospective ACTS investigators and supervisors shall successfully complete:

1. PC 832 (or equivalent), powers of arrest and firearms;
2. Fire Investigation 1-A; and
3. Fire Investigation 1-B.

It is strongly recommended that ACTS Investigator Trainees and supervisors successfully complete the following courses by the end of their first year:

1. Robert Presley Institute of Criminal Investigations – Core Investigation Course (or equivalent)
2. CSTI Officer Safety and Field Tactics for Arson Investigators
3. Report Writing (supervisors can attend Supervisor School or equivalent)

It is strongly recommended that ACTS investigators successfully complete the following courses by the end of the second year of assignment to ACTS:

1. Fire Investigation 2-A
2. Fire Investigation 2-B
3. LAPD Basic Detective School
4. LAPD Homicide School

Long-term: Create promotional tracks within ACTS so that:

- A. The process to become an Arson Investigator is standardized and governed by the rules of civil service.
- B. The process to become an Arson Captain yields candidates with in-depth knowledge of and experience in Arson investigation.

Arson/Counter-Terrorism Section (ACTS)
Audit Implementation Plan
GOAL #3

Strategic Action Steps/Timeline

1. Guiding Coalition to discuss and agree upon minimum qualifications for entering members. *Completed 10/1/09*
2. ACTS supervisors to discuss and agree upon minimum qualifications for new supervisors entering the section. *12/31/09.*
3. Guiding Coalition to submit a proposal containing information on action steps 1 and 2 to the MRP. *1/31/10*
4. MRP to submit proposal, through channels, for Fire Chief's approval. *2/28/10*
5. Department to explore and report back on the following long-term plans:
 - a. Designating Arson Investigator position as a promotional position similar to Fire Inspector I. *6/30/10*
 - b. Designating Sr. Arson Investigator position as a promotional position similar to Fire Inspector II. *8/30/10*
 - c. Designating Arson Captain position as a specialized promotional position similar to EMS Captain. *10/31/10*
6. If approved, Department to implement new promotional infrastructure for investigators and captains. *7/1/12*

Responsible Parties

Primary Contacts: Investigator Rosa Tufts, Sr. Investigator David Liske, Captain Paul Proni
 Planning Section, ESB, Human Resources Division (HRD)

Indications of Progress/Measurement of Success

- As candidates for positions in ACTS come forward to compete they will have already attended the prescribed courses.
- Supervisors will possess a deeper understanding of investigator duties and responsibilities.
- Prospective candidates will possess a higher level of preparedness.
- Investigator trainees will more readily assimilate into section culture.

Resources Required or Impediments to Implementation

- The standardization of training for future (potential) members of ACTS may be a labor issue. Therefore, it is recommended that employee labor groups representing Chief Officer and Firefighter bargaining units be apprised of progress and decisions as they are made.
- Significant funding will be required to implement the long-term plans. This funding is unlikely to be identified until the current fiscal crisis has passed.
- Availability of specialized courses may be limited and/or inaccessible during the time frames expressed above.

Consensus or Dissent Process

No dissenting opinions have been submitted regarding the short-term proposal. The long-term proposal is related to recommendation #25 of the Workforce Excellence Unit's December 2008 work environment assessment. These recommendations have not yet been addressed through the Guiding Coalition/Management Review Panel process.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #4

GOAL #4
Review NFIRS criteria for forwarding case files to ACTS to determine if those criteria meet current department goals. Decide which, if any, supplemental criteria are needed to further comply with departmental goals and objectives.
Audit Objective(s) Addressed
Objective #2 –ACTS investigated all assigned arson incidents
Audit Recommendation
2 A - Determine whether the NFIRS criteria for incidents forwarded to ACTS for response and investigation is consistent with LAFD's departmental goals and objectives.
Guiding Coalition/Management Review Panel Proposal
<p>ACTS receives fire incidents for response and investigation through:</p> <ol style="list-style-type: none">1) Call out by incident commanders; and2) National Fire Incident Reporting System (NFIRS), a database into which all LAFD incidents are entered by incident commanders. Incidents that meet pre-established NFIRS program criteria for arson review are electronically forwarded to ACTS. <p>Departmental arson response criteria along with ACTS assignment criteria not yet included in the formal section manual establish assignment and acceptance criteria that supplements NFIRS criteria in a manner consistent with Department and Section policy and mission at the time of implementation. Regular, periodic review of all involved criteria and documentation has been lacking. ACTS has submitted proposed Department manual revisions through appropriate channels for the Fire Chief's review and approval that align ACTS assignment criteria with the Department Manual. Implementation can begin upon approval of the Fire Chief.</p> <p>ACTS further recommends that, since this audit item requires decision-making at levels above ACTS, that Department, Bureau, and Section command periodically review national and departmental call-out and assignment criteria to assure established practice reflects current need. This includes a recommendation that Department, Bureau, and Section command formally review and approve affected documentation on a 24-month period, even if no changes are deemed necessary prior to or upon review.</p>
Strategic Action Steps/Timeline
<ol style="list-style-type: none">1. Guiding Coalition to review and compare criteria contained in department manual, ACTS APB assignment criteria, and NFIRS program "trigger" criteria for completeness and alignment with current department policy, mission, goals, and objectives. <i>Completed 10/1/09</i>2. Guiding Coalition to submit proposals for revisions to Department manual to MRP. <i>Completed 10/31/09.</i>3. MRP to submit proposals for revisions to Fire Chief, through channels. <i>12/1/09</i>4. Department to establish a periodic review and approval cycle to assure criteria established in the Department manual, Section Manual, and other formally established procedures and practices adequately and appropriately supplement NFIRS criteria to assure compliance and alignment with current and emerging Department policy, mission, and emerging factors. <i>Ongoing.</i>

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #4

Responsible Parties
Primary Contacts: M.A. Teresa Martin, Sr. Investigator David Liske, Chief Michael Greenup Fire Department, Emergency Operations, ESB
Indications of Progress/Measurement of Success
<ul style="list-style-type: none">• The Department manual and the ACTS section manual will be consistent in stated criteria for Arson Call-Out and Case Assignment Criteria that supplement NFIRS program criteria in a manner that is consistent with current Departmental policies and mission.• Review and revisions will be approved and documented on a regular basis, not to exceed 24 months, even if no changes are deemed necessary.
Resources Required or Impediments to Implementation
<ul style="list-style-type: none">• Potential changes in national reporting criteria.• Availability of Department, Bureau, and Section Command to review items on a regular basis.
Consensus or Dissent Process
No dissenting opinions were submitted regarding this item.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #5

<u>GOAL#5</u>
Set up a system to categorize, prioritize, assign and manage incoming cases.
Audit Objective(s) Addressed
Objective #2: ACTS Investigated all Assigned Arson Incidents Objective #5: Other related matters
Audit Recommendation(s)
2B. Develop and implement an arson case categorization system to prioritize cases based on established criteria, including existence of witnesses and suspects, number of fatalities/injuries, amount of property damage, (possible) hate crime, legal risks, etc. 5B. Establish a formal case management process.
Guiding Coalition/Management Review Panel Proposal
Criteria for case assignment are currently documented in the Arson Procedure Bulletins (APBs), which have been recently revised and submission for approval is pending. Formalized adoption of these criteria will take place with formal approval of the identified APB and its insertion into the updated Section Manual. All (NFIRS reported) cases assigned to ACTS investigators shall be reviewed by the Senior Investigator or ACTS Supervisor to determine if recorded circumstances or significant facts meet approved assignment criteria. Case management is currently monitored through the NFIRS Arson Information System. This proposal includes provisions to digitally monitor case status by the following means: <ol style="list-style-type: none">1) Periodic reports provided to ACTS supervisors and the Senior Investigator.2) Establish/Revise digital tracking tools or create additional reports as necessary to support approved report and follow up submission timelines.3) Restrict case status changes and authority to the Senior Investigator under supervision of the ACTS Captain.
Strategic Action Steps/Timeline
<ol style="list-style-type: none">1. Create online report that provides Section Supervisors with detail of assigned cases. <i>Completed 6/15/09</i>2. Those cases that are investigated by the field and do not meet the criteria for a follow-up investigation, shall be indicated on the F-260 (Arson report face sheet) as "Investigated by Field." <i>Completed 9/1/09</i>3. Submit Case Assignment criteria, as proposed, to Fire Chief, through channels, for inclusion in APM. <i>12/1/09</i>4. Consult with MISD and ITA personnel to garner recommendations as to how to address items that cannot easily be implemented on the existing system. <i>3/1/10</i>5. Submit necessary work orders to MISD and ITA to implement necessary modifications to existing tracking tools. <i>4/30/10</i>
Responsible Parties
Primary Contacts: M.A. Teresa Martin, Sr. Investigator David Liske, Captain Michael Rueda MIS, ITA
Indications of Progress/Measurement of Success
<ul style="list-style-type: none">• Periodic review shows that assigned cases meet published criteria.• By 12/31/10, survey investigators to gauge whether the number of long-term open and unresolved cases has decreased and by what percent. Adjustments to case assignment criteria can be made accordingly.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #5

Resources Required or Impediments to Implementation
<ul style="list-style-type: none">• Current system design may limit the ability to implement comprehensive tracking and management tools.• Delays imposed as part of the formal acceptance and approval process for this proposal and pending manual revisions.• This item may be impacted by or rolled into the Arson Tracking project.• Financial impact of an undetermined degree is possible, particularly if implementation of some or all features cannot be accomplished through minor changes to existing system. This could involve require programming time, database design, and potential hardware acquisition costs.
Consensus or Dissent Process
There are no recorded dissenting opinions on this item.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #6

GOAL#6

Establish data infrastructure capabilities to permit timely analysis of criminal fire incidents, with special emphasis on intentional fire incidents. The final system's analytical capabilities should exceed minimum National Fire Incident Reporting System (NFIRS) standards and track information in a manner compatible with accurate and timely compliance with mandatory crime reporting requirements.

Audit Objective(s) Addressed

Objective #2: ACTS Investigated all Assigned Arson Incidents

Objective #5: Other Related Matters

Audit Recommendation(s)

2C. Develop an arson incident tracking system to analyze criminal fire trends and patterns.

5A. Establish a database to collect and track incident data.

Guiding Coalition/Management Review Panel Proposal

The Guiding Coalition and the Management Review Panel, proposes that a systems analysis of the existing systems, NFIRS and Arson Investigation System (AIS), be conducted to determine the appropriate systems design, timeline, and cost analysis on what is required to collect and query data in order to comply with recommendations 2C and 5A of the LAPD Audit. The ultimate goal is to develop an arson incident tracking system that will permit section personnel to identify clusters of activity that indicate potential criminal activity, or conditions that could respond to preventative measures, fire incidents requiring investigative follow up by other agencies, or indicate a need for targeted response or additional investigation and resource deployment. This system should be supported by a database that tracks information commonly found in traditional law enforcement reports, which incorporate suspect and other information.

Strategic Action Steps/Timeline

1. Send staff members to Detective Case Tracking System (DCTS) training to evaluate the user-friendly aspects of the system and applicability to ACTS cases. 8/31/09
2. Develop and draft initial criteria desired for an "ideal system" from the ACTS perspective: 8/1/10
 - a. Determine where additional data collection is desirable or needed
 - b. Confirm/Reconfirm that changes to and expansion of existing AIS portion of the existing NFIRS program will not negatively impact current fire reporting requirements.
 - c. Consult with Subject Matter Experts at law enforcement agencies (LAPD, LASD, etc.) to determine how they utilize the data they collect for analysis and determine options for implementation of mapping and other desirable system capabilities for similar types of systems/purposes.
 - d. Determine true extent of current LAFD City NFIRS system capabilities (mapping, format, expandability, etc.) as they will impact the extent to which we can leverage the existing system.
 - e. Identify other desirable features, if any.
 - f. Review/Evaluate existing City systems and/or vendor systems
 - g. Consult with ITA, LAPD Information Technology Division (ITD), MISD and appropriate subject matter experts (including outside agencies) regarding resolution of technological and other issues and determine scope of work to be performed or determine if outside vendor application will best suit our needs.
3. Through research, determine if there is a need to report fully independently of LAPD/Other Agency, or establish procedures and methods of tracking incidents referred to non-fire agencies for reporting. 9/1/10

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #6

Responsible Parties
Primary Contacts: Sr. Investigator David Liske, M.A .Teresa Martin, Investigator Michael Neu, Captain Paul Proni, Captain Michael Rueda, Chief Michael Greenup MISD
Indications of Progress/Measurement of Success
<ul style="list-style-type: none">• The primary indication of success is a workable system that will facilitate mapping (either through a separate program or as part of the final implementation of the proposed system) and cluster identification on a number of criteria connected with incidents referred to ACTS.• The system will have the additional ability to correctly generate required reports for all appropriate programs.
Resources Required or Impediments to Implementation
<p>Accomplishment of this goal will require the expertise and a formal request for assistance of the following entities:</p> <ul style="list-style-type: none">• City Information Technology Agency (ITA);• MISD (including the Geographical Information Systems Unit);• LAPD ITD;• LAPD Crime Analysis Section (CAS); and• Other subject matter experts knowledgeable in these involved technical areas. <p>Jurisdictional considerations may arise, with respect to reporting.</p> <p>Monetary estimates range from \$10,000 to \$100,000, depending upon research findings.</p> <p>Additional personnel may be required in the form of an MISD Systems Analyst I whose designated assignments include ACTS.</p> <p>Design or redesign challenges of new systems or existing systems may arise, due to incompatibilities between NFIRS reporting and crime reporting.</p>
Consensus or Dissent Process
Due, in part, to the advanced technological nature of this proposal, there are currently no recorded dissenting opinions.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #7

<u>GOAL #7</u>
Establish an internal culture and external support and linkage systems that reinforce the primary law enforcement duties of ACTS: criminal investigation and apprehension, felony case preparation, custodian of records, subpoena control, and crime analysis & reporting.
Audit Objective(s) Addressed
Objective #3: Quality of Investigations
Audit Recommendation
3A. Establish a joint task force program to assign experienced detectives from law enforcement agencies to provide management and operational expertise in criminal investigation. Alternatively, establish a personnel loan program for temporary assignment of ACTS investigators to LAPD detective units to obtain hands-on criminal investigation training.
Guiding Coalition/Management Review Panel Proposal
<p>The Guiding Coalition and the Management Review Panel agree that the reasons for audit recommendation 3A are twofold:</p> <ol style="list-style-type: none">1. Create mutually beneficial partnerships between ACTS and other agencies so that ACTS personnel can be constantly exposed to external best practices and hands-on training;2. Embed an investigative culture within ACTS so that approaches, expectations, methodology, measurements of effectiveness, and outcomes are aligned more with the section's primary duties. <p>The first part of recommendation 3A has already been addressed and can be expanded upon (see <i>Indications of Progress</i> section).</p> <p>In order to gain the full benefit and maximize the effectiveness and efficiency of a personnel loan program, mentioned in the second part of the recommendation, a pilot program will be initiated by ACTS supervisors and the Senior Investigator who will work jointly to identify the parameters of the program to determine the value, duration, and location of the loan program. Visitations and meetings will be held with LAPD Detective staff in order to evaluate the benefits of such a program.</p>
Strategic Action Steps/Timeline
<ol style="list-style-type: none">1. Appoint an ACTS member to act as liaison with LAPD. 12/1/092. This liaison will identify contacts at each LAPD facility that would have the authority to approve both LAPD personnel being detailed to ACTS to provide training, and ACTS personnel being detailed to LAPD for training. 1/15/103. The liaison will identify what type of training LAPD could supply that would be beneficial to ACTS personnel. 3/1/104. The ACTS supervisor and Senior Investigator will meet with the LAPD liaison to ascertain the feasibility of personnel being on loan to and from them, and identify the mutually acceptable parameters. 6/1/105. A non-detrimental, mutually agreeable scheduling for ACTS personnel to be on loan to LAPD will be developed by the ACTS supervisors. 9/1/10

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #7

Responsible Parties
Primary Contacts: Investigator Michael Camello, Sr. Investigator David Liske, Captain Michael Rueda Office of the Fire Chief; ESB commander; ACTS supervisors and investigators
Indications of Progress/Measurement of Success
<ul style="list-style-type: none">• As additional training is acquired from LAFD, investigation reports will reflect the changes, and supervisors will have an improved understanding as how to more effectively monitor and support the investigators.• Currently, personnel from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and the California Department of Insurance, Fraud Division, are working within ACTS in a Task Force capacity. In addition to housing investigators from outside agencies, ACTS works jointly, and in concert, with other law enforcement task forces related to House of Worship incidents (House of Worship Task Force) and Eco-Terrorism incidents (Anti-Terrorism Task Force). An assessment of the benefits of these partnerships should yield useful benchmarks by which to measure the success of the personnel loan program.
Resources Required or Impediments to Implementation
<ul style="list-style-type: none">• Should a loan program be instituted at any level, whereby ACTS members are detailed to outside work locations at LAPD facilities, additional demands will be placed upon members to "pick up the slack" for the vacated position, thus impacting current workload.• In addition, such a program would demand a significant financial commitment from the Department, as platoon investigator positions are constantly staffed and must be hired behind in order to fill the vacancy.• As such, this proposal may involve labor issues.• Changes to the section's internal culture will require changes in infrastructure and external structure. This external structure must unwaveringly commit to support the needs of the section as well as understand the new direction of the section on a profound and detailed level.• If the loan program was to be implemented, there are several significant impediments for establishing such a program. There may be severe fiscal constraints due to filling behind investigator vacancies, there may be labor issues related to be dealt with, and every investigator who is "loaned out" is not guaranteed of receiving or experiencing the same issues, thus providing for inconsistency in training. Furthermore, as to not severely impact the staffing and workload of ACTS investigators, it is anticipated that only one investigator could be sent out without negatively impacting the Section, thus extending the loan program for months, if not years, before every investigator participates in the program.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #7

Consensus or Dissent Process

This particular recommendation has been interpreted in many different ways. This has led to some disagreement on how best to address it. During meetings of the Guiding Coalition (GC) and the Management Review Panel (MRP), the GC agreed with this proposal if, and only if, the Department, after exhaustive research, could not find a more appropriate alternative to the personnel loan program.

Investigators expressed numerous concerns about issues raised in the audit with specific cases and the resulting recommendation. The GC has noted these concerns and is prepared to present them and place them in the appropriate context. The GC has also identified an alternative solution that meets the spirit and intent of the loan program recommendation is being presented.

ACTS investigators are of the opinion that the spirit of this recommendation can be met by obtaining training that is targeted to specific subject areas where areas of improvement may have been identified. By providing such training to the ACTS investigators, it is ensured that all investigators receive the same material, thereby ensuring that the playing field is level for all members. Additionally, instituting a training regimen presented by outside subject matter experts can be implemented in a more rapid and less costly fashion.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #8

GOAL #8
Assist field personnel in understanding the vital role they play in the identification and expedient data entry of potential arson incidents as well as identification of evidence and witnesses on-scene.
Audit Objective(s) Addressed
Objective #2: ACTS investigated all assigned arson incidents Objective #3: Quality of investigations
Audit Recommendation
2D. Expand the role of first responders to conduct more in depth preliminary investigations to "filter" and categorize incidents assigned to ACTS. 3B. Establish formal LAFD procedures for first responders to identify witnesses and collect their contact information for follow-up by ACTS investigators. This potentially yields more productive canvass results as fire incidents attract spectators and possible witnesses who may no longer be at the scene when ACTS arrives.
Guiding Coalition/Management Review Panel Consensus Proposal
While the feasibility of training all officers with the California State Fire Marshal's 40-hour Fire Investigator I curriculum would entail an immense commitment of time, providing a tailored eight hours of annual training to all officers during Chief Officers Continuing Education Program (COCEP) and Officers Continuing Education Program (OCEP) would establish a baseline that would provide Department officers with the basic tools necessary to conduct a thorough investigation and to adequately identify witnesses to assist investigators during the investigative process. It is also recommended that a four-hour module of fire investigation responsibilities be included in the Captain's Company Officers Responsibilities and Expectations (CORE) curriculum.
Strategic Action Steps/Timeline
1. Convene a work group of ACTS supervisors and investigators to determine a course of instruction directed at field resources to improve their ability to discern and capture information pertinent to determining fire origin, cause, and categorization. <i>Completed 10/15/09</i> 2. Create a schematic for field resources to follow after the fire has been extinguished whereby they can more readily identify witnesses, potential witnesses, suspects, and information that is essential to an incendiary fire investigation. <i>2/1/10</i> 3. Combine the above two instructions into eight and four hour instructional modules to be tailored and delivered to field officers and/or all members. <i>6/1/10</i> 4. Submit curriculum through channels to the Fire Chief's office for approval. <i>7/1/10</i> 5. Identify instructors to administer the above training. <i>7/15/10</i>
Responsible Parties
Primary Contacts: Investigator Tom Derby, Investigator Michael Camello, Captain Paul Proni Office of the Fire Chief; ESB; ACTS supervisors, investigators and staff.

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #8

Indications of Progress/Measurement of Success	
<ul style="list-style-type: none">• Progress can be measured by the amount and type of information included by field personnel when completing NFIRS reports. This information will be reviewed for indications of details and observations that support the furthering an arson investigation.• Additionally, when arson investigators are called to the scene, the field personnel will be able to provide comprehensively filled out Field Interview (F/I) cards with pertinent witness and suspect information.	
Resources Required or Impediments to Implementation	
<ul style="list-style-type: none">• Funding will be needed to hire instructors, although money can be saved if 90-day personal services contracts are utilized to hire retired arson investigators.• Costs will be incurred for training time that will need to be afforded to field personnel.	
Consensus or Dissent Process	
Consensus was reached during meetings with the Guiding Coalition workgroup and the Management Review Panel. No dissenting opinions were submitted pertaining to this issue.	

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #9

<u>GOAL#9</u>
Establish a level of supervisory notification and review that reflects regular communication between investigators and supervisors and a joint commitment to managing risk and liability to the Department.
Audit Objective(s) Addressed
Objective #4: Supervisory Oversight
Audit Recommendations
Establish formal supervisory review requirements for: 4A. Fire investigation reports; 4B. Booking approval; 4C. Arrest reports. Signing approvers must be classified as supervisory positions by civil service rules.
Guiding Coalition/Management Review Panel Proposal
<p><i>Fire investigation reports:</i> Upon completion, all reports, including fire investigation reports, arrest reports, property reports, booking approvals, probable cause declarations (PCD's), and trace and analyzed evidence requests shall be forwarded to the Senior Investigator for review. Upon review by the Senior Investigator, the report will be forwarded to an ACTS supervisor for review and approval. The ACTS supervisor shall review all reports for appropriateness, legality, and conformance with Department policy and procedure.</p> <p><i>Booking approval:</i> The LAPD watch commander shall have the final responsibility for all arrestees booked at that jail and is responsible for signing the booking approval.</p> <p><i>Arrest reports:</i> Upon providing the ACTS supervisor with the required information, the supervisor will complete the Supervisor Notification Checklist and acknowledge the arrest. A copy of the Supervisor Notification Check List will be included in the investigator case file. The original will be maintained in the ACTS office. The investigator shall add a heading in the narrative portion of his/her fire investigation report, titled "Supervisor Notification." Additionally, the investigator shall enter the name and serial number of the ACTS supervisor who was notified of the arrest in the Supervisor box of the Probable Cause Declaration (PCD). Upon completion of the arrest report and prior to filing with the District Attorney's Office, the investigator shall obtain a signature from an ACTS supervisor in the Supervisor Approval box of the arrest face sheet (5.2) and the Supervisor Approving box of the Fire Investigation Report (F-260). When it is impractical to obtain a signature from the ACTS supervisor (i.e. supervisor is unavailable), the supervisor's proxy signature or watch commander's signature is acceptable.</p> <p>The ACTS supervisor shall examine the reports for authenticity.</p>

Arson/Counter-Terrorism Section (ACTS)

Audit Implementation Plan

GOAL #9

Strategic Action Steps/Timeline

1. Convene a work group of ACTS supervisors and investigators to develop the Supervisor Notification Checklist. *Completed 9/1/09*
2. Create APB #19 instructing investigators on implementation of checklist, adjustment to arrest report headings, and obtaining supervisor signature. *Completed 9/1/09*
3. Obtain ACTS Supervisor approval of Supervisor Notification Checklist. *Completed 10/1/09*
4. Obtain ACTS Supervisor approval of APB #19. *12/1/09*
5. Submit APB #19 through channels to the Fire Chief for approval. *12/15/09*
6. Inform investigators that the checklist is to be utilized forthwith. *1/1/10*

Responsible Parties

Primary Contacts: Investigator Timothy Crass, Investigator Michael Camello, Captain Paul Proni, ACTS. Office of the Fire Chief; ESB; ACTS Supervisors, Investigators and Staff

Indications of Progress/Measurement of Success

- Review all arrest packets to confirm that investigators are utilizing the Supervisor Notification Check List, citing the inclusion in their reports, and obtaining supervisor signatures as required.
- After 12 months, conduct a survey of ACTS Supervisors and Investigators to obtain feedback and identify any problems with the notification and review process.

Resources Required or Impediments to Implementation

No additional resources will be required to meet this recommendation of the LAPD audit – only modification of current ACTS policy and practice. There are no impediments to implementation.

Consensus or Dissent Process

Meetings took place between the members of the LAPD Audit team, Management Review Panel (MRP) and the Guiding Coalition (GC). Consensus was reached on all items.