FINAL REPORT

NARCOTICS DIVISION REVIEW AND REVISION OF RELEVANT SOPs

Introduction

The Houston Police Department conducted an administrative review of its Narcotics Division Standard Operating Procedures (SOPs) regarding warrant service and the handling of confidential informants in response to the warrant conducted at 7815 Harding Street on January 28, 2019. The Harris County District Attorney's Office and the United States Department of Justice are conducting a criminal investigation into the incident. The criminal investigations being conducted by the Harris County District Attorney's Office and the United States Department of Justice are not the subject of this review. The Houston Police Department has fully cooperated with all requests made by the Harris County District Attorney's Office and the Department of Justice.

The Houston Police Department's Internal Affairs Division has conducted a separate administrative inquiry to investigate allegations of officer misconduct.

As a result of this administrative review, the department made revisions to its Narcotics Division SOPs and took other action as described below.

Scope of Review

The time frame covered by this review was from January 1, 2016, to January 28, 2019. The review examined case files, SOPs, offense reports, and confidential informant files. Included in the review were all cases generated by former Senior Police Officers Goines and Bryant from January 1, 2016 to January 28, 2019. Also included in the review was a representative sample of Narcotics General Enforcement Squads 9, 10, 14, and 15.

The scope of this review included the following SOPs:

> Narcotics Standard Operating Procedures relating to warrant preparation, warrant service, and confidential informants. SOPs 100/2.03, 200/1.01, 200/1.02, 200/1.05, 200/1.12, 200/1.15, 200/1.22, 200/1.35

Revisions to SOPs:

- A Narcotics lieutenant must be present during the service of any warrant at a dwelling or business that may involve forced entry.
- Search and arrest warrant tactical plans will be reviewed by the case agent's chain of command up to the division commander.

- "No Knock" warrants now require approval by the Chief of Police or his designee and service by the Houston Police Department's Tactical Operations Division's Special Weapons and Tactics (SWAT) Team.

- The Narcotics Tactical Team (NTT) was established to provide a uniformed enforcement component in the Narcotics Division. The NTT's assignments include serving knock and announce warrants.

- Search warrant requests will only be signed by a District Court Judge or the twenty-four-hour magistrate. Warrants will no longer be signed by a municipal court judge.

- Finalized and implemented the plan to equip investigators with body-worn cameras (BWCs). Narcotics Division investigators are required to wear BWCs when taking the following enforcement action:

    - All entry team members will wear a BWC.
    - BWC will be activated before leaving raid vehicle.
    - The BWC may only be turned off after entry is made and the scene is secured.
    - Video will be taken to document interior and exterior of scene prior to search.
    - Still photos will be taken of items as they are seized.

- All confidential informants will have an arrest/criminal activity check conducted annually to assess continued suitability and reliability.

- An electronic case management system for comprehensive tracking of cases has been implemented, thus eliminating paper case files.

- Additional detail required on documentation of contact(s) with CIs, including all conversations (electronic and in person). The documentation shall include the date, location (if applicable), type of communication, personnel present for the meeting and purpose for the conversation.

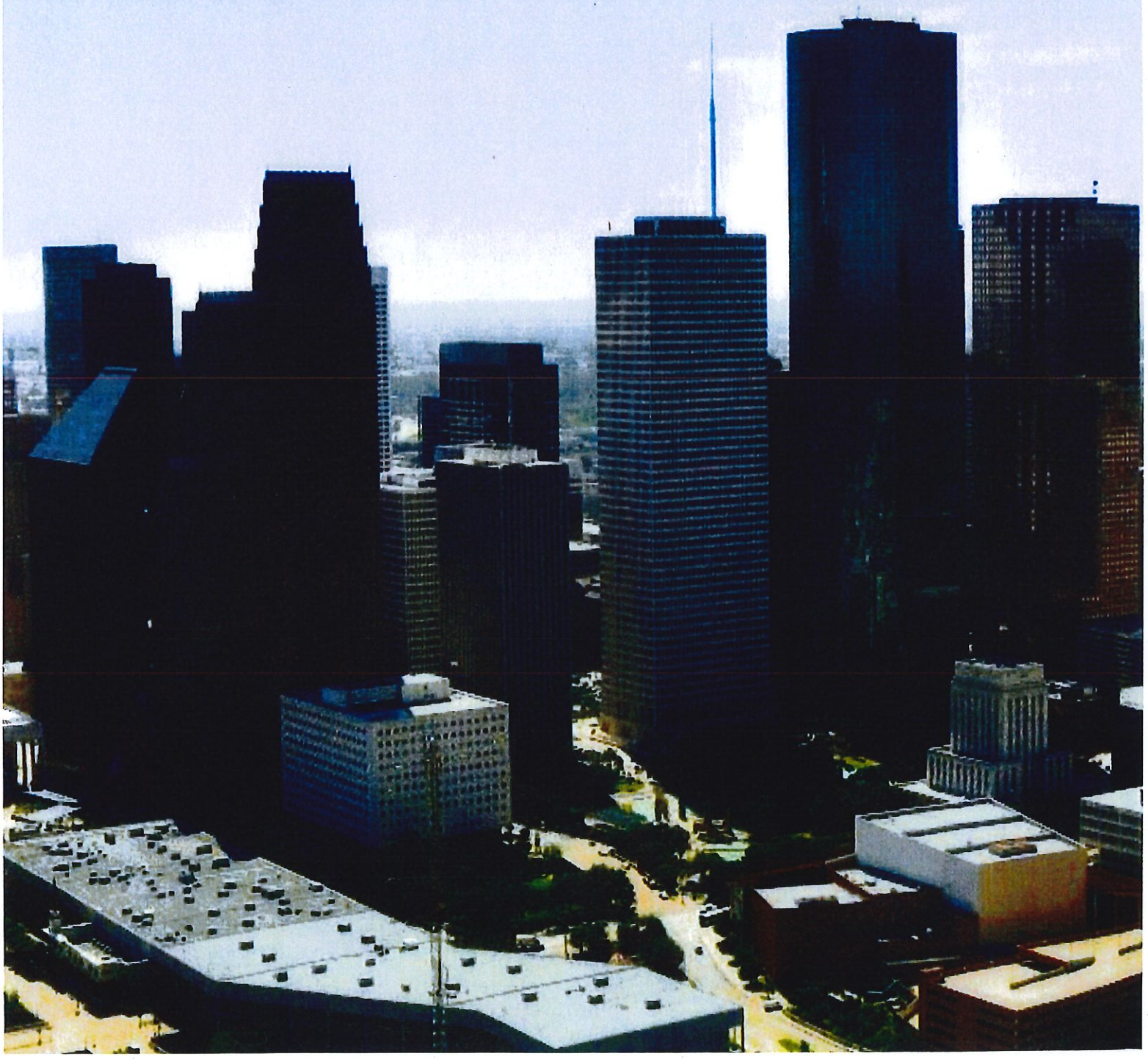
- A Narcotics Division lieutenant will conduct a face-to-face biannual review of randomly selected informants from each officer who has a registered confidential informant.

NOTE: Entire Standard Operating Procedure manual was revised in December 2019 to reflect operational changes.

BACKGROUND MATERIAL

2019

Houston Police Department
Narcotics Division Operational Review



Executive Summary

In February 2019, Chief of Police (COP) A. Acevedo ordered an investigative audit of the Narcotics Division General Enforcement Squads to determine if policies and procedures were adhered to, during a warrant service at 7815 Harding St. This incident brought into question the procedures used by Narcotics Division case agents in regards to warrant development/service and handling of informants.

A separate internal affairs investigation was conducted to document incidents of officer and supervisory misconduct. The audit revealed policy violations due to administrative errors committed by Narcotics case agents and supervisors. The review concluded that case agents did not follow policies related to warrant services, operations planning, and handling of confidential informants. As a result of the audit, the team chose six policies for revision.

It is important to note that the audit did not confirm criminal activity occurring between a confidential informant and a Narcotics case agent. The review revealed numerous errors related to confidential informant payments, but a conclusion of illegal activity is not possible without the ability to interview the confidential informant or witnesses. The Harris County District Attorney's Office is conducting an independent review to determine if any criminal activity occurred.

Based on the findings during the preliminary Internal Affairs investigations, the COP made a formal request to the Harris County District Attorney's Office requesting dismissal of all cases involving Senior Police Officers (SPO) Goines and Bryant that have not received a final conviction. This request was granted and resulted in the dismissal of over two dozen cases.

The COP also immediately halted the use of "No Knock" warrants within the Narcotics Division. The review documents issues with the request, documentation, and service of "No Knock" warrants. All policies and procedures related to "No Knock" warrant requests were substantially revised to comply with the COP orders.

Objectives

The audit objectives are to assess the Narcotics Division policies and procedures specific to warrant service, operations planning, and handling of confidential informants. The audit will cover all records, reports, and financial data generated from the use of confidential informants (receipts, expense letters...etc.) during the period of January 28, 2016 to January 28, 2019.

The results of the audit will decrease risks associated with high-risk narcotics operations for both the officer and citizen. Supervisory oversight will also improve due to the deficiencies discovered during the audit process.

Methodology

The scope of this audit includes a systemic and analytical review of the following:

a. Narcotics Standard Operating procedures of operations, warrant service, and handling of confidential informants.

b. Implementation of immediate changes to the approval procedures of "No Knock" and "Knock and Announce" warrants.

c. Case audit of SPO G. Goines #82651, and S. Bryant #106620, from January 28, 2016 to January 28, 2019.

d. Case audit of General Enforcement Squads 14 and 15 from January 28, 2017 to January 28, 2019.

e. Case audit of General Enforcement Squads 9 and 10 from January 28, 2017 to January 28, 2019.

f. A comprehensive review of all informants handled by SPOs Goines and Bryant.

g. A comprehensive review of all expense letters and receipts filed by SPOs Goines and Bryant.

h. Review of expenses relating to the use of the Confidential Informant which led to the drafting of a search warrant at 7815 Harding and payment made as a result of warrant service.

The audit team examined physical records and any/all electronic records and database that contained information relating to cases generated by the target officers and squads. The Narcotics Division granted access to their Narcotics Division database, Confidential Informants database, SOPs, and records room.

Narcotics Division Standard Operating Procedures

The Narcotics Audit team reviewed seven Narcotics SOPs, which specifically dealt with the procedures used to develop a case, conduct narcotics search warrants and handling of confidential informants. The audit revealed that six of seven SOPs lacked supervisory sufficient oversight. Changes were made to increase supervisory control. The SOPs subject to review were:

a. 200/1.01: Establishing Criteria for Investigations
The SOP revealed sufficient guidance in establishing investigations.

b. 200/1.02: Activity Authorization and Notification

A Narcotics Lieutenant must be present during the service of any warrant at a dwelling or business which may involve forced entry. The case agent's supervisor will be responsible for:

- Ensuring the Operational Plan is presented to participating personnel.
- Providing necessary safety equipment.
- Directing surveillance.
- Security of undercover officers.
- Entry to dwelling or residence.
- Arrest and security of suspects.
- Ensuring a "Secondary Search" of the premises for suspects is completed, before calling the location clear.
- Search Assignments.
- Recovery and submission of evidence and money.
- Coordinating transportation of prisoners.
- Securing premises upon completion.

c. 200/1.05: Narcotics Operational Plan

The SOP was changed to require lieutenant approval before the service of any warrant, flash, buy-bust or any instance the squad lieutenant deems appropriate. Narcotics Division officer's liaison with many outside agencies to complete their mission. The SOP now requires notification to the Division Commander and Squad Lieutenant if any outside agencies participate in any operation. A separate policy is currently under development to comply with the Chief of Police decision to require Narcotics officers to wear body-worn cameras (BWC) when taking enforcement action.

d. 200/1.12: Search Warrants/Buy Busts and Open-Air Investigations

Supervisory oversight before the service of a search warrant has been revised. Supervisors are now required to review investigative efforts which support the search warrant affidavit. Although supervisors were trained by the Narcotics Training Unit to review all search warrant affidavits, the SOP did not explicitly require supervisory review.

All entry team members will wear body-worn cameras. The case agent, not the affiant, will be responsible for;

- Completing the offense report.
- Filing proper charges.
- No later than three whole days after executing a search warrant, the officer shall return the search warrant to the court of original jurisdiction.
- Securing a certified copy of the search warrant.
- Obtaining a certified copy of the return.
- Upload a digital copy of the certified Return to Intellinetics of the RMS report, ensuring the certification stamp is included.

When conducting "Open Air" operations, the Case Agent will notify a Narcotics supervisor at the beginning and end of the operation. Case agents will request EMS assistance/presence during service of any warrant on a residence or business requiring forced entry.

e. **200/1.15: Handling of Contraband an Evidence**
The SOP revealed sufficient guidance in establishing procedures used to recover and tag narcotics evidence and handle currency seizures.

f. **200/1.22: Handling Confidential Informants**
Handling of confidential informants required careful revision to avoid future mishandling of informants. Supervisory oversight of all investigations involving a confidential informant has been enhanced. Supervisors will also verify the veracity of all confidential informants' information, especially any information leading to the issuance of a search or arrest warrant.

Revisions to SOP 200/1.22 were:

- A case agent is not allowed to use a family member as an informant.
- Case agents will document all conversations (electronic or telephonic) with a a confidential informant. Documentation will consist of the following:
    A. Personnel present for the meeting.
    B. Purpose of the conversation.
- A narcotics supervisor will meet with each case agent on a monthly basis to discuss the status of each confidential informant assigned to or used by the case agent. Supervisors will ensure each officer is correctly utilizing their informants and abide by all policies and procedures.

g. **200/1.35: Noise Flash Diversionary Device (NFDD)**
The SOP revealed sufficient guidance in establishing procedures used to deploy NFDD during the service of a search warrant.

Implement immediate changes to the approval procedures for "No Knock" and 'Knock and Announce" search warrants.

On February 19, 2019, Chief Acevedo temporarily ceased the use of "No Knock" warrants. "No Knock" warrants now require COP approval and the use of the Houston Police Department's Tactical Operations Division, Special Weapons and Tactics (SWAT) Team.

The Narcotics Division immediately modified their tactics in "No Knock" and "Knock and Announce" warrants. The Narcotics Division will train officers on the following skill sets:

- New operational plan for the division (to include a checklist for warrant preparation).
- Quarterly classroom training to discuss policy updates, relevant laws, and legal ramifications with a specific focus on supervisory awareness. The Narcotics Division currently conducts quarterly firearms training. The curriculum will now include a minimum of an hour of training pertaining to policy discussion.
- Scenario-based training to include:
    a. Shields
    b. Breach and assess
    c. Slow and Deliberate Searches
- Search warrant requests requiring the signature of a District Court Judge.
- Narcotics Division will only conduct "Knock and Announce" warrants.
- The Narcotics Division Commander will establish a "Warrant" team used explicitly for "Knock and Announce" warrants. The "Warrant" team will also be available to assist Narcotics Case Agents in undercover operations.
- Narcotics Divisions Case Agents will employ the use of a BWC during all enforcement operations.

Post case audit of SPO G. Goines #82651, and S. Bryant #106620, from January 28, 2016 to January 28, 2019.

The Narcotics Audit Team reviewed all cases conducted by SPO Goines and SPO Bryant from January 28, 2016 to January 28, 2019. In total, 231 cases were audited. The audit team obtained all cases from the Narcotics Case Tracking Database. In addition to an electronic review, the team physically reviewed each case file.

The review also included all officers on the case tracking sheet generated by either SPO Goines or SPO Bryant. The results of the audit documented the number of times SPO Goines or SPO Bryant worked with each other as "Co-Case Agents." The review will also record the number of times a case agent employed the use of a confidential informant.

Senior Police Officer G. Goines Cases 2016 - 2019

Figure 1 illustrates the number and type of cases SPO Goines conducted from January 1, 2016 to January 28, 2019. SPO Goines payroll number was associated with a total of 84 cases listing him as the primary case agent in the Narcotics Case Tracking Database. It is important to note that the Narcotics Case Tracking Database contains errors which are human data entry errors. The possibility exists that SPO Goines generated reports which are not in the Narcotics Case Tracking Database. The statistics provided in this report were obtained solely from the Narcotics Case Tracking Database, HPD Record Management System (RMS), and the HPD Property Room database "BEAST."

Figure 1 is an illustration of the type of cases SPO Goines engaged in as the primary officer from January 1, 2016 to January 28, 2019. Table 1 provides percentages of the nature and number of cases SPO Goines engaged in as the primary officer. In 38% of the cases, SPO Goines involved the use of an informant, and the case was titled "Controlled Buy." As a result of the controlled buys, SPO Goines second highest activity involved the use of search warrants, which in total equaled 36%. In total, SPO Goines cases with an informant equaled 74% of his documented caseload.

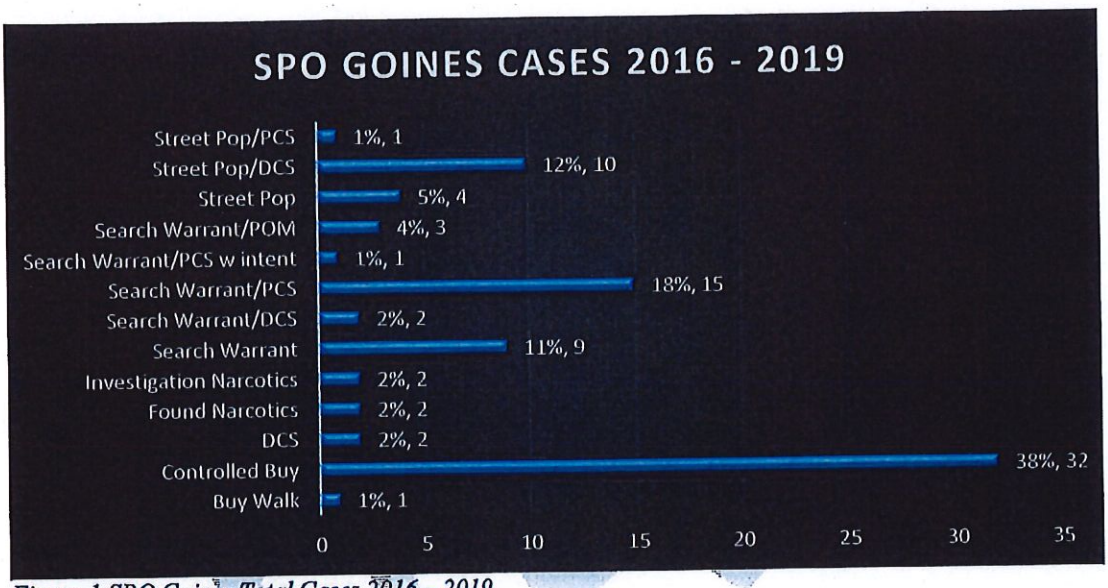


Figure 1 SPO Goines Total Cases 2016 – 2019

The audit also examined the number of cases SPO Goines is listed as the primary officer and the officer he worked with the most cases with. The Narcotics Case Tracking Database possesses the ability to track the name and payrolls of the primary and secondary officers assigned to the case. The database also has the capability of adding eight additional officers to the case tracking sheet.

Figure 2 indicates SPO Goines worked 38% Of his cases with SPO [redacted] SPO [redacted] retired in February 2019 after the incident at 7815 Harding St. occurred. Figure 2 illustrates SPO Goines and [redacted] conducted 15 controlled buys during the period of January 1, 2016 to January 28, 2019. The audit did not reveal any misconduct committed by SPO [redacted]

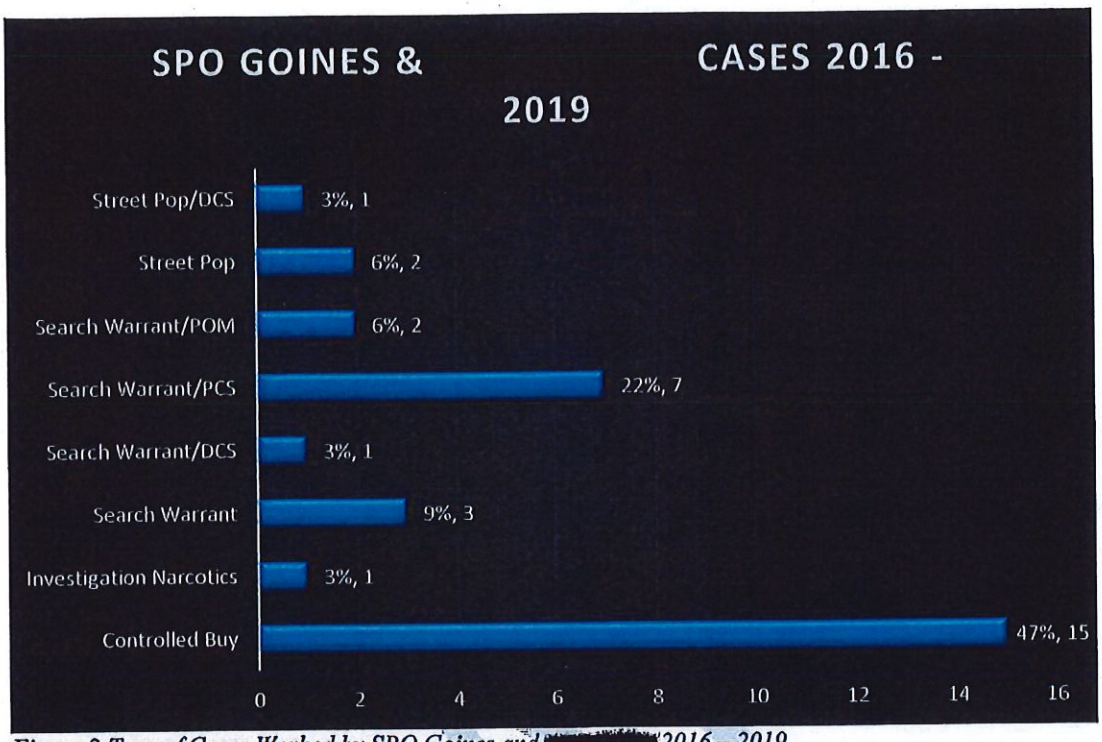


Figure 2 Type of Cases Worked by SPO Goines and [redacted] 2016 – 2019

During the same period, SPO Bryant assisted SPO Goines in 27% of his cases, with the majority consisting of 17 controlled buys. SPO Goines also listed several members of his squad supporting him in his cases, but it was interesting to note that none of the investigations involved a controlled buy.

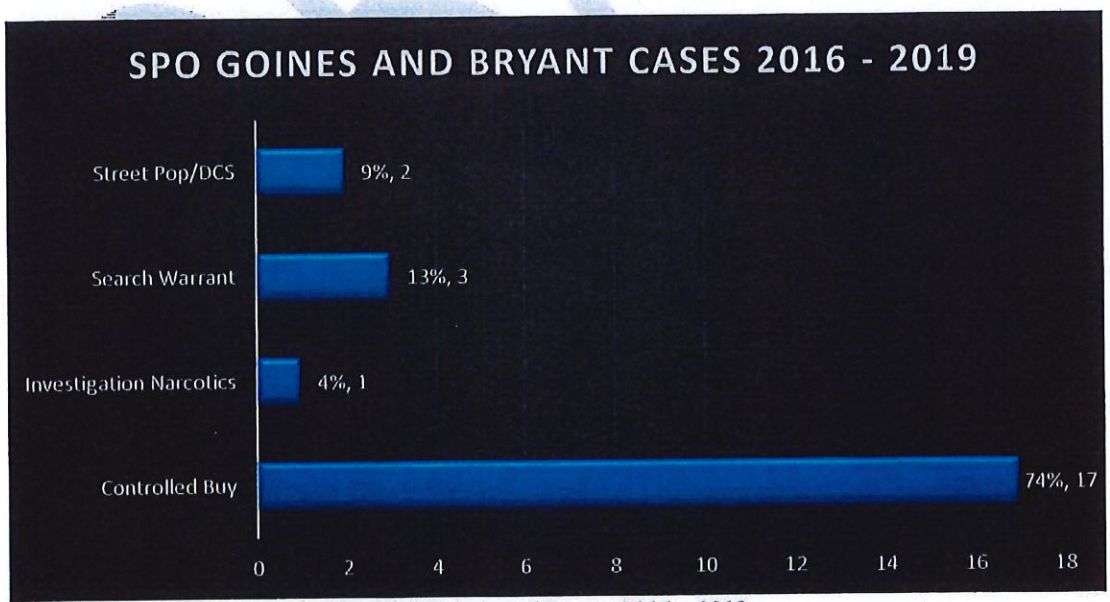


Figure 3 Type of Cases Worked by SPO Goines and Bryant 2016 – 2019

The audit revealed SPO Goines primarily worked narcotics cases with Officers Bryant and [redacted] specifically in cases involving controlled buys and informants. SPO Goines utilized several members of his squad, but as illustrated in Fig. 4, none of the investigations involved a controlled buy or a confidential informant. Squad members mostly assisted in cases involving the execution of a search warrant or street pop. Table 1 represents the percentage of cases SPO Goines worked with SPO [redacted] Bryant, and members of his squad.

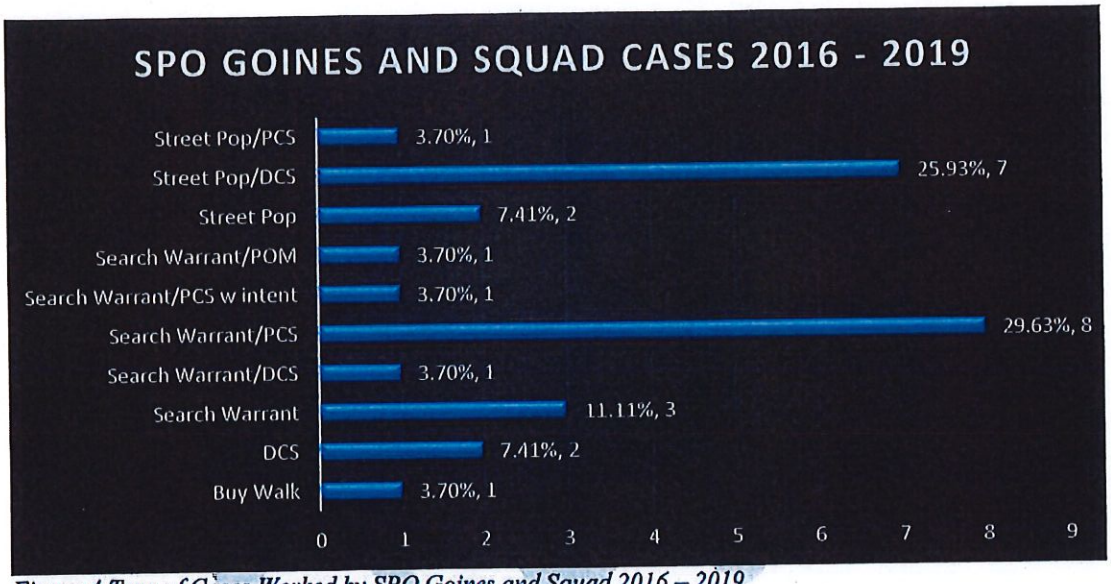


Figure 4 Type of Cases Worked by SPO Goines and Squad 2016 – 2019

Officer	Payroll	Number of Cases Worked	Percentage of Cases Worked
[redacted]	[redacted]	32	38%
Bryant	[redacted]	23	27%
Squad	Assorted	27	32%
***Goines worked 2 cases where there is no Secondary Officer Listed	NA	2	2%
	Total	**84**	**100.00%**

Table 1 Percentage of Cases Worked by SPO Goines and other Officers between 2016 - 2019

Senior Police Officer S. Bryant Cases 2016 - 2019

Figure 5 illustrates the number and type of cases SPO Bryant conducted from January 1, 2016 to January 28, 2019. SPO Bryant payroll number was associated with a total of 147 cases listing him as the primary case agent in the Narcotics Case Tracking Database. Figure 5 is an illustration of the type of cases SPO Bryant engaged in as the primary officer

from January 1, 2016 to January 28, 2019. Table 3 provides percentages of the type and number of cases SPO Bryant engaged in as the primary officer. In 63% of the cases, SPO Bryant involved the use of an informant and the case was titled "Controlled Buy."

Primarily, as a result of controlled buys, SPO Bryant second highest activity involved the use of a search warrant, which in total equaled 21%. In total, SPO Bryant cases with an informant equaled 84% of his documented caseload.

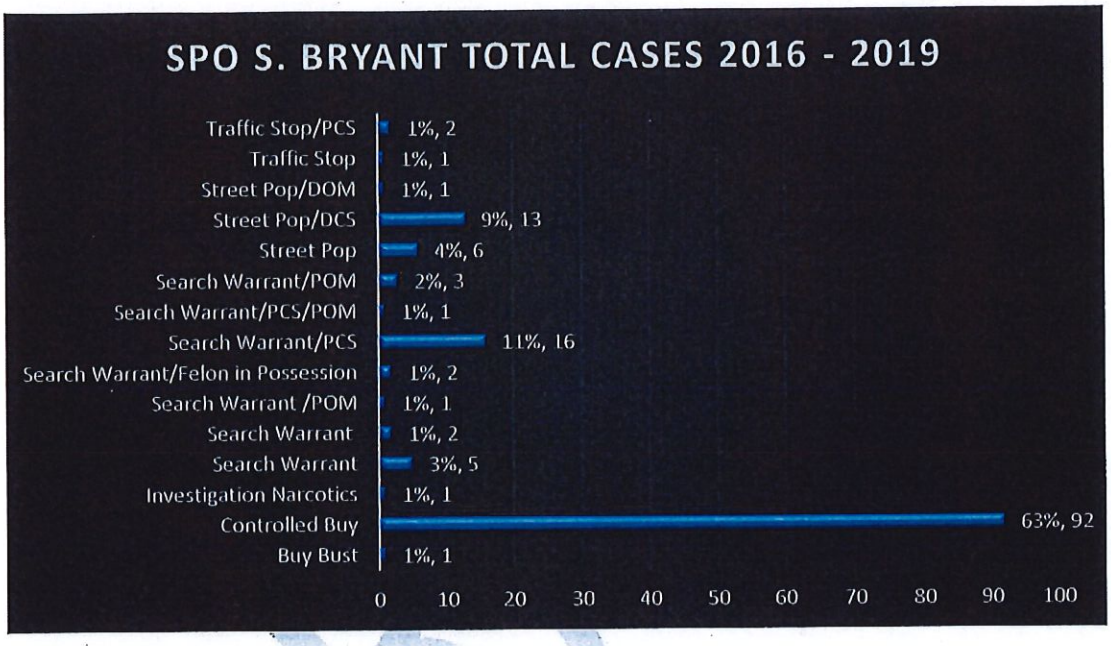


Figure 5 SPO Bryant Total Cases 2016 – 2019

The audit also examined the number of cases SPO Bryant is the primary officer and the officer(s) he worked with the most. The Narcotics Case Tracking Database possesses the ability to track the name and payrolls of the primary and secondary officers assigned to the case. The database also has the capability of adding eight officers to the case tracking sheet.

Figure 6 indicates SPO Bryant worked 27% of his cases with SPO Goines. Figure 6 also illustrates that SPO Bryant and Goines conducted 36 controlled buys during the period of January 1, 2016 to January 28, 2019. Even though SPO Bryant worked 75 cases with various members of his squad, only 29 involved a controlled buy as compared to 36 with SPO Goines.

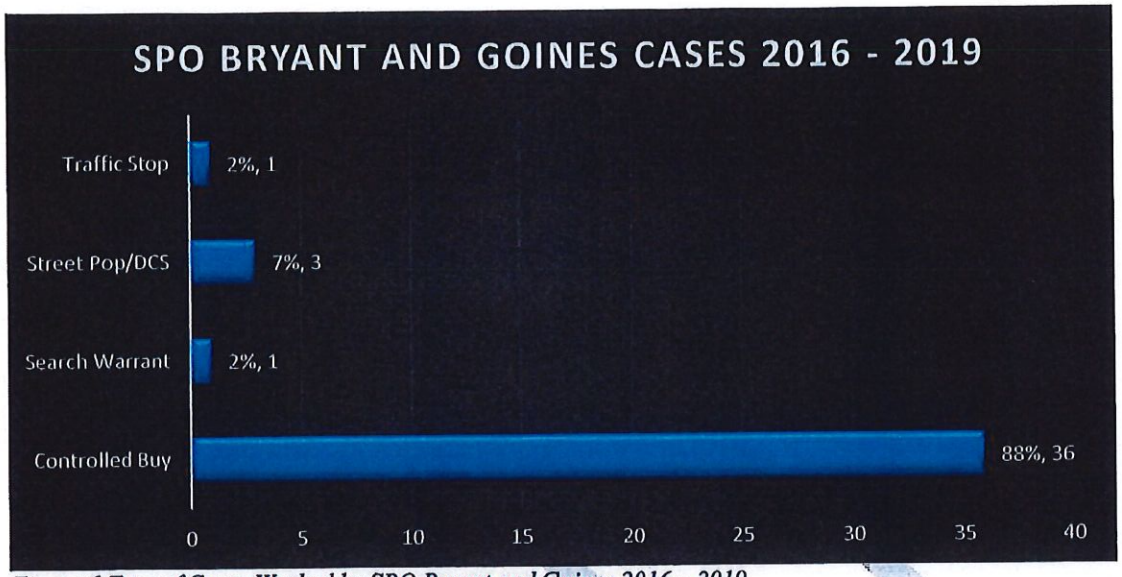


Figure 6 Type of Cases Worked by SPO Bryant and Goines 2016 – 2019

During the same period, SPO [redacted] assisted SPO Bryant in 21% of his cases with the majority consisting of 27 controlled buys.

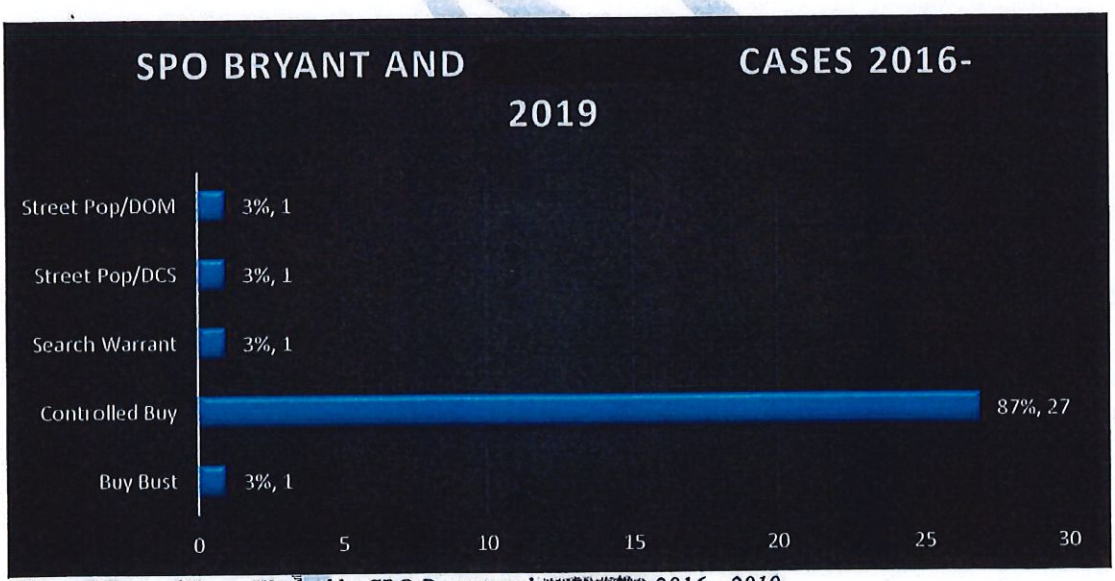


Figure 7 Type of Cases Worked by SPO Bryant and [redacted] 2016 – 2019

The audit revealed that SPO Bryant primarily worked narcotics cases with SPO Goines and [redacted] specifically cases involving controlled buys and informants. It is common practice that case agents work with other case agents. SPO Bryant utilized several members of his squad, but as illustrated in Fig. 8, the cases primarily involved the execution of a search warrant or street pop. Table 2 represents the percentage of cases SPO Goines worked with SPO [redacted] Bryant, and members of his squad.

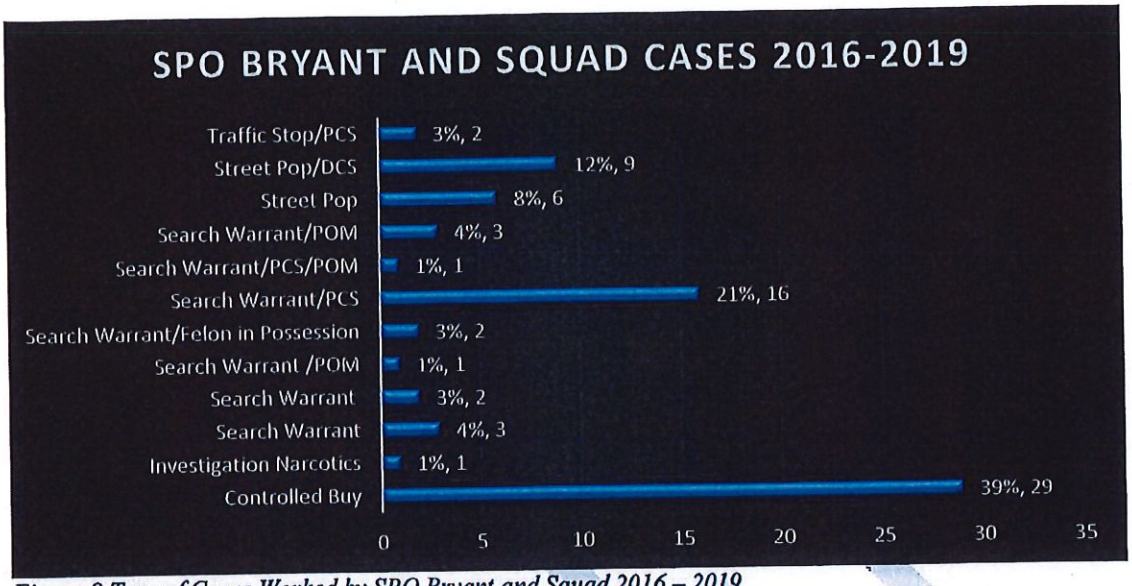


Figure 8 Type of Cases Worked by SPO Bryant and Squad 2016 – 2019

Officer	Payroll	Number of Cases Worked	Percentage of Cases Worked
[redacted]	[redacted]	31	21%
Goines	[redacted]	41	27%
[redacted]	[redacted]	19	12%
[redacted]	[redacted]	6	4%%
[redacted]	[redacted]	2	1.36%
Squad	Assorted	44	29.93%
[redacted]	[redacted]	4	2.72%
	Total	**147**	**100%**

Table 2 Percentage of Cases Worked by SPO Bryant and other Officers between 2016 - 2019

During the time period of 2016 – 2019, SPO Bryant worked with Officers [redacted], [redacted], [redacted] and [redacted] SPO [redacted] worked 19 total cases with SPO Bryant, with 18 consisting of controlled buys. SPO [redacted] worked 6 total cases with SPO Bryant, with 100% of the cases consisting of controlled buys. SPO [redacted] worked 4 total cases with SPO Bryant, with 100% of the cases consisting of controlled buys. SPO [redacted] worked 2 total cases with SPO Bryant, with 50% of the cases consisting of controlled buys.

Errors Associated with Cases Involving SPO Goines and Bryant

The audit reviewed a total of 231 investigations completed by SPO Goines and Bryant between 2016–2019 to determine the types and frequency of errors discovered. The results of the examination found 404 errors (some with multiple errors in the same case tracking

number). The error rates for each documented category indicate a high percentage of mistakes; particularly in the administrative categories. The results show a high level of administrative errors and overall lack of attention to detail when completing case paperwork.

The team placed the data into six distinct categories based on the type of errors. The categories are:

1. Administrative
2. Informants
3. Evidence
4. Investigations
5. Offense Report
6. Operations

Administrative Errors		
Code	**Error**	**Definition**
A1	No Blue Back	The case file was not turned on or the file was recreated by the audit team
A2	No Case Tracking Number	There was no Narcotics Division CT number created for this case
A3	Case Tracking Error	There are errors on the case tracking sheet
A4	Late Case Tracking Entry	Case Tracking Sheet was entered late
A5	Missing Case Review Sheet	Case Review Sheet not attached to the case investigative file
A6	No Supervisor Signature on Case Review Sheet	No Supervisor Signature on Case Review Sheet
Confidential Informant Errors		
C1	Expense Report Error	Errors on expense report relating to expenditures
C2	Unauthorized Informant Payment	Informant was paid prior to supervisory approval
C3	Expense Discrepancy	Discrepancies between expense report and offense report
C4	Informant Documentation not Adequate	CI payment form does not offer adequate information to justify payment
C5	No Expense Letter	Expense Letter missing
Evidence Errors		
E1	Late Evidence Submittal	Evidence was submitted days after recovery
E2	Evidence Discrepancy	Discrepancy between submission slip and offense report relating to date, weight, or other inconsistencies
E3	Evidence Submission Slips Missing	No evidence submission slips found in case file
Investigation Errors		
I1	Thoroughness of Investigation	Report was missing portions of the investigation which questioned procedural issues relating to the warrant or arrest
Offense Report Errors		
O1	Inadequate Offense Report	Case lacked sufficient details to explain PC or procedural errors discovered
O2	Incomplete Offense Report	Report lacked supplements, narratives and errors
O3	Late Report Entry	Report completed weeks or months post incident
Operations Errors		
S1	Supervisory Conduct	Supervisor not present when required
T1	Tactical Plan	Tactical plan not signed or missing
W1	Late Warrant Return	Warrant returned late to the courts
W2	Warrant Discrepancy	Numerous errors on warrants
W3	Warrant Procedural Errors	Search and arrest warrants based on controlled buys by informants with vague information. These should be just search warrants

W4	No Search warrant in case file	No search warrant in case file
W5	No Warrant Return	Search warrant not returned to court
Z1	No errors found	No errors

Table 3 Error Codes and Definitions

Figure 9 documents the type and number of errors committed by SPO Goines and Bryant. Table 3 includes the definition of each error code. "Missing Case Review Sheet" attributed to the most significant portion of errors (29%), but of more substantial concern was "Late Evidence Submittal," which was 17%.

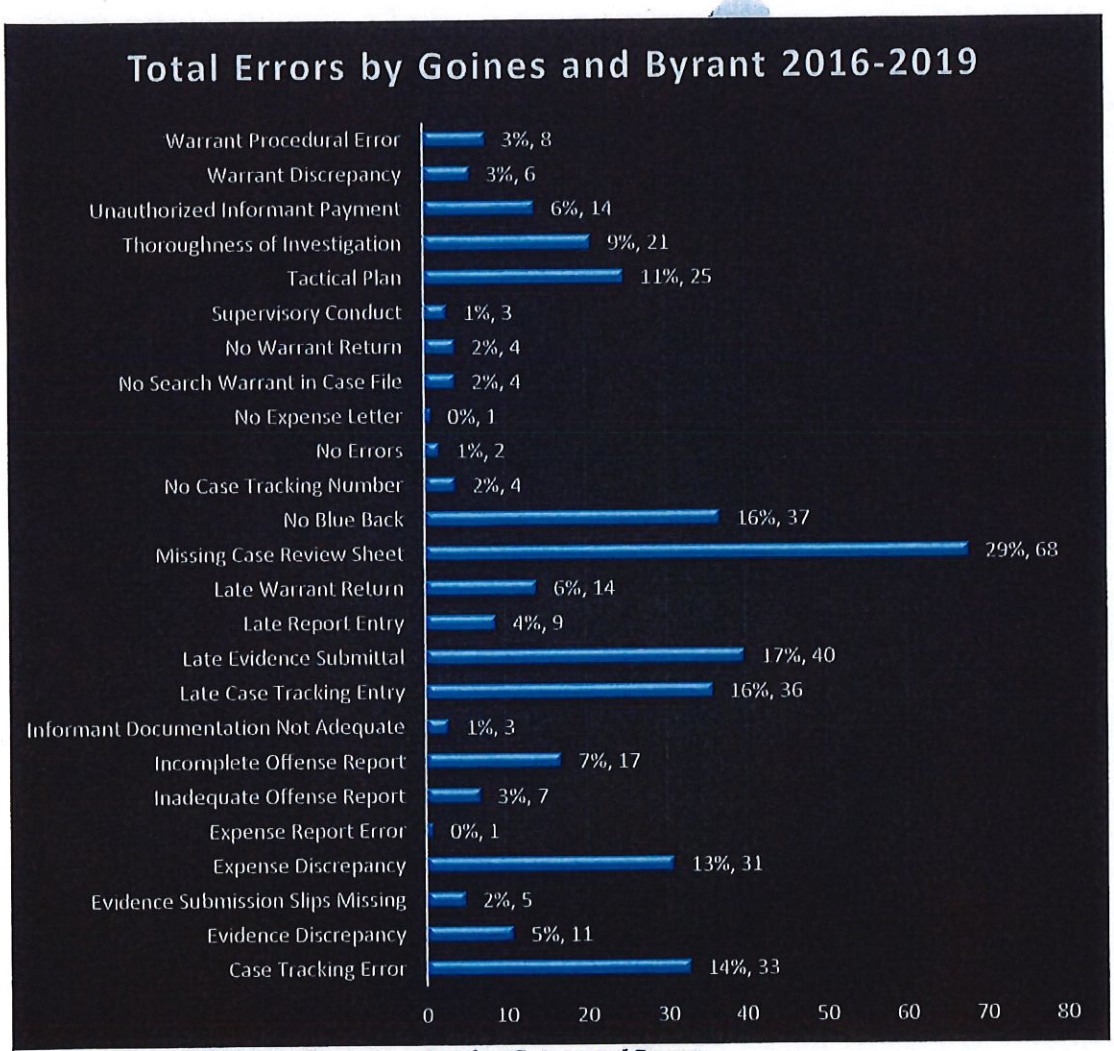


Figure 9 Types of Errors in Cases Associated to Goines and Bryant

Documentation of Case Errors Committed by SPO Goines 2016 – 2019

The Narcotics Audit Team also investigated 84 cases SPO Goines generated to determine the number and frequency of errors found in each case. In Figure 10, the Audit Team discovered that SPO Goines failed to deposit recovered narcotics in a timely fashion. SPO Goines failed to tag the drugs into the evidence box before the end of his shift 48% of the time. Confirmation of the conclusion was verified by a review of the LMS system to compare the recovery of the evidence and receipt by the Houston Forensic Science Center. Other recurring issues stemmed from "Expense Discrepancies" (27%), "Missing Case Review Sheets" (29%), "Case Tracking Errors" (23%), and "Failure to Complete a Tactical Plan" (25%).

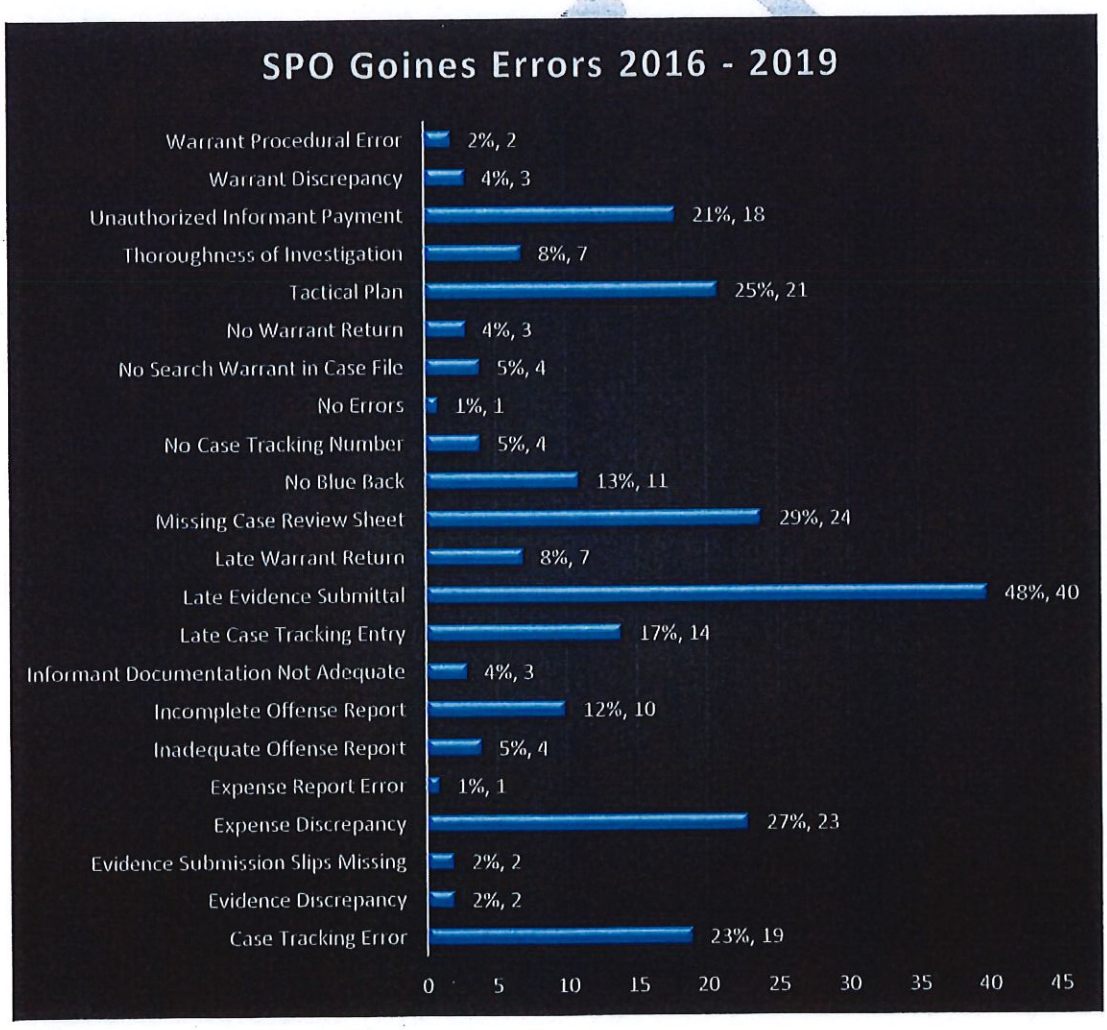


Figure 10 All Errors in Cases Pertaining to Goines 2016 – 2019

Documentation of Case Errors Committed by SPO Bryant 2016 – 2019

The Narcotics Audit Team also investigated 147 cases to determine the number and frequency of errors found in each of SPO Bryant cases. Figure 15 revealed that SPO Bryant's most consistent error was ensuring the "Missing Case Review Sheet" (31%) was attached to the investigation. SPO Bryant failed to turn in the case file after the investigation in 26 of the 147 cases (18%). Other recurring issues stemmed from "Late Case Tracking Entry" (16%), "Case Tracking Errors" (10%), and "Thoroughness of the Investigation" (10%).

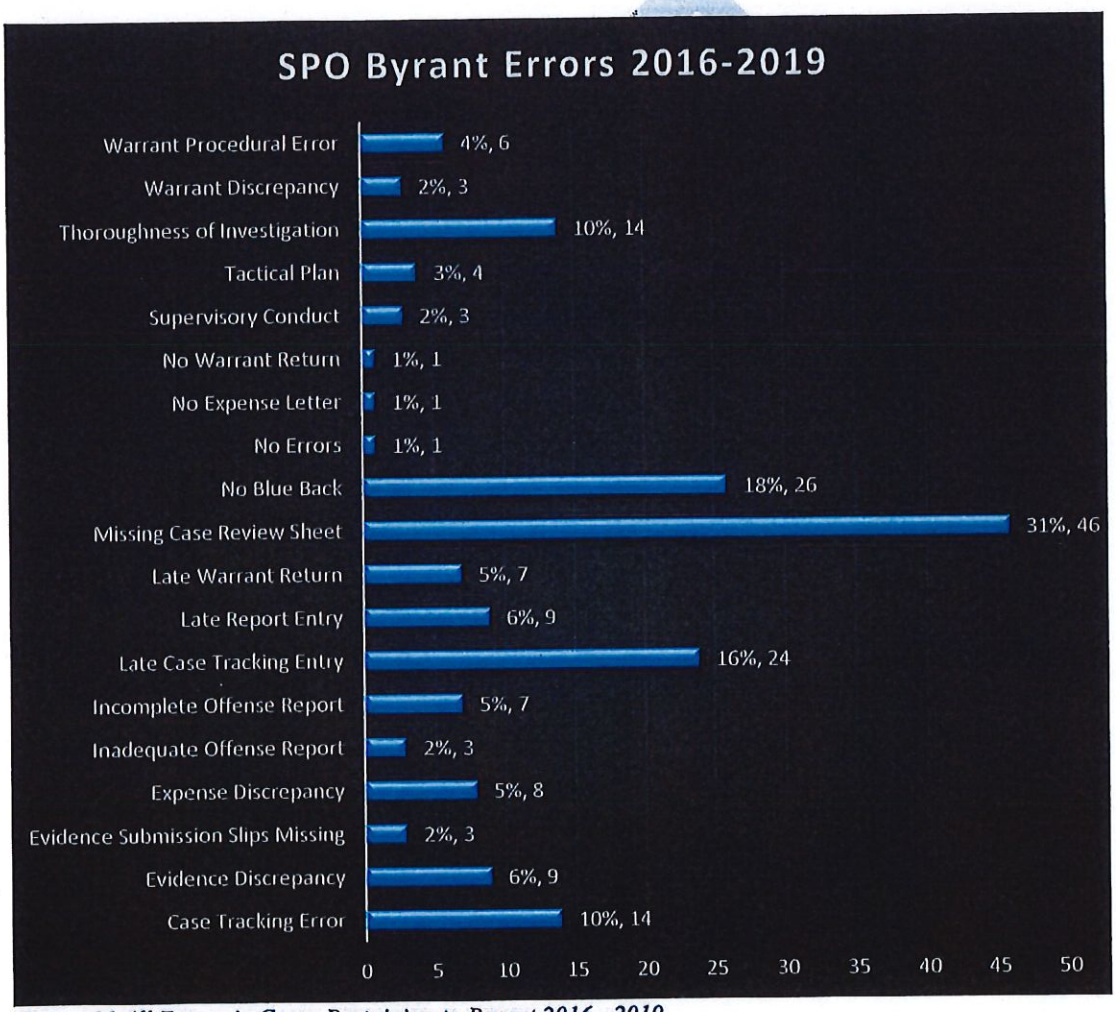


Figure 11 All Errors in Cases Pertaining to Bryant 2016 - 2019

Post case audit of South General Enforcement Squads 14 and 15, from January 28, 2017 to January 28, 2019.

Narcotics South General Enforcement Squads 14 and 15 are housed at the Southeast Division. The South General Enforcement Squad consists of squads 14 & 15. Both squads are commanded by one lieutenant. Each squad has 2 sergeants, 8 to 9 officers, and 1 Narcotics K-9 officer.

The review covered two years commencing on January 28, 2017, and ending on January 28, 2019. During this period both squads completed a total of 981 individual investigations. The audit team conducted a review of 107 "Case Tracking" numbers from Narcotics General Enforcement Squads 14 & 15 from January 28, 201, to January 28, 2019. "Case Tracking" numbers are computer generated figures which contain a minimum of 1 offense report number. "Case Tracking" numbers may contain more than one offense reports numbers.

The audit team reviewed 173 offense report numbers to include all records associated with the investigation, such as expense records, warrant reviews, and informant payments. Individual "Case Tracking" numbers may contain several different case numbers within the case file.

Figure 12 displays the numbers of cases (173) audited from South General Enforcement Squads 14 & 15 from 2017 to 2019. It also lists the percentage of the cases both squads worked during the same period. The data indicates "Controlled Buy" cases account for 38% of both squads' cases. A "Controlled Buy" usually involves the use of informant. The second highest percentage was "Search Warrants", which accounted for 30% of narcotics enforcement efforts.

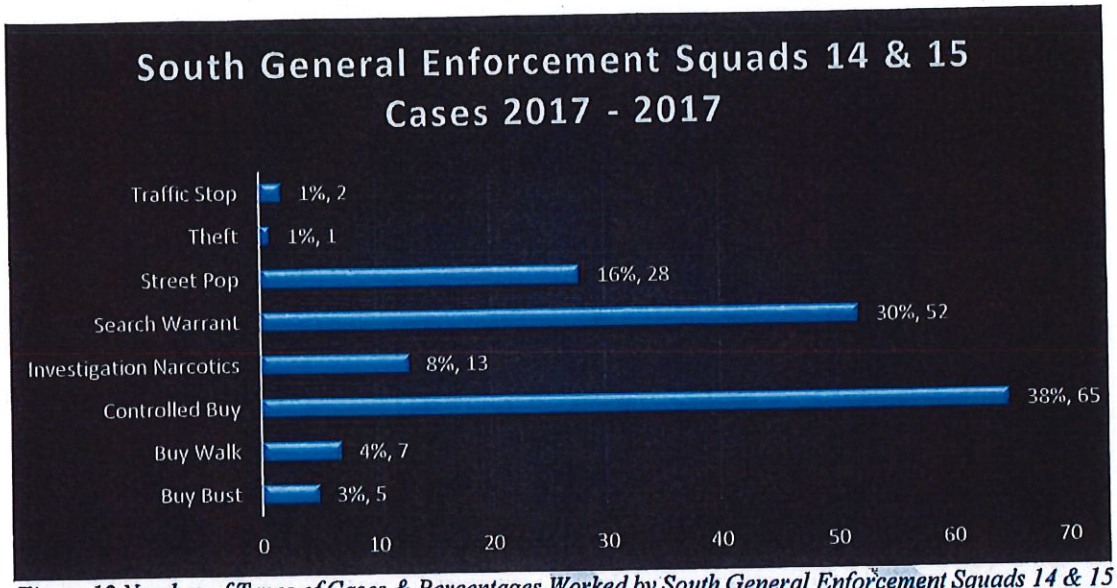


Figure 12 Number of Types of Cases & Percentages Worked by South General Enforcement Squads 14 & 15 Years 2017 – 2019

The Audit Team also focused on the type and frequencies of errors committed by members of South General Enforcement Squads 14 and 15. Both squads committed a total of 306 errors in the 173 case numbers that were audited. The most frequent error documented was "Missing Case Review Sheet" (34%). Also noted were deficiencies in "Thoroughness of Investigation" (27%), "Late Report Entry" (24%), and "Late Case Tracking Entry" (24%).

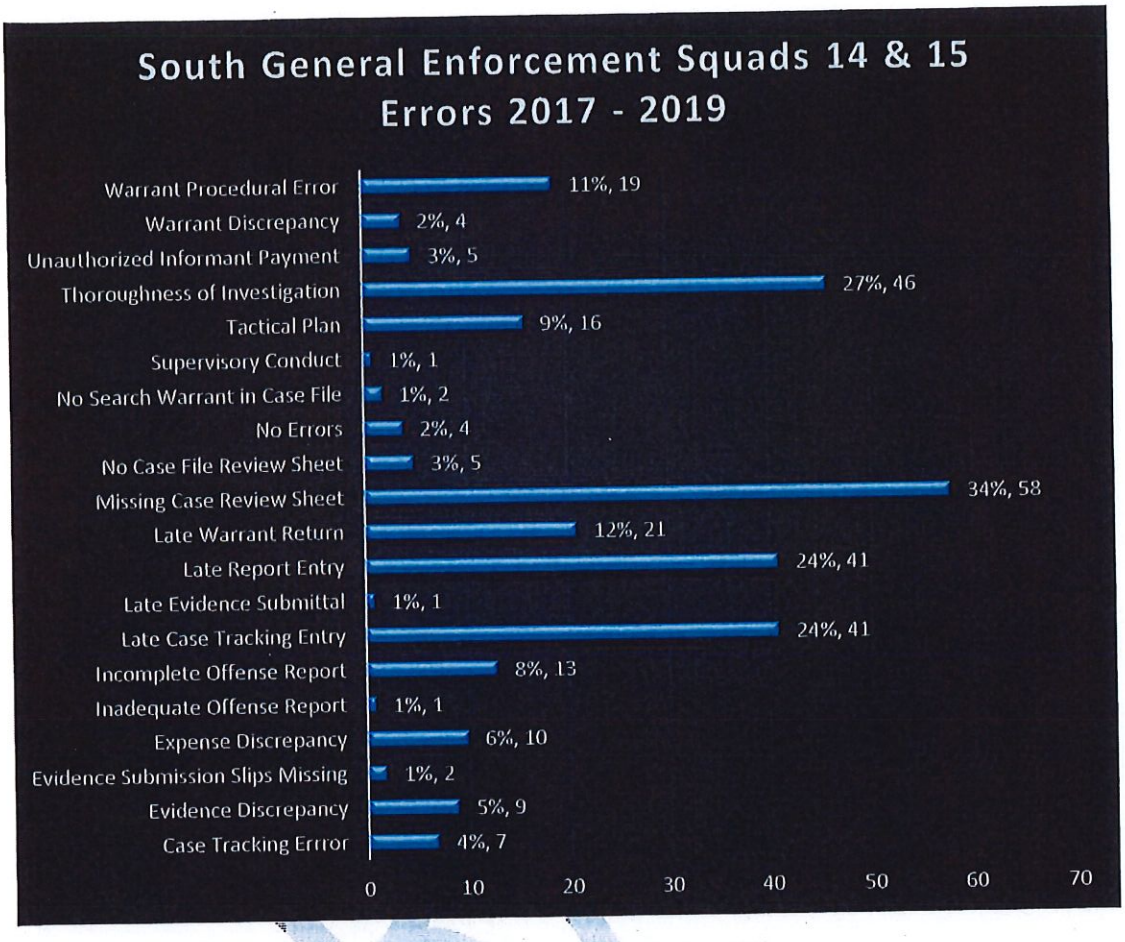


Figure 13 South General Enforcement Types of Case Errors 2017 to 2019

South General Enforcement Squad 14 Audit

South General Enforcement Squad 14 consisted of 8 officers on the evening of January 28, 2019. A review of the Narcotics Database revealed that as a squad, they completed a total of 527 cases from January 1, 2017, to January 28, 2019. The Audit Team audited 77 of the 527 cases. Figure 14 documents the number and type of cases officers assigned to squad 14 conducted.

"Controlled Buys" account for 29% of the cases generated by squad 14. "Search Warrants" account for 15% of the cases. The second-highest percentage was "Street Pops" at 27%. Controlled buys and search warrants account for 44% of squad 14 total cases. Other categories each range under 10%.

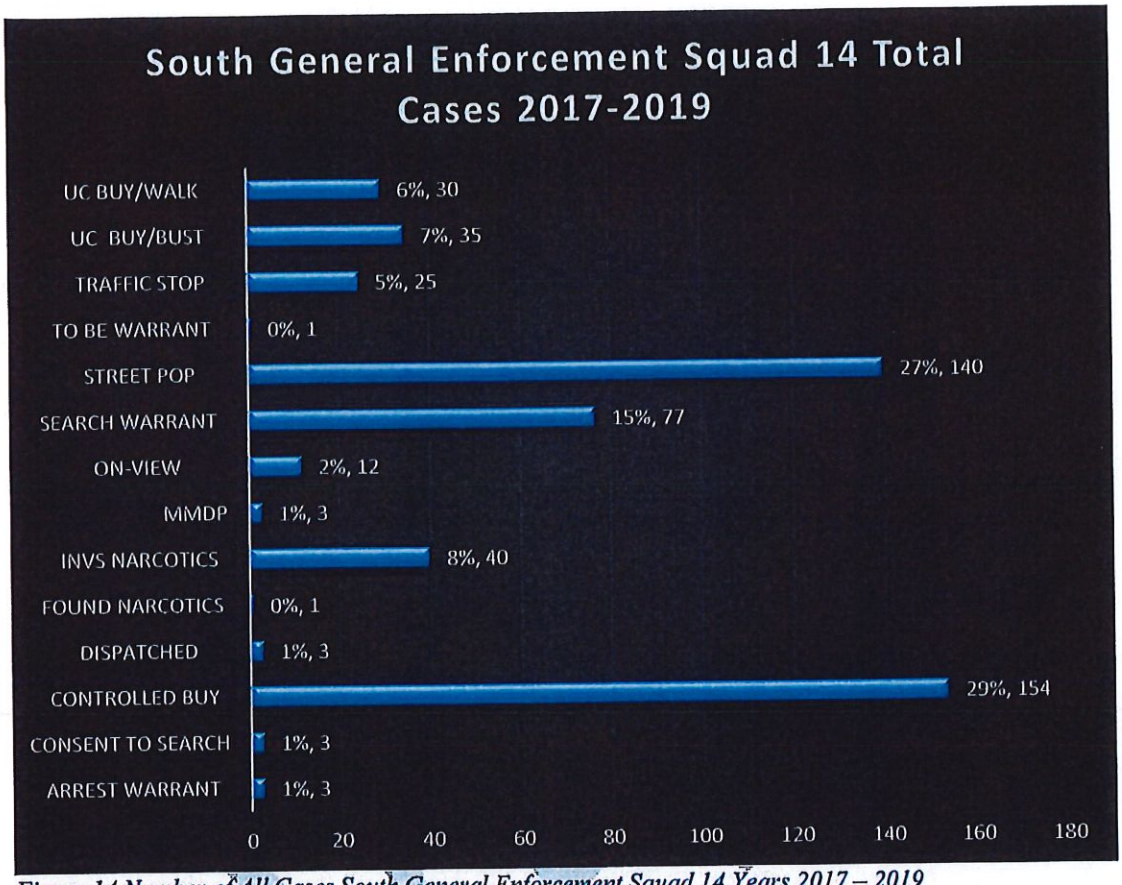


Figure 14 Number of All Cases South General Enforcement Squad 14 Years 2017 – 2019

A review of Squad 14 case errors indicates administrative issues in case management as the primary problem. The most common error occurred under the category of "Missing Case Review Sheet". In 39% of the audited cases, the case review sheet was missing. This sheet is expected to be reviewed by a sergeant and lieutenant to ensure all components of the case are in the packet, and the offense report is sufficient to explain the investigation.

The second most erred item was "Thoroughness of Investigation" (36%). Case agents failed to document pertinent details in the offense report, such as who was present, location of the evidence, and other information that would aid the prosecution. Lastly, "Late Case Tracking Entry" was the third most committed error at 25%. This error is committed when the case agent fails to document any changes, or the entry contains errors to the case tracking sheet on the location of arrest, site of the incident, arrest data, evidence recovered, and other details of the event. "Expense Discrepancy" errors account for 8% of errors.

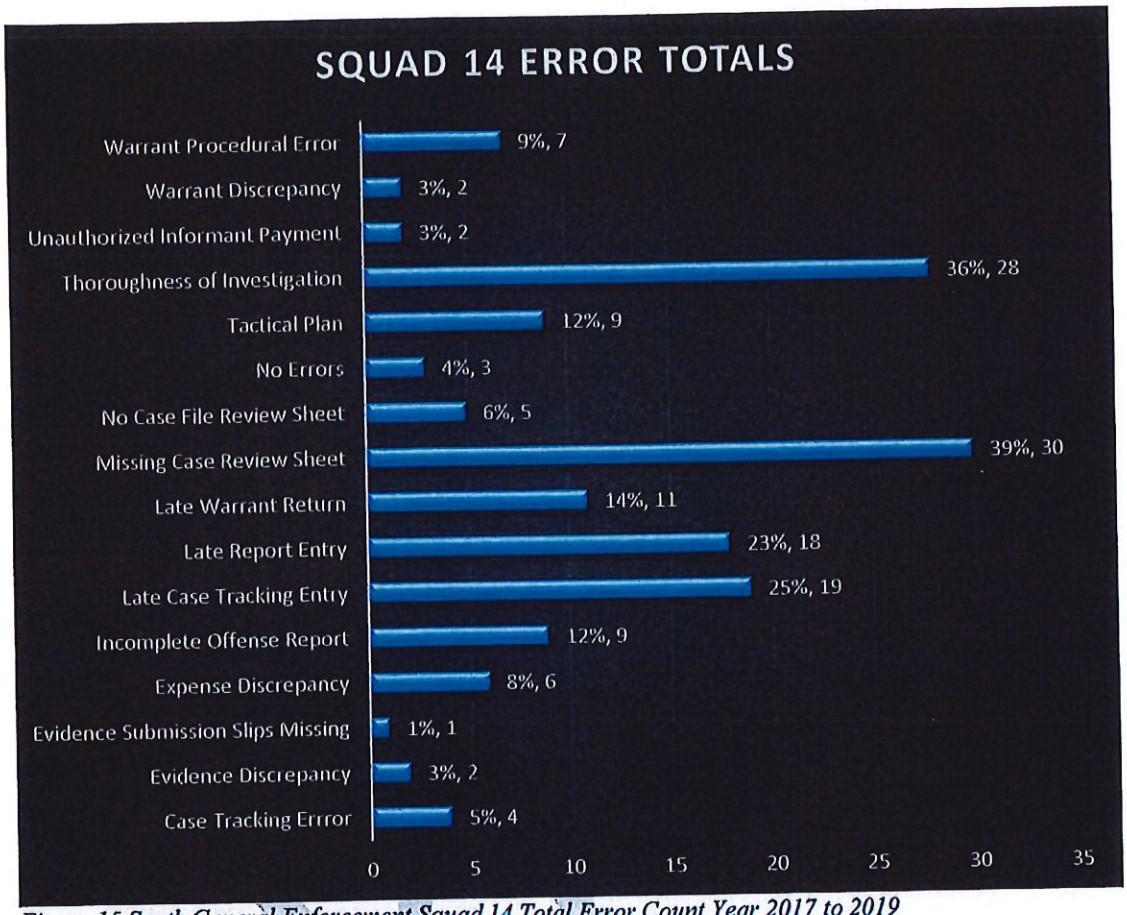


Figure 15 South General Enforcement Squad 14 Total Error Count Year 2017 to 2019

South General Enforcement Squad 15 Audit

South General Enforcement Squad 15 consisted of nine officers (excluding the K-9 officer) on the evening of January 28, 2019. A review of the Narcotics Database revealed that as a squad, they completed a total of 443 cases from January 1, 2017, to January 28, 2019. The Audit Team audited 50 "Case Tracking" numbers which equals to 57 case numbers Figure 16 documents the number and type of cases that were audited by the Audit team for officers to squad 15.

The majority of the cases officers assigned to squad 15 completed were "Street Pops" which account for 35% of their case load. "Controlled buys" are the second-highest at 28%. "Search Warrants" are 17% of the cases conducted by squad 15. Search warrants and controlled buys account for 45% of their cases.

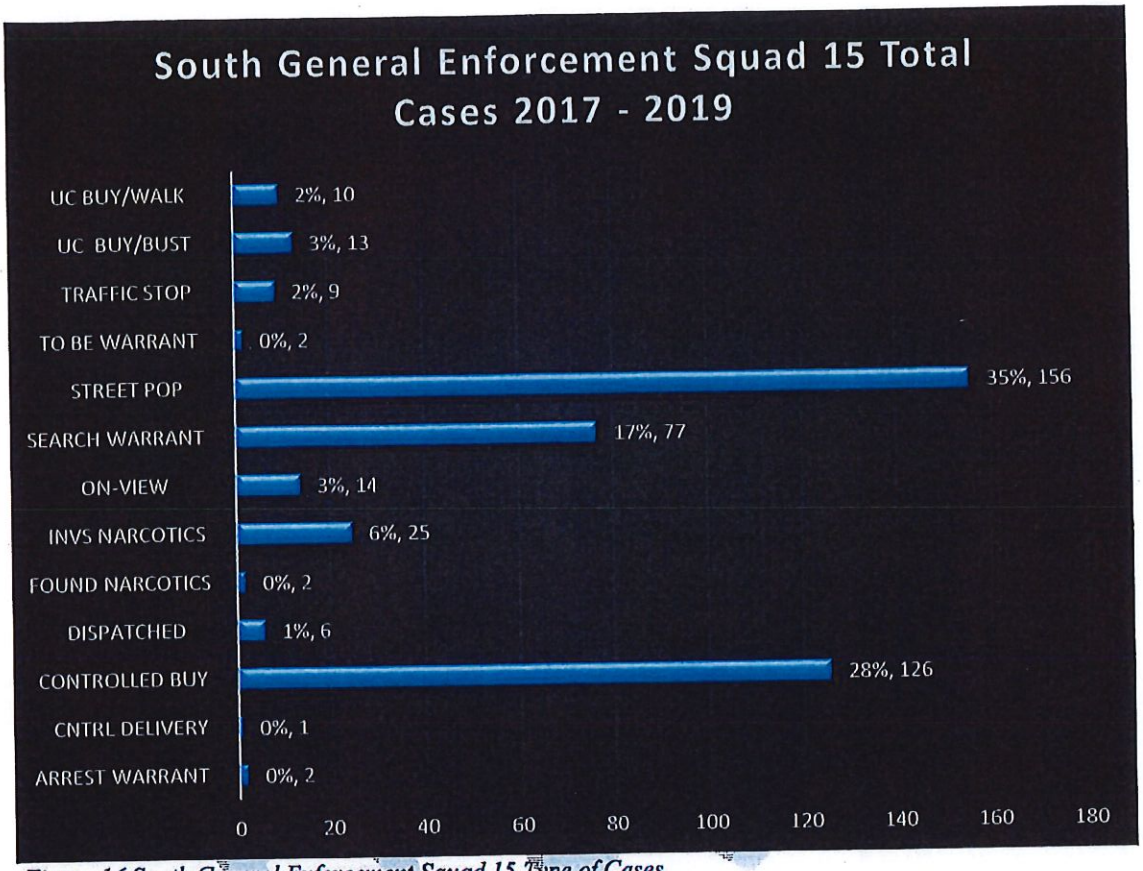


Figure 16 South General Enforcement Squad 15 Type of Cases

A review of Squad 15 case errors indicates similar to Squad 14. Administrative issues in case management was the primary problem. Missing case reviews account for 49% of the errors. The second most erred item was "Late Report Entry" (40%). Case agents failed to complete their original offense reports or supplements in a timely fashion; some supplements were entered months after the incident occurred. Lastly, "Late Case Tracking Entry" was the third most committed error at 39%. This error is committed when the case agent fails to document any changes, or the entry contains errors to the case tracking sheet on the location of arrest, site of the incident, arrest data, evidence recovered, and other details of the event. "Expense Discrepancy" accounted for 7% of the errors. documentation.

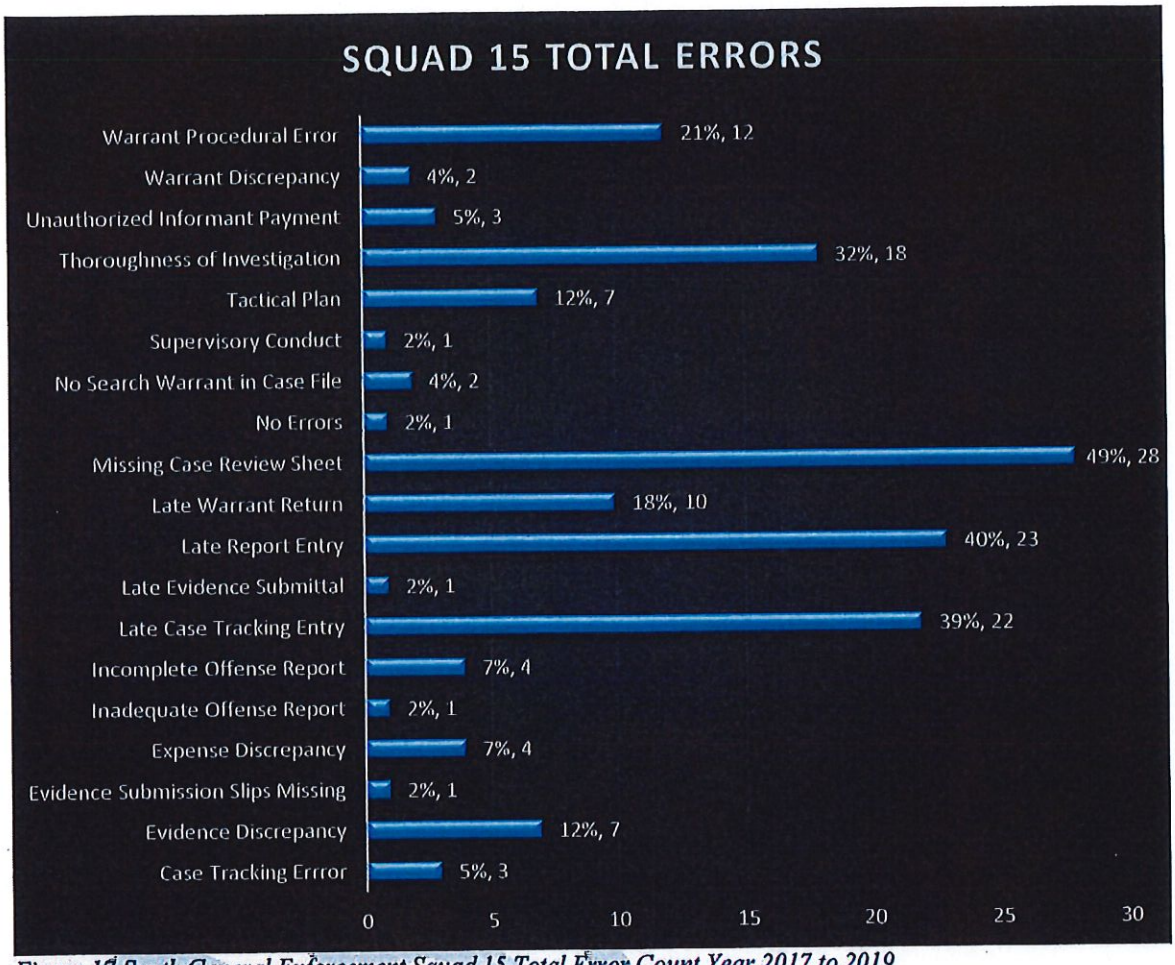


Figure 17 South General Enforcement Squad 15 Total Error Count Year 2017 to 2019

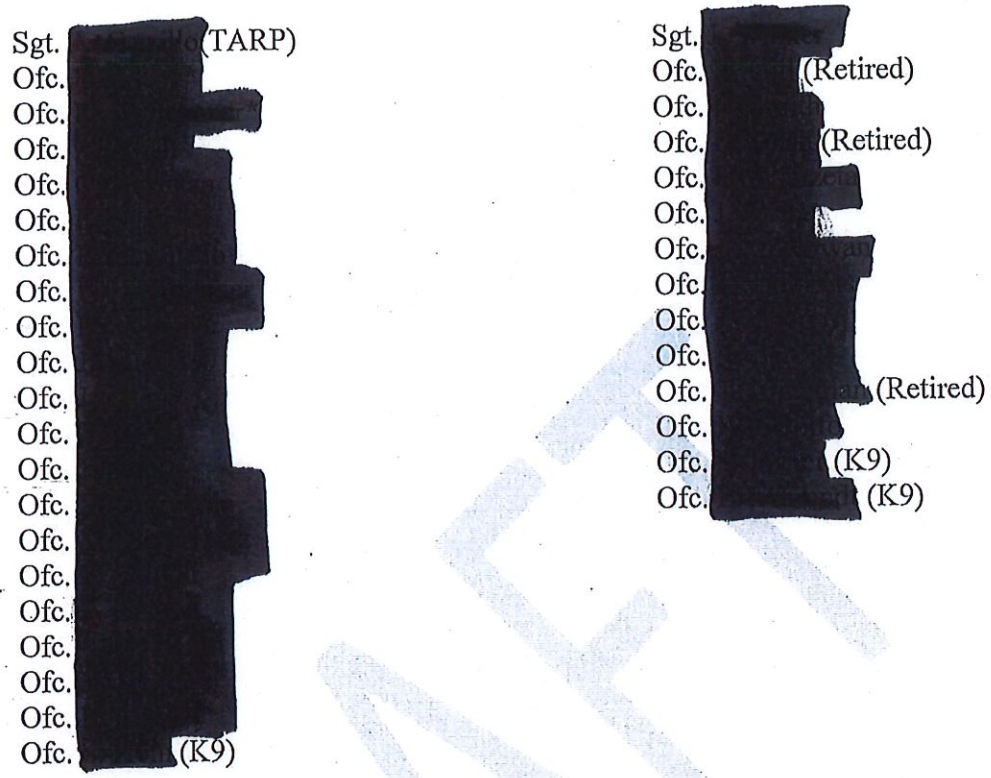
Post case audit of North General Enforcement Squads 9 and 10, from January 01, 2017 to June 2019.

The Narcotics North General Enforcement Squad was previously commanded by Lieutenant [redacted] and are housed at the North and Midwest Divisions. The North General Enforcement squads consist of two squads, Squads 9 and 10. During the time period of January 1, 2017 and January 28, 2019, Squads 9 and 10 consisted of the following personnel and supervisors:

North Commander: Lt. [redacted]

Squad 9
Sgt. [redacted]
Sgt. [redacted]

Squad 10
Sgt. [redacted] (HIDTA)
Sgt. [redacted]



* Indicates personnel who transferred from North to South General Enforcement and were counted as part of the South Audit.

The review covered two years, commencing on January 1, 2017, and ending on January 28, 2019. During this period both squads conducted a total of 1286 individual investigations. The audit team conducted a review of 131 "Case Tracking" numbers from North General Enforcement Squads 9 and 10 from January 28, 2017 to January 28, 2019. There will be several officers whose cases are not listed on the above list because they transferred out of the division or into a new squad. Cases conducted by the two K9 officers are not part of the audit because K9 officers do not generally initiate cases. The audit team reviewed 252 case numbers to include all records associated with the investigation, such as expense records, warrant reviews, and informant payments. Individual "Case Tracking" numbers may contain several different case numbers within the case file.

Figure 22 displays the numbers of cases the Audit Team audited from North General Enforcement Squads 9 and 10 from 2017 to 2019. It also lists the percent of the cases both squads worked during the same period. The data indicates that in 45.24% of the cases, both squads worked "Controlled Buy" cases which involved an informant. The second highest percentage was "Search Warrants" which accounted for 25.40% of narcotics enforcement efforts.

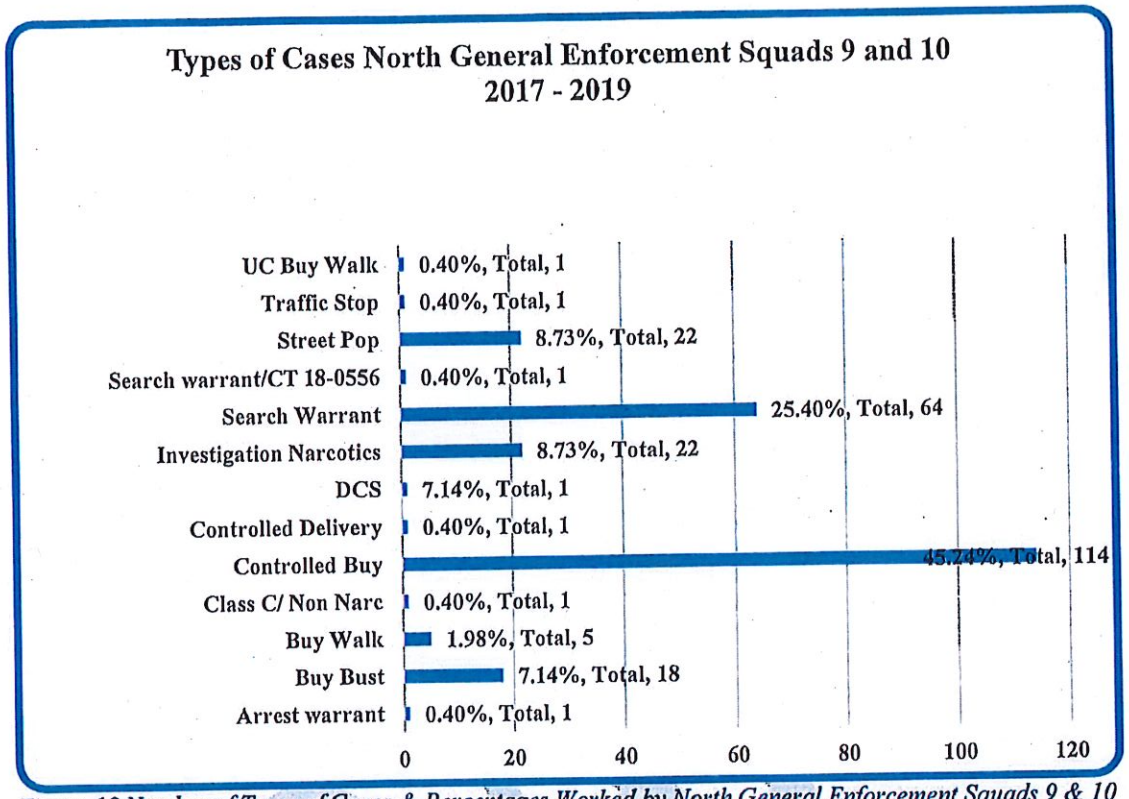


Figure 18 Number of Types of Cases & Percentages Worked by North General Enforcement Squads 9 & 10 Years 2017 – 2019

The audit team then focused on the type and frequencies of errors committed by all North General Enforcement Squads. North General Enforcement consisted of 38 officers during 2017- 2019. In total, they committed 409 case errors in 252 cases. When compared to SPO Goines and Bryant's total errors, they committed seven more errors. When compared to the 22 officers assigned to South General Enforcement squads 14 and 15 (367 errors in 173 cases over two years) they committed more mistakes due to the higher number of officers assigned.

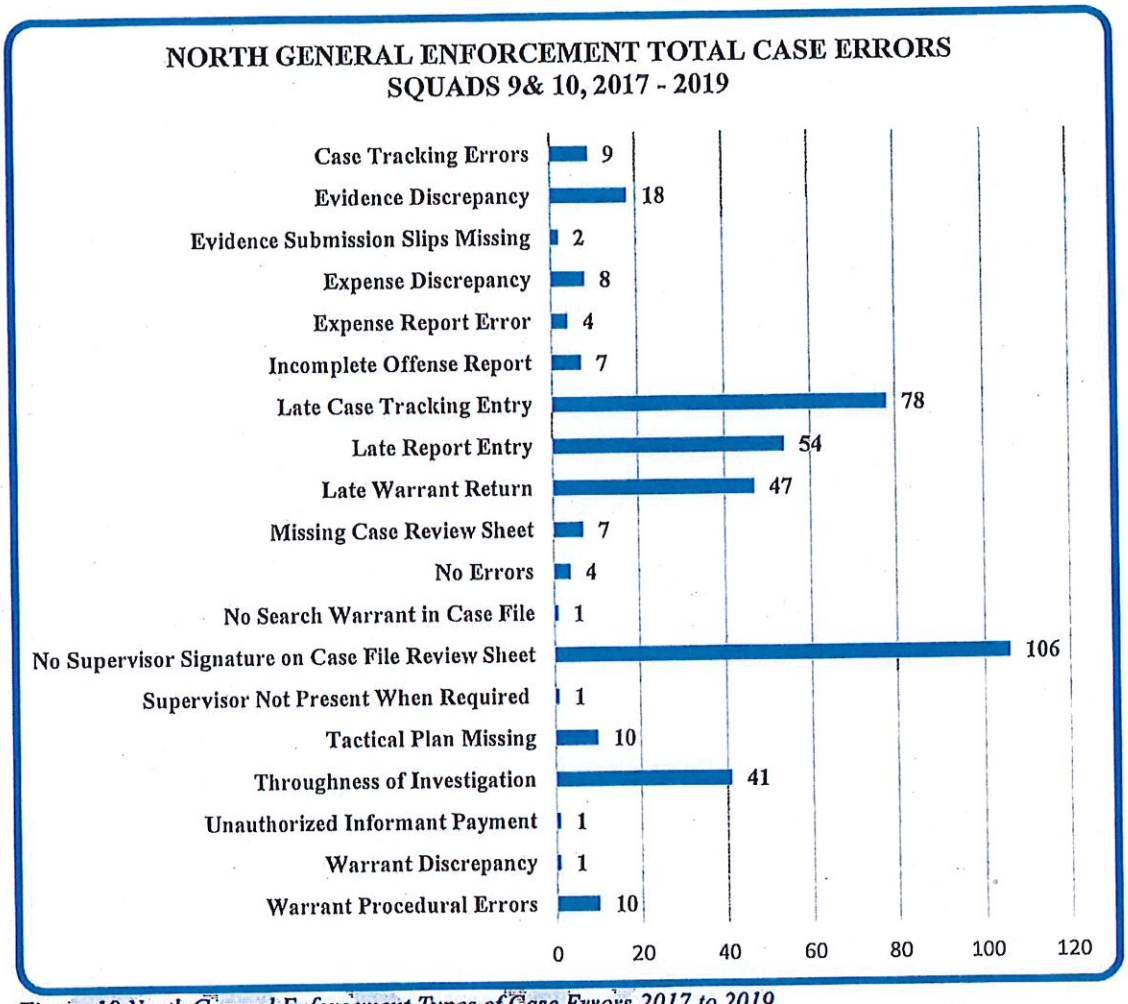


Figure 19 North General Enforcement Types of Case Errors 2017 to 2019

North General Enforcement Squads 9 & 10 Error Percentages		
Category	Count	Percentage
Case Tracking Errors	9	2.20%
Evidence Discrepancy	18	4.40%
Evidence Submission Slips Missing	2	0.49%
Expense Discrepancy	8	1.96%
Expense Report Error	4	0.98%
Incomplete Offense Report	7	1.71%
Late Case Tracking Entry	78	19.07%
Late Report Entry	54	13.20%
Late Warrant Return	47	11.49%
Missing Case Review Sheet	7	1.71%
No Errors	4	0.98%
No Search Warrant in Case File	1	0.24%
No Supervisor Signature on Case File Review Sheet	106	25.92%
Supervisor Not Present When Required	1	0.24%
Tactical Plan Missing	10	2.44%
Thoroughness of Investigation	41	10.02%
Unauthorized Informant Payment	1	0.24%
Warrant Discrepancy	1	0.24%
Warrant Procedural Error	10	2.44%

Table 4 All Error Percentages for North General Enforcement Squads 9 & 10, 2017 to 2019

North General Enforcement Squad 9 Audit

During 2017- 2019, North General Enforcement Squad 9 consists of a total of three sergeants and twenty officers. Squad 9 consists of the following officers;

Squad 9, Lt. [redacted]

Sgt. [redacted]
Sgt.
Sgt.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc. (K9)*

Ofc. [redacted]
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc.
Ofc
Ofc

**K9 Officers do not generate cases.
**Indicates personnel who transferred from North to South General Enforcement and were counted as part of the South Audit.

A review of the Narcotics Database revealed that Narcotics Squad 9 completed a total of 854 cases from 2017 to 2019. The Audit Team audited 145 cases. Figure 24 documents the number and type of cases completed by each officer assigned to squad 9. The average case per year for each officer was approximately nine cases.

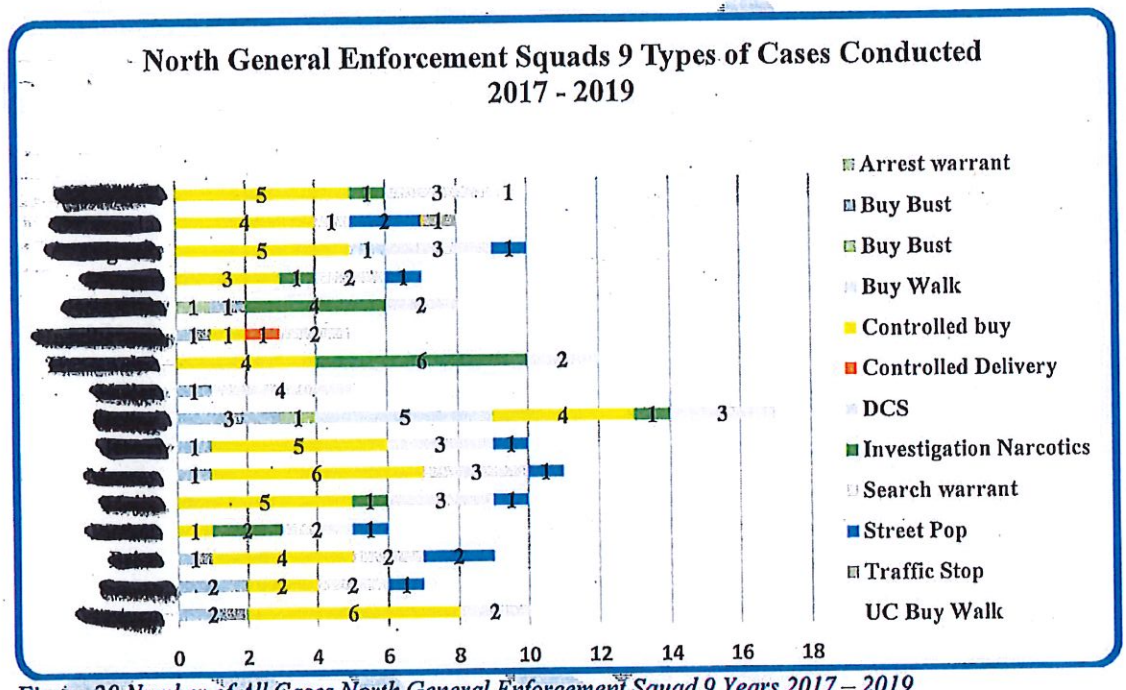


Figure 20 Number of All Cases North General Enforcement Squad 9 Years 2017 – 2019

The Audit Team examined the types of cases Squad 9 typically completed. Table 15 documents 55 controlled buys, which equal to 38% of the cases. Search warrants (39) accounted for the second-highest percentage (27%) of the cases. Controlled buys and search warrants accounted for 65% of Squad 9 total enforcement activity.

North General Enforcement Squad 9 Types of Cases Percentages 2017-2019		
Type of Case	**Count**	**Percentages**
Arrest warrant	1	1%
Buy Bust	14	10%
Buy Walk	5	3%
Controlled Buy	55	38%
Controlled Delivery	1	1%
Delivery of a Controlled Substance	1	1%
Investigation Narcotics	16	11%
Search warrant	39	27%
Street Pop	11	8%
Traffic Stop	1	1%
UC Buy Walk	1	1%
Grand Total	**145**	**100%**

Table 5 Percentages of Types of Cases for North General Enforcement Squad 9 Years 2017 – 2019

A review of Squad 9 case errors indicates administrative issues in case management were the primary problem. Approximately 25% of the cases were missing the case review sheet which was required to be attached to the "Blue Back" when the case is turned in. This sheet is expected to be reviewed by a sergeant and lieutenant to ensure all components of the case are in the packet, and the offense report is sufficient to explain the incident.

The second most erred item was "Late Case Tracking Entry" (18.22%). This error is committed when the case agent fails to document any changes, or the entry contains errors to the case tracking sheet on the location of arrest, site of the incident, arrest data, evidence recovered, and other details of the event. Lastly, "Late Report Entry" was the third most committed error at 14.87%. The audit team did not discover any alarming errors on expense documentation.

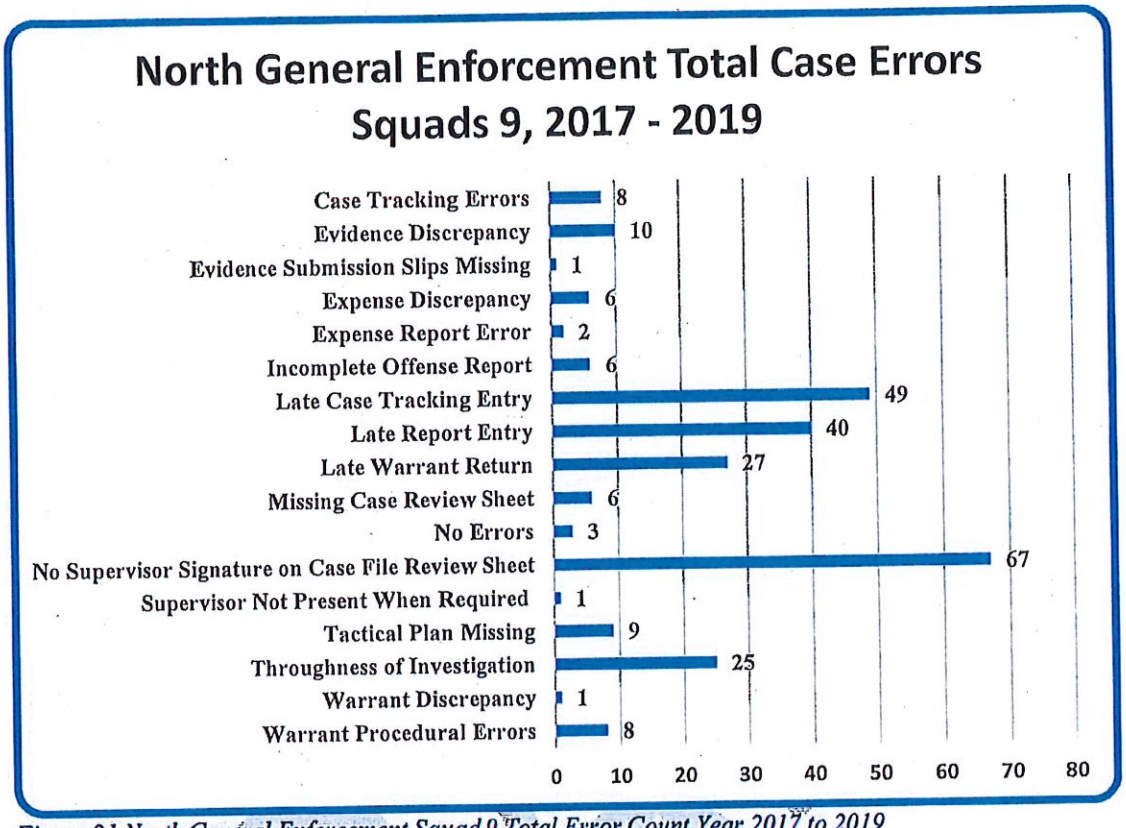


Figure 21 North General Enforcement Squad 9 Total Error Count Year 2017 to 2019

North General Enforcement Squads 9 Error Percentages		
Category	**Count**	**Percentage**
Case Tracking Errors	8	2.97%
Evidence Discrepancy	10	3.72%
Evidence Submission Slips Missing	1	0.37%
Expense Discrepancy	6	2.23%
Expense Report Error	2	0.74%
Incomplete Offense Report	6	2.23%
Late Case Tracking Entry	49	18.22%
Late Report Entry	40	14.87%
Late Warrant Return	27	10.04%
Missing Case Review Sheet	6	2.23%
No Errors	3	1.12%
No Supervisor Signature on Case File Review	67	24.91%
Supervisor Not Present When Required	1	0.37%
Tactical Plan Missing	9	3.35%
Throughness of Investigation	25	9.29%
Warrant Discrepancy	1	0.37%
Warrant Procedural Errors	8	2.97%
Grand Total	**269**	**100.00%**

Table 6 North General Enforcement Squad 9 Error Percentages Year 2017 to 2019

North General Enforcement Squad 10 Audit

During 2017- 2019, North General Enforcement Squad 10 consisted of a total of three sergeants and twenty officers. Squad 10 consists of the following officers;

Squad 10, Lt. [redacted]

Sgt. [redacted] (HIDTA)
Sgt. [redacted]
Sgt. [redacted]
Ofc. [redacted] (Retired)**
Ofc. [redacted]
Ofc. [redacted] (Retired)**
Ofc. [redacted]
Ofc. [redacted]
Ofc. [redacted]
Ofc. [redacted]
Ofc. [redacted]
Ofc. [redacted]
Ofc. [redacted]
Ofc. [redacted] (Retired)**

Ofc. [redacted]
Ofc. [redacted] (K9)
Ofc. [redacted] (K9)*

*K9 Officers do not generate cases.
**Indicates personnel who retired.

A review of the Narcotics Database revealed that Narcotics Squad 10 completed a total of 432 cases from 2017 to 2019. The Audit Team reviewed 109 cases. Figure 26 documents the number and type of cases completed by each officer assigned to Squad 10. The average case per officer per year is approximately ten cases.

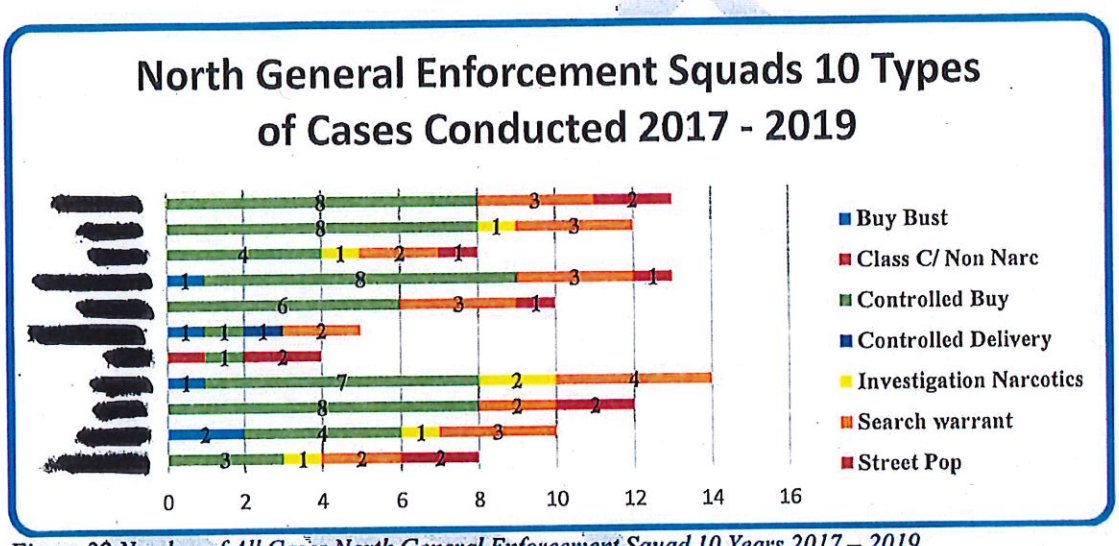


Figure 22 Number of All Cases North General Enforcement Squad 10 Years 2017 – 2019

The audit team examined the types of cases Squad 10 typically conducted. Table 17 documents 58 controlled buys, which equal to 53% of the cases. Search warrants accounted for the second-highest percentage (25%) of the cases. Controlled buys and search warrants account for 78% of Squad 10 total enforcement activity.

North General Enforcement Squad 10 Types of Cases Percentages 2017-2019		
Type of Case	**Count**	**Percentages**
Buy Bust	5	5%
Class C/ Non Narc	1	1%
Controlled Buy	58	53%
Controlled Delivery	1	1%
Investigation Narcotics	6	6%
Search Warrant	27	25%
Street Pop	11	10%
Grand Total	**109**	**100%**

Table 7 Percentages of Types of Cases for North General Enforcement Squad 10 Years 2017 – 2019

A review of Squad 10 case errors indicates administrative issues in case management were the primary problem. Almost 28% of the cases were missing the case review sheet which was required to be attached to the "Blue Back" when the case is turned in. This sheet is expected to be reviewed by a sergeant and lieutenant to ensure all components of the case are in the packet, and the offense report is sufficient to explain the incident.

The second most erred item was "Late Case Tracking Entry" (20.71%). This error is committed when the case agent fails to document any changes, or the entry contains errors to the case tracking sheet on the location of arrest, site of the incident, arrest data, evidence recovered, and other details of the event. Lastly, the third most erred item was "Late Warrant" (14.29%). This error is committed when the case agent fails to return a search warrant within three days of execution of the warrant. The audit team did not discover any alarming errors in expense documentation.

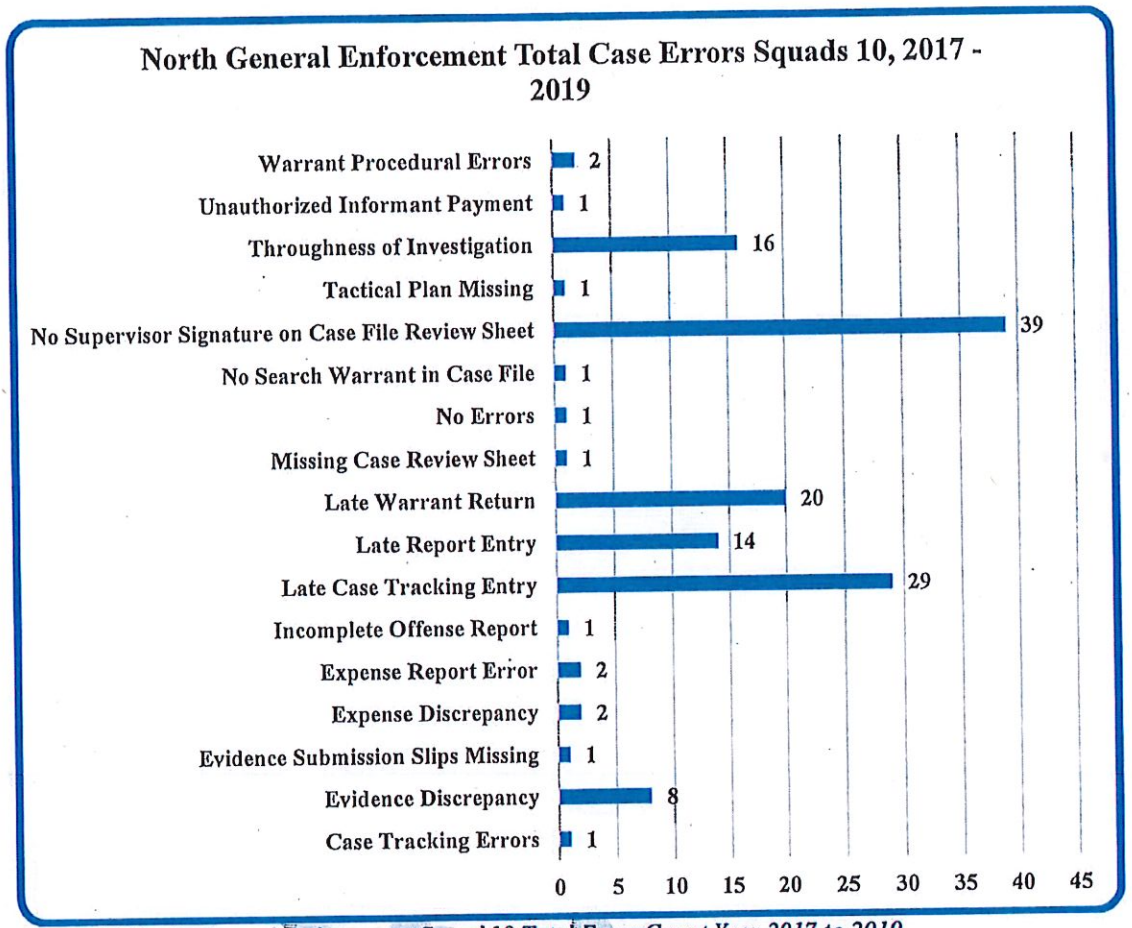


Figure 23 North General Enforcement Squad 10 Total Error Count Year 2017 to 2019

North General Enforcement Squads10 Error Percentages		
Category	**Count**	**Percentage**
Case Tracking Errors	1	0.71%
Evidence Discrepancy	8	5.71%
Evidence Submission Slips Missing	1	0.71%
Expense Discrepancy	2	1.43%
Expense Report Error	2	1.43%
Incomplete Offense Report	1	0.71%
Late Case Tracking Entry	29	20.71%
Late Report Entry	14	10.00%
Late Warrant Return	20	14.29%
Missing Case Review Sheet	1	0.71%
No Errors	1	0.71%
No Search Warrant in Case File	1	0.71%
No Supervisor Signature on Case File Review Sheet	39	27.86%
Tactical Plan Missing	1	0.71%
Throughness of Investigation	16	11.43%
Unauthorized Informant Payment	1	0.71%
Warrant Procedural Errors	2	1.43%
Grand Total	**140**	**100.00%**

Table 8 North General Enforcement Squad 10 Error Percentages Year 2017 to 2019

Comprehensive review of all informants handled by SPO Goines.

A complete examination of SPO Goines's confidential informant files includes a detailed review of the following data:

1. **The total monetary amount of draws from SPO Goines expense report from January 1, 2016 to January 28, 2019.**
   a. During the time period listed above, SPO Goines was under the supervision of three sergeants.
      i. Sgt. [redacted] SPO Goines drew $16,767.00 from Sgt. [redacted]
      ii. Sgt. [redacted] SPO Goines drew $2,720.00 from Sgt. [redacted]
      iii. Sgt. [redacted] SPO Goines drew $34,755.00 from Sgt. [redacted]

   b. SPO Goines drew a total of $54,242.00 during January 1, 2016 to January 28, 2019. SPO Goines returned $24,808.00 during the same time period.

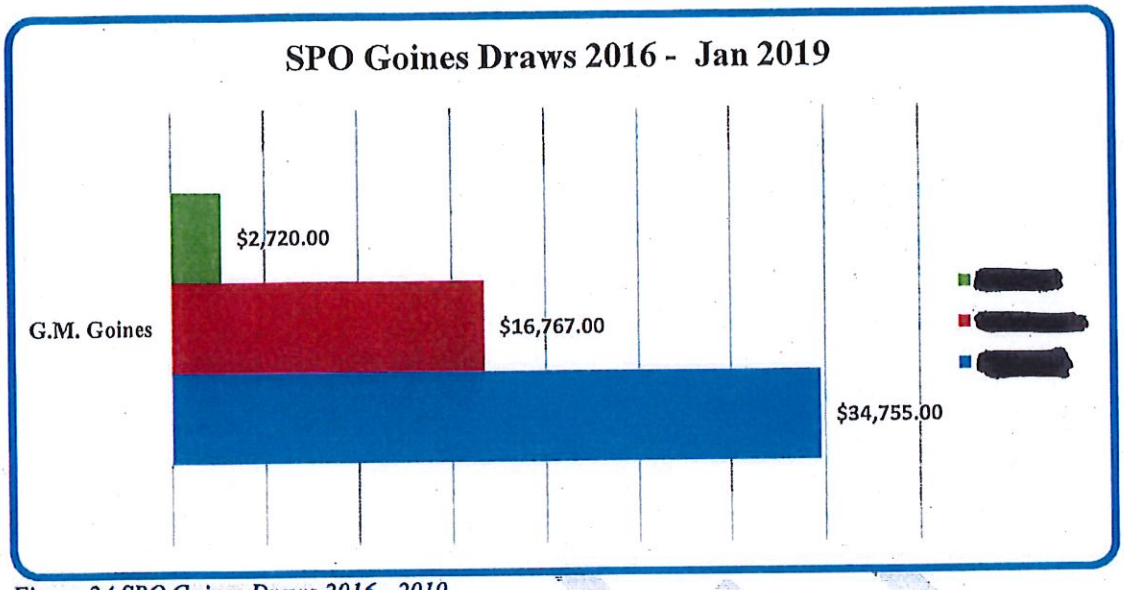


Figure 24 SPO Goines Draws 2016 - 2019

2. **The total monetary amount of expenses from SPO Goines expense report from January 1, 2016 to January 28, 2019, are as follows:**
   a. From January 1, 2016 to January 28, 2019, SPO Goines was under the supervision of three sergeants. See Fig. 28, for a breakdown of expenses under each supervisor.
      i. Sgt. [redacted] $5,967.00.00
      ii. Sgt. [redacted] $1,120.00
      iii. Sgt. [redacted] $7,630.00

   b. SPO Goines expenses reports indicate he spent a total of $14,717.00 on confidential informants and narcotics investigations. Figure 29 displays the dollar amount and category SPO Goines used in his narcotics investigations. The data reveals that in 82.66% of his cases, SPO Goines 'Paid an Informant for Information/Assistance on an Investigation." The second-highest category was "Provided Money for Informant to Purchase Narcotics and Contraband."

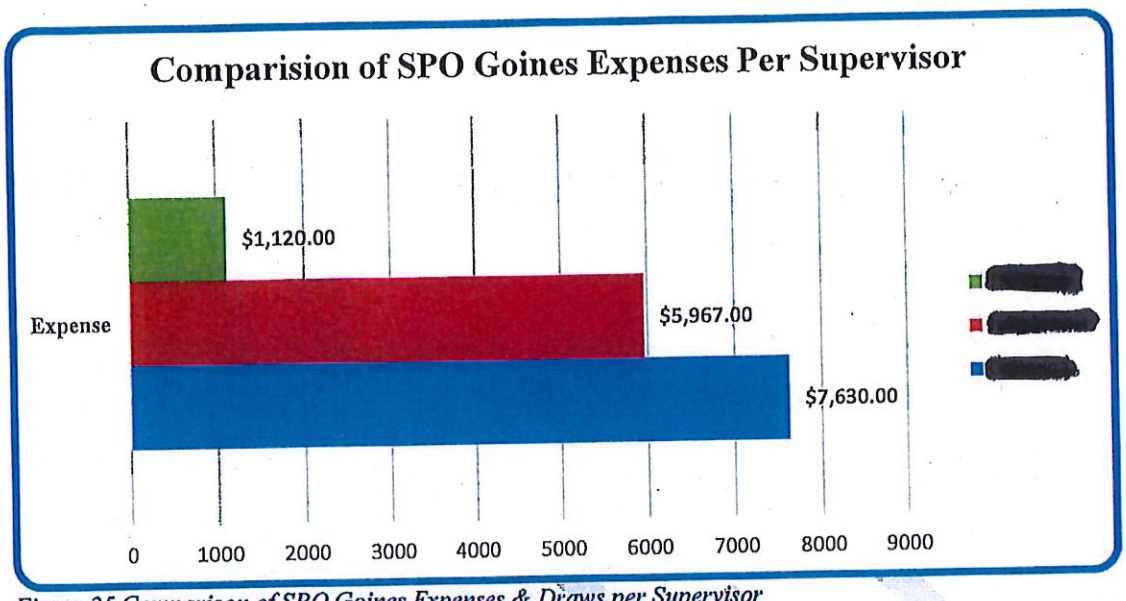


Figure 25 Comparison of SPO Goines Expenses & Draws per Supervisor

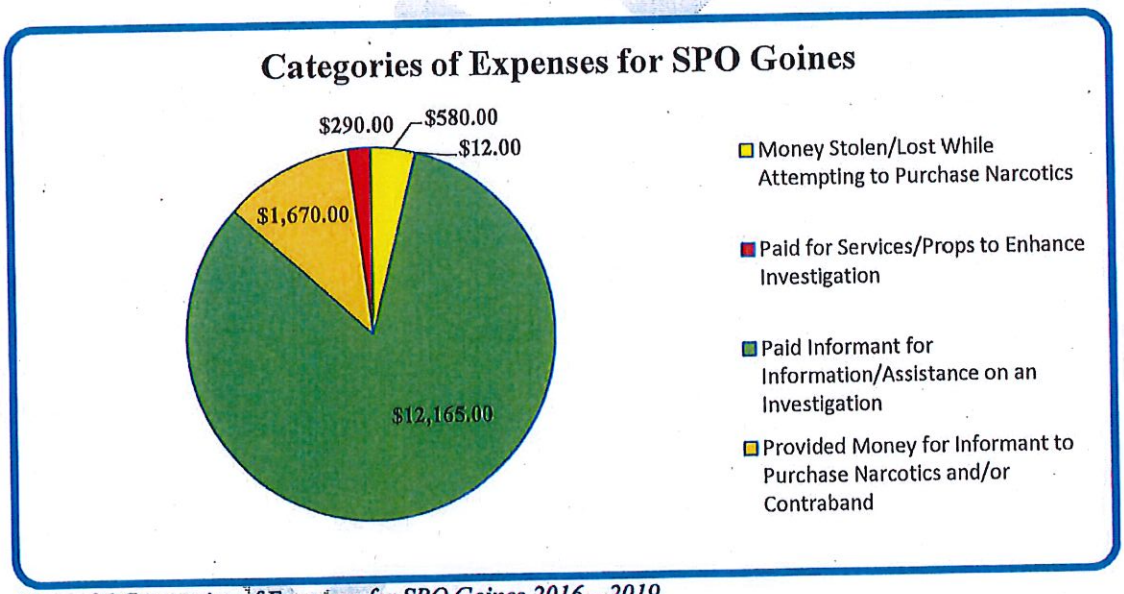


Figure 26 Categories of Expenses for SPO Goines 2016 – 2019

3. **Record review of all confidential informants SPO Goines used from January 2016 to January 28, 2019.**

    a. The audit revealed SPO Goines used a total of six confidential informants from January 1, 2016 to January 28, 2019, for a total of $13,845.00.

b. Confidential Informant Use:

i. CI #[redacted] was used two times during this period. CI #[redacted] was registered on [redacted] by SPO Goines and paid a total of $360.00. The informant was involved in the seizure of 35.6 grams of marijuana 54 grams of ecstasy. SPO Goines does not list a secondary handler on the confidential informant application.

ii. CI #[redacted] was used two times during this period. CI #[redacted] was registered on [redacted] by Sergeant [redacted] and retired SPO [redacted]. SPO Goines paid CI #[redacted] a total of 140.00 dollars. The informant was involved in the seizure of approximately 2 lbs. of marijuana.

iii. CI #[redacted] was used 50 times during this period. CI #[redacted] was registered on [redacted] by SPO Goines, and deceased Officer [redacted]. SPO Goines paid CI #[redacted] a total of $7340.00. The informant was involved in the seizure of approximately 447 grams of cocaine, 23 grams of crack cocaine, 30 grams of ecstasy, 155 grams of hydrocodone, 11.5 lbs. of marijuana, and 7.5 grams of Xanax. SPO Goines allegedly used this informant for the affidavit at 7815 Harding.

iv. CI #[redacted] was used 12 times during this period. CI #[redacted] was registered on [redacted] by SPO Goines, and deceased Officer D. [redacted] #102029. SPO Goines paid CI #[redacted] a total of $1,385.00. The informant was involved in the seizure of approximately 9.6 grams of cocaine, 37 grams of crack cocaine, and 12 grams of marijuana.

v. CI #[redacted] was used four times during this period. Friendswood Police Officer [redacted] recruited CI #[redacted] Officer [redacted] was part of an HPD Narcotics Task Force. SPO Goines paid CI #[redacted] a total of $335.00. The informant was involved in the seizure of approximately 7 grams of methamphetamine, and 8 grams of cocaine.

vi. CI #[redacted] was used 19 times during this period. CI #[redacted] was registered on [redacted] by retired SPO [redacted]. SPO Goines paid CI #[redacted] a total of $4,215.00. The informant was involved in the seizure of 2042 tabs of ecstasy, 22 grams of hydrocodone, and 4768 grams.

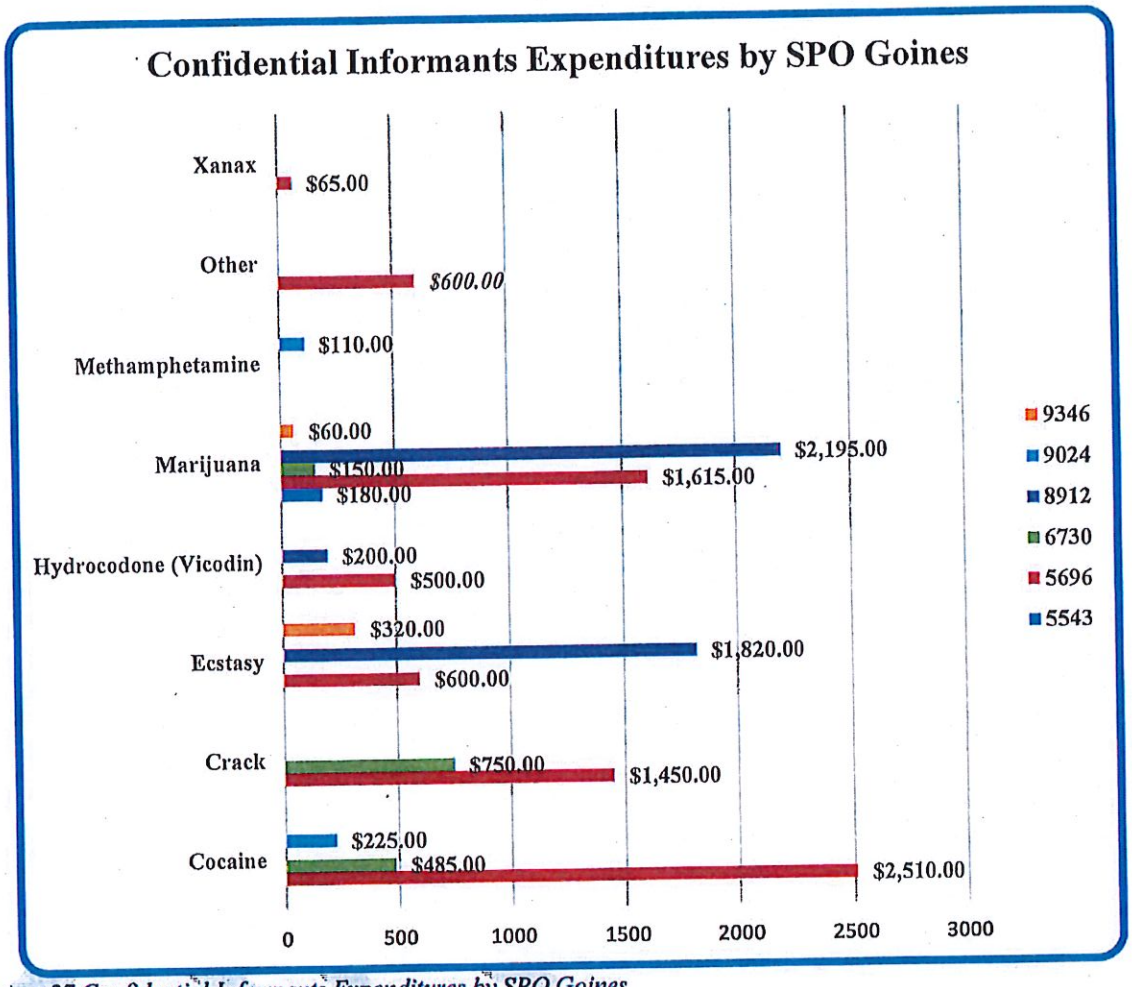


Figure 27 Confidential Informants Expenditures by SPO Goines

4. **Explanation of errors of the use of confidential informants found during the review of SPO Goines cases from January 1, 2016 to January 28, 2019.**

The audit team documented 4 errors relating to the use of confidential informant funds. The codes are:

I. C1: Expense Report Error
II. C2: Unauthorized Informant Payment
III. C3: Expense Discrepancy
IV. C4: Information Documentation Not Adequate to Justify Payment

I. **C1:** Expense Report Error: SPO Goines failed to document the expenditure of $20.00 on his September 2016 expense report. He purchased crack cocaine from a suspect on 9/13/2016, under case #1173712-16. His expense report did not document the purchase of narcotics.

II. **C2:** SPO Goines committed many errors relating to the payment of informants before receiving supervisory approval. Listed below are the cases where the mistakes were committed:

a. CT 16-0908:

Case # [redacted]

i. The receipt indicates that CI # [redacted] was paid $400.00 on [redacted]/16, but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted]/16, and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant authorization. The lieutenant should have approved the payment before the informant received payment. The receipt indicates a supervisor was present on [redacted] when the payment was made.

b. CT 16-0909:

Case # [redacted]

i. The receipt indicates that CI # [redacted] was paid $200.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted]. Payments over $50.00 to $250.00 require sergeant approval. The case agent should have paid the informant after receiving authorization from the sergeant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

c. CT 16-1163:

Case # [redacted]

i. The receipt indicates that CI # [redacted] was paid $950.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] authorized payment on 6/7/16. Amounts over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

d. CT 16-1515:

Case # [redacted]

i. The receipt indicates CI # [redacted] was paid $320.00 on [redacted] but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt.

[redacted] approved payment on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

e. **CT 16-1872:**

Case #[redacted]

i. The receipt indicates CI #[redacted] was paid $500.00 on [redacted] but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved payment on [redacted]. Amounts over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

f. **CT 16-2039:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $200.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted]. The case agent should have paid the informant after receiving authorization from the sergeant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

g. **CT 16-2045:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $300.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted] and Lt. [redacted] approved the amount on [redacted] Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

h. **CT 16-2057:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $300.00 on 10/27/16, but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on

[redacted]; and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

i. **CT 17-0554:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $400.00 on [redacted] but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on 3/30/17, and Lt. [redacted] approved the payment on 3/30/. Amounts over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

j. **CT 17-1224:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $300.00 on [redacted] but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

k. **CT 17-1328:**

Case #[redacted]

i. The receipt indicates CI #[redacted] was paid $1,500.00 on 8/3/17, but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

l. **CT 17-1392:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $400.00 on 3/7/17, but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

m. **CT 18-0332:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $500.00 on 2/23/18, but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted] Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

n. **CT 18-0559:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $400.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted] Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

o. **CT 18-0713:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $100.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted] Payments over $50.00 to $250.00 require sergeant approval. The case agent should have paid the informant after

receiving authorization from the sergeant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

p. **CT 18-1517:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $500.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

q. **CT 18-1608:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $300.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

r. **CT 18-1733:**

Case #[redacted]

i. The receipt indicates that CI #[redacted] was paid $600.00 on [redacted], but the Narcotics Expense Authorization form indicates that Sgt. [redacted] approved the payment on [redacted], and Lt. [redacted] approved the amount on [redacted]. Payments over $250.00 require lieutenant approval. The case agent should have paid the informant after receiving authorization from the lieutenant. The receipt indicates a supervisor was present on [redacted] when the payment was made.

III. C3: Expense Discrepancies

Code C3 covers a litany of errors on documentation of payments and documentation of payments in reports and receipts. Some case tracking numbers contain numerous errors. Listed below is an explanation of each error with the associated case tracking number.

16-1163	The informant receipt does not match the date of the controlled buy.
17-0552	Discrepancy between the expense report and offense report. The report reflects a crack rock purchased for $10, but the report states $20.
17-0554	All receipts reflect dates that conflict with the offense report and all expenditures captured on March 2017 expense report.
17-0592	Expense report reflects February expenses during the month of March. The expense report reveals the case agent lost $3, but the report states the money was recovered.
17-0596	Expense report reflects expenditures two months following the incident. (March 2017).
17-0772	The expense for the controlled buy was not documented on the February 2017 expense report.
17-0772	Date on the C.I. activity sheet is incorrect. C.I. payment date reflects 4/3/17.
17-1328	The date on the informant receipt does not match the controlled buy date.
18-0332	The date of informant payment is not correct on the expense authorization letter.
18-0332	The date on the C.I. receipt for funds form is not correct. Records revealed the activity took place in February instead of January.
18-0378	Controlled buy not documented in the December 2017 expense report. The February 2018 receipt reflects a December 2017 controlled buy.
18-0555	The expense for the drug purchase and suspect tip were combined in the expense report.

18-0562	Address incorrect on the expense letter; off by a couple of blocks.
18-1401	The expense report does not reflect the correct date or the correct informant number.
18-1405	The expense letter does not reflect an accurate address.
18-1517	There is no C.I. receipt or expense listed on the expense report for this transaction. The case agent reports that an informant was used for the controlled buy, but no indication of payment. There is a receipt for the C.I. payment following the search warrant.
18-1519	The expense letter records an inaccurate weight of crack cocaine.
18-1608	The distributed units of pills were not specified in the report and the audit team was unable to determine the C.I. payment.
18-1612	No expense letter and no receipts for the controlled buy or payment to the C.I.
18-1733	The case agent completed the controlled buy in November, but the expense appears in the December expense report.
19-1861	There are no C.I. receipts for this case, however Narcotics Division produced the expense letter for the month of January. The expense letter was dated 2/25/2019. The signature, usually signed by the officer, indicates relieved of duty.

IV. C4: Information Documentation Not Adequate to Justify Payment

The Narcotics Division utilizes a "Confidential Informant Payment Schedule" for guidelines used to pay informants for their assistance in investigations. The payment is based on the informant's degree of involvement. The instructions include narcotics for Penalty Group One, Two, and Three drugs, and marijuana.

A review of SPO Goines informant payments reveals potential overpayment of informants for minuscule amounts of narcotics. Listed below is an explanation of the overpayments.

17-0853	SPO Goines paid informant #[redacted] $100.00 for the seizure of eight grams of marijuana under case numbers [redacted], and [redacted] Marijuana seizures payments are at the rate of $40.00 per pound up to nine pounds. The seizure also included a seizure of 15 grams of crack cocaine, but is missing on the form.

17-1731 SPO Goines paid informant #[redacted] $300.00 for the seizure of three grams of marijuana, nine grams of MDMA, and one firearm under case numbers [redacted], and [redacted]. Marijuana seizures payments are at the rate of $40.00 per pound up to nine pounds.

17-1874 SPO Goines paid informant #[redacted] $100.00 for the seizure of 44 grams of marijuana under case numbers [redacted], and [redacted]. Marijuana seizures payments are at the rate of $40.00 per pound up to nine pounds.

Review of all expense letters and receipts filed by SPO Bryant

A complete examination of the SPO Bryant's confidential informant files includes a detailed review of the following data:

1. **The total monetary amount of draws from SPO Bryant expense report from January 1, 2016 to January 28, 2019.**
   a. During the period listed above, SPO Bryant was under the supervision of three sergeants.
      i. Sgt. [redacted] SPO Bryant drew $12,985.00 from Sgt. [redacted]
      ii. Sgt. [redacted] SPO Bryant drew $1,410.00 from Sgt. [redacted]
      iii. Sgt. [redacted] SPO Bryant drew $36,280.00 from Sgt. [redacted]

   b. SPO Bryant drew a total of $50,675.00 from January 1, 2016, to January 28, 2019. SPO Bryant returned a total of $10,535.00 during the same time period.

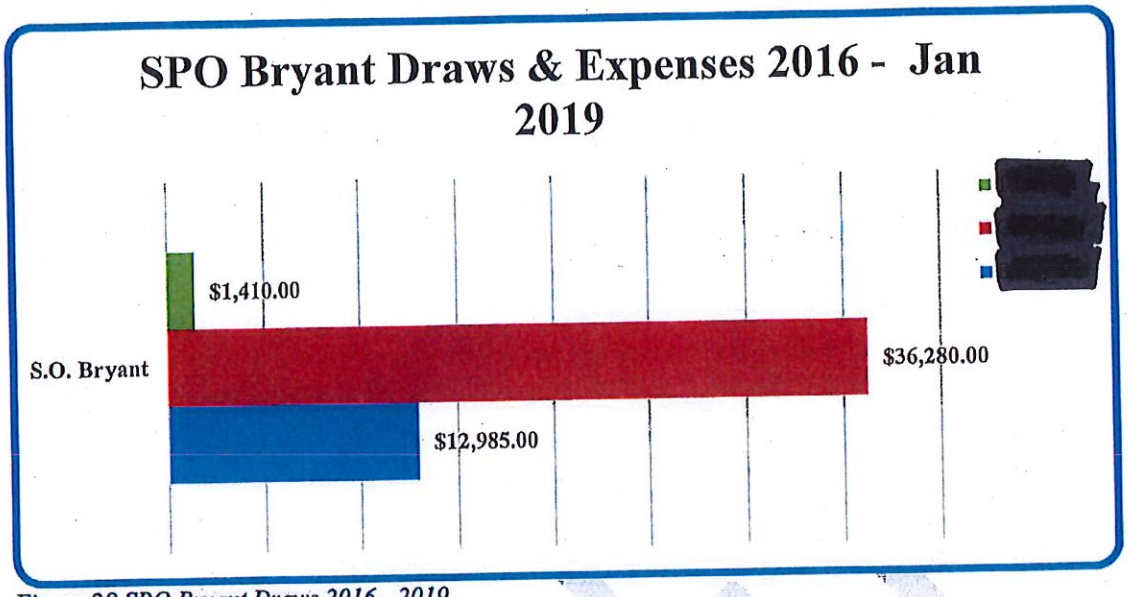


Figure 28 SPO Bryant Draws 2016 - 2019

2. **The total monetary amount of expenses from SPO Bryant expense report from January 1, 2016 to January 28, 2019.**
   a. From January 1, 2016 to January 28, 2019, SPO Bryant was under the supervision of three sergeants. See Figure 33. for a breakdown of expenses under each supervisor.
      i. Sgt. [redacted] $410.00
      ii. Sgt. [redacted] $14,175.00
      iii. Sgt. [redacted] $5,485.00

   b. SPO Bryant expenses reports indicate he spent a total of $20,070.00 on confidential informants and narcotics investigations. Figure 34 displays the dollar amount and category SPO Bryant used on his narcotics investigations. The data reveals that in 70.85% of his cases, SPO Bryant 'Paid an Informant for Information/Assistance on an Investigation." The second-highest category was "Provided Money for Informant to Purchase Narcotics and Contraband."

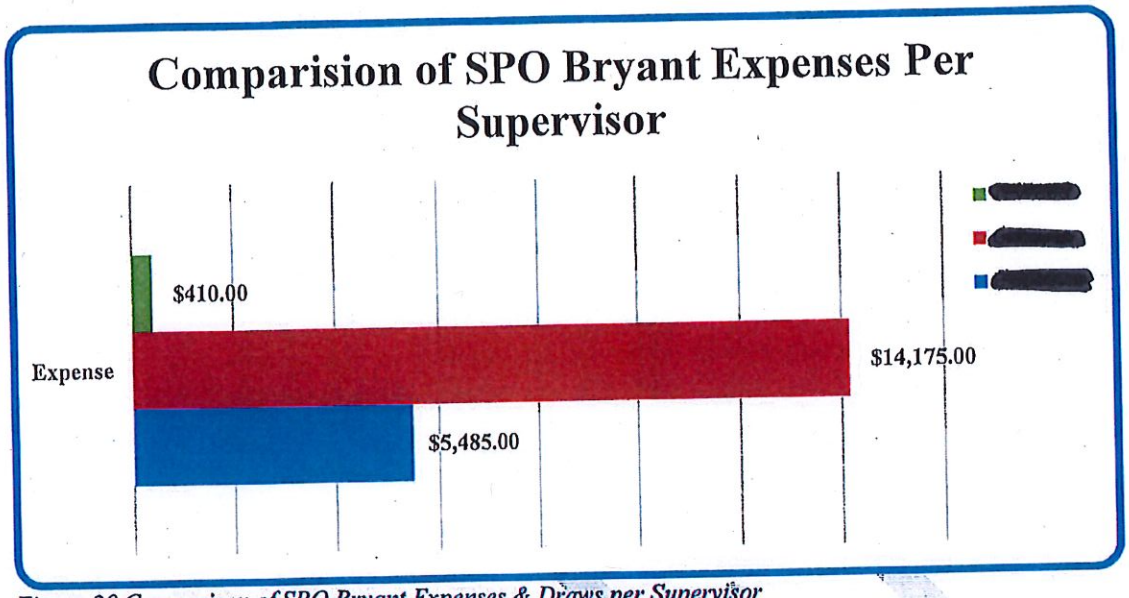


Figure 29 Comparison of SPO Bryant Expenses & Draws per Supervisor

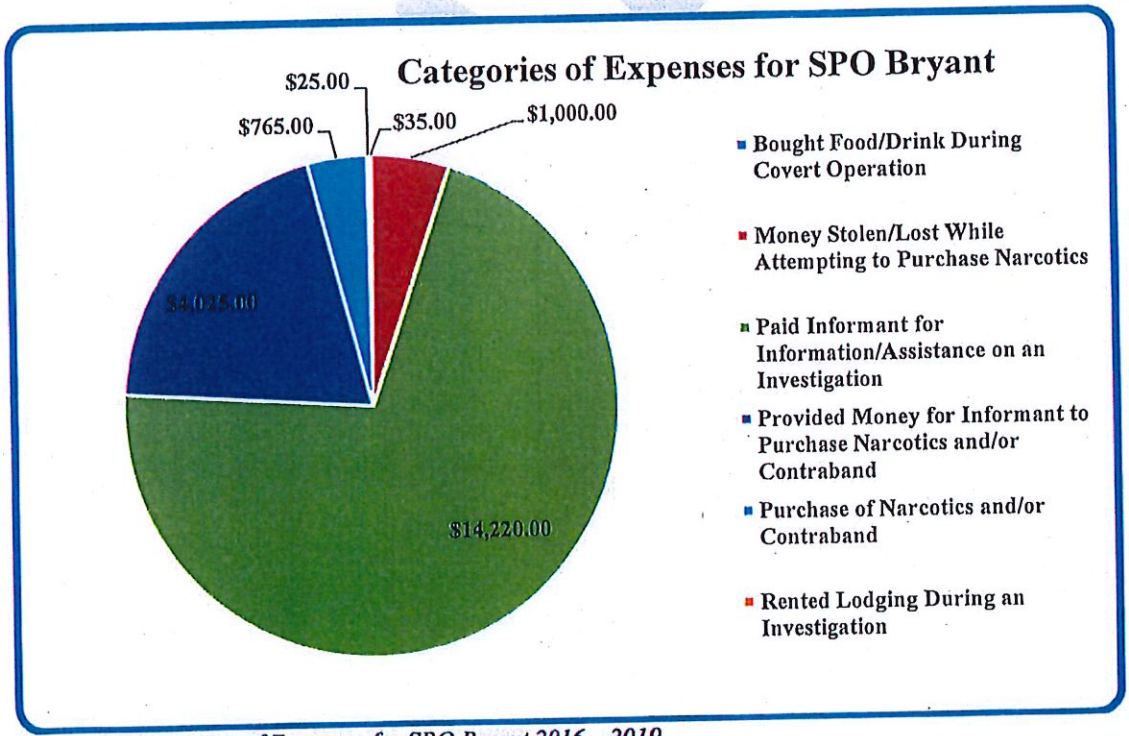


Figure 30 Categories of Expenses for SPO Bryant 2016 – 2019

3. **Record review of all confidential informants SPO Bryant used from January 2016 to January 28, 2019.**
   a. The audit revealed that SPO Bryant used a total of seven confidential informants from January 1, 2016 to January 28, 2019, for a total of $14,220.00.

   b. Confidential Informant Use:

      i. CI #[redacted] was used six times during this period. CI #[redacted] was registered by retired HPD Officers [redacted] and [redacted] on [redacted]. The case agent paid CI #[redacted] a total of $2500.00. The informant was involved in the seizure of 0.6 grams of crack cocaine, and 15 grams of PCP.

      ii. CI #[redacted] was used 26 times during this period. CI #[redacted] was registered on [redacted] by SPO [redacted] and [redacted]. The case agent paid CI #[redacted] a total of $1,050.00. The informant was involved in the seizure of approximately 18 grams of crack cocaine and 9 grams of marijuana.

      iii. CI #[redacted] was used two times during this period. CI #[redacted] was registered on [redacted] by SPO [redacted] SPO Bryant paid CI #[redacted] a total of $120.00. The informant was involved in the seizure of approximately 1.6 grams of crack cocaine.

      iv. CI #[redacted] was used 25 times during this period. CI #[redacted] was registered on [redacted] by SPO [redacted] and retired SPO [redacted]. SPO Bryant paid CI #[redacted] a total of $1,580.00. The informant was involved in the seizure of approximately 20 grams of ecstasy, .8 grams of crack cocaine, and 794 grams of marijuana.

      v. CI #[redacted] was used eight times during this period. CI #[redacted] was registered on by SPO [redacted] SPO Bryant paid CI #[redacted] a total of $2,050.00. The informant was involved in the seizure of approximately 4 grams of crack cocaine, 231 grams of cocaine, 14 grams of marijuana, and 36120 grams of "Other" illegal substance.

      vi. CI #[redacted] was used 161 times during this period. CI #[redacted] was registered on 9/4/11 by retired SPO Bryant and retired SPO [redacted]. SPO Bryant paid CI #[redacted] a total of $11,155.00. The informant was involved in the seizure of 2 grams of cocaine, 1000 grams of codeine, 137 grams of crack

cocaine, 20 grams of ecstasy, 792 grams of marijuana, 36240 grams of "Other," Hydrocodone, 17 grams of PCP, 13 grams of synthetic cannabinoids, and 1.6 grams of Xanax.

vii. CI #[redacted] was used 13 times during this period. CI #[redacted] was registered on by SPO [redacted] and [redacted]. SPO Bryant paid CI #[redacted] a total of $2,040.00. The informant was involved in the seizure of approximately 15 grams of crack cocaine, 1003 grams of codeine, 62 grams of marijuana.

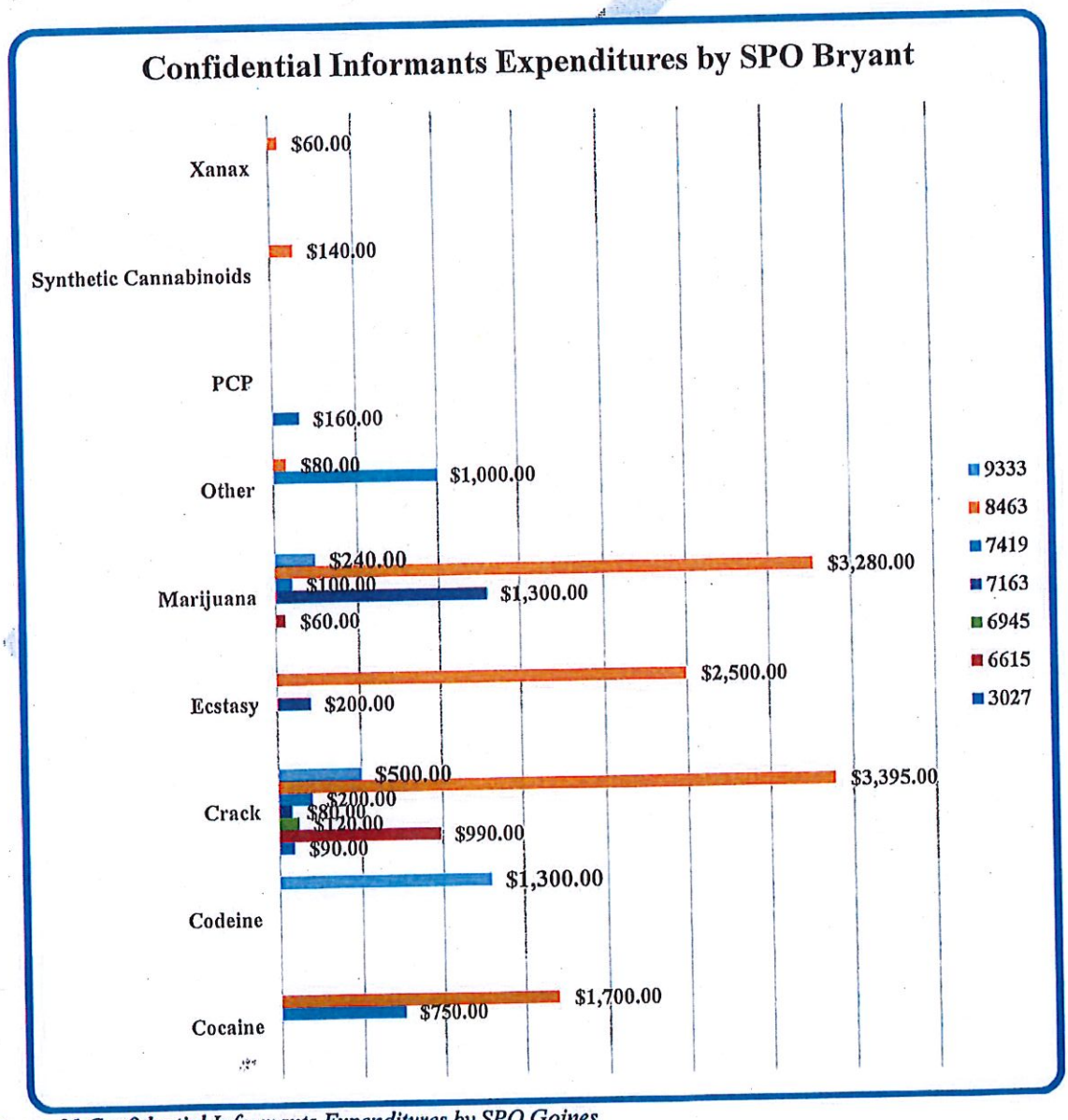


Figure 31 Confidential Informants Expenditures by SPO Goines

4. **Explanation of errors on the use of confidential informants found during the review of SPO Goines cases from January 1, 2016 to January 28, 2019.**

The audit team documented four errors relating to the use of confidential informant funds. The codes are listed as:

I. C1: Expense Report Error
II. C2: Unauthorized Informant Payment
III. C3: Expense Discrepancy
IV. C4: Information Documentation Not Adequate to Justify Payment
V. C5: No Expense Report

I. C1: Expense Report Error: No errors.

II. C2: Unauthorized Informant Payment: No errors.

III. C3: Expense Discrepancies

Code C3 covers a litany of errors of documentation of payments and documentation of payments in reports and receipts. Some case tracking numbers contain numerous errors. Listed below is an explanation of each error with the associated case tracking number.

18-0718: Officer [redacted] is listed on the C.I. receipt, but not in offense report #[redacted].

18-0877: Address on the C.I. receipt for funds form is incorrect. 2800 [redacted] is listed on the form, and report # [redacted] lists 2500 [redacted].

18-1008: The informant was paid for assistance on an investigation twice in one controlled buy which appears to be to avoid a sergeant's approval. The C.I. was paid $50.00 for the methamphetamine and $50.00 for the cocaine under case #[redacted].

18-1651: Offense report doesn't reflect the lost $25 used for the buy under case #143640818.

18-1658: C.I. receipts reflect wrong address under case #[redacted]. Receipt indicates apartment 1701 when it should have been 1301.

18-1756: Money not recovered, was not documented in offense report #[redacted].

IV. **C4: Information Documentation Not Adequate to Justify Payment**
No errors.

V. **C5: No Expense Report**
SPO Bryant did not submit an expense letter in January 2019 because he was relieved of duty. The Narcotics Division reconciled his expenses.

Specific review of expenses relating to the use of a Confidential Informant at 7815 Harding

Case number 120867-19 was generated by SPO Goines on January 27, 2019, as an "Investigation Narcotics" and served as the controlled buy that led to the drafting of a 'No Knock" search warrant at 7815 Harding. Due to his injury, SPO Goines did not obtain a Narcotics Case Tracking number to document the buy.

A careful review of case number 120867-19 revealed that on January 27, 2019, SPO Goines conducted a narcotics investigation at 7815 Harding at approximately 1700 hours. The original report indicates that SPO Goines tagged as evidence .40 grams of an unknown substance, which he described as heroin. SPO Goines also lists the abbreviation "LST" (lost) in the offense report, which indicates he used $20.00 to purchase the narcotics.

In the "Brief Summary" section of the original report, SPO Goines wrote "ON 1/27/2019, A NARCOTIC PURCHASE OF BROWN POWDER SUBSTANCE WAS PURCHASED FROM "7815 HARDING" BY A CONFIDENTIAL INFORMANT." SPO Goines also lists one suspect as an unknown white or Hispanic male; no other identifying information was listed.

On January 28, 2019, SPO Goines presented a narcotics search warrant to Municipal Court #13 Judge G. Marcum who reviewed and signed it. The search warrant affidavit indicates that SPO Bryant was present during the alleged use of the unknown informant. SPO Goines and Bryant instructed a confidential informant to go the 7815 Harding to purchase heroin. SPO Goines stated he searched the informant for contraband prior to the investigation. The informant went into the residence where he was met by a unknown white male, approximately 55 years old, 5"11', and weighed approximately 180 pounds.

The informant exited the residence and returned directly to SPO Goines. The informant handed SPO Goines a "quantity" of a brown powder substance. The brown powder substance is referred to as "Boy" and is street slang for heroin. The informant told SPO Goines that the unknown white male was in possession of a 9MM semi-automatic pistol. The informant stated the white male told him to return when he needed some more "Boy". SPO Goines searched the informant and the informant was released. SPO Goines stated the informant has proven to be reliable and credible on more the ten occasions. SPO

requested the judge authorize a "No Knock" warrant due to the presence of a weapon as stated by the informant. Judge Marcum agreed and signed the warrant.

On January 28, 2019, SPO Goines presented the warrant and tactical action plan to Sergeant [redacted] who reviewed it. Narcotics Squad 15 then briefed the warrant and were assigned specific responsibilities for the execution of the warrant.

The assignments were as follows:

Case Agent
SPO Goines #[redacted]

Entry Team
[redacted]

S. Bryant #[redacted]

[redacted]

Surveillance
[redacted]

Uniform Units
Eastside Patrol

The threat assessment did not indicate a need to contact SWAT to execute the warrant. The narrative section of page 2 does not indicate an animal, specifically a dog, was seen in the residence. The form lacks the sergeants or lieutenants review, but the form may have been emailed to them by SPO Goines.

During the execution of the warrant, four members of Narcotics Squad 15 are shot, two citizens are killed, and another officer suffered a serious leg injury. The warrant immediately turned into an "Officer Involved" shooting and members of the Special Investigations Unit (SIU) conducted a separate investigation under case #133932-19.

On January 30, 2019, SPO Bryant wrote supplement number one in offense report #120867-19. In the supplement, SPO Bryant states he searched SPO Goines vehicle and found a plastic bag that contained a white napkin and two small packets containing a brown powdery substance. SPO Bryant identified the two small packets as the narcotics purchased from 7815 Harding on January 27, 2019. SPO Bryant tagged the two small packets as evidence on January 30, 2019.

As part of the Special Investigations Unit investigation, it was necessary to identify the confidential informant used by SPO Goines to verify the purchase of narcotics on January 27, 2019. On January 30 2019, SPO Goines provided SPO Bryant with the name and number of the confidential informant he used during the controlled buy. The name of the informant will not be publicized in this report, but will be identified as confidential informant number [redacted]

SIU Investigators interviewed confidential informant #[redacted] who stated that he/she was not involved in the controlled buy conducted at 7815 Harding on January 27, 2019. A review of confidential informant #[redacted] files indicates SPO Goines last documented use was on January 14, 2019, and January 16, 2019, on a controlled buy at [redacted]. On January 14, 2019, records indicate that SPO Goines provided confidential informant #[redacted], $20.00 to purchase .40 grams of crack cocaine under HPD case #[redacted]. Confidential informant #[redacted] was paid $20 for the purchase under the same case number.

On January 16, 2019, a warrant was executed under case #[redacted] at 8100 Jutland Apt. #2, where approximately 7.5 grams of ecstasy, 5 grams of crack cocaine, 75.5 grams of marijuana, 13 grams of Hydrocodone, 12.2 grams of Xanax, and 62.4 grams of Carisoprodol were recovered. Mr. Gordon Dancy was arrested for Possession of a Controlled Substance with the Intent to Deliver. Confidential informant #[redacted] was paid $400 dollars for the warrant. A review of SPO Goines' expense files for January 2019, revealed that there were no Confidential Informant receipts or request for payments in the files. The expense letter was created by the Narcotics Division due to SPO Goines medical condition.

SIU Investigators returned back to SPO Goines to determine if he used another Confidential Informant at 7815 Harding. SPO Goines was unable to speak, but provided Narcotics Lieutenant [redacted] with confidential informant number [redacted]. SIU Investigators interviewed confidential informant 6730 who stated he/she was not involved in the purchase of narcotic at 7815 Harding.

Records indicate confidential informant #[redacted] was last used by SPO Goines on May 22, 2018, at [redacted] under HPD case number [redacted]. On this date, SPO Goines provided confidential informant #[redacted] with $100 dollars which the informant used to purchase 6 grams of marijuana. SPO Goines paid confidential informant #[redacted] $50.00 for the purchase; SPO Bryant witnessed the payment.

On [redacted] 2018, SPO Goines presented a "No Knock" search warrant to Harris County Magistrate R. Bax for [redacted]. The warrant was executed on [redacted], 2018, under HPD case #[redacted]. No suspects were found and no arrests were made inside of the apartment; only marijuana residue was found. SPO Goines documented case #[redacted] and #[redacted] under Narcotics Case Tracking #18-0893. No records exist of a payment made to Confidential Informant #[redacted], as a result of the warrant.

On February 7, 2019, SIU Investigators interviewed SPO Bryant who confirmed that he was not present when SPO Goines made the alleged purchase of heroin at 7815 Harding. On March 4, 2019, SPO Bryant invoked his fifth-amendment rights and declined further interviews.

On February 13, 2019, SIU Investigators re-interviewed SPO Goines who admitted he did not use a confidential informant at 7815 Harding. SPO Goines stated he purchased the heroin himself and he did not submit the alleged two bags of heroin as evidence. SPO Goines admits he falsified the search warrant affidavit. As a result of the controlled buy, case number 653465-18 was generated to document the execution of the search warrant.

Recommendations

The audit revealed the necessity to place additional emphasis on supervisory oversight, confidential informant handling, and changes to the department's policies and procedures on cases involving search warrants. The Audit Team recommends the following:

- **SOP 200/1.02: Activity Authorization and Notification**
  A Narcotics Lieutenant must be present during the service of any warrant at a dwelling or business which may involve forced entry. Before this revision, only a sergeant had to be present.

- **200/1.05 Narcotics Operational Plan**
  The SOP was changed to require lieutenant approval before the service of any warrant, flash, buy-bust, or any instance the squad lieutenant deems appropriate.

  Narcotics Division officers liaison with many outside agencies to complete their mission. The Division Commander and Squad Lieutenant will be notified if any outside agencies participate in the operation.

  A separate policy is being generated to comply with the Chief of Police decision to require officers to wear body-worn cameras (BWC) when taking enforcement action with outside agencies.

- **200/1.12: Search Warrants/Buy Busts and Open Air Investigations**
  Supervisors are now required to review investigative efforts that support the search warrant affidavit to determine the sufficiency and efforts of the case agent.

  When conducting "Open Air" operations, the Case Agent will notify a Narcotics supervisor at the beginning and end of the operation. Case Agents will request EMS assistance/presence during service of any warrant on a residence or business requiring forced entry.

- **200/1.22: Handling Confidential Informants**
  Supervisory oversight of all investigations involving a confidential informant is enhanced. Supervisors will also verify the veracity of all confidential informants' information, especially any information leading to the issuance of a search or arrest warrant.

A narcotics supervisor will meet with each Case Agent every month to discuss the status of each confidential informant assigned to or used by the case agent. Supervisors will ensure each officer is correctly utilizing their informants and abide by all policies and procedures.

All operational conversations with a confidential informant will be annotated in a log. Operational conversations consist of dialogues (verbal, text messages, e-mails, or any other form of electronic communication) in which a confidential informant provides information to a case agent. The Narcotics Division Commander will develop additional guidelines to capture the data in either a written form or an electronic database.

- **Changes to "No Knock" and "Knock and Announce" Search Warrants**
  1. Continue the practice of obtaining COP approval for "No Knock" warrants.
  2. "No Knock" warrants require execution by the Houston Police Department's Tactical Operations Division, Special Weapons and Tactics (SWAT) Team.
  3. Develop a new operational plan which includes a checklist for warrant preparation.
  4. Annual classroom training to discuss policy updates, relevant laws, and legal ramifications with a specific focus on supervisory awareness.
  5. Scenario-based training to include the use of:
     - Shields
     - Breach and assess
     - Slow and Deliberate Searches
  6. Search warrant requests will only be signed by a District Court Judge or the twenty-four hour magistrate located at 1201 Franklin. Warrants will no longer be signed by a municipal court judge.
  7. The Narcotics Division Commander will establish a "Warrant" team used explicitly for "Knock and Announce" warrants. The "Warrant" team will also be available to assist Narcotics Case Agents in undercover operations.
  8. Narcotics Divisions Case Agents will employ the use of a BWC during all enforcement operations.

- The audit overwhelming supports the need to improve administrative procedures, specifically, supervisory review of case files and case tracking. In almost 25% of all cases turned in by Narcotics Case Agents, supervisors failed to sign the "Case

File Review Sheet". This sheet is required to be signed by the squad sergeant. The review sheet is vital to maintain supervisory oversight of cases submitted by a Narcotics Case Agent.

Over 11% of the cases submitted were turned in late to intake. Many of the cases were turned in over six months to a year later which is in violation of Narcotics SOP 100/2.03 "Case Tracking Sheet". Once a Narcotics Case Agent receives a CT# he or she will have 10 working days to complete the investigation and submit it to their respective Squad Supervisor.

The Narcotics Squad Supervisor, or designee, will have 5 working days to review and submit the completed case to the Quality Control Section. Overall, officers and supervisors will have 15 days to complete the case and turn it in. Any case not completed within the allotted time frame must be clearly communicated to the respective supervisor and a notice submitted to the Administrative Sergeant, producing the case tracking report, via email. Any case outstanding for more than 60 calendar days must be approved by the respective Supervising Lieutenant and communicated to the Administrative Sergeant, producing the case tracking report, via email. Any case outstanding for more than 90 calendar days require approval by the Commander of the Narcotics Division.

- The 'Quality Control Section" is staffed by a single civilian support person who in addition to maintaining the hundreds of case files that come into the Narcotics Division, has other responsibilities that detracts attention from the case files. In addition, record keeping procedures are manual which leads to case files not being reported as late to the squad lieutenant. Recommend the Narcotics Division develop and automated case tracking system which will allow the sergeants and lieutenants to track cases.

Figures

Tables