

latimes.com

Investigations sit idle as LAPD detectives hit overtime caps

With its overtime budget decimated, the department is forcing officers to put cases on hold and take days or even weeks off. Despite an uptick in killings, the homicide unit is among the hardest hit.

By Joel Rubin

April 12, 2010

In January, Los Angeles Police Det. Nate Kouri was ordered to stop working.

One of the LAPD's most productive homicide investigators sat idle for six weeks, unable to follow any leads on old cases or pick up new ones. Kouri was not being punished for misconduct or for botching an investigation. He was benched for working too hard -- and he is not the only one.

With the city reeling from its worst financial crisis in decades, the LAPD has stopped paying officers overtime wages, except in rare situations. In lieu of cash, officials have implemented a strict policy of forcing cops to take time off when they accrue large amounts of overtime hours. Because of demanding work schedules that routinely require them to investigate a case into the night or through the weekend, homicide detectives have been among the first officers to be sent home in significant numbers.

The drain on homicide squads has hampered investigations, several detectives and top department officials said in interviews. Detectives said their investigations are frequently put on hold while they take days off, delaying witness interviews and other potentially important leads. And, in the crucial first hours after a killing, several supervisors said they now dispatch fewer detectives to the crime scene.

A rash of homicides in recent weeks has compounded the problem, placing increased strain on detectives already running up against overtime limits and leaving homicide supervisors to worry that a prolonged surge in killings will quickly overwhelm the stop-gap measures they are currently using to get by.

LAPD Chief Charlie Beck has used the rise in killings to underscore his frequent warnings to city lawmakers that further cuts to the department's budget would continue to compromise its ability to fight crime.

"The hours have to come from someplace," Beck said last week at a meeting with the Los Angeles Police Commission, which oversees the department. "It has a serious impact on our

ability to respond to some of the large, violent incidents we've been experiencing lately. That is especially true of homicide investigations because of the long hours they demand."

In past years, the LAPD typically spent about \$100 million in overtime. The department is planning to set aside less than \$10 million for the upcoming fiscal year to cover certain work scenarios mandated under federal labor laws.

Before the city's fiscal crisis, an agreement between the department and police union called for officers to build up a bank of about 100 hours of overtime and then be paid cash for hours worked beyond that. Late last year, the department renegotiated the agreement and now officers are not paid until they have accrued 400 hours of extra work. To make sure no officer reaches that trigger point, the department's new policy forbids them from banking more than 250 hours.

In the Southeast Division, where Kouri works, the 11-person homicide squad was ordered to take off 700 hours in February -- a month when they opened five new investigations. The same group responded to five killings last February, but worked 500 hours of overtime to solve them.

Nine of the 14 killings this year in the Southeast area remain unsolved.

"That is horrible compared to our typical rates," said Det. Sal LaBarbera, a 24-year homicide veteran who supervises the Southeast squad. "All of those cases are solvable. None of them are mysteries. A few of them would likely already be solved, if I could just let my guys loose to work."

Similar situations are playing out elsewhere. Late on a recent Saturday night in the Newton Division, two killings took place in quick succession. Det. Kelle Baitx, the homicide supervisor, said typically he would have sent a team of two detectives to each of the crime scenes. That night, however, he had one team take care of both crime scenes because other detectives were approaching their overtime limits. One of the cases was later reassigned to another team during regular working hours.

"It's not ideal," Baitx said of the overtime cap, noting that as a general rule detectives handling a case should work the crime scene as well.

In the Foothill Division, when five slayings occurred in March, a detective assigned to work on old, unsolved killings was enlisted to help. It's a move supervisors in other divisions have made, highlighting concerns that the overtime crunch will deal a blow to the department's ability to solve cold cases.

Trying to balance the overtime limits with the need to solve cases, the supervisor in Foothill watched one of his detective's overtime hours climb as she worked one of the recent cases. After three days, when she typically would have pressed on through the weekend, he ordered her to stop and stay home for several days.

Supervisors said they are also seeing the policy take a toll on morale among their detectives. "It's really disheartening," said Kouri, who solved more than a dozen cases last year. "It goes against

the mentality of homicide detectives. All we want to do is work our cases. That's what we feel we owe to the families of victims -- to work straight through."

Several detectives said they don't always drop their cases during down days, making phone calls and filling out paperwork on their own time.

The detectives are taking a financial hit as well, since roughly a third of their pay has traditionally come from overtime wages.

Many, like Kouri, who were over the cap from the start were forced to take extended leaves to lower their totals. Going forward, Beck put field commanders on notice that they were responsible for keeping their officers below the limit. At weekly meetings once reserved for reviewing crime-fighting strategies, the commanders are grilled on what they are doing to keep work hours in check.

Homicide squads are not the only units feeling the brunt of the overtime rule. Large numbers of officers in other specialized assignments, such as the SWAT, canine and bomb units, are also at or above the limit. And, in several stations situated in high-crime areas, the number of regular patrol and anti-gang officers above 200 hours of overtime has reached double digits.

The policy has had a significant effect on the number of officers available to work. Last year, officers decided to take about 17,000 hours off each month in compensation for overtime, department figures show.

In March, that number soared to nearly 60,000 hours. The increase in lost work hours was the equivalent to removing about 290 officers from the department roster.

"In homicide, we create our own luck by staying out there and beating bushes until we find what we need," said Det. Chris Barling, who oversees the LAPD's South Bureau homicide unit. "Are we going to miss something because my guys are being forced to take two days off in the middle of an investigation? Could this cause us to not solve a case? Sure."