

VOLUME 3

**SUPERVISION**

**105. SUPERVISORY**

**TERMINOLOGY.** The following terminology shall be used in describing the levels of supervision within the Department:

- \* "Staff Officer" shall be used to describe an officer above the rank of captain.
- \* "Commanding Officer" shall be used to describe an employee in charge of a bureau, a group, an Area, or a division of the Department.
- \* "Director" shall be used to describe a commanding officer of one of the two Departmental Offices.
- \* "Field Commander" shall be used to describe an officer who takes command of an emergency situation or who is in command of field details at planned special events. A field commander may establish a field command post.
- \* "Watch Commander" shall be used to describe an employee having charge of a specific watch in a division or geographic Area.
- \* "Supervisor" shall be used to describe an employee engaged in field supervision or in general supervision of a section or unit.
- \* "Officer in Charge" shall be used to describe an officer having charge of a section or unit.

**108. COMMAND POSTS**

**108.20 THE DEPARTMENT COMMAND POST.** The Office of the Chief of Police is the Department Command Post. When the Office of the Chief of Police is closed, the Department Command Post is Communications Division.

**108.40 FIELD COMMAND POST.** A Field Command Post is a location established by a field commander for the purpose of:

- \* Directing operations in the field during emergency incidents.
- \* Collecting information pertinent to the incident and relaying it to the Department Operations Center.
- \* Requesting emergency personnel, equipment, and supplies from the Department Operations Center to assist the field forces.
- \* Requesting assistance from other agencies when needed through the Department Operations Center, to assist the field forces.
- \* Directing operations in the field at planned special events.

**108.50 FIELD COMMAND POST DIVISION.** During a serious or major unusual occurrence, the Chief of Police, or his/her representatives, or the Commanding Officer, Emergency Services Division, may activate the Field Command Post Division as a temporary

division to direct operations in the field. The Area Field Command Post Cadre shall staff a field command post until relieved, by personnel assigned to the Field Command Post Division.

**108.60 DEPARTMENT OPERATIONS**

**CENTER.** During a major or serious unusual occurrence, upon direction of the Department Commander, the Department Operations Center shall be activated as a temporary division. It shall be concerned with the following:

- \* Coordinating the Department's emergency control activities.
- \* Collecting and disseminating information from the Field Command Post, hospitals, and other concerned agencies.
- \* Determining the needs for, and providing, emergency personnel, equipment, and supplies to the Field Commander and the field forces.
- \* Maintaining chronological logs, situation maps, and situation reports.
- \* Completing necessary reports regarding the emergency incident and preparing a final report for submission to the Chief of Police.

Deactivation of the Department Operations Center (DOC) for purposes of the City's Emergency Operations Organization (EOO), shall be at the direction of the EOO. Deactivation for Department purposes remains with the Department Commander.

**108.70 DEPARTMENT OPERATIONS CENTER-EMERGENCY OPERATIONS ORGANIZATION-ACTIVATION.**

The Commanding Officer, Department Operations Center (DOC), upon receiving notification of the activation of the Emergency Operations Organization (EOO), shall be under the line supervision of the Emergency Operations Board (EOB) as delineated in the City Emergency Operations Master Plan and Procedures, and shall:

- \* Staff the positions necessary in the DOC to meet the demands of the emergency.
- \* Forward the appropriate EOO policy directives received from the Department's representative on the EOB's Emergency Management Committee to the Department Commander.
- \* Coordinate the functions of the various EOO Division representatives located in the Coordination Room of the Emergency Operations Center (EOC).

**Note:** DOC when activated under the EOO, remains under the functional supervision of the Chief of Police or the designated Department Commander.

**110. SUCCESSION OF COMMAND**

**110.20 OFFICER OF SENIOR RANK ASSUMING COMMAND.** An officer of senior rank may take command of a situation by identifying himself/herself and informing the officer then in charge of his or her intent.

Such assumption of command shall be undertaken whenever the situation appears to the senior officer to be beyond the control of the officer then in charge, when jurisdiction is concurrent over a particular duty, or for disciplinary purposes.

**110.40 OFFICER OF EQUAL OR JUNIOR RANK OR PAYGRADE ASSUMING COMMAND.**

An officer of equal or junior rank or paygrade may take command by identifying himself or herself and informing the officer then in charge of his or her intent. Such assumption of command shall only be undertaken when the officer then in command is unable, because of physical or mental inability, to perform his or her duties. An officer, regardless of rank or paygrade, shall assume command of a situation when so instructed by an officer of superior rank or paygrade then in command. An officer placed in command of an operation shall maintain that responsibility until relieved by competent authority.

**115. RECOGNITION OF COMMAND.**

In the normal performance of routine duties, or at the scene of a police problem, employees shall recognize and respect the position of the officer in charge by effectively and efficiently carrying out all lawful orders that may be issued by the commanding authority.

**120. BREVET RANKS PROHIBITED.**

Brevet (acting) ranks shall not be used to designate the officers discharging the functions and duties of the various levels of supervision of the Department. An officer, regardless of the level of supervision to which he or she is assigned, shall be described by his/her Civil Service rank, indicating the acting position held.

**Example:** Lieutenant John Doe, Acting Commanding Officer.

**125. SENIOR OFFICER-DETERMINATION.**

The senior officer at a police incident shall be determined by rank, then by paygrade assignment within rank, then by seniority within paygrade assignment within rank.

**Note:** The rank of detective is of a specialized-nature and shall normally be considered separate from line command. When an incident is the result of investigative activity, when an incident has reached the stage where the remaining functions are investigative in nature, or when the concerned detective or specialized unit desires to take over the investigation and complete the necessary reports, the senior concerned detective shall be in command.

A senior officer assuming command shall do so by identifying himself or herself and informing the officer then in command.

**130. SENIORITY-CIVILIAN EMPLOYEES.**

Seniority of civilian employees shall be determined in the following order:

**Civil Service Classification.** In accordance with the Civil Service rating, whereby one position is classified as being higher in grade than another.

**Length of Service.** By length of continuous service in the classification.

**By Designation.** When designated as being in charge of a particular situation or group by competent authority.

**135. LINE SUPERVISION-DEFINED.** A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of line supervisor and shall be held accountable for achieving conformance with the directions and orders that he/she issues.

**140. FUNCTIONAL SUPERVISION-DEFINED.** Functional supervision is the temporary supervision of employees not normally under the command of one designated to furnish specialized or technical knowledge necessary to the accomplishment of Department objectives.

**150. GENERAL SUPERVISORY DUTIES.** A supervisor shall be responsible for the performance of general supervisory duties (Manual Sections 3/152, 3/154, and 3/156), in addition to having the technical skills and knowledge necessary to the performance of the duties particular to his/her specific assignment.

**152. SUPERVISORY PLANNING.** A supervisor shall initiate, or receive and consider, proposals for changes in policy affecting activities within the scope of his or her jurisdiction.

**152.20 SUPERVISORY KNOWLEDGE OF DEPARTMENT ORDERS.** A supervisor shall be familiar with the contents of Department manuals, procedural orders and instructions, directives, teletypes, and Police Bulletins, and shall disseminate such information to his/her subordinates. Information shall be disseminated in such a manner as to achieve Department objectives.

**152.40 ORGANIZATION OF ACTIVITIES-SUPERVISORS.** Supervisors shall organize their own work and that of their subordinates to insure the adoption and practice of the best principles and procedures to meet current, unusual, and changing conditions.

**152.60 KNOWLEDGE OF OTHER SUPERVISORY POSITIONS.** A supervisor shall acquaint himself/herself with the duties and responsibility of other supervisory positions which, in the normal course of operations, he/she may have to discharge.

**152.80 MAJOR DISASTER AND EMERGENCY OPERATIONS ORGANIZATION PLANS-SUPERVISORS.** A supervisor shall be familiar with the role of the Department and with his/her own responsibility and duties, and

shall maintain plans for his/her activities in the event of a major disaster or the activation of the Emergency Operations Organization Plans.

**154. SUPERVISORY COMMAND AND COORDINATION**

**154.20 DELEGATION OF DUTIES.** Supervisors may delegate to their subordinates appropriate portions of their responsibilities, together with equivalent authority; but they may not delegate or relinquish their overall responsibility for results nor any portion of their accountability.

**154.40 DIRECTION OF SUBORDINATES.** A supervisor shall exercise the control over his or her subordinates necessary to the accomplishment of Department objectives. He or she shall analyze and evaluate the personality, temperament, traits, and capabilities of each subordinate in order to realize from every employee the maximum degree of service commensurate with his or her abilities and limitations.

**154.60 TRAINING OF SUBORDINATES.** Training shall be considered the process of aiding employees to gain effectiveness in their present or future assignments through the development of appropriate habits of thought, action, skill, knowledge, and attitude. Emphasis shall be placed on respect for the personality and human dignity of each employee, in order to allow maximum development of his/her natural capacity.

**154.80 GUIDANCE OF SUBORDINATES.** A supervisor shall take a personal interest in the welfare and problems of subordinates and shall make himself or herself available to employees seeking guidance and counseling. The supervisor shall give appropriate advice and personal instructions to immediate subordinates for the development of administrative and supervisory skills.

**156. SUPERVISORY CONTROL**

**156.20 PERFORMANCE EVALUATION.** A supervisor shall be responsible for the appraisal and analysis of the work accomplishment of subordinates coming within the scope of his/her supervision. Such evaluation shall be based on continuous observation and inspection and shall take into consideration the quality of the employee's work accomplishment and those personal traits that are related to his or her duty performance. Commanding officers shall ensure that supervisory personnel provide a Training Evaluation and Management Systems (TEAMS) summary report to each employee in conjunction with the service of the employee's annual (post-probationary) performance evaluation report.

**156.40 SUPERVISORY REPORTS.** Supervisory reports shall be made in a prompt and effective manner. All pertinent facts shall

be incorporated, and the welfare of the Department shall be of primary consideration. Supervisors shall reflect the feelings of subordinates to supervisors by permitting information to flow up, as well as down, the channels of authority.

**156.60 TECHNIQUES OF SUPERVISION.** A supervisor must frequently command the actions of subordinates by orders and directions in order to carry out proper police operations. This must be done forcefully and effectively and is essential to the control of the most critical police situations. A supervisor shall make use of positive disciplinary techniques, such as the following, to promote satisfactory supervisor-subordinate relationships:

**Inspiration.** The ideals and objectives of public service in the police field shall be developed and exemplified by the conduct and actions of supervisory members of the Department.

**Explanation.** Department policies and objectives shall be presented to the employee by means of reasoned consideration of issues. Supervisors shall adopt an attitude of guiding employees by sound logic and clear thinking, rather than by arbitrary orders and commands and shall strive for willing response and cooperation from subordinates.

**Encouragement.** Supervisors shall be aware that recognition of good work is an indispensable need in the employee's relationship with the Department and shall make certain that meritorious acts and accomplishments are rewarded, either by personal encouragement and praise, or by formal commendation.

**156.80 NEGATIVE DISCIPLINARY ACTION.** The negative disciplinary procedures available to supervisors (Manual Section 3/800) shall be used only after determining that the correction of delinquency by positive disciplinary means is not feasible.

**GENERAL MANAGEMENT PROCEDURES**

**201. ADMINISTRATIVE REVIEW OF A VEHICLE PURSUIT.**

**201.05 COMMANDING OFFICER'S RESPONSIBILITY.** The commanding officer from the Area or division to which the pursuing officers are assigned shall:

- \* Review all related reports and evidence;
- \* Request the investigating supervisor conduct further investigation, when needed;
- \* Contact subject matter experts (e.g., Emergency Vehicle Operations Center, Training Division), if necessary;
- \* Make a recommendation on the classification;
- \* Sign the Vehicle Pursuit Report;

- \* Forward all related reports to the bureau commanding officer within 10 working days of the pursuit; and,
- \* When final classification has been made by the Commanding Officer, RMG, notify the involved employee of the decision as soon as practicable.

**201.10 BUREAU COMMANDING OFFICER'S RESPONSIBILITY.** The bureau commanding officer shall:

- \* Review all related reports and, if necessary, evidence;
- \* Request, through the employee's commanding officer, additional information or investigation, when needed;
- \* Make a recommendation on the classification;
- \* Sign the Vehicle Pursuit Report; and,
- \* Submit all related reports to RMG for review within 10 working days of receipt.

**201.15 COMMANDING OFFICER, RISK MANAGEMENT GROUP'S, RESPONSIBILITY.** The Commanding Officer, Consent Decree Bureau, as the Department's Risk Management Coordinator, is ultimately responsible for assessing risk management issues. However, with respect to vehicle pursuits, that responsibility is exercised through the commanding officer, RMG, who shall:

- \* Review the Vehicle Pursuit Report to determine compliance with Department policy and procedure;
- \* Request, through the employee's bureau commanding officer, additional information or investigation, when needed;
- \* Make the final determination on the classification of the pursuit; and,
- \* Maintain the original Vehicle Pursuit Report and distribute copies to Training Group, and the involved employee's bureau commanding officer within 10 working days of receipt.

Should the Commanding Officer, Risk Management Group, classify a pursuit differently than the bureau commanding officer, the Commanding Officer, Risk Management Group, shall forward an Intradepartmental Correspondence, Form 15.2, to the employee's commanding officer, via the employee's bureau commanding officer, providing a rationale for that final classification.

**201.20 COMMANDING OFFICER, TRAINING GROUP, RESPONSIBILITY.** The Commanding Officer, Training Group, shall maintain a system to track and report pursuit-related issues. That system shall include, at a minimum:

- \* Maintaining a copy of all Vehicle Pursuit Reports;
- \* Sending all original State of California, Department of Highway Patrol Pursuit Reports, CHP Form 187, to the California Highway Patrol;

- \* Producing a quarterly report on vehicle pursuit statistics for Departmentwide distribution; and,
- \* Filing and maintaining all Communication Division's vehicle pursuit printouts.

**201.25 TRAINING-DOCUMENTATION.** In cases where formal training is directed as the result of a vehicle pursuit, the training shall be provided by an entity designated by Training Group. All other types of training (e.g., divisional training) may be provided at the Area/divisional level. In all cases, the training shall be entered into the Training Evaluation and Management System (TEAMS) by the entity providing the training along with the corresponding reference number, which is generally a Division of Records (DR) number.

**201.30 ADMINISTRATIVE POLICY REVIEW.** If the bureau commanding officer determines that a vehicle pursuit is out of policy, he/she shall direct the involved employee's commanding officer to initiate a Complaint Form, Form 1.28.0. A copy of the Vehicle Pursuit Report shall be attached to the complaint investigation and the original Vehicle Pursuit Report shall be forwarded to the Commanding Officer, Risk Management Group, with a notation indicating that a complaint investigation has been initiated. Upon final adjudication of the complaint, the Commanding Officer, Internal Affairs Group, shall notify Risk Management Group of the disposition.

**201.35 MULTIPLE RISK MANAGEMENT INCIDENTS.** When multiple risk management issues are involved (i.e., pursuit, traffic collision, use of force, and/or a personnel complaint) and adjudication is interdependent, all incidents shall be adjudicated by the same reviewing authority in the following sequence:

- \* Personnel complaint;
- \* Use of force adjudicated by the Use of Force Review Board;
- \* Traffic collision involving death or serious injury (Special Operations Bureau);
- \* Other uses of force or pursuits (RMG); then,
- \* Traffic collisions not involving death or serious injury (SOB).

**202. TRAFFIC CITATIONS (TRAFFIC NOTICE TO APPEAR) - SUPERVISORY RESPONSIBILITY.** Commanding officers who are assigned the responsibility for issuance of Traffic Notice to Appear (citation) books (Manual Section 3/202.10) shall establish control over the issuance and the return of such books and shall cause a supervisory check to be made of completed citations.

**202.10 UNITS ISSUING CITATION BOOKS.** The commanding officers, all geographic uniformed divisions, shall cause an adequate supply of Traffic Notice to Appear books and absentee parking citation books to

be maintained in their respective divisions for issuance to authorized employees.

**202.20 ISSUANCE OF TRAFFIC CITATION BOOKS.** Employees will normally draw their citation books from the uniformed division in which they will perform their duties. However, an employee requiring a citation book may draw it from any of the divisions listed in Manual Section 3/202.10 when circumstances make it impractical for the employee to obtain one from his or her normal source of supply. Such citation books shall, upon completion, be returned to the source from which they were drawn.

Commanding officers listed in Manual Section 3/202.10 shall cause a Record of Traffic Citation Books, Form 4.15, to be maintained, tracking the issuance and the return of citation books in their respective divisions.

**202.24 REISSUANCE OF CITATION BOOKS.** Citation books which have not been completed within three months after issuance shall be recalled by the issuing unit and shall be reissued to more enforcement-active employees. Employees returning such citation books may be issued replacements.

**202.26 DISPOSITION OF TRANSFERRED EMPLOYEES' CITATION BOOKS.** When employees are transferred from one division to another, all traffic citation books in their possession shall be returned to a supervisor of the division from which the books were obtained. The supervisor shall record on the Record of Traffic Citation Books, Form 4.15, the date of the return of the books and the numbers of the unused citations. The books shall then be available for reissuance.

**Exception:** When employees are transferred from a unit or division to another unit or division housed in the same building, they may retain their citation books.

**202.30 CITATION CHECKING BY SUPERVISORS.** Each employee issuing an *absentee* citation shall submit the original citation to a supervisor designated by the commanding officer. Each officer issuing a Traffic Notice to Appear shall submit the original to the designated supervisor (Manual Section 4/318.80).

If a Continuation of Notice to Appear, Form 4.50.5, is involved, the citing officer shall also submit the original of the Continuation Form to the supervisor. The designated supervisor shall check the following items on the citation:

**Completeness.** Each blank space on a citation shall be filled in. If the item is not applicable to the violation charged, a dash may be placed in the space.

**For Combined Marijuana/Traffic Arrests.** A citation may be issued for 23222(b) VC only if the possessor of the marijuana is the driver of the vehicle.

**Note:** The supervisor shall ensure that officers have not issued both an RFC for 11357(b) or 11360(b) H & S violations and issued a Traffic Notice to Appear for the Vehicle Code violations.

**Legibility.** Citations should be legible. Information listed in Manual Section 4/320.25 shall be printed; other portions of the citation may be printed or written.

**Tampering.** There shall be no erasures on the citation. There shall be no changes on the citation other than corrected errors (Manual Section 4/320.80).

**Errors.** In as much as an error or omission in certain items may invalidate the citation, a positive check shall be made of the:

- \* Date of offense;
- \* Correct section cited;
- \* Correct location of offense;
- \* Cited speed and speed zone in speed cases;
- \* Signature of defendant; and,
- \* Valid court appearance date, bail, or juvenile check.

Supervisors checking citations written by Department employees shall initial the lower right corner of the reversed side of the citation.

**202.40 ERROR OR OMISSION NOTED ON CITATION.** A supervisor who observes an uncorrected error or omission other than in the vehicle identification, notes, location of violation, or diagram sections on Traffic Notice to Appear submitted for review shall withhold the original of the citation and obtain a Notice of Correction and Proof of Service, Form 4.07, from the citing employee. A supervisor shall review and complete the Notice of Correction and Proof of Service form in accordance with Manual Section 4/320.80. Form 4.07 shall be stapled at the lower left corner on top of the original of the citation and forwarded in accordance with Manual Section 3/202.70.

A supervisor who observes an uncorrected error or omission in the vehicle identification or violation fields on an **absentee citation** submitted for review shall withhold the citation and obtain a Citation Cancellation Request, Form 4.45, from the citing employee. The Form 4.45 shall be stapled to the original citation and forwarded to Traffic Court Liaison Unit as provided by Manual Section 3/202.70.

**Note:** A supervisor who observes an error in the vehicle identification, notes, location of violation, or diagram sections on a Traffic Notice to Appear or Continuation of Notice to Appear shall inform the citing employee of the error and ensure that the employee records the correct information on the reverse side of the last copy of the citation in the officers citation book to use as reference for court proceedings.

**202.50 TAMPERING OBSERVED ON CITATION.** A supervisor who observes any indication of tampering (Manual Section 3/202.30) on a Traffic Notice to Appear or

Continuation of Notice to Appear submitted for review shall withhold the citation and Continuation and obtain an Employees Report, Form 15.7, from the citing employee, setting forth the facts in the case. The Employee's Report shall be attached to:

- \* The original of the citation when it is a Traffic Notice to Appear; or,
- \* The original when it is an absentee citation.

The forms shall be submitted to the commanding officer for consideration and action.

**202.60 ERRORS NOTED BY TRAFFIC COURT LIAISON UNIT DETAIL.** When an uncorrected error is discovered by an employee at the Traffic Coordination Section in a citation issued by an employee, it should be reported to the citing employee's commanding officer. The commanding officer shall determine the cause for the error and shall take necessary steps to prevent recurrences.

**202.70 FORWARDING CITATIONS-SUPERVISOR'S RESPONSIBILITY.** A supervisor having checked citations (Manual Section 3/202.30) shall:

- \* Cause the originals of Traffic Notices to Appear, Form 4.50.0, (with the original Continuation of Notice to Appear, Form 4.50.5, stapled to them, when appropriate) to be forwarded daily to Traffic Court Liaison Unit, 1945 South Hill Street, Room 107, Mail Stop 420.

**Note:** Citations with correction slips attached shall be grouped together.

- \* Cause a photocopy of juvenile Traffic Notices to Appear to be forwarded daily to Information Technology Division, Data Entry, Mail Stop 447.
- \* Cause the originals of absentee citations to be bundled and forwarded daily to Traffic Court Liaison Unit, 1945 South Hill Street, Room 107, Mail Stop 420.

**Exception:** Citations issued to juvenile traffic violation arrestees shall be approved by a supervisor but not forwarded in the normal manner. The court copy and the defendant's copy of the citation shall be attached to the investigating officer's copy of the arrest report (Manual Section 4/346.40).

**202.80 CITATION CORRECTION-TRAFFIC COURT LIAISON UNIT RESPONSIBILITY.** Upon receipt of a Traffic Notice to Appear with a Notice of Correction and Proof of Service, Form 4.07, Traffic Court Liaison Unit (TCLU) shall submit the citation and attached request to the appropriate court.

**Note:** Whenever TCLU is notified that the court has denied the Department's request to correct a citation, TCLU shall process the citation as directed by the court.

**203. PROCESSING REPORTS-SUPERVISORY RESPONSIBILITY.**

**203.10 FIELD INTERVIEW REPORTS, FORM 15.43.** Approving supervisors shall be responsible for ensuring completeness of the Field Interview Report (FI), Form 15.43 and that the FI is forwarded daily to the Automated Field Interview Unit, Information Technology Division.

**Note:** The number of Field Interview Reports an officer produces should not be used as the sole measure of the officer's productivity.

**204. ISSUANCE AND RETENTION OF FIELD DATA REPORT BOOKS.**

**Commanding Officer's Responsibility.** Each commanding officer shall appoint an employee as the Area or division Field Data Report (FDR) Coordinator, ensure that all field officers within his/her command are issued a Field Data Report book, establish appropriate controls for the issuance, maintenance and storage of FDR books. Additionally, commanding officers shall ensure that completed Field Data Report books are retained in accordance with the Department's Records Retention Program (Manual Section 5/050).

**Field Data Report Coordinator's Responsibility.** The Area/divisional Field Data Report Coordinator shall be responsible for the issuance and maintenance of all Field Data Report Books, Form 15.43.01, and the Record of Field Data Report Books, Form 15.43.02. (See also Manual Section 4/202.02 for additional responsibilities.)

**204.20 APPROVING REPORTS (Manual Sections 5/030.60 and 5/030.61).**

**204.50 PREPARING PRELIMINARY INVESTIGATION REPORTS OF ROBBERY OR RAPE FOR TELETypING.**

A supervisor receiving a Preliminary Investigation report of a robbery or rape, Form 3.1, for approval shall:

- \* Underline in red those details in the body of the report which shall be teletyped.
- \* Ensure that on PIR's of rape, only the victim's description is teletyped, without making any reference to the victim's name.
- \* Cause the report to be delivered to a record clerk for immediate teletyping.

A supervisor approving a report of a robbery or attempted robbery of major importance, or in which a gun was used or simulated by the suspect, shall cause the abstract to be sent as an All Points Bulletin (Manual Section 4/150.12) in addition to the regular local broadcast.

**Exception:** No teletype shall be sent when all suspects are in custody (investigating officers shall be responsible for causing the appropriate teletypes to be sent). At the discretion of the approving supervisor, unusual circumstances of the rape may preclude the need for a teletype.

**Note:** Supervisors may initiate a teletype on any felony crime when the crime or series of crimes provides a description of the suspect(s), vehicle(s), or the modus operandi is so distinctive as to afford a strong probability of identification or recognition.

**205. FLEET SAFETY PROGRAM-RESPONSIBILITY.** Bureau/Area/division commanding officers are responsible for fleet safety and establishing a Fleet Safety Program which provides for:

- \* A reduction in traffic collisions.
- \* A systematic and timely review of employees involved traffic collisions.
- \* Training those employees with deficient driving skills.

**206. TRAFFIC COLLISIONS INVOLVING DEPARTMENT VEHICLES OR EMPLOYEES.** Any traffic collision involving a Department vehicle or involving any employee (including a member of the Police Reserve Corps) while acting within the scope of his/her duties, shall be reported to the Department by the employee operating the vehicle or otherwise involved. A supervisory employee shall be dispatched, whenever practicable, to the scene of each traffic collision which requires a traffic report. If practical, the supervisor dispatched to the scene shall be a member of the Area/division to which the involved employee is assigned.

**206.30 SUPERVISORS' DUTIES-TRAFFIC COLLISIONS INVOLVING DEPARTMENT VEHICLES.** A supervisory employee dispatched to the scene of a traffic collision (Manual Section 3/206.) shall conduct a personnel investigation to determine whether the employee involved was adhering to Department rules, policies, and regulations involving personal conduct.

The watch commander on-duty in the division of assignment of the involved employee shall be notified by the supervisor investigating the accident of the circumstances of the accident and of the findings and action taken by the supervisor. The notification may be made by telephone and shall be made as soon as practicable following the completion of the investigation.

**206.50 SUPERVISOR'S RESPONSIBILITY-TRAFFIC COLLISION INVESTIGATION NOTIFICATION.** When notified of a traffic collision involving one or more of the following circumstances, the supervisor shall immediately respond to the scene, evaluate the circumstances of the incident, and notify the collision investigation follow-up unit when:

- \* The occurrence involves on-duty Department personnel and results in death or serious injury to any involved person.
- \* An aircraft accident results in death, serious injury, or extensive property damage.

- \* Any other circumstances indicate the need for immediate follow up investigation.

**Note:** When the collision investigation follow-up unit is closed, notification shall be made to the Administrative Unit, Detective Support Division, which shall notify the appropriate on-call collision investigation follow-up officer.

**206.95 UNASSIGNED DEPARTMENT VEHICLES INVOLVED IN TRAFFIC COLLISIONS.** If an unassigned Department vehicle parked at a police parking lot or garage displays evidence of traffic collision damage which has not been reported, the watch commander of the division to which the vehicle is assigned shall cause a traffic collision report to be completed.

**207. EMPLOYEE-INVOLVED TRAFFIC COLLISIONS - ADMINISTRATIVE REVIEW PROCESS.**

**207.10 FLEET SAFETY PEER REVIEW BOARD.** Commanding officers shall convene a Peer Review Board to review all minor traffic collisions involving lieutenants and below (or civilian equivalents). A commanding officer may assign personnel to serve on the Peer Review Board for a specified period, or change the Board for each collision. The Peer Review Board shall consist of two members of a civil service rank equal to the involved employee and a supervisor at least one civil service rank above the involved employee. The supervisor shall serve as Chairperson. Employees involved in a fleet safety incident under review, either as participants or as witnesses, are ineligible to serve on that Peer Review Board. Involved employees are **not** allowed to be present when the Board considers its case.

**207.20 CHAIRPERSON, FLEET SAFETY PEER REVIEW BOARD, RESPONSIBILITY.** The Chairperson of the Peer Review Board shall be responsible for convening the Board and completing the Fleet Safety Peer Review Board Report, Form 1.13.10. In addition, the Chairperson shall:

- \* Ensure that each board member reads all reports related to the incident;
- \* Ensure that the Board discusses all elements of the incident;
- \* If necessary, request that the commanding officer obtain additional information;
- \* Complete a written justification for the Board's opinion including any dissenting opinions by board members; and,
- \* Return the Fleet Safety Report package to the commanding officer within 10 calendar days of receipt.

**207.30 EXECUTIVE FLEET SAFETY COMMITTEE.** The Executive Fleet Safety Committee, as a subcommittee of the Department's Risk Management Executive Committee, shall be convened by the Department Traffic Coordinator to review all traffic collisions involving lieutenants and below (or civilian equivalents) resulting in an

"A" or "K" injury. The Executive Fleet Safety Committee shall consist of:

- \* Department Traffic Coordinator - Chairperson;
- \* Involved employee's commanding officer;
- \* Commanding Officer, Training Division;
- \* Commanding Officer, Risk Management Group;
- \* Commanding officer, traffic division of occurrence; and,
- \* Peer member (same rank) of the involved employee, as selected by the Chairperson of the Executive Fleet Safety Committee.

**Note:** If the collision occurred outside the City, the Chairperson shall select a traffic division commanding officer to serve on the Committee.

Service on the Executive Fleet Safety Committee shall not be delegated to a subordinate, absent an approved absence from command. The Executive Fleet Safety Committee shall convene within 45 calendar days of receipt of the Fleet Safety Report package. The Committee's recommendation will be referred to the Director, Office of Operations for presentation to the Chief of Police who shall make the final determination.

**207.40 MINOR TRAFFIC COLLISIONS - LIEUTENANTS AND BELOW.** Special Operations Bureau (SOB) shall compile the Fleet Safety Report package, which consists of a Fleet Safety Report, a Peer Review Report, an Accident History, Form 4.12, and a copy of the completed Traffic Collision Report, CHP Form 555. For minor traffic collisions involving lieutenants and below (or civilian equivalents), SOB shall forward the package to the involved employee's commanding officer via the employee's bureau or appropriate chain of command. The employee's commanding officer, utilizing the peer review process, shall review the Fleet Safety Report package, make a recommendation, and forward the package to the bureau or equivalent command for review and recommendation. The bureau or equivalent command shall then forward the Fleet Safety Report package to the Department Traffic Coordinator for final review.

**207.50 "A" or "K" TRAFFIC COLLISIONS - LIEUTENANTS AND BELOW.** The Fleet Safety Report package for all traffic collisions that result in an "A" or "K" injury to any person, involving a lieutenant and below (or civilian equivalent), shall be forwarded directly to the Department Traffic Coordinator. In such cases, the Department Traffic Coordinator shall convene the Executive Fleet Safety Committee to review the traffic collision and make a recommendation to the Chief of Police.

**207.55 TRAFFIC COLLISIONS - COMMAND AND STAFF OFFICERS.** For all traffic collisions involving captains and above (or civilian equivalents), the Fleet Safety Report package shall be forwarded directly to the Chairperson of the Risk Management

Executive Committee. The Risk Management Executive Committee will evaluate the traffic collision and make a recommendation to the Chief of Police who will determine the final classification.

**Note:** If the Chief of Police determines that a traffic collision under review by either the Executive Fleet Safety Committee or the Risk Management Executive Committee is preventable, the matter shall be forwarded to the Department Traffic Coordinator. The Department Traffic Coordinator shall forward the package to the employee's commanding officer, via the employee's bureau, directing that a Complaint Form, Form 1.28, be generated. The completed 1.28 investigation shall be returned to the Department Traffic Coordinator, who will forward it to the Commanding Officer, Professional Standards Bureau, in the usual manner.

**207.60 DEPARTMENT TRAFFIC COORDINATOR'S RESPONSIBILITY.**  
The Department Traffic Coordinator shall:

- \* Review all completed Fleet Safety Report packages to determine compliance with Department procedure and consistency of the final classification;

**Note:** If the Department Traffic Coordinator disagrees with the classification, he/she shall attach an Intradepartmental Correspondence, Form 15.2, to the Fleet Safety Report package articulating the rationale. If the classification is changed to preventable, the Department Traffic Coordinator shall return the Fleet Safety Report package to the employee's commanding officer (via the bureau or equivalent command) who shall include the Department Traffic Coordinator's 15.2 and initiate a complaint investigation and adjudicate the complaint in the usual manner.

- \* Forward all completed original **non-preventable** Fleet Safety Report packages to Special Operations Support Division for retention;
- \* Forward all completed original **preventable** Fleet Safety Report packages to the Commanding Officer, Professional Standards Bureau, and a copy to Special Operations Support Division;
- \* Forward a copy of the Fleet Safety Report, with the final classification, via the bureau or equivalent chain of command to the involved employee's commanding officer for final notification to the employee within 45 days of receipt from the bureau or equivalent; and,
- \* Forward a copy of **all** completed Fleet Safety Report packages to the Commanding Officer, Risk Management Group, for trend analysis and auditing purposes.

**207.65 SPECIAL OPERATIONS SUPPORT DIVISION RESPONSIBILITY.**  
The Commanding Officer, Special Operations Support Division, shall:

- \* Provide staff support to the Department Traffic Coordinator;
- \* Maintain the Department's Fleet Safety database;
- \* Forward a Fleet Safety Report package to the appropriate bureau within 10 calendar days of receiving the Traffic Collision Report;
- \* Compile a monthly report on all overdue packages and provide it to the Department Traffic Coordinator and all bureau commanding officers; and,
- \* Compile a monthly Fleet Safety management report and provide it to the Department Traffic Coordinator and all bureau commanding officers.

**207.70 TRAFFIC DIVISION'S RESPONSIBILITY.** The Collision Investigation Follow-up Unit of the traffic division investigating an employee-involved traffic collision shall:

- \* Forward two copies of all employee-involved traffic collision reports, which have been audited and approved for distribution, to Special Operations Support Division within 5 working days of the incident; and,
- \* Distribute employee-involved traffic collision reports as outlined in Department Traffic Manual Section 4/211.

**207.75 COMMANDING OFFICER'S RESPONSIBILITY.** Generally, the Area training coordinator is responsible for tracking and monitoring all traffic collisions involving employees within the command.

**Minor Traffic Collisions Involving a Lieutenant and below.** Upon receipt of a Fleet Safety Report involving a lieutenant and below (or civilian equivalent), the commanding officer shall:

- \* Direct that a Peer Review Board be convened to review the incident and recommend a disposition;
- \* Review the incident and the Peer Review Board's assessment;
- \* Request additional information from the involved traffic division or outside agency, if needed;
- \* Contact subject matter experts (e.g., the Specialized Collision Investigation Detail, Gang Impact Teams, etc.), if necessary;
- \* Make a recommendation on the classification;
- \* Ensure that the involved employee signs the Fleet Safety Report on a non-preventable classification;
- \* Forward the completed Fleet Safety Report package to the bureau commanding officer within 30 calendar days of receipt; and,
- \* Notify the involved employee of the collision's final classification and provide him/her with a copy of the investigation.

When employees from separate commands are involved in a traffic collision, the Department Traffic Coordinator shall determine which commanding officer is responsible for

reviewing the entire incident for all involved employees. The commanding officer assigned to conduct the review shall discuss his/her findings with the commanding officer(s) of the other involved employee(s).

**Major Traffic Collisions.** When a commanding officer is notified that the findings of either the Executive Fleet Safety Committee or the Risk Management Executive Committee involve a preventable traffic collision, he/she shall initiate a complaint investigation and adjudicate the complaint. The completed complaint investigation and the Fleet Safety Report package shall be forwarded via the chain of command to the Department Traffic Coordinator, who shall forward it to the Commanding Officer, Professional Standards Bureau.

**207.80 BUREAU COMMANDING OFFICER'S RESPONSIBILITY.** Bureau commanding officers shall forward the initial Fleet Safety Report package to the commanding officer of the involved employee within seven calendar days of receipt from Special Operations Support Division. Upon return of the completed package, the bureau or equivalent commanding officer shall:

- \* Review all related reports, evidence, and recommendations;
- \* Make a recommendation on the classification;
- \* Sign the Fleet Safety Report;
- \* Forward the Fleet Safety Report package to the Department Traffic Coordinator within 10 calendar days of receipt; and,
- \* Forward a copy of the Fleet Safety Report, Form 1.13.0, to Special Operations Support Division for tracking.

**207.85 TRAINING-DOCUMENTATION.** When training is directed as the result of an employee-involved traffic collision, all completed training and the corresponding Division of Records (DR) number shall be entered into the Training Evaluation and Management System (TEAMS) by Training Division. Training for traffic collisions that result in complaints should be documented in the Letter of Transmittal. Training for traffic collisions that do not result in complaints can be documented on an Employee Comment Sheet, Form 1.77, or the Notice to Correct Deficiencies, Form General 78.

**207.90 MULTIPLE RISK MANAGEMENT INCIDENTS.** When multiple risk management issues are involved (i.e., pursuit, traffic collision, use of force, and/or a complaint investigation) and adjudication is interdependent, all incidents shall be adjudicated by the same reviewing authority in the following sequence:

- \* Complaint investigation;
- \* A use of force adjudicated by the Use of Force Review Board;
- \* Traffic collision involving "A" or "K" injuries (Special Operations Bureau);

- \* Other uses of force or pursuits (Risk Management Group); then,
- \* Traffic collisions not involving death or serious injury (Special Operations Bureau).

**Example:** An incident involving a pursuit and a use of force under adjudication by the Use of Force Review Board would be adjudicated in its entirety by the Use of Force Review Board.

**Note:** When a preventable traffic collision is one of multiple allegations included in a complaint investigation, the Fleet Safety Report shall still be completed and forwarded to Professional Standards Bureau with the complaint investigation. The Corrective Action Imposed or Recommended section shall state, "Additional Misconduct Alleged."

## 208. MOTORIZED POLICE ESCORTS.

### 208.10 REQUESTING MOTORIZED ESCORTS.

All requests for Department personnel and equipment for escort service shall be referred to the Commanding Officer, Special Operations Support Division. When the office of the Commanding Officer, Special Operations Support Division, is closed, requests for motorized escorts shall be referred to the Commanding Officer, Detective Support Division. A request for escort service shall not be granted except with the permission of the Commanding Officer, Special Operations Support Division, or a delegated authority, subject to approval of the Chief of Police.

### 208.20 AUTHORIZING MOTORIZED ESCORTS.

Motorized police escorts may be granted under the following circumstances:

- \* For the personal safety of individuals or groups, such as the President, the Vice President, and Cabinet members of the United States, or ambassadors of foreign nations when their safety can be assured in no other manner and the protection is requested by an official government agency.
- \* For the personal safety of individuals or groups about whom revolve controversial issues of such significance that the threat of violence or disorder is imminent.
- \* For a private or public event, such as a street parade, officially approved, when circumstances threaten public safety or indicate a serious disruption of normal traffic flow.
- \* At the discretion of the Commanding Officer, Special Operations Support Division, when safety of the public, an individual, or a group is of concern to the Department.

Normally, requests for escorts shall not be granted to any person for the purpose of expediting his/her journey or to provide publicity or personal convenience. Police escorts operating under emergency conditions shall confine their activities to those emergencies within the meaning of the California Vehicle Code.

**209. PULL NOTICE PROGRAM.** All employees who have commercial driver's licenses (defined as Class A or Class B driver's licenses, or Class C driver's licenses with a commercial endorsement as defined in Section 1808.1 of the California Vehicle Code) and who have been proficiency tested by the Emergency Vehicle Operation Course (EVOC) Unit, Training Division, to operate Department vehicles or equipment that require these classes of licenses shall be registered in the Pull Notice Program.

**Note:** Only Department employees who have commercial driver's licenses and have been proficiency tested by the EVOC Unit may operate Department vehicles or equipment for which commercial driver's licenses are required. Employees with commercial driver's licenses who have not been proficiency tested by the EVOC Unit are prohibited from operating such Department vehicles and equipment.

**Employee's - Responsibility.** Employees with commercial driver's licenses who have been proficiency tested by the EVOC Unit to operate Department vehicles or equipment that require a commercial driver's license shall notify their commanding officer when they obtain the license and whenever their commercial driver's license changes classification.

**Commanding Officer's - Responsibility.** Commanding officers shall ensure that:

- \* All personnel in their commands who operate vehicles or equipment requiring a commercial driver's license are properly licensed and proficiency tested by the EVOC Unit prior to operating the vehicles or equipment.

**Note:** Commanding officers may request Department proficiency testing of employees for commercial driver's licenses by forwarding an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Training Division.

- \* A request to register employees in the Pull Notice Program is forwarded to Traffic Coordination Section whenever employees obtain commercial driver's licenses and the employees:
  - \* Are proficiency tested by the EVOC Unit, Training Division; and,
  - \* Will be operating Department vehicles or equipment for which a commercial driver's license is required.

**Note:** A copy of the request shall be forwarded to the EVOC Unit, Training Division.

- \* Appropriate certification records for employees operating commercial vehicles or equipment are on file in the employees' Area/division of assignment.
- \* Traffic Coordination Section and the EVOC Unit are notified whenever an

employee with a commercial driver's license reports a change in driver's license classification or is transferred to another command.

**Note:** Commercial driver's license certification records shall be forwarded to the new command when an employee transfers.

**Traffic Coordination Section - Responsibility.** Traffic Coordination Section shall be responsible for the following duties:

- \* Coordinating and administering the Department's Pull Notice Program.
- \* Maintaining Pull Notice Program records.
- \* Making additions to and deletions from the Pull Notice Program as required.
- \* Reviewing all pull notices received from the Department of Motor Vehicles.
- \* Forwarding pull notices that indicate action taken against an employee's driver's license to the employee's commanding officer.

**Note:** A copy of the pull notices shall also be forwarded to the EVOC Unit, Training Division.

- \* Updating Department Pull Notice Program records when pull notices are returned by commanding officers after appropriate action has been taken.

**Training Division - Responsibility.** Training Division shall be responsible for the following duties:

- \* Conducting driver proficiency testing and certification for every sworn and civilian Department employee who operates vehicles or equipment that require a commercial driver's license.
- \* Conducting periodic on-site inspections of commercial driver certification records to ensure that records are being properly maintained at Areas/divisions.
- \* Ensuring that Training Management System records are updated to include commercial driver's license information for each employee at the time the license is issued or whenever notification is received that the status of a license has changed.

### Officers in Special Assignments.

Commanding officers of employees with Department-certified commercial driver's licenses who are transferred into special assignments which require having employee records removed from Department files shall ensure that the employees are also removed from the Pull Notice Program. This can be accomplished by adding Pull Notice Program records to the Personnel Division copy of the hand-delivered Form 15.2 which removes other records. Commanding officers of employees in special assignments shall ensure that the employees who have Department-certified commercial driver's licenses are re-registered in the Pull Notice Program upon their transfer from the special assignment by submitting an Intradepartmental Correspondence, Form 15.2, to the Officer in Charge, Traffic Coordination Section.

**209.10 INVESTIGATING REPORTS OF DMV ACTION AGAINST EMPLOYEES WITH COMMERCIAL DRIVER'S LICENSES.** Upon receiving a pull notice from Traffic Coordination Section, commanding officers shall:

- \* Ensure that the affected employee takes the appropriate action to clear his or her driving record, as necessary.
- \* After the employee takes the appropriate action, cause a statement to be made on the notice that the matter has been corrected (or that no action was appropriate), have the commanding officer's signature block placed on the notice, sign the notice, and return it to Traffic Coordination Section. All DMV, court, or other documentation relating to clearance of the pull notice shall be forwarded with the notice as attachments.

**Note:** A copy of completed pull notices shall also be forwarded to the EVOC Unit, Training Division.

- \* Where the information in the pull notice could be construed as misconduct, ensure that the appropriate investigation is conducted.

**209.20 NOTIFICATION OF AN EMPLOYEE'S LICENSE RESTRICTION.**

All Department employees who are required to possess a valid California driver's license as a condition of their employment shall immediately notify their commanding officer whenever their driver's license is or is about to be revoked, suspended, restricted or limited in any way. This notification may be made directly to the commanding officer through an employee's supervisor. The employee shall provide the supervisor or commanding officer with a copy of any related paperwork. Failure to make this notification in a timely manner is considered misconduct. An employee shall notify the commanding officer when his/her license is reinstated.

**Note:** This includes all sworn employees and some non-sworn employees regardless of their current assignment. Civilian Personnel Services Section, Personnel Division, can assist in determining which non-sworn classifications require a valid driver's license.

**Supervisor Responsibility.** Upon being notified that an employee's driver's license has been revoked, suspended, restricted, or limited, a supervisor shall evaluate the circumstances and, if appropriate, immediately modify the employee's assignment to ensure the employee does not violate the restriction(s). The supervisor shall document the incident on an Employee Comment Sheet, Form 1.77, and forward the form, along with any paperwork, to the employee's commanding officer.

**Commanding Officer Responsibility.** Upon being notified of any DMV action against an employee's driver's license, the commanding officer shall ensure that the employee's assignment is modified to comply with the

restrictions. The commanding officer shall consult with the Commanding Officer, Internal Affairs Group and his/her bureau commanding officer or equivalents. In cases where administrative discipline is appropriate, the commanding officer shall cause an investigation to be initiated. Upon return of a valid license, the commanding officer shall evaluate the employee's assignment and may allow the employee to reintegrate into an assignment requiring the operation of a Department vehicle.

**Bureau Commanding Officer.** Bureau commanding officers shall ensure that an investigation is conducted and appropriate action is taken with respect to any restrictions to an employee's driver's license.

**210. SUBPOENAS.** The duties of investigating officers in connection with the handling of subpoenas are listed in Manual Section 4/745. The duties of other employees in connection with the handling of subpoenas are established by this section.

**210.05 SUBPOENA CONTROL OFFICERS-DESIGNATION.** Each Area commanding officer shall designate an officer in his or her command as Area subpoena control officer. Each specialized detective or traffic division commanding officer may, when the volume of subpoenas indicates the necessity, designate a divisional subpoena control officer. Subpoena control officers shall be assigned to a duty schedule that will ensure their presence during normal court hours.

**210.10 SUBPOENA CONTROL OFFICER-RESPONSIBILITY.** Subpoena control officers shall be responsible for:

- \* Ensuring that subpoenas and court notices are prepared on a timely basis.
- \* Receiving and recording subpoenas and court notices in the Employee Subpoena Record, Form 15.29 as soon as practicable after receipt in the Area/division.

**Note:** To ensure strict accountability for subpoenas and to ensure that current information pertaining to subpoenas is readily available, the subpoena control officer responsibilities shall not be decentralized within the Area/division.

- \* Arranging for, and verifying service of, subpoenas and court notices for all watches.
- \* Ensuring that the watch commander is promptly notified of any subpoena (private person or employee) requiring immediate service.
- \* Forwarding control copies of served subpoenas and court notices to the courts or issuing jurisdictions.
- \* Notifying the city attorney or district attorney when an employee cannot be served before the date set for the court appearance.

**Exception:** When an investigating officer requests service of a subpoena for a

preliminary hearing, it shall be returned to the investigating officer as soon as it is served. If a private person cannot be served before the date set for court appearance, the investigating officer shall be notified as soon as practicable by telephone.

- \* Forwarding subpoenas and court notices to the proper division when a subpoena or court notice is received for an officer assigned to another division. When there is insufficient time to forward the subpoena or court notice before the date of court appearance, the watch commander on-duty at the subpoenaed employee's division of assignment shall be notified as soon as practicable by telephone.
- \* Reviewing all Declarations for Continuance, Forms 15.51 and 15.51.1, and placing a notation in the Employee Subpoena Record that the declaration was completed. The subpoena control officer shall maintain the file of these requests for two years.
- \* When notified that an employee's on-call status in Superior Court has been continued to another date, causing:
  - \* The necessary information to be entered following the new date in the Employee Subpoena Record, Form 15.29.
  - \* The employee to be notified of the continuance of on-call status.
  - \* The employee to initial the new entry in the Employee Subpoena Record.

Training Orders:

- \* Upon receipt of the Training Order, cause an entry of the training information to be made in the Employee Subpoena Record, Form 15.29.
- \* Forward two copies of the Training Order, and the Employee Subpoena Record to the employee's watch commander for service.
- \* Forward all initiated Training Orders to the training coordinator.

**Note:** The subpoena control officer shall maintain the Training Orders for Department entities that do not have a training coordinator.

Training Orders that cannot be served shall have a reason for non-service documented on the Order and shall be signed by a supervisor. The Training Order shall then be immediately returned to the In-Service Training Unit, Training Division.

The subpoena control officer should keep a copy of all Training Orders for his/her files.

Narcotics Evidence Photographs:

- \* Upon receipt of the narcotics evidence photographs from SID, maintain a file of the photographs by DR number.
- \* Check each subpoena for a narcotics case to ensure that the photograph(s) is on file and so mark the Subpoena Control Book. If the photograph cannot be located, the subpoena control officer should contact



Scientific Investigative Division (SID), Narcotics Analysis Unit immediately and request a copy of the photograph.

- \* Provide the photograph(s) to the officer when requested for court purposes and mark the Subpoena Control Book to indicate the photograph(s) was provided to the officer.
- \* Re-file any returned photograph(s) and so mark the Subpoena Control Book.
- \* Store all photographs until notified by the Property Disposition Coordinator (PDC) that the photograph(s) can be destroyed.

Geographic Area commanding officers shall ensure that Area subpoena control officers:

- \* Maintain a file of **all** Restraining Orders (e.g., DVRO's, EPO's, WHO's, etc.);
- \* Maintain a Restraining Order Control Log, Form 15.40, of all Restraining Orders received from Records and Identification Division.
- \* Compile all Restraining Order Control Logs in a three-ring, loose-leaf binder and, along with all Restraining Orders, place in a location accessible to Area uniformed desk personnel and the on-duty watch commander.

Geographic Areas shall retain purged Restraining orders for two years from date of issuance.

Upon receipt of the City Attorney's Discovery Questionnaire the subpoena control officer shall:

- \* Log the questionnaire in the Employee Subpoena Record, Form 15.29, by entering:
  - \* The city attorney's due date.
  - \* The case number.
  - \* The officer's name.
- \* Give the Questionnaire to the officer's supervisor *without delay*.

Upon receipt of the completed questionnaire from the officer's supervisor, the subpoena control officer shall:

- \* Record the date of return in the Employee Subpoena Record, Form 15.29.
- \* Immediately return the questionnaire to the City Attorney's Office.

**210.12 OFFICER RESPONSIBILITY WHEN NOTIFIED OF A COURT APPEARANCE.** When Department employees receive a subpoena or are notified that their presence is required at a legislative, judicial or administrative proceeding, regardless of the jurisdiction, employees shall immediately:

- \* Ensure that the necessary information is entered in the Employee Subpoena Record, Form 15.29.
- \* Notify their supervisor who shall complete the service information, examine the

Employee Subpoena Record for completeness and initial the Form 15.29.

- \* Sign and date the subpoena and cause the original to be returned to the court.

**210.15 CLERICAL EMPLOYEE'S DUTIES-SUBPOENAS.** A record clerk shall:

- \* Complete a Court Notice, Form 15.57, for each employee named in a subpoena teletype and each employee named in a subpoena received with insufficient copies.
- \* Deliver all subpoenas and completed court notices to the subpoena control officer *immediately*.

**Note:** When the subpoena control officer is unavailable, subpoenas and court notices shall be delivered to the watch commander on-duty. The watch commander shall ensure that those subpoenas and court notices which require immediate service are served and the control copies of these and all other subpoenas and court notices are delivered to the subpoena control officer.

**210.20 WATCH COMMANDER'S RESPONSIBILITY-SUBPOENAS.** A watch commander, upon receiving a subpoena or Court Notice, Form 15.57, shall ensure that it is served promptly.

**Note:** Subpoenas requiring *immediate* service shall be given special attention.

Additionally, the watch commander shall ensure that the following subpoena procedures are followed:

**Officer-Criminal.**

- \* The subpoenaed officer shall sign the subpoena or court notice and initial the Employee Subpoena Record signifying that service has been made.
- \* The subpoena or court notice shall be signed and dated at the time it is served.
- \* The original of the subpoena or court notice shall be returned to the subpoena control officer.

**Officer-Civil.**

- \* The subpoenaed officer shall initial the Employee Subpoena Record.
- \* The officer shall complete the Declaration of Receipt/Expenditure of Funds, Form 15.24, as required (Manual Section 3/780.50).
- \* The record clerk shall forward the Declaration of Receipt/Expenditure of Funds to the Police Accountant.

**Private Person.**

- \* The subpoena shall be assigned to the subpoena control officer for service.
- \* The subpoena's final disposition, "Served" or "Unserved," shall be indicated on the subpoena itself.

**City Attorney's Discovery Questionnaire.**

- \* The officer shall be served during his/her next regularly scheduled tour of duty.

\* The Employee Subpoena Record, Form 15.29, shall be dated and initialed by the serving supervisor.

- \* The serving supervisor shall ensure that the officer initials the Employee Subpoena Record, Form 15.29, signifying that service has been made.
- \* The serving supervisor shall ensure that the questionnaire is returned directly to him/her upon completion.
- \* The supervisor shall examine the questionnaire for completeness and return it to the subpoena control officer.

**210.22 RETURN OF SUBPOENAS TO ISSUING COURT.** The subpoena control officer of each Area/division shall be responsible for the return of all subpoenas as soon as they have been served or noted as unserved. Subpoenas shall be returned via Department mail and Los Angeles County messenger service as follows:

- \* Municipal Court subpoenas signed by the District Attorney;

District Attorney's Office Trials  
Secretarial Unit 171138  
Criminal Courts Building  
Los Angeles

- \* Municipal Court subpoenas signed by the City Attorney;

City Attorney's Office  
1700 City Hall East  
200 North Main Street  
Los Angeles

- \* Juvenile Court subpoenas, Metropolitan Area, Division 201 through 206;

District Attorney's Office  
Juvenile Division  
560 Hall of Records  
320 West Temple Street  
Los Angeles

- \* Superior Court subpoenas for cases being heard in the Criminal Courts Building;

District Attorney's Office  
Witness Assistance Section  
12514 Criminal Courts Building  
Los Angeles

- \* Superior Court subpoenas for cases being heard in the Branch Offices, such as Van Nuys, Sylmar or Santa Monica must be addressed to those branches.

- \* Public Defender subpoenas;

Public Defender's Office  
19513 Criminal Courts Building  
Los Angeles

**Note:** Private defense attorney subpoenas shall be returned to the individual attorney via U.S. Mail.

**210.23 RETURN OF CIVIL SUBPOENAS (Manual Section 3/780.40)**

**210.25 EMPLOYEE'S DUTIES - REQUESTING RELEASE FROM COURT APPEARANCE. (Vacation).** A subpoenaed employee who wishes to be excused from appearing in court in order to go out of the County of Los Angeles on vacation shall proceed as follows:

**Traffic Court.**

Immediately upon receipt of a Court Notice, Form 15.57.0, for their appearance in traffic court, related to a traffic citation which does not involve a City Attorney subpoena or juvenile court case, an officer may request to be excused by completing a Request to be Excused from Traffic Court Appearance, Form 4.70.0, and submitting it to their commanding officer for approval or disapproval.

**Misdemeanor Cases.**

- \* Immediately upon receipt of the subpoena, complete two copies of the Declaration for Continuance, Form 15.51, containing:
  - \* All facts to which the employee can testify.
  - \* General information as to address of officer while out of the County, and dates of absence.
- \* Submit the Form 15.51 to the watch commander for approval.
- \* Forward one copy of the Form 15.51 to the Area/division Subpoena Control officer.
- \* Forward original to the deputy city attorney (Manual Section 3/210.45).

**Preliminary Hearings and Felony Trials.**

- \* Request permission from the deputy district attorney of the concerned court.
- \* If permission is granted, complete two copies of the employees Report, Form 15.7, containing:
  - \* Defendant's name.
  - \* Court division or department number.
  - \* Case number.
  - \* Date of trial.
- \* Name of deputy district attorney excusing officer from court appearance.
- \* Submit the Form 15.7 to the watch commander for approval and forward one copy to the investigating officers and the original to the Area/division subpoena control officer.

**Note:** Vacations shall include regular and special days off taken in conjunction with the vacation period.

**210.28 EMPLOYEE'S DUTIES - REQUESTING RELEASE FROM COURT APPEARANCE ON TRAFFIC CITATIONS.** An officer may request to be excused from Traffic Court, related to a traffic citation, when all of the following are met:

- \* The officer's traffic court appearance does not involve a City Attorney subpoena or a juvenile court case;

**Note:** A traffic citation subject to a City Attorney subpoena is a case where the City Attorney's Office has filed charges and issued a subpoena for the appearance of the officer. A juvenile court case is a case involving a juvenile "violin" and a subpoena has been issued by the Superior Court requiring the appearance of the officer.

- \* The reason to be excused is deemed necessary and outweighs Department needs and the severity of the charges/offenses involved; and,
- \* The officer's request to be excused is listed on the Request to be Excused from Traffic Court Appearance form (e.g., family bonding leave, essential Department training).

**Note:** "Essential Department Training" is defined as training of a unique nature that cannot be re-scheduled within an immediate time frame, multi-day training wherein a single court appearance would jeopardize completion of the course of instruction, or out-of-the-area training where pre-paid fees would be forfeited as a result of the officer's failure to attend the training.

**Officer's Responsibility.** Officers who receive a Court Notice, Form 15.57.0, for their appearance in traffic court, related to a traffic citation, may request to be excused from Traffic Court. Officers requesting to be excused shall:

- \* Complete a Request to be Excused from Traffic Court Appearance, (Form 4.70.0);
- \* Submit the Request to be Excused from Traffic Court Appearance form to their commanding officer for approval or disapproval; and,
- \* If the request is denied, the officer shall appear in traffic court as notified.

**Note:** An officer is not excused from his/her traffic court appearance until the request has been approved by his/her commanding officer (or bureau commanding officer when applicable) and the officer has received a signed copy of the approved Request to be Excused from Traffic Court Appearance form.

**Commanding Officer's Responsibility.** Upon review of the Request to be Excused from Traffic Court Appearance form, the commanding officer shall:

- \* Approve or deny the Request to be Excused from Traffic Court Appearance form;
- \* Forward the original completed Request to be Excused from a Traffic Court Appearance form to the Area/divisional Subpoena Control Officer (SCO) and forward a copy to the bureau commanding officer; or,
- \* If bureau approval is required, forward the original Request to be Excused from

Traffic Court Appearance form to the bureau commanding officer for approval or disapproval; and,

- \* Provide a copy of the completed Request to be Excused from a Traffic Court Appearance form to the officer after approval or disapproval by the bureau commanding officer, when applicable.

**Bureau Commanding Officer's Responsibility.** Upon review of the Request to be Excused from a Traffic Court Appearance form, the bureau commanding officer shall:

- \* When bureau approval is required, approve or deny the Request to be Excused from Traffic Court Appearance form;
- \* Forward the original Request to be Excused from Traffic Court Appearance form to the applicable court liaison unit; and,
- \* Forward a copy of the Request to be Excused from Traffic Court Appearance form to the Area/divisional commanding officer of the requesting officer.

**Note:** When bureau approval is not required, the bureau commanding officer shall review requests to ensure proper compliance.

**Subpoena Control Officer's Responsibility.** Area/divisional SCO's upon receiving the original Request to be Excused from Traffic Court Appearance form shall:

- \* Record the commanding officer's/bureau commanding officer's determination on the Officer Subpoena Record, Form 15.29.0, adjacent to the traffic court case; and,
- \* Forward the original Request to be Excused from Traffic Court Appearance form to the applicable court liaison unit.

**Court Liaison Unit's Responsibility.** Upon receiving an approved Request to be Excused from Traffic Court Appearance form, personnel assigned to the applicable court liaison unit shall:

- \* Record the determination of the Request to be Excused from Traffic Court Appearance form on the related court calendar; and,
- \* Retain the Request to be Excused from Traffic Court Appearance form pursuant to Records Retention requirements.

**Note:** Court Liaison Unit personnel shall utilize the Court Notice, Form 15.57.0, when notifying Department employees of a court appearance related to a traffic citation.

**210.30 EMPLOYEE'S DUTIES - UNABLE TO APPEAR IN RESPONSE TO SUBPOENA.** A subpoenaed employee, who will be unable to appear in court or at a parole revocation hearing on time for any valid reason (such as illness or injury), shall notify the subpoena control officer or, in his or her absence, the concerned watch commander as soon as practicable.

**210.45 SUBPOENA CONTROL OFFICER - UNABLE TO SERVE SUBPOENA ON EMPLOYEE, OR**

**UNABLE TO APPEAR IN COURT.** A subpoena control officer, when unable to arrange for the service of a subpoena on an employee before the date set for court appearance, or when notified that a subpoenaed employee will be unable to appear in court for any valid reason, shall proceed as follows:

**In All Cases.**

- \* Record the reason for non-service and obtain his watch commander's signature on the subpoena.
- \* In the case of a subpoena teletype, the watch commander of the division from which the teletype was sent shall be immediately notified by telephone.

**Misdemeanor Cases.**

- \* Complete three copies of the Declaration for Continuance, Form 15.51.1, containing:
  - \* Defendant's name.
  - \* Court division number.
  - \* Case number.
  - \* Officer's name and serial number.
  - \* Date of trial.
- \* Facts to which the employee can testify (obtained from the subpoenaed employee or by summarizing narrative portion of arrest report).
- \* Reason for inability to serve employee (when on vacation out of County, state location and dates of absence-when on military leave, state location of reporting for military duty and dates of absence).
- \* The degree of impairment, and the approximate length of time for recovery.

**Note:** The above explanations shall also be included for injured-on-duty illnesses or injuries.

- \* Date employee will be able to appear.
- \* His or her watch commander's signature, indicating approval.
- \* Forward the original and one copy of the subpoena as follows:
  - \* For Municipal Court (except traffic) in the metropolitan area, to the Master Calendar Court Deputy, Room 1700, City Hall East, 200 North Main Street, Los Angeles, California 90012.
  - \* For misdemeanor traffic cases in the metropolitan area, to the deputy city attorney, 1945 South Hill Street.
  - \* For misdemeanor cases in outlying divisions, to the deputy city attorney of the concerned court.
  - \* Retain one copy in the Area/division subpoena control officer's files for two years.

**Note:** When time does not permit the use of interdepartment mail, divisions having officers scheduled for appearance in court in the metropolitan area shall send a teletype Declaration for Continuance to the Warrant Section, Records and Identification Division. The teletype shall contain the information

required on the Form 15.51.1. The Warrant Section, upon receiving the teletype, shall transcribe the information contained therein on a Form 15.51.1. This form shall then be executed and delivered to the concerned court.

**Preliminary Hearings and Felony Trials.**

- \* If the subpoena service was requested by an investigating officer, he or she shall be immediately notified by telephone.
- \* For preliminary hearings and felony trials, notify by telephone the deputy district attorney of the concerned court.

**City Attorney's Discovery Questionnaires.**

- \* If an officer named on a City Attorney's Questionnaire is scheduled to be off duty for a period of time extending beyond the city attorney's due date, the concerned supervisor shall:
  - \* Initial the questionnaire and indicate the date the officer is scheduled to return.
  - \* Immediately return the questionnaire to the subpoena control officer who shall forward it *without delay* to Detective Support Division.

**Defense Subpoenas.**

When unable to arrange for the service of a defense subpoena upon an employee prior to the specified appearance date, or when notified that a defense-subpoenaed employee is unable to appear on the specified appearance date, the subpoena control officer shall:

- \* Immediately notify the prosecuting and defense attorneys.
- \* Notify the clerk of the court on the date of the scheduled appearance.

**210.46 SUBPOENA CONTROL OFFICER'S DUTIES-JUVENILE COURT HEARINGS-UNABLE TO APPEAR IN COURT.** The subpoena control officer shall cause immediate notification to be made to the concerned section of the Juvenile Division of the District Attorney's Office when:

- \* He or she is unable to serve a Juvenile Court subpoena or a Juvenile Court Traffic Notice on an officer. The reason for non-service, or why the officer is unable to appear, shall be given.
- \* He or she is notified that a subpoenaed officer will be unable to appear. Notifications shall be made prior to the time set for court appearance.

**Exception:** Notification shall be made directly to the Long Beach Juvenile Court and all traffic divisions of the Juvenile Court.

**210.60 DEPARTMENT EMPLOYEES APPEARING AS DEFENSE WITNESSES.** A Department employee shall notify his or her commanding officer as soon as possible prior to giving testimony as a defense witness in a criminal case, either by personal appearance or by deposition. The notification shall be made

on an Employee's Report, Form 15.7, and shall contain the following items if applicable:

- \* Type of case.
- \* Names of investigating officers.
- \* Name of concerned government agency (City Attorney's Office, District Attorney's Office, etc.).
- \* Name of defendant (or plaintiff).
- \* Court number of case.
- \* Location where the hearing is to be held (court division or street address).
- \* Date and time of appearance.

Commanding officers, upon receipt of the notification, shall immediately notify the investigating officers and the attorney for the concerned government agency.

**210.63 DEPARTMENT EMPLOYEES APPEARING AT GOVERNMENTAL ADMINISTRATIVE HEARINGS.** A

Department employee shall notify his or her commanding officer upon receipt of a request to appear at an administrative hearing, conducted by another governmental agency, which may result in disciplinary action against an employee of the concerned agency. The notification shall be made on an Employee's Report, Form 15.7, and shall contain the following information:

- \* Type of case.
- \* Governmental agency involved.
- \* Date, time, and location of hearing.
- \* Nature of hearing.
- \* Name of accused employee involved.
- \* Nature of the Department employee's involvement.

Upon receipt of such notification, the employee's commanding officer shall determine whether the information which the employee is likely to divulge may be confidential in nature or has a potential for personal or City liability in a civil lawsuit. When there is a possibility that such information may be divulged, the commanding officer shall notify his or her superior officer at the bureau level. The staff officer shall evaluate the information and, if appropriate, notify the Commanding Officer, Risk Management Group. The Commanding Officer, Risk Management Group, shall make arrangements with the City Attorney's Office to provide advice to, and if necessary appear with, the employee.

Additionally, the commanding officer shall cause the concerned agency to be notified of the employee's intended appearance.

**Employees Appearing Off-Duty at Governmental Administrative Hearings.** An employee who will be appearing off-duty at a governmental administrative hearing as a character witness or representative shall complete an Employee's Report, Form 15.7, to the employee's commanding officer advising the commanding officer of the appearance. The Form 15.7 shall contain the following information:

- \* Type of case.
- \* Governmental agency involved.
- \* Date, time, and location of the hearing.
- \* Name of the applicant or organization involved.
- \* Nature of the employee's involvement.

Whenever an employee's affiliation with the Department is disclosed during an off-duty appearance at an administrative hearing, the employee shall advise the hearing officer that the employee is appearing as a private person and is not representing the Department.

Supervisors reviewing Form 15.7 notifications of off-duty appearances at governmental administrative hearings shall discuss the appearance with the employee and ensure that the employee is aware that he or she is appearing as a private person and does not represent the Department.

Commanding officers notified of off-duty appearances at governmental administrative hearings shall review the Form 15.7 notification to ensure that no conflict of interest exists. If it is determined that a conflict may exist, the commanding officer shall ensure that the employee is appropriately counseled prior to the appearance date.

**Note:** Employees have a right to appear at hearings as private persons. Counseling shall be limited to ensuring that the employee understands his or her private person status, that the employee understands the requirement to advise the hearing officer of that status if his or her affiliation with the Department is disclosed during the hearing, and the nature of any conflict of interest that may exist.

**210.80 COURT COORDINATORS-DUTIES.** Detective division watch commanders designated as court coordinators shall:

- \* Telephonically receive from the Trial Liaison Section, District Attorney's Bureau of Investigation, all notifications for officers "on-call" in Superior Court when the employees are needed in court, or when their on-call status has been extended or continued to another date.
- \* Immediately relay the information to the employee's watch commander.

**211. DISCOVERY MOTIONS.**

**211.40 DISCOVERY PROCEDURES FOR PERSONNEL RECORDS.**

**211.45 COMMANDING OFFICER, RISK MANAGEMENT GROUP-RESPONSIBILITY.** Upon receipt of a discovery motion for a police officer's personnel records, the Commanding Officer, Risk Management Group, shall:

- \* Determine which officers are affected by the discovery motion and complete a Notification of Pretrial Discovery Motion, Form No. 45 (12-78), for each affected officer.

- \* Direct the completed forms for Notification of Pretrial Discovery Motion to the commanding officer of the officer's division of assignment notifying him or her that a motion for pretrial discovery has been filed.

**211.47 AREA/DIVISION COMMANDING OFFICER-RESPONSIBILITY.** Upon receipt of a Notice of Pretrial Discovery from Risk Management Group, the commanding officer shall:

- \* Notify the affected officer of the discovery motion and record the fact that the notification was made on the appropriate section of the Temporary Form No. 45.
- \* Return the completed Form No. 45 to the Commanding Officer, Risk Management Group.

**212. ON-CALL STATUS-SUPERIOR COURT.**

**212.10 ON-DUTY DAY-WATCH EMPLOYEE-RESPONSIBILITY.** An employee assigned to the day watch who receives a subpoena for Superior Court stamped "on-call" and who is on-duty on the date of the court appearance shall:

- \* Report for his/her normal duty assignment.
- \* Advise his/her supervisor of the "on-call" status for that date.
- \* Cause the subpoena control officer to place a check mark in the "on call" column opposite the employee's name on the concerned entry in the Officer's Subpoena Record, Form 15.29.

**Note:** The "on-call" status shall terminate at 1300 hours unless an employee is notified that it has been extended.

**212.20 OFF-DUTY EMPLOYEE-RESPONSIBILITY.** When a Superior Court subpoena includes a statement that the subpoenaed employee is "on-call," an off-duty employee may, at his or her option, report to the designated court or may remain on-call. When an off-duty employee elects to remain on-call, he/she shall:

- \* Notify the day-watch watch commander that the employee is on-call for Superior Court.
- \* Provide the watch commander with a telephone number at which the employee can be reached.
- \* Be available to appear in court within one hour after receiving notification to report to the concerned Superior Court.

Unless notified that the on-call status has been extended, on-call status for morning appearances shall terminate at 1100 hours and afternoon standby shall terminate at 1600 hours.

**212.30 OVERTIME COMPENSATION FOR COURT.** Court overtime compensation for sworn personnel shall be administered

according to the current administrative order on overtime provisions.

**212.40 COURT APPEARANCE NOTIFICATIONS-RESPONSIBILITY.**

When notified by a member of the District Attorney's Office that an on-call employee is needed in court, the watch commander shall be responsible for ensuring that the employee is notified immediately.

When notified by a member of the District Attorney's Office that an employee is needed in court in conjunction with a Superior Court subpoena for which the employee was previously on-call, the watch commander shall make a concerted effort to notify the employee of the date and time to appear in court. When the employee cannot be contacted, the requesting deputy district attorney shall be notified without delay and shall be informed of the date the employee is next scheduled to report for duty.

**214. COURT CONTINUANCES**

**214.50 COURT CONTINUANCES-EMPLOYEE'S DUTIES.** An employee who receives notice of a court case continuance shall:

- \* Cause the notation "Continued to (date), Div. (number)" and his or her initials to be entered in the Officer Subpoena Record, Form 15.29.
- \* Cause an entry to be made in the Officer Subpoena Record, Form 15.29, under the date to which the case was continued.
- \* Cause the person scheduled for court appearance to be notified of the continuance.

**216. SUMMONS**

**216.50 CITY ATTORNEY'S SUMMONS TO OFFICER.** An employee who receives a notice to appear at the City Attorney's Office concerning a traffic citation or an arrest he/she has completed shall notify his/her commanding officer. The commanding officer shall assign a supervisor to attend the hearing with the employee.

**217. PAROLE REVOCATION HEARINGS.** A teletype from the California Department of Corrections requesting the appearance of an employee at a pre-revocation or revocation hearing shall be handled in the same manner as a subpoena teletype, in accordance with Manual Section 3/210.

**217.50 SUBPOENA CONTROL OFFICER'S DUTIES-UNABLE TO SERVE PAROLE REVOCATION HEARING TELETYPE ON OFFICER, OR OFFICER UNABLE TO APPEAR AT HEARING.** The subpoena control officer shall notify the Region III Administration Office, Community Services Division, of the California Department of Corrections when an employee is unable to appear at a pre-revocation or revocation hearing. If possible, notification

shall be made at least three days prior to the date of the hearing.

**Note:** When the subpoena control officer is unavailable, the watch commander shall make the notification.

**218. REQUESTS FOR LEGAL SERVICES.**

**218.30 GENERAL LEGAL INFORMATION.** Department personnel desiring information of a general legal nature may telephonically contact RMG to request the information. During off-hours, personnel desiring this information shall seek the advice of a supervisor. In cases when a Department supervisor is unable to determine an appropriate course of action, he/she may contact RMG through the Department Command Post.

**218.60 FORMAL LEGAL OPINIONS.** Risk Management Group shall process all request by Department entities for legal opinions from the Office of the City Attorney. Department entities requiring opinions shall forward their request to the Commanding Officer, RMG, through their bureau commanding officer or equivalent for review and approval.

**Exception:** Entities conducting staff research or preparing directives on behalf of the Office of the Chief of Police may submit requests for formal legal opinions directly to RMG.

**Bureau Commanding Officer's Responsibility.** Bureau commanding officers, or their equivalent, shall review the request for appropriateness and, upon approval, forward the request to the Commanding Officer, RMG.

**Risk Management Group Responsibility.** The Commanding Officer, RMG, shall:

- \* Maintain a repository of previous City Attorney opinions;
- \* Review the request and determine if a City Attorney opinion is appropriate or required;
- \* When necessary, research and review previous City Attorney opinions on the issue;
- \* Forward the request to the Office of the City Attorney for the opinion; and,
- \* Establish and designate a RMG employee to respond to emergency requests for legal information from Department employees through the Department Command Post during off-hours.

**219. REQUESTS FOR CHANGES OF REPORTING DISTRICTS.** Commanding officers desiring changes of reporting districts shall forward an Intradepartmental Correspondence, Form 15.2, containing justifications for the requested changes, through channels, to the Commanding Officer, Information Technology Division. Information Technology Division shall research the requests to ensure that the requested changes are consistent with established criteria based on

work load, census tracts, and natural physical boundaries.

**220. STAFF RESEARCH.**

**220.01 STAFF RESEARCH - DEFINED.** Staff research is any study which will be reported in a formal writing endorsed by a command or staff officer.

**220.02 ORIGINATING STAFF RESEARCH.** The originator of a staff research project shall ensure that the original of the Staff Research Control Form, Form 1.15, is forwarded through channels to the unit that will be conducting the staff research.

**Note:** Requests for staff action requiring Planning and Research Division to conduct legal or forms development research or to publish special orders, memoranda, notices or other formal directives which will be distributed Departmentwide shall be made on the Intradepartmental Correspondence Form, Form 15.2, and forwarded through the chain of command to the Bureau Commanding Officer of the requesting employee. If approved, the request shall be forwarded to the Director, Office of Support Services. Requests approved by the Director, Office of Support Services, shall be directed to the Commanding Officer, Planning and Research Division.

**220.12 PRIMARY AUTHOR - DEFINED.** The primary author of a staff research report is the Department employee who did more of the research and writing than any other employee. If there are co-authors who make any equivalent contributions, the primary author shall be the employee designated by the immediate supervisor of all co-authors assigned to the staff research project.

**220.13 PRIMARY AUTHOR OF THE STAFF RESEARCH REPORT - RESPONSIBILITY.** The primary author of each staff research report shall:

- \* Complete the Staff Research Index Form, Form 1.15.1, when the staff research report is completed.

**Note:** Confidential information shall not be included on the Staff Research Index Form.

- \* Forward the completed Staff Research Index Form, with the completed staff research report through channels to the commanding officer responsible for the staff research report.

**220.16 COMMANDING OFFICER IMMEDIATELY RESPONSIBLE FOR THE STAFF RESEARCH REPORT - RESPONSIBILITY.** The commanding officer immediately responsible for each staff research report shall:

- \* Sign the completed Staff Research Index Form, Form 1.15.1, after approving the completed staff research report.
- \* Forward the completed Staff Research Index Form without delay to the

Commanding Officer, Planning and Research Division.

**Note:** If later revisions substantially alter the subject matter, not merely the contents, of the staff research report, PRD staff shall be contacted by telephone to make changes in the SRI.

**220.17 COMMANDING OFFICER, PLANNING AND RESEARCH DIVISION - RESPONSIBILITY.** The Commanding Officer, PRD, shall:

- \* Cause the appropriate information to be entered in the SRI from all completed Staff Research Index Forms received in PRD.
- \* Cause information from the SRI to be disseminated to Department employees upon request.

**220.50 PARTICIPATION IN SURVEYS INITIATED BY OUTSIDE ORGANIZATIONS.** When a request for the Department to participate in a survey or research project is received from an agency, organization or individual outside of this Department, it shall be forwarded to the appropriate staff unit for evaluation. The employee who is assigned to evaluate the request shall determine:

- \* The anticipated cost to the Department, and whether any such cost is reimbursable.
- \* What benefits the Department would gain by participating and whether the benefits would be sufficient to justify the costs incurred in participating.
- \* Whether the Department would be permitted to review the final report before publication, and if so, whether the Department would be permitted to offer comments.
- \* What legal ramifications are involved.

When a request to participate in a survey or research project has been evaluated, the commanding officer shall be responsible for review of the staff evaluation and approval or disapproval of the request.

\* In evaluating requests, the following criteria shall apply:

- \* The survey or project would benefit law enforcement.
- \* The anticipated cost to the Department is \$ 1,500.00 or less.
- \* The project will have no impact on future operations of the Department.
- \* Preparing and forwarding through channels a recommendation for consideration and review by the Chief of Police when the staff evaluation reveals:
  - \* The anticipated cost to the Department is more than \$1,500.00.
  - \* The project will have an impact on future operations of the Department.

**Note:** The Chief of Police will forward approved recommendations regarding such

requests to the Board of Police Commissioners for review and approval. When the anticipated costs incurred by participation in a survey or research project will exceed \$5,000.00, the Board of Police Commissioners will forward the request to the City Council for its review and approval.

**220.55 CONDUCTING INTERNAL SURVEYS.** Department personnel shall obtain the approval of the Employee Relations Administrator **prior** to conducting an internal survey.

**Employee - Responsibility.** An employee who intends to utilize a survey instrument to obtain information from Department personnel shall prepare an Intradepartmental Correspondence, Form 15.2, with supporting documentation. The Form 15.2 shall contain the following information:

- \* The rationale for conducting the employee survey.
- \* Whether the employee response will be anonymous or identify the respondent;
- \* Whether participation is voluntary or required.
- \* A description of the method used to communicate the results of the employee survey.

The Form 15.2 and a **copy of the proposed employee survey instrument** shall be forwarded via the chain of command to the Employee Relations Administrator, Employee Relations Group.

**The Employee Relations Administrator - Responsibility.** The Employee Relations Administrator shall review and evaluate any request for approval to use an employee survey. The Employee Relations Administrator shall approve or disapprove the request and shall ensure that the following criteria are met:

- \* The employee survey is not in conflict with the right of employee organizations to represent the interests of their members.
- \* The employee survey is appropriate in content and methodology.
- \* The employee survey would benefit the Department and/or law enforcement.

**222. CHANGE OF WATCH.** Change of watch is that time at which the responsibility for the operation of a police division passes from one watch to another. It is normally preceded by a roll call period for the watch coming on-duty.

**222.02 STANDARDIZED CHANGE OF WATCH PROCEDURES FOR PATROL AND TRAFFIC DIVISIONS.** Specified patrol and traffic division employees shall be assigned to divisional watches at the beginning of each deployment period (DP). For the purpose of applying watch assignment procedures, there are three primary watches: AM, Day, and PM watches. All mid-watches are included within a primary watch for purposes of watch assignment. Once assigned to a primary watch, an employee may indicate

a preference for the primary or mid-watch, but may be assigned to either watch during any deployment period based on Department needs and/or the employee's request.

**Definitions.**

**Discretionary Watch Assignment Pools.** The five discretionary watch assignment pools are comprised of, respectively, Lieutenants I/Watch Commanders, Sergeants II/Assistant Watch Commanders, probationary Sergeant I, traffic trainees, and Police Officers I.

**Primary Watch Assignment Pools.** The five primary watch assignment pools are comprised of, respectively, Police Officers II, Police Officer II+2, Police Officers III, Sergeant I+2, and non-probationary Sergeants I.

**Exempt Positions.** Community Traffic Services, subpoena control, other specialized task forces or details, traffic loanees, and light-duty personnel are exempt positions.

**Senior Officers.** As determined by service as sworn members of the Department, the most senior employees within each non-supervisory primary watch assignment pool, not to exceed fifteen percent of each pool, are designated "senior officer," for watch assignment purposes only. Police Officers II and III with 20 years or more of service as sworn Department employees, not to exceed four percent of the total Police Officers II and III in the division of assignment, will be awarded their choice of watch. The balance of the Police Officers II and III in the division with 20 or more years of service as sworn Department employee shall be exempt from working one watch of their choice. These officers must not represent more than 50 percent of any given watch.

The top five Sergeant I's in the division of assignment with 20 years or more of service shall be afforded watch seniority. The top two will have their choice of watch and the remaining three will be exempt from working one watch of their choice.

Eligible officers must submit a Form 15.7 to their commanding officer requesting to be awarded or exempt from a specific watch. Those employees eligible to choose or exempt a specific watch will change as seniority within the division changes.

**Exception:** Officers assigned to specialty assignments such as Special Problem Units (SPU), Gang Impact Teams (GIT), subpoena control officers, complaint officers, and special task forces, shall be exempt from the change of watch policy and their hours shall be set by their commanding officers.

**Eligibility for Department Schools.** Officers with 20 or more years of service as a sworn Department employee shall be allowed to attend a Department school of their choice, annually, provided that the officer meets the criteria to attend the school and the school is within his/her scope of normal responsibility.

Requests to attend the school shall be made on an Employee's Report, Form 15.7, and submitted to their commanding officer for approval.

**Watch Seniority.** Watch Seniority is established by the number of consecutive deployment periods an employee has been assigned to the same watch, and is used to determine an employee's ability to request a change of watch **and** be bumped from a watch. Watch seniority continues to accrue during periods of absence such as sick, injured on duty, leave of absence, and vacation. Watch seniority **does not** accrue, at any time, during activation to military duty in excess of one DP.

**Bumping.** Bumping is the involuntary movement of an employee from their current assigned watch. Employees who have completed a minimum of six full consecutive DPs on the same watch are eligible to be bumped from the watch. No employee shall be bumped from a watch unless an eligible employee has properly requested a transfer to that watch and no vacancy exists to accommodate the requesting employee.

**Watch Assignment Criteria.**

**Discretionary Watch Assignment Pools.** Employees are assigned to watches at the discretion of the division commanding officer. Generally, these employees will remain on a watch for a minimum of three deployment periods before becoming eligible for a change of watch.

**Primary Watch Assignment Pools.** Employees shall be assigned to watches in accordance with the following criteria:

- \* An employee shall complete a minimum of three consecutive full DPs on the same watch before becoming eligible for an *employee-requested transfer* to another watch;
- \* If more than one employee requests a change of watch and there are not enough available positions on the desired watch to accommodate all requesting employees, priority will be given to the requesting employee with the most watch seniority;
- \* If no more than one employee has the same watch seniority, seniority as a sworn member of the Department will be the deciding factor;
- \* When more than one employee is eligible to be bumped from a watch, the employee with the most watch seniority will be bumped first;
- \* If there is more than one employee with the same watch seniority, the employee with the least seniority as a sworn member of the Department will be bumped first;
- \* If the bumped employee has submitted a change of watch request **prior** to being bumped, the employee's request will be considered, provided a vacancy exists on the requested watch;
- \* An employee desiring to remain on one watch for as long as possible may submit a

request indicating a secondary watch preference should the employee be bumped;

- \* At the discretion of the commanding officer, personnel may be temporarily "loaned" to another watch to meet deployment needs;
- \* Employees assigned to a Basic Car shall rotate within their assigned Basic Car to ensure car integrity. However, the commanding officer may assign officers from one Basic Car to another to meet the needs of the employee, the Department, and/or the community;

**Note:** Officers assigned to the same Basic Car for a period of two years or more shall have the option to switch to another Basic Car.

- \* When an employee is loaned to another watch to meet the division's needs, the loan period shall not be counted as time on the original watch;
- \* In the best interest of the Department and its employees, the commanding officer may prohibit changing watches during the deployment periods containing Thanksgiving, Christmas, and New Year designated holidays; and,
- \* An employee who has a personal hardship and would be significantly affected by a change of watch, may, at the discretion of the commanding officer, be temporarily exempt from being bumped until such time that the hardship is resolved. The determination as to the existence of such hardship will be at the sole discretion of the commanding officer, whose decision shall be final.

**Exception:** Within each eligible pool, the designated senior officers will be assigned to their watch of choice, not to exceed 50 percent assigned to the same watch. **Eligible officers must request a seniority exemption assignment to their watch of choice.** Those eligible to choose a specific watch will change as seniority within the division changes.

**Exempt Position.** Employees in exempt positions are assigned at the discretion of the commanding officer. Watch hours for exempt positions are at the discretion of the commanding officer.

**Employee Responsibility.** An employee requesting a change in watch assignment shall be guided by the following criteria:

- \* All requests for a watch assignment must be submitted to their commanding officer via an Employee's Report, Form 15.7, no later than **0800 hours on the third Monday** of the DP prior to the requested effective date;
- \* An employee may submit a change of watch request at any time, but the requested effective DP or date must be **after** three or more DP's on the employee's current watch;
- \* Officers requesting a seniority exemption must submit a Form 15.7 to their

commanding officer requesting to be assigned a watch of choice;

- \* An employee may submit a request on a Form 15.7 indicating a secondary watch preference, should the employee be eligible to be bumped, at any time. In such cases, there is no need to indicate an effective date or DP; and,
- \* An employee may request a watch change or exemption from being bumped, due to a personal hardship, at any time via a Form 15.7.

**Commanding Officer's Responsibility.** The commanding officer shall update divisional watch seniority information each deployment period and make the information available to division personnel. The commanding officer may make exceptions to the change of watch procedure when it is in the best interest of the Department, the division and/or the individual employee. In addition, the commanding officer may temporarily modify the change of watch policy to provide for unexpected contingencies, such as unusual occurrences, mobilizations, etc.

**222.05 HOURS OF WATCH.** Each commanding officer shall establish the hours of duty for the watches of his/her division, subject to review by the bureau commanding officer.

**222.10 ROLL CALL PERIOD.** Roll call period for a watch shall normally commence forty-five minutes prior to the time established for the watch to start its tour of duty. If necessary to meet operating conditions, a group commanding officer or a bureau commanding officer may direct a division commanding officer to establish a daily roll call period of greater or lesser length.

**222.15 ROLL CALL REQUIRED.** Each watch commander of the following divisions shall conduct a roll call period each day prior to the time established for his watch to start its tour of duty:

- \* All geographic uniformed divisions.
- \* Metropolitan Division.
- \* Communications Division.
- \* Traffic divisions.

**222.20 PREPARATION FOR ROLL CALL.** The uniformed supervisors of a watch shall assemble in sufficient time to gather material and information to be presented to the employees attending roll call and to accomplish such other preparatory tasks as may be necessary. The times at which supervisors report for roll call preparation shall be established by the commanding officer.

**222.25 SUPERVISION OF THE DIVISION DURING ROLL CALL.** The division commanding officer shall establish a procedure for ensuring that field supervision of division operations is maintained for the off-going watch during the time that roll call is being conducted for the oncoming watch. Whenever practicable, one supervisor of the watch then in the field shall remain available in

the station during the roll call period of the succeeding watch.

If a supervisor of the preceding watch is not available for duty in the station during the roll call period, or if there has been no preceding watch, a supervisor of the oncoming watch shall remain available in the station during roll call, if practicable.

**222.30 ROLL CALL ATTENDANCE.** All officers of divisions listed in Manual Section 3/222.15 shall attend the roll call for their watch, except as provided in Manual Section 3/222.25. The watch commander shall conduct the roll call and remain present during the entire roll call period. Supervisors and station personnel shall attend roll call, but may be dismissed early by the watch commander to assume their assigned duties.

**222.35 ROLL CALL UNIFORM REQUIREMENTS.** Each employee assigned to uniformed duty shall appear for roll call dressed in the proper uniform and wearing the proper equipment for his or her duty assignment.

Employees assigned to indoor uniformed duty, such as supervisors, station personnel, jailers, and desk officers, shall appear for roll call dressed to perform their particular duties. They need not wear the uniform cap or the police utility belt, nor carry field equipment, if it is not required by their duty assignment. However, employees assigned to indoor duty shall have the required equipment available for immediate use (Manual Section 3/618.10).

When directed by a supervisor, employees attending roll call shall stand inspection, dressed in a complete basic uniform, and with field equipment.

**222.40 ROLL CALL PROCEDURE.** Roll call shall be conducted as follows:

- \* Roll call of the employees of the watch. A notation shall be made of those who are present, absent, or tardy.
- \* Assignment of duties to each employee of the watch. If desired, the assignment of duty and call of the roll may be accomplished together.
- \* A training period, issuance of instructions, dissemination of information, and discussion of problems and special duties.
- \* Dismissal of certain employees to perform specific duties.
- \* Inspection of the employees of the watch (Manual Section 3/226.88).
- \* Dismissal of the remainder of the watch to assume their assigned duties.

The supervisor conducting the roll call may direct a deviation from this procedure in unusual circumstances.

**222.45 READING OF ORDERS TO WATCH.** A supervisor shall read, or cause to be read, to the employees of his or her watch for five consecutive days during the roll call period, all Area/division, Department and other

orders which might affect employees of the watch. The employee reading an order to the watch shall indicate on the face of the order the following information:

- \* Watch.
- \* Last name and serial number of the person reading the order.
- \* Date the order is read.

**Example:** "PM-Jones, 1234, 6-26-68."

**222.50 EMPLOYEES TO REMAIN ON DUTY UNTIL RELIEVED.** Employees of the Department, regardless of their duty assignment, shall work the full time assigned for their tour of duty, and shall not leave their assigned duty until such time as they are properly relieved.

- \* An employee assigned to a duty requiring continuity of assignment may be relieved prior to the time established for the change of watch, provided the employee relieving accepts full responsibility for the assigned duties of the employee relieved. This does not apply to a watch commander. A watch commander shall remain on-duty and be available during the full tour of duty to which he or she is assigned.

**Example:** A jailer on-duty in a uniformed division may be relieved by the jailer of the following watch as soon as roll call is completed.

- \* An employee assigned duties not normally requiring continuity of assignment into the succeeding watch shall remain on-duty until the time established as end of watch, but need not be replaced in his or her duties by another employee in order to go off duty.

**222.55 OFFICERS TO HANDLE ASSIGNED CALLS.** An officer assigned to a unit which is dispatched on calls via radio shall not pass on to the succeeding watch any unanswered radio dispatches without prior permission of the watch commander.

**222.60 WATCH INSPECTION OF VEHICLES AND EQUIPMENT.** An inspection of vehicles and equipment being released by a watch going off duty shall be made by a supervisor. The supervisor shall cause his or her watch commander to be notified of any defects observed in vehicles or equipment.

**222.70 RECEIPT OF TELETYPE MESSAGES.** A watch commander shall cause all messages transmitted over the Department teletype system to his or her station to be read promptly upon receipt. Messages requiring action shall be acted upon without delay. Messages which should be read to the next watch shall be so marked.

**222.75 SUPERVISION OF MID-WATCHES.** Mid-watches, special traffic details, and other details which do not report at one of the regular times for change of

watch shall be under the supervision of the watch commander on-duty at the time the detail reports for duty. The responsibility for supervision of such detail is transferred at the change of watch to the watch commander coming on-duty.

**222.80 SUPERVISION OF SPECIAL DETAILS.** Supervision of special police details for premieres, parades, football games, or similar assignments shall be as directed by the officer in charge of the detail. The time for roll call and end of watch will be established by the officer in charge of the detail.

**223. REQUESTS FOR UNDERCOVER DRIVER LICENSES.** Commanding officers of Department entities requiring undercover driver licenses shall submit an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Vice Division. Commanding officers of Department entities possessing undercover driver licenses shall be responsible for their return to the Commanding Officer, Vice Division, when they are no longer needed for Department business. If an undercover driver license is stolen, lost or destroyed, the circumstances shall be documented immediately by the employee on the appropriate Preliminary Investigation Report (PIR) Form 3.1 or Employee's Report, Form 15.7. The employee's commanding officer shall evaluate the incident and forward a copy of the Employee's Report, Form 15.7, or PIR, and a Form 15.2, to the Commanding Officer, Vice Division.

**Exception:** Major Crimes Division (MCD) shall assume corresponding responsibilities for MCD personnel. In addition, the Commanding Officer, IAG, shall have the sole responsibility for coordinating, procuring, returning, and maintaining undercover driver licenses for Ethics Enforcement personnel.

**224. TRANSMITTING LINE-UPS**

**224.10 TRANSMITTING LINE-UPS FOR AREAS AND TRAFFIC DIVISIONS.** The watch commander of the watch coming on-duty shall ensure that deployment information is transmitted to Communications Division on the appropriate Deployment Teletype Format, no later than 30 minutes prior to clearance time.

Scheduled changes in deployment which will occur prior to the sending of the next line-up shall be included on the Teletype Format. If unscheduled changes become necessary during a watch, the watch commander shall notify Communications Division. Extensive changes in the line-up shall be reported on a Teletype Format; minor changes may be telephonically reported.

**226. DRILL AND CEREMONIES.** Drill consists of certain movements by which a group of persons is moved in an orderly manner from one formation to another or from one location to another. Ceremonies consist of formations and movements in which an

individual is given, or receives, honors or in which a group of persons exhibits equipment or state of training.

**226.05 DRILL AND CEREMONIES GUIDE.** The basic guide for drill and ceremonies for the Department is Field Manual 225, "Drill and Ceremonies," Department of the Army. In recognition of the requirements of the police service, the Chief of Police may direct that certain modifications to the drill prescribed by Field Manual 225 be made for the drill and ceremonies of the Department.

**226.10 DRILL AND CEREMONIES FORMATION.** The basic formation for drill and ceremonies of the Department is the platoon. A platoon may consist of one, two, three, or four ranks of employees. As many employees may be formed into each rank as is convenient with respect to the issuance of commands and the available area. A watch consisting of a considerable number of employees, or any other large group, may be formed into several platoons for convenience in command.

**Daily Inspections.** The watch commander shall indicate the formation to be used in performing a routine daily inspection of a watch.

**Special Inspections.** The division commanding officer or other commanding officer shall indicate the formation to be used in a special or formal inspection.

**Ceremonies.** The formation and drill to be used in ceremonies in which employees of the Department participate shall be indicated by the person in charge of the ceremony.

**226.15 FORMING RANKS FOR DRILL OR CEREMONIES.** Employees assembling into ranks for the purpose of drill or ceremony shall arrange themselves in descending order according to height so that the tallest employees occupy the right of each rank and the shortest employees occupy the left of each rank.

**226.20 DRILL COMMANDS.** Commands shall be given in a loud and distinct voice so as to be clearly understood by each employee being commanded.

**Note:** In this Chapter, preparatory commands are indicated by lower-case italics; commands of execution are indicated by upper-case italics.

**226.25 SALUTING DURING INSPECTIONS.** The salute need not be rendered during a routine inspection of a watch or other formation. The salute shall be rendered during formal ceremonies.

**226.30 REPORTS OF INSPECTIONS.** In the event of a personnel inspection by an officer of the rank of commander or higher, the watch commander (or other employee in charge of employees inspected) shall make a written report on the correction of any deficiencies noted. The report shall be



addressed to the immediate superior of the employee submitting the report and shall be substantially in the following form:

"Sir:

At (time) on (date), an inspection of the (PM, Day, AM) watch was conducted by (name and rank). Deficiencies noted by the inspecting employee, and action taken as a result, are indicated below.

(Employee's name, serial number, deficiency, action, date).

(Signed by the watch commander or other person accompanying the inspecting employee)."

An original and two copies of the report shall be completed. The original and first copy are forwarded to the division commanding officer. The division commanding officer shall retain the first copy for his or her files. The division commanding officer shall endorse the original and forward it to the inspecting officer. The second copy of the report shall be retained by the watch commander or other employee in charge of the employees inspected.

**226.35 TYPES OF INSPECTION.** Inspection procedures utilized by the Department fall into two classes: formal and informal. The formal inspection procedure is intended for use during a ceremony or during an inspection conducted by a visiting dignitary. It may also be utilized during a formal inspection conducted by an officer of the rank of captain or higher.

The informal inspection procedure may be followed during a routine inspection of a watch by a watch commander or on other similar occasions such as an informal inspection of a group of employees by a staff officer.

**226.40 INSPECTION COMMANDS AND PROCEDURES.** An employee conducting an inspection shall proceed from the right of the line to the left of the line for the front of the first rank and then from left to right for the rear of the first rank. Successive ranks in each platoon shall be inspected in the same manner.

Ranks awaiting inspection may be given **Parade, REST** by the employee in charge of the platoon. The employee shall call each rank to attention prior to their being inspected. A rank which has been inspected may be given **Parade, REST** while other ranks are being inspected. At the conclusion of the inspection of the last employee in a platoon, equipment shall be returned and employees of the platoon-called to attention before the departure of the inspecting officer. The platoon may be given **Close Ranks, MARCH** and **Parade, REST** following the departure of the inspecting officer if other platoons are to be inspected.

**226.45 INSPECTION PARTY.** An employee conducting an inspection of a group of employees assembled in formation may be accompanied during the inspection by such persons as he or she may designate:

- \* If the inspection is being conducted by another person, the commanding officer of the unit being inspected shall place himself or herself to the left rear of the inspecting officer during the inspection tour.
- \* An employee may be designated by the inspecting employee to join the inspection party and to take notes on discrepancies observed by the inspection party. The notes may form a basis for the report made (Manual Section 3/226.30).

**226.60 HANDGUN INSPECTIONS.** The commands for semi-automatic pistol inspection and revolver inspection are the same, but the procedures differ.

**Revolver Inspection.** The commands and procedures for revolver inspection are as follows:

The initial command is **Inspection, ARMS**. At the preparatory command, **Inspection**, each officer shall unfasten the flap or strap of his/her holster and grasp the handle of the revolver. A left-handed officer wearing his or her holster on the left side may use the left hand in the preparatory move.

- \* At the command of execution, **ARMS**, the revolver shall be drawn and held in the right hand. Left-handed officers wearing their holster on the left side may draw the revolver with their left hand and pass it to their right hand.

The revolver shall be held initially in the right hand with the muzzle pointed downward. The right index finger shall be laid along the frame just below the cylinder. The right forearm and the revolver shall make an approximate angle of forty-five degrees with the ground, pointed neither straight ahead nor held parallel to the body, but at an approximate middle position convenient to the unloading of the weapon by the individual officer. The upper right arm shall be held vertically, close to the body.

The left hand shall be brought up from the side and used to assist in unloading the revolver. The cylinder shall be opened, then the muzzle elevated so as to cause the ammunition to drop from the cylinder into the cupped left hand held below the cylinder. Any ammunition which is dropped while unloading the revolver shall be retrieved immediately.

The left forearm and hand holding the ammunition shall be brought to a horizontal position, forearm and hand straight to the front, elbow close to the side. The ammunition shall be exhibited in the cupped palm of the left hand, thumb and fingers curled and joined to form a cup with the palm.

The right hand holding the revolver shall be brought up to the inspection position simultaneously with the movement of the left hand to the inspection position.

The revolver shall be held in the right hand for inspection. The thumb and the middle, ring, and little fingers shall grasp the gun in the

normal grip of a right-handed shooter. The index finger shall be laid straight along the frame of the revolver just above the trigger guard and below the cylinder opening. The open cylinder shall be held four inches from the chest. The right forearm and the revolver shall be pointed at a forty-five-degree angle above the horizontal and parallel to a plane fronting the body.

- \* The command to return the revolver to the holster is **Return, ARMS**. At the preparatory command, **Return**, the revolver shall be lowered so that the muzzle points downward. The ammunition held in the left hand shall then be replaced in the cylinder. The officer may use both hands, shall look at what he or she is doing, and shall immediately retrieve any ammunition which is dropped during the reloading of the revolver. After reloading, the officer assumes a position of "Attention," with the revolver still held in the right hand and pointed downward at a forty-five-degree angle in front of the body with the cylinder open. At the command of execution, **ARMS**, the cylinder shall be closed by the left hand and the revolver replaced in the holster; the free hand shall be used to assist.

**Semi-Automatic Pistol Inspection.** The commands and procedures for semi-automatic pistol inspection are as follows:

**Note:** Prior to Inspection-Unloading the Semi-Automatic Pistol. A supervisor shall ensure that each officers' semi-automatic pistol which is to be inspected is unloaded, i.e., the chamber is emptied with the magazine removed at the Departmental loading/unloading barrel immediately prior to the inspection. The magazine shall then be reinserted into the weapon and the cartridge previously removed from the chamber of the pistol shall be retained in a pocket of the officer's clothing until the inspection is over.

The initial command is **Inspection, ARMS**. At the preparatory command, **Inspection**, officers shall remove the magazine from the holstered pistol and place it in the front waistband behind the equipment belt. Officers shall then unfasten the strap of their holster and grasp the weapon by the pistol grips (officers utilizing flap-holstered pistols shall unfasten the flap prior to removing the magazine). Left-handed officers wearing holsters on their left side may use their left hand in the preparatory moves.

- \* At the command of execution, **ARMS**, pistols shall be drawn and officers shall lock the slides rearward. Officers armed with pistols which are equipped with a decocking lever shall place the lever in the downward position. Pistols shall be held in the right hand for inspection. Left-handed officers wearing holsters on their left side may draw their pistols with their left hand and pass it to their right hand.

The thumb and the middle, ring, and little

fingers shall grasp the pistol in the normal grip of a right-handed shooter. The index finger shall be laid straight along the frame of the pistol just above the trigger guard and below the slide. The pistol shall be held six inches from the chest. The right forearm and the pistol shall be pointed at a forty-five degree angle above the horizontal and parallel to a plane fronting the body.

The magazine shall be removed from the waistband with the left hand. The left forearm and hand shall be brought to a horizontal position, forearm and hand straight to the front, elbow close to the side. The magazine shall be exhibited in the flat open palm of the left hand, with the top of the magazine pointed to the front and the magazine cartridges pointed to the left.

- \* The command to return the pistol to the holster is **Return, ARMS**. At the preparatory command **Return**, the magazine in the left hand shall be returned to the waistband, and the pistol shall be held forward and downward at a forty-five degree angle to the ground, at the command of execution, **ARMS**, the slide shall be released by depressing the slide stop with the right thumb. The decocking lever shall be placed in the upward position and the pistol replaced in the holster. With the strong hand, the magazine shall be removed from the waistband and replaced into the holstered pistol; the officer shall then assume a position of attention.

**Note of Caution:** Supervisors shall admonish officers that immediately **after** the inspection is concluded, they shall ensure that a live cartridge is chambered in their pistols utilizing the Departmental loading/unloading barrel, and that the magazines loaded into the pistols are filled to capacity.

**226.64 HANDCUFF INSPECTION.** The commands and procedures for handcuff inspection are as follows:

- \* The initial command is **Handcuffs, DRAW**. At the preparatory command, **Handcuffs**, the handcuff case shall be unfastened and the handcuffs loosened in the case. An officer wearing a holster on the right side may use the left hand in the preparatory move.
- \* At the command of execution, **DRAW**, the handcuffs shall be removed from the case. An officer wearing a handcuff case on the left side may remove the handcuffs with his or her left hand and pass them to the right hand. The index and middle fingers of the right hand shall be placed through the wrist openings in the handcuffs. The ring and little fingers shall be folded back to the palm of the right hand and held in place by the thumb. The upper right arm shall be held vertically, close to the side of the body. The right forearm shall be held straight to the front of the body and slightly above the horizontal.

The key ring shall be unsnapped from the key holder and placed in the palm of the left hand. The upper left arm shall be held vertically and close to the side of the body. The left forearm shall be extended horizontally and straight to the front of the body.

- \* The command to return the handcuffs to their case is **Handcuffs, RETURN**. There is no motion at the preparatory command **Handcuffs**.

At the command of execution, **RETURN**, the officer shall replace the handcuffs in the handcuff case and fasten the flap. He/she shall replace the key ring on the key holder and then resume the position of "Attention."

**226.68 NOTEBOOK INSPECTION.** The commands and procedures for notebook inspection are as follows:

- \* The initial command is **Notebooks, DRAW**. There is no motion at the preparatory command, **Notebooks**.
- \* At the command of execution, **DRAW**, the notebook shall be drawn and placed in the palm of the right hand. The upper right arm shall be held vertically and close to the body. The right forearm shall be extended horizontally and straight to the front of the body. The notebook shall be held in the right palm, with the right thumb holding the book open at the place of the last entry. The notebook shall be in proper position for the inspecting officer to read.
- \* The command to return notebooks is **Notebooks, RETURN**. There is no motion at the preparatory command, **Notebooks**.
- \* At the command of execution, **RETURN**, the notebook shall be replaced in the officer's pocket. He/she shall then resume the position of "Attention."

**226.72 RESERVE AMMUNITION INSPECTION.** The commands and procedures for inspection of reserve ammunition are as follows:

- \* The initial command is **Reserve Ammunition, DRAW**. There is no motion at the preparatory command, **Reserve Ammunition**.
- \* At the command of execution, **DRAW**, the reserve ammunition of the officer shall be drawn and placed in the palm of the right hand. Both hands may be used to draw the reserve ammunition. Any ammunition which is dropped shall be retrieved immediately. The upper right arm shall be held vertically and close to the body. The right forearm shall be extended horizontally and straight to the front of the body. The palm of the hand may be cupped slightly to hold the ammunition.
- \* The command to return ammunition is **Ammunition, RETURN**. There is no motion at the preparatory command, **Ammunition**.
- \* At the command of execution, **RETURN**, the ammunition shall be placed in the right trouser pocket of the officer.

**226.76 MISCELLANEOUS ITEM INSPECTION.** In the case of identification cards, driver's licenses, pencils, or other miscellaneous items, the name of the item to be inspected shall constitute the preparatory command. There is no motion at such a preparatory command. The command of execution, **DRAW**, shall constitute the signal to locate the item and place it in the right palm in inspection position.

**Example: Identification Cards, DRAW.** There is no motion at the preparatory command, **Identification Cards**. At the command of execution, **DRAW**, the officer shall take out the identification card and place it in his/her right hand ready for inspection. If necessary, an officer may use both hands to withdraw the item for inspection.

- \* To return the item, the preparatory command used shall consist of the name of the item being inspected. For simplicity in command, the name may be shortened. The command of execution shall consist of the word **RETURN**. At this command, the item shall be placed in the right trouser pocket of the officer.

**Example: Cards, RETURN.** There is no motion at the preparatory command, **Cards**. At the command of execution, **RETURN**, the officer shall drop his or her right hand to the side and place the identification card in the right trouser pocket.

**226.80 INSPECTION OF PLAIN-CLOTHES OFFICERS.** Officers dressed in plain clothes and assembled in formation shall, as smartly as possible, execute commands issued, although exact precision may not be possible and modification of methods may be necessary.

**Example:** Officers in plain clothes may be commanded, **Reserve Ammunition, DRAW**. The ammunition may be withdrawn for inspection in the manner most convenient to the individual plainclothes officer, although finally exhibited in the prescribed manner (Manual Section 3/226.72).

**226.84 INSPECTION GUIDES.** An employee conducting an inspection of a group of uniformed employees shall be guided by Chapter 3/600 of the Department Manual and "The Department Uniform and Personal Equipment Specifications" and should check each item specified therein for appearance and condition. He or she shall inspect each employee for compliance with the personal appearance regulations. The inspecting employee may use the Uniform Inspection Record, Form 1.41, as a guide in detailed inspections.

Specific points about the appearance of the individual employee, either good or bad, may be commented on to the employee being inspected. An inspecting employee may direct the accompanying employee to make a note as to a superior or deficient appearance.

If necessary to comment on the appearance of an employee while conducting an inspection from behind the employee, the inspecting employee should preface his/her remarks with the employee's name. If the inspecting employee is unaware of the employee's name, the inspecting employee shall place his/her hand lightly on the employee's shoulder or back at the time he/she speaks to the employee. This will ensure that the employee is aware he/she is being addressed.

**226.88 INFORMAL INSPECTION.** An informal inspection procedure may be used by a watch commander to accomplish the daily inspection of a watch during roll call. The procedure may also be used by a supervisor in charge of a detail at a special event or at the direction of a supervisor during any formation other than a formal ceremony.

The procedure is as follows. A sergeant of the watch commands, in sequence:

- \* **At Close Interval, FALL IN.** Officers of the watch shall arrange themselves in the formation indicated by the sergeant. Supernumerary sergeants, unless dismissed by the watch commander, shall fall in behind the last rank (of the first platoon) dressed on the right flank, or may fall in at another convenient place in proximity to the group, depending upon space limitations. Officers dressed in plain clothes shall fall in as a group so located that they will be inspected last. They may fall in behind the last rank (of the first platoon) dressed on the left flank, or may take positions in the last rank.
- \* **At Close Interval, Dress Right, DRESS.** The watch sergeant shall move informally to the right flank of the rank to check the alignment of the rank. He or she shall give the necessary instructions to adjust the alignment. After completing the alignment, the watch sergeant shall command, **Ready, FRONT.**
- \* **Open Ranks, MARCH.** This command need not be given unless there are at least two ranks to be inspected and the space in which the platoon is formed is adequate to permit the rank to be opened. The normal distance between ranks at inspection will be two paces. The rear rank shall stand fast. Each rank in front of it shall take a sufficient number of paces forward to permit the two-pace distance to be taken. In a three-rank platoon, the rear rank shall stand fast, the center rank shall take one pace forward, and the front rank shall take two paces forward. Each officer shall execute "At Close Interval, Dress Right, DRESS" without command after securing the proper distance between ranks.

The watch sergeant shall move informally along the right flank of the platoon to check the alignment of the ranks. He or she shall give the necessary instructions to adjust the alignment. The watch sergeant shall then move to a position to the right of the right flank officer of the front rank of the platoon and command,

**Ready, FRONT.**

The sergeant shall then report to the watch commander, **Sir, the watch is ready for inspection.** The watch commander may request any other supervisor present to assist him/her in the inspection, or the watch commander may assist a senior officer in conducting the inspection.

The inspecting officer shall:

- \* Inspect the sergeant forming the watch.
- \* Instruct a supervisor to assist in the inspection.

If the inspecting officer informs the sergeant that he or she wishes to inspect a specific item of officers equipment, the sergeant shall then issue the necessary commands to prepare the equipment for inspection.

If there is more than one rank to be inspected, the sergeant may prepare each rank individually for inspection as the inspection progresses. The ranks not being inspected may be given, **Parade, REST.**

The supervisor accompanying the inspecting officer during the inspection shall make notes of deficiencies indicated by the inspecting officer.

- \* Inspect the officers of the watch.
- \* Make such comments to the watch as he or she may deem appropriate.
- \* Instruct the sergeant to dismiss the watch.

If **Open Ranks** has not been given, the watch need not be given, **Close Ranks, MARCH,** although equipment shall be returned and the watch called to attention before dismissal. The sergeant shall then command, **FALL OUT.**

**226.92 FORMAL INSPECTION.** The following procedure shall be used in conducting a formal inspection of a group of officers:

- \* The officer in charge of the formation shall instruct the platoon sergeants of the time, place, formation, and equipment requirements of the inspection.

**Example:** A weapons' inspection shall be held in the parking lot at 0830 hours. The watch shall be formed into two platoons of two ranks each. The platoons shall face east with the first officer opposite the garage entrance. Sergeant Bruce shall command the first platoon; Sergeant Nelson, the second.

- \* The officer in charge of the formation shall take a position six paces in front of the point where the center of the formation is to be, face that point, and command, **FALL IN FOR INSPECTION.**
- \* Each platoon sergeant shall take a position in front of, and facing, the location where his/her platoon is to form. Each platoon sergeant shall then command, **FALL IN,** or **At Close Interval, FALL IN.**
- \* The officers of the formation shall arrange themselves in the formation indicated by

the platoon sergeant. Sizing shall be accomplished without command. Ranks to the rear of the first rank shall form with forty inches between ranks, covered from front to rear. Individual officers may execute a momentary "DRESS" without command to secure the proper interval. Supernumerary sergeants, unless dismissed by the officer in charge of the formation, shall fall in behind the last rank (of the first platoon) dressed on the right flank, or shall fall in at another position, if so directed by the officer in charge of the formation.

- \* Officers dressed in plain clothes shall fall in as a group so that they will be inspected last. They may fall in behind the last rank (of the first platoon) dressed on the left flank, or may take positions in the last rank.
- \* If the officer in charge of the formation indicates that more than one platoon should be utilized, one sergeant shall give the command, **FALL IN,** although each of several platoon sergeants shall assume a position in front of the place where his/her platoon is to form. Subsequent commands shall be issued by the individual sergeant with each platoon.
- \* When a platoon formation has been completed, its sergeant shall execute, "About Face." As soon as the sergeant of the first platoon is aware that each sergeant in charge of a platoon has executed "About Face," the sergeant shall turn his/her head toward the officer in charge of the formation, and salute, and report, **Sir, the first platoon is present.** Other platoon sergeants, in succession from right to left, shall salute and report in like fashion.
- \* The officer in charge of the formation shall return the salute of each platoon sergeant. After the last report has been made, he/she shall command, **Prepare for inspection** or, if he/she wishes to inspect a particular item of equipment, **Prepare for inspection of (item).**
- \* Each platoon sergeant shall salute and, by means of a series of movements and facings, move to a position on the right flank of his/her platoon, one pace to the right and in prolongation of the position at which the front rank shall halt after opening ranks. The sergeant shall face in the direction necessary to align the ranks and command, **Open Ranks, MARCH.** Open ranks shall be executed (Manual Section 3/226.88). However, the platoon sergeant shall use a more formal method of aligning the ranks than during an informal inspection. He/she shall maintain a military bearing, and shall not weave from side to side to correct the alignment, but shall take short side steps. After aligning the first rank, he/she shall face to the left in marching, halt on the prolongation of each succeeding rank, face right, and align the rank. After verifying the alignment of the last rank, the sergeant shall face to the right in marching and move forward to a position one pace to the right of the first

officer in the first rank, and three paces in front of the first rank.

- \* Each platoon sergeant shall execute "About Face" and command, **Ready, FRONT.** Sergeants of platoons other than the first shall command, **Parade, REST,** if simultaneous inspections of the platoons are not to be made. They shall then execute "About Face" and assume a position of "Parade, Rest" until such time as it is necessary to prepare their platoon for inspection.
- \* If an inspection of equipment is to be made, the sergeant of the first platoon shall command, **Second, (Third), (Fourth) Ranks Only, Parade, REST.** He/she shall then prepare the first rank for inspection, causing such equipment to be exhibited as is necessary. He/she shall prepare succeeding ranks for inspection as the inspection progresses.

**Example:** Second Rank Only, ATTENTION. Second Ranks Only, Inspection, ARMS. First Rank Only, Return, ARMS. First Rank Only, Parade, REST. Second Rank Only, Return, ARMS. Platoon, ATTENTION.

- \* The platoon sergeant shall salute the inspecting officer when his/her platoon has been inspected. After the departure of the inspecting officer from the platoon area, the platoon sergeant shall command, Close Ranks, MARCH, and Parade, REST.
- \* Each platoon sergeant shall issue necessary commands as the inspection progresses. If a simultaneous inspection is made of the formation by several inspecting officers, each platoon sergeant shall issue his/her commands accordingly.
- \* At the conclusion of the inspection of the last man, the officer in charge of the formation shall resume the position from which he/she commanded the platoon sergeants to prepare for inspection. Each platoon sergeant shall call his/her platoon to attention. The inspecting officer may make such comments as are applicable, and take his/her leave of the officer in charge of the formation.
- \* The officer in charge of the formation shall make such comments as are applicable to the members of the formation and then command, **FALL OUT** (or other command).

**228. PARTICIPATION OF CHAPLAINS AT DEPARTMENT EVENTS.** A Department chaplain shall be used to give the prayer/invocation for all recruit graduation ceremonies, or any other Department event as requested, subject to availability.

Prior to representing the Department as a chaplain, each participant shall contact the Chief Police Psychologist, Behavioral Science Services, who serves as the Department Chaplain Corps Coordinator. Participants shall meet with the Chaplain Corps Coordinator or his/her designee and review and sign the Chaplain Corps Guidelines for General Prayer

for Department functions and civic occasions. These guidelines shall include the following provisions:

- \* General prayer/invocation is inclusive and non-sectarian;
- \* General prayer/invocation uses wording and vocabulary that are not offensive to persons of different faiths; and,
- \* General prayer/invocation shall remain faithful to the principle of acknowledging divine presence and seeking blessing, and not be an opportunity to preach, testify or argue.

Prior to each Department event, the selected chaplain will contact the Chaplain Corps Coordinator or his/her designee to receive relevant information and direction regarding an upcoming event.

**228.10 DEPARTMENT CHAPLAIN CORPS COORDINATOR'S RESPONSIBILITY.** The Department's Chaplain Corps Coordinator shall:

- \* Ensure that each participant meets with the Chaplain Corps Coordinator or his/her designee prior to the participant's assignment as a Department chaplain, and ensure each participant has read and signed the Chaplain Corps Guidelines for General Prayer;

Note: Only one meeting/signing is required per chaplain. In the interest of uniformity and efficiency, these meetings may be conducted as a group.

- \* Liaison with the appropriate Department entity (e.g., Training Division for recruit graduations) to coordinate chaplain participation at selected Department events;
- \* Maintain a list of representative faiths and seek to recruit members from those faiths not represented by corps members; and,
- \* To the greatest extent possible, ensure chaplains are assigned on a rotating basis.

Note: Individual chaplains may request (or be requested for) a particular Department event, subject to approval by the Chaplain Corps Coordinator or his/her designee.

**228. 20 INVOLVEMENT OF OUTSIDE CLERGY.** When a Department employee or a family member belongs to the clergy and wishes to participate in a recruit graduation ceremony or other Department event, he or she may serve as "Honorary Clergy." An individual serving in this capacity may accompany the Department chaplain; however, the designated Department chaplain shall deliver the actual prayer/invocation. Only members of the Department's Chaplain Corps are authorized to provide prayer/invocation services at Department events.

**230. DESIGNATING ACTING STAFF AND COMMAND OFFICERS.** When a staff or command officer or a captain who is not a

division commanding officer, is to be absent for more than six hours during an administrative working day, he or she shall designate a qualified subordinate to act in his or her stead.

**Note: An administrative working day** is defined as any day other than a Saturday, Sunday, or a legal holiday.

**230.10 DUTIES OF ACTING STAFF AND COMMAND OFFICERS.** An officer designated as an acting staff or command officer shall locate himself/herself in the office of the staff or command officer he/she is replacing. Such officer shall assume the full duties and responsibilities of the position, and shall designate a qualified subordinate to assume the duties and responsibilities of his/her regular position.

**230.30 OFFICERS REQUIRED TO REPORT ABSENCE.** When a staff or command officer, or a captain who is not a division commanding officer, is to be absent for four or more hours during an administrative working day, he or she shall cause his/her absence and the required information (Manual Section 3/230.90) to be reported to his or her commanding officer.

**230.90 INFORMATION REPORTED-ABSENCE FROM POST OF COMMAND.** The following information shall be furnished in reporting the absence of an employee from his or her post of command:

- \* Reason for absence.
- \* Expected duration of absence.
- \* Location at which employee may be reached.

**230.95 DESIGNATING ACTING WATCH COMMANDERS.** When a watch commander is to be absent or unavailable, he or she shall designate a qualified subordinate to assume the duties and responsibilities of the watch commander.

**234. DISPLAY OF FLAGS**

**234.10 WHERE AND WHEN FLAGS DISPLAYED.** The Flags of the United States and the State of California shall be displayed prominently outside of each facility of the Department daily, weather permitting, from sunrise to sunset. When the National and State Flags are used, they shall be of the same size. When only one flag pole is used, the National Flag shall be above the State Flag, and the State Flag shall be hung in such a manner as not to interfere with any part of the National Flag. The National Flag shall be placed in the position of first honor at all times.

**234.30 UNITED STATES FLAG.** Display of the Flag of the United States at facilities of the Department and by individuals representing the Department shall be in accordance with provisions of the National Flag Law.(1)

The National Flag shall be folded in the proper manner. Whenever practicable, the flag shall

be folded outdoors immediately after it is removed from the pole.

[(1) "National Flag Law" is the short title for Public Law 829, 77th Congress, Chapter 806, Second Section, H. J. Res. 359, Joint Resolution to amend Public Law No. 623, approved June 22, 1942, titled "Joint Resolution to Codify and Emphasize Existing Rules and Customs Pertaining to the Display and Use of the Flag of the United States of America".]

**234.40 DISPLAY OF THE AMERICAN FLAG ON DEPARTMENT VEHICLES.** Motor Transport Division (MTD) shall affix the American Flag decal, as determined by the Fleet Management Committee (FMC), on all black and white police vehicles, motorcycles, unmarked vehicles and other vehicles with Department markings.

**Note:** Prior to placing the American Flag decal on unmarked vehicles, MTD shall ensure that prior approval has been obtained from the commanding officer responsible for those vehicles.

**Marked Department Vehicles.** All black and white police vehicles, motorcycles, and any other vehicle with Department markings, will be supplied with an American Flag decal. The decal shall be installed uniformly on all vehicles by MTD, as determined by the FMC.

**Note:** Requests for the display of other American Flags on Department vehicles shall be submitted via an Employee's Report, Form 15.7, to the FMC, via the respective chain of command.

**Unmarked Department Vehicles.** For unmarked vehicles, the commanding officer that is responsible for those vehicles shall determine whether the display of the American Flag on those unmarked vehicles is appropriate, considering the assignment and responsibilities of the personnel assigned to his/her command. The decal shall be installed uniformly on all vehicles by MTD, as determined by FMC.

**Note:** If the commanding officer responsible for unmarked vehicles approves the display of the American Flag decal, an Intradepartmental Correspondence, Form 15.2, shall be forwarded to MTD specifying the vehicle authorized for the display.

**234.90 FLYING NATIONAL FLAG AT HALF-STAFF.** The Flag of the United States shall be flown half-staff at a Department facility:

- \* Until sunset on the day of the funeral when a Department employee or a Los Angeles City Firefighter or Paramedic is killed in the line of duty.
- \* At the direction of the President of the United States, the Mayor of the City of Los Angeles, or the Chief of Police.
- \* On Memorial Day from sunrise to noon.

When the National Flag is lowered to

half-staff, all other flags flown at Department facilities shall also be flown at half-staff.

**Communications Division's Responsibility.** The Department of General Services will notify Communications Division when the Mayor's Office orders the National Flag to be lowered to half-staff. Upon being notified by the Department of General Services that the Mayor's Office orders the National Flag to be lowered to half-staff, Communications Division shall:

- \* Notify the Office of the Chief of Police of the reason, dates and times the Flag is to be lowered to half-staff.
- \* Send a Department-wide message via the Network Communications System (NECS) directing all Areas and other Department facilities which fly the Flag to lower the Flag to half-staff.

**Note:** The message shall include the reason for lowering of the Flag and indicate the dates and times that the Flag is to be lowered to half-staff.

Central Area shall be responsible for the lowering of the Flag at Parker Center.

**238. SALUTING REGULATIONS**

**238.20 SALUTING AT A PARADE.** A uniformed officer at a parade need salute only the massed National Colors at the head of the parade. When the Flag is six paces from the employee, he or she shall face it and render a hand salute until the Flag is six paces beyond him. Other groups of colors that follow may be saluted if the employee's immediate attention to duty is not necessary.

**238.40 SALUTING DURING PLAYING OF THE NATIONAL ANTHEM.** When the National Anthem is played at any ceremony, an employee in full uniform, including cap, shall assume the position of attention, face the National Colors, if present, and render the prescribed hand salute. If there are no National Colors present, he or she shall face the band and render the salute. Employees who are in uniform, except for a cap, shall stand at attention; employees who are in civilian dress shall uncover and stand at attention.

**238.60 SALUTING DURING FLAG CEREMONIES.** During the ceremony of hoisting or lowering the United States Flag, those employees present and in uniform shall render the prescribed hand salute.

**238.80 FUNERAL PROCESSIONS.** When duty requirements permit, an employee who is on a fixed post at an intersection through which a funeral procession passes shall stand at attention facing the procession. This position should be maintained until at least the hearse and the portion of the procession that contains the immediate family have passed.

**240. COMMUNITY MEETINGS.**

**240.20 COMMUNITY MEETING-DEFINITION.** A community meeting is

defined as "any formal meeting with members of the community, where there are discussions regarding the quality of life, crime trends, or other topics that affect the community or the Department." Community meetings include both Department and non-Department sponsored meetings (i.e. local schools, business groups, clergy, neighborhood groups, etc.).

**240.25 REQUESTS FOR COMMUNITY MEETINGS.**

**Employee's Responsibility.** Upon notification of a request for a community meeting, the employee shall:

- \* Document the request on the Community Meeting Request/Criteria, Form 1.83.1;
- \* Forward the form to the Officer in Charge, Area CRO;
- \* Attend community meetings as directed by the Watch Commander or Basic Car Coordinator (BCC) and;
- \* Complete the Community Meeting Request/Critique form for each meeting attended and forward it to the BCC.

**Note:** In the event an employee assigned to a community meeting cannot attend, that employee shall immediately notify the watch commander.

**Basic Car Coordinator's Responsibility.** Upon notification of a request for a community meeting the BCC shall:

- \* Ensure the request is documented on a Community Meeting Request/Critique form;
- \* Ensure the form is forwarded to the Officer in Charge, Area CRO;
- \* Coordinate with the watch commander to assign an officer(s), preferably within the Basic Car, to handle the meeting. The officer(s) assigned the meeting shall be given a copy of the Community Meeting Request/Critique Form;
- \* Ensure the officers who attended the meeting complete a Community Meeting Request/Critique form and submit the form to the BCC for review;
- \* Complete a BCC Community Meeting Summary form at the end of each calendar month; and,
- \* Forward the completed Basic Car Community Meeting Summary and Community Meeting Request/Critique forms, to the Officer in Charge, Area CRO Unit.

**Note:** In the event Department personnel did not attend a community meeting, or the meeting was cancelled for any reason, the BCC shall document on the Community Meeting Request/Critique form the reason for non-attendance and/or cancellation.

**Officer in Charge, Area Community Relations Officer's Responsibility.** Upon notification of a community meeting, the Officer in Charge, Area CRO, shall:

- \* Ensure the request is documented on the Community Meeting Request/Critique form;
- \* Forward a copy of the Community Meeting Request/Critique to the respective BCC and Watch Commander;

**Note:** The original shall be retained by the Officer in Charge, Area CRO, for statistical purposes in the event the meeting was not attended by Department personnel.

- \* Complete the Area Community Meeting Summary form at the end of each calendar month; and,
- \* Submit the Area Community Meeting Summary forms, Basic Car Coordinator Community Meeting Summary forms and Community Meeting Request/Critique forms, to the Area commanding officer.

**Watch Commander's Responsibility.** Upon notification that a community meeting is scheduled during his/her watch, the watch commander shall:

- \* Coordinate with the BCC and assign an officer(s), preferably within the Basic Car, to attend the meeting. The officer(s) assigned the meeting shall be given a copy of the Community Meeting Request/Critique form; and,
- \* Upon being notified an officer(s) assigned to a community meeting is unable to attend, the watch commander shall assign another officer(s).

**Area Commanding Officer's Responsibility.** The Area commanding officer shall:

- \* Review the Area Community Meeting Summary form, Basic Car Community Meeting Summary forms, and the Community Meeting Request/Critique forms;
- \* Ensure all personnel are trained in the proper procedures to document community meetings; and,
- \* Forward copies of the Area Community Meeting Summary forms, Basic Car Coordinator Community Meeting Summary forms and any Community Meeting Request/Critiques that indicate a meeting was not attended by Department personnel or was cancelled to the geographic bureau commanding officer by the fifth calendar day of each month.

**Geographic Bureau Commanding Officer's Responsibility.** The geographic bureau commanding officer shall:

- \* Review the completed forms; and,
- \* Forward copies of the Area Community Meeting Summary form, Basic Car Community Meeting Summary forms and any Community Meeting Request/Critique forms that indicate non-attendance or cancellation of a Community Meeting to the Assistant to the Director, Office of Operations, prior to the tenth calendar day of each month.

**The Assistant to the Director, Office of Operations' – Responsibility.** The Assistant to the Director, Office of Operations, shall ensure the information contained in the Area Community Meeting Summary form is compiled and summarized in a quarterly report for distribution.

**243. REPORTING SPEAKING ENGAGEMENTS.** When any member of the Department, other than a staff or command officer, makes a public appearance wherein the employee is identified as a member of the Department and speaks, either formally or informally, before a group on any subject in the field of law enforcement, he or she shall, when possible, obtain prior approval from his/her commanding officer.

**245. DEPARTMENT-SPONSORED EXPLORER AND SCOUTING ACTIVITY**

**245.10 SPONSORSHIP LIMITED.** The number of Explorer and Scout units sponsored will be dependent upon the availability of qualified leaders who have volunteered for such activity.

**245.20 SCOUTING CONTROL COMMITTEE.** The membership and responsibilities of the Scouting Control Committee are set forth in Manual Section 2/093.20.

**245.30 PROGRAM RESPONSIBILITY.** All property, equipment, material, or funds that are owned, possessed, or acquired by any police-sponsored scout unit shall be inventoried as directed by the Los Angeles Police Scouting Control Committee. Each unit leader shall submit a regular monthly report of all troop activities, hours spent by officer personnel, member attendance, and a program of the ensuing month's proposed activity, to the commanding officer of the division sponsoring the unit. The division commanding officer may make such adjustments to the ensuing month's program as he/she considers necessary.

**245.40 SCOUT LEADERS.** Employees participating in scouting activity shall not be assigned to any other youth program sponsored by the Department. Employees who are transferred while participating in a division scouting program shall be permitted to continue their participation in the division of sponsorship until an adequate replacement is found. Employees engaged in Department-sponsored scouting functions shall be governed as follows:

- \* When attendance is necessary during the employee's regular tour of duty, he or she shall be relieved for the length of time required to complete the scout activity and carried "on-duty."
- \* One overnight outing is permitted each month. The employee shall be considered as having "on-duty" status during the outing.
- \* The employee is allowed an annual outing not to exceed ten days, and he/she shall be

considered as having "on-duty" status during the outing. The employee shall be credited with one working day for each day of the outing.

- \* Employees shall not be given "on-duty" status for any scouting or other youth activity not sponsored by the Department.

**245.50 POLICE EXPLORER PROGRAM – ESTABLISHED.** Each geographic Area shall sponsor a police explorer post. Any major group/division within the Department may also sponsor a police explorer post with the approval of the Youth Programs Control Committee as outlined in the Department's Youth Programs Manual (Volume III, Chapter 1, Section 150.05). The Police Explorer Program is chartered to the Los Angeles Police Department through the Learning for Life Program. As such, the Learning for Life Program and the Los Angeles Police Department are partners in providing important youth development and opportunity to the community.

**Recruit Police Explorer – Defined.** A recruit police explorer is any youth member of the Police Explorer Program who has registered with the Learning for Life Program, but has not graduated from the Police Explorer Academy.

**Note:** The Department's 96-hour Police Explorer Academy training is composed of academics, physical training and military drill with instruction provided by police officers and police explorers of the Department.

**Police Explorer – Defined.** A police explorer is defined as any youth member of the Police Explorer Program, regardless of rank, who has graduated from the Police Explorer Academy.

Police explorers may be utilized in many Department operations, thus allowing sworn personnel to handle other critical functions.

**Police Explorer Post Advisor's Responsibility.** A Police Explorer Post Advisor is a sworn officer who directs the activities of the Division's Explorer Scout Post by training police explorers in various functions of police work such as patrol, traffic, investigations, and narcotics. Police Explorer Advisors also provide supervision when Police Explorers are involved in searches, crowd control, and parking control activities. They also plan, organize, and supervise trips to sporting events and other social functions.

The responsibilities of a Police Explorer Post Advisor are outlined in the Department's Youth Programs Manual (Volume III, Chapter 1, Section 160.25).

**Area Community Relations Unit's Responsibility.** The Area Community Relations Unit is responsible for the operations of the Area Police Explorer Post. The officer in charge of the Area Community Relations Unit, under the direction of the Area commanding officer, shall supervise the Police Explorer Post Advisors and ensure the Area Police Explorer

Post operates in conformance to Department guidelines.

**Exception:** If a bureau, group, Area, or division does not have a Community Relations Unit and has a police explorer post, the commanding officer shall designate a supervisor to perform the responsibilities of the Community Relations Unit.

**Commanding Officer's Responsibility.** Commanding officers shall exercise line control over explorer activities at the respective bureaus, groups, Areas, or divisions and ensure that activities conform to both the Department's Police Explorer and Learning for Life Programs. Within policy guidelines and legal constraints, commanding officers have the authority to coordinate and direct assigned personnel and other allocated resources in achieving organizational objectives. It is incumbent upon commanding officers to ensure that the Police Explorer Program under their command is well rounded, productive, and operates consistently with stated Police Explorer Program objectives.

Commanding officers shall appoint two (2) sworn Youth Services Officers (YSO), one male and one female, to serve as Police Explorer Post Advisors. Commanding officers should consider the following when selecting a YSO to serve as a Police Explorer Post Advisor:

- \* Tenure;
- \* Maturity;
- \* Work history;
- \* Administrative skills;
- \* Oral and written communication skills;
- \* Flexibility; and,
- \* Commitment.

A commanding officer may delegate the necessary authority for the efficient operation and administration of the Area Police Explorer Program to the Officer in Charge, Community Relations Unit. However, ultimate responsibility for the Area Police Explorer Post rests with the Area commanding officer.

**Juvenile Division's Responsibility.** Juvenile Division is responsible for the following:

- \* Exercising functional supervision over all Department personnel participating in the Police Explorer Program by providing information, training, evaluation, and auditing of policies and procedures including civilian volunteers;
- \* Updating the Youth Programs Manual;
- \* Maintaining a database of current and former police explorers;
- \* Maintaining liaison with the Learning for Life Program;
- \* Developing Police Explorer Program promotional material and opportunities;
- \* Coordination and line supervision of the Police Explorer Academy;
- \* Conducting the monthly YSO Meeting; and,

- \* Coordinating activities involving Police Explorer Posts from more than one geographic bureau.

**Note:** The level of coordination will depend upon the nature and complexity of the event. Coordination may vary from providing liaison and information between Police Explorer Program personnel and event sponsors to actual deployment and line supervision of Police Explorer Program personnel assigned to work a particular event. The level of coordination required at specific events will be decided by the Commanding Officer, Juvenile Division.

**Fiscal Operations Division's Responsibility.** Fiscal Operations Division (FOD) shall be responsible for the proper administration and accounting of all Police Explorer Post funds. Fiscal Operations Division shall set up separate checking accounts within the Department's trust fund, one for each Police Explorer Post and one for Juvenile Division. All funds donated to a Police Explorer Post shall be submitted to FOD. Fiscal Operations Division shall deposit all funds in the appropriate Police Explorer Post checking account. Fiscal Operations Division shall ensure that Police Explorer Post funds comply with the appropriate provisions of the Internal Revenue Service (IRS) Code.

**Note:** Donations made to Police Explorer Posts are tax deductible because they are considered a non-profit governmental agency; however, Police Explorer Posts are not governed by IRS Code 501 (c) (3), which applies only to private non-profit organizations.

**246. POLICE HONOR GUARD.**

**246.40 REQUESTS FOR APPEARANCE OF POLICE HONOR GUARD.** Requests or invitations for the appearance of the Police Honor Guard shall be referred to the Employee Assistance Unit, Behavioral Science Services.

**246.80 POLICE HONOR GUARD APPEARANCE AS DUTY ASSIGNMENT.** Police Honor Guard members designated to participate in an approved function shall normally be assigned to the watch hours which will cover the event in which they shall appear. The appearance shall be considered as their primary duty assignment. Upon the completion of the detail, Police Honor Guard members shall report to their respective divisions for deployment for the balance of the watch.

**252. POLICE RESERVE CORPS**

**252.15 CLASSIFICATIONS OF RESERVE OFFICERS**

**Line Reserve Police Officer - Defined.** Line reserve police officers are those officers that have successfully completed the Department Level I Training Course. Line reserve officers are assigned to normal patrol functions and are required to complete two tours of duty (16 hours) per deployment period. There are three classifications of line reserve officers:

- \* **Non-Designated Level I Officer - Defined.** Line reserve police officers who have not completed a one-year probationary period, including a minimum of 200 hours worked in a patrol assignment, are classified as Non-Designated Level I officers. These probationary officers have full police officer status **only** while on duty and are **not** allowed to carry a firearm off-duty.
- \* **Designated Level I Officer - Defined.** After a line reserve police officer has successfully completed a one-year probationary period, including a minimum of 200 hours worked in a patrol assignment, the Chief of Police may designate, per the Administrative Code, the officer as Designated Level I (DL-I) reserve police officer. Designated Level I status gives the reserve police officer the **full powers** and duties of a peace officer as provided by Section 830.1 of the California Penal Code.
- \* **Certified Designated Level I Officer - Defined.** Reserve police officers with a minimum of 2000 hours of service as Level I officer with the Los Angeles Police Department may apply to become a Certified Designated Level I (CDL-I) officer. Upon approval of the Department Reserve Coordinator, Commanding Officer, Personnel Group, the reserve police officer may become a CDL-I officer. A CDL-I reserve police officer is not required to work under the supervision of a full time police officer and may work under the direct supervision of a police sergeant.
- \* **Technical Reserve Police Officer - Defined.** Technical reserve police officers are reserve officers that have successfully completed the Department's Level III Training Course. These reserve police officers have peace officer status **only** while on duty. They shall normally wear a uniform and badge, but shall **not** carry a firearm. The technical reserve officer's basic function is to supplement Department personnel in various support positions, and are **not** assigned to normal patrol functions. Technical reserve police officers are required to complete two tours of duty (16 hours) per deployment period.
- \* **Specialist Reserve Police Officer-Defined.** Specialist reserve police officers are volunteers who have special talents which may be utilized by the Department when there is a need for their services. These officers do not have peace officer status. City identification cards, distinct from those issued to peace officers, will be furnished to specialist reserve police officer.
- \* Specialist reserve police officers are not required to work a specified number of tours of duty.

**252.20 ASSIGNMENT OF POLICE RESERVES.** While on-duty, and at the direction of their commanding officer, police

reserve officers shall be deployed as follows:

- \* **Certified Designated Level I Status.** A police reserve having Certified Designated Level I status may be assigned any duties normally performed by a full-time police officer, including, but not limited to, the following:
  - \* Uniformed Patrol.
  - \* Collision Investigation.
  - \* Vice.
  - \* Any additional assignments as determined by the Chief of Police.

- \* **Line Status and Designated Level I Status.** A police reserve officer having Line Status or Designated Level I Status and under the supervision of a full-time police officer may be assigned any duties normally performed by a full-time police officer, including, but not limited to, the following:
  - \* Uniformed Patrol.
  - \* Collision Investigation.
  - \* Any additional assignments as determined by the Chief of Police.

**Note:** Non-field certified Line Reserve Officers are limited to non-enforcement duties.

- \* **Technical Status.** A police reserve officer having technical status may be assigned to non-enforcement duties, including, but not limited to, the following:
  - \* Area Desk.
  - \* Communications.
  - \* Community Relations.
  - \* Detectives (non-enforcement).
  - \* Juvenile Division (non-enforcement).
  - \* Report writing car (non-enforcement).

- \* **Specialist Status.** A police reserve officer having specialist status shall function primarily as a consultant and perform special assignments, including, but not limited to, the following:
  - \* Chemist.
  - \* Physician.
  - \* Teacher.
  - \* Advertising Artist.
  - \* Photographer.
  - \* Statistician.
  - \* Computer Systems Analyst.
  - \* Computer Programmer.
  - \* Technical Writer.
  - \* Criminalist.
  - \* Chaplain.

- \* **Riot, Disaster, or Civil Defense.** Police reserve officers may be deployed for riot, disaster, or civil defense operations at the discretion of the Department Commander.

**Note:** In no case shall the requirements of the assignment exceed the training and abilities of the police reserve officer.

**252.25 OFF-DUTY POLICE RESERVE OFFICERS-RESPONSIBILITY.** Designated

Level I line police reserve and Certified Designated Level I police reserve officers shall have full peace officer status and shall be guided by Department policies and procedures when engaging in police action on or off duty.

Off-duty police reserve officers who do not have DL-I or CDL-I status **do not** have full peace officer status or powers and shall **not** identify or represent themselves to be police officers under any circumstances.

**252.30 DEPARTMENT RESERVE COORDINATOR.** The Commanding Officer, Personnel Group, shall be designated as the Department Reserve Coordinator and shall be responsible for:

- \* Ensuring adherence to established procedures and standards of the Police Reserve Corps to achieve Departmentwide uniformity;
- \* Reviewing all recommendations for adjudication of sustained complaints of misconduct involving Reserve Corps members after it has been reviewed by the reserve officer's bureau commanding officer; and,
- \* Forwarding the complaint to Internal Affairs Group indicating concurrence or militarily endorsing the recommended adjudication.

**252.40 BUREAU POLICE RESERVE COORDINATOR.** When police reserve officers are assigned to a bureau, the bureau commanding officer shall designate a member of his or her command as the Bureau Police Reserve Coordinator. The coordinator shall be responsible for coordinating the activities of the police reserve officers within the bureau and for processing requests for services of its members within the bureau.

**252.50 AREA POLICE RESERVE COORDINATOR.** Each uniformed division commanding officer shall designate an officer as the Area Police Reserve Coordinator. The coordinator shall be responsible for coordinating the activities of police reserve officers assigned to the Area and for initial processing of applications for membership, including oral examinations. In addition, he/she shall be responsible for the timekeeping of the police reserve officers (Manual Section 3/705.80).

**252.55 POLICE RESERVE OFFICERS- DETERMINING DUTY SHIFTS.** The following guidelines shall be used in determining what constitutes a duty shift:

- \* A police reserve officer scheduled and assigned to regular duties shall work the same number of hours as worked by the regular officer with whom he/she is assigned.
- \* A police reserve officer scheduled and assigned to special event duties shall be credited with one shift at the completion of

the assignment, regardless of the number of hours worked.

- \* A police reserve officer who, without prior notice, is summoned to report for duty, shall be credited with one shift, regardless of the number of hours worked.
- \* A police reserve officer working two tours of less than eight hours each may be credited with one shift provided that the two combined duty tours are worked during the same calendar month, AND the two combined duty tours total a minimum of eight hours present on-duty, AND the needs of the division are effectively served by such abbreviated tours.

**Note:** Such abbreviated tours of duty may be scheduled in advance or may result from the voluntary appearance of the police reserve officer. The determining factor shall be the needs of the division at the time the police reserve officer appears for duty.

- \* A police reserve officer shall not be credited with working a shift when his or her presence is voluntary, unscheduled, and not essential under the conditions then existing.

**252.60 POLICE RESERVE OFFICERS- NONATTENDANCE**

**Area or Division Police Reserve Coordinator-Responsibility.** When a police reserve officer has failed to meet his or her attendance obligation of two shifts of duty in a deployment period, the Area/division Reserve Coordinator shall determine the reason for the non-attendance. The Reserve Coordinator shall report the reason for such non-attendance by completing an Employee's Report, Form 15.7, and forwarding it to the Officer in Charge, Volunteer Services Section, Personnel Group.

**Police Reserve Officer-Responsibility.** A police reserve officer who is unable to complete the required shifts in a deployment period due to illness, vacation, or other legitimate reasons, shall notify the concerned Area/division Reserve Coordinator prior to the non-attendance.

**Note:** The monthly expense reimbursement shall not be paid when a police reserve officer has failed to complete two shifts of duty in a deployment period, regardless of the reason for the non-attendance.

**252.62 DEFICIENT PERFORMANCE.** Deficient performance, **not amounting to misconduct**, by a member of the Police Reserve Corps shall be documented on a Form General 78, Notice to Correct Deficiencies.

**252.65 TERMINATION FOR UNSATISFACTORY PERFORMANCE.** When recommending that a reserve officer be terminated because of unsatisfactory performance, the commanding officer shall **personally** meet with and inform the officer of the recommendation. The commanding officer shall submit an Intradepartmental Correspondence, Form 15.2, containing the



termination request and a history of the reserve officers work performance to the bureau commanding officer for review.

The authority for the final review and adjudication of a misconduct complaint involving a reserve police officer shall be the Chief of Police.

**Note:** Once the Chief of Police has made the final determination, the commanding officer shall again meet with and notify the reserve officer of his/her status. When the Chief of Police approves a recommendation for termination, the commanding officer shall arrange for the return of all City-owned property.

**252.68 RESIGNATION.** A reserve officer may submit his/her resignation to his/her commanding officer. The commanding officer shall approve acceptance of the resignation pending final acceptance by the Chief of Police or acknowledged by the signature of the Commanding Officer, Personnel Division. Two copies of the Resignation, Form 1.50, shall be forwarded to the Commanding Officer, Personnel Division. When an investigation by the commanding officer of a reserve officer prompts resignation, the Form 1.50 shall be accompanied by a copy of the report of the investigation. The commanding officer shall be responsible for securing the return of City-owned items issued to the reserve officer.

**252.70 POLICE RESERVE OFFICERS-CHANGE OF EMPLOYMENT**

**Police Reserve Officer-Responsibility.** A police reserve officer who changes his or her employment, or acquires any additional employment, shall report the change or addition by submitting an Employee's Report to the officer's watch commander during his or her next regular duty assignment. The Employee's Report, Form 15.7, shall contain the name of the new employer, the type of business, and the specific duties of the police reserve officer.

**Watch Commander-Responsibility.** Watch commanders shall forward the Employee's Report, via the Area or division commanding officer, to the Officer in Charge, Reserve Coordination Section, Personnel Group.

**252.80 REQUESTS FOR POLICE RESERVE CORPS PERSONNEL.** Commanding officers requesting the services of Police Reserve Corps personnel shall, not less than ten days prior to the event, direct an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Personnel Group, indicating the:

- \* Type of event.
- \* Date, time, and location.
- \* Number of personnel requested.
- \* Reporting time and location and the name of the person to whom reserves shall report.

The bureau police reserve coordinator shall,

not less than twenty-four hours prior to the requested reporting time, direct a teletype to the requesting commanding officer listing the names and badge numbers of police reserve officers assigned. If substitutions occur subsequent to the sending of the teletype, notification of these substitutions may be made to the requesting commanding officer by telephone.

Commanding officers to whom Police Reserve Corps personnel have been assigned shall, subsequent to the event, direct a Form 15.2 to the Coordinator consisting of a general critique of Reserve Corps performance, including punctuality, appearance, and execution of assignment.

**258. SHOOTING QUALIFICATION.** All officers, line reserve officers, and security officers shall qualify in the prescribed manner as required in Manual Section 3/258.02. This qualification shall take place at a range under the supervision of the Los Angeles Police Department.

**Ear Protectors.** All Department personnel who are on the firing line of any Department range when live firing is taking place shall wear ear protectors provided by the Department, or personal ear protectors of a type approved by the Department Armorer.

**258.01 FAILURE TO MEET QUALIFICATION REQUIREMENT.** When notified that an officer, reserve officer, or security officer under his or her command fails to meet the qualification requirement and the officer does not have a valid exemption (Manual Section 3/258.02), the concerned commanding officer may initiate a Complaint, Form 1.28. Commanding officers shall be responsible for the administration of disciplinary action resulting from failures to qualify and multiple use of City ammunition.

**258.02 EXEMPTIONS TO REQUIREMENT TO QUALIFY**

**Medical Exemptions.** An officer or security officer who is unable to fire the qualification course because of an injury or physical defect shall be examined by a physician. The officer or security officer shall obtain a statement from the physician describing the nature of the injury or physical defect and an estimate of the length of time for which the officer or security officer should be exempted from qualification requirements. The statement shall be reviewed and signed by the commanding officer. After signing the request, the commanding officer shall forward a copy of the statement to the Medical Liaison Section and file the original in the officer's Division Employee Folder, Form 1.1.

**Note:** An officer or security officer who is off duty for a period of time comprising the last seven calendar days of a qualification period due to illness or injury shall be exempt from the qualification requirements for that qualification period.

A line reserve officer who is unable to fire the qualification course because of an injury or illness shall submit an Employee's Report, Form 15.7, in duplicate to his or her commanding officer. The Form 15.7 shall include a description of the injury and the estimated length of the period of incapacity.

**Vacation Exemptions.** When the shooting qualification requirement would present an undue hardship to an officer, line reserve officer, or security officer while on vacation, the employee may submit an Employee's Report, Form 15.7, to his or her commanding officer at least one week prior to his or her vacation requesting the qualification requirement be waived.

The employee's commanding officer shall consider each request and recommend approval if the request is justified. When it appears that the employee will have an opportunity to fulfill the shooting qualification requirement without undue hardship, the Form 15.7 shall be returned to the employee and the request denied. Approved requests shall be retained in the officer's Division Employee Folder, Form 1.1.

**Thirty Year Exemptions.** Officers who have completed thirty or more years of service shall be required to meet the firearms qualifications only once each calendar year at their convenience. Exempt officers are encouraged to qualify on a factory ammunition qualification month.

**Note:** Exempt officers shall replace their Department issued factory ammunition every six months.

**258.08 METHOD OF QUALIFICATION.** All officers and reserve officers shall qualify as indicated below:

Qualification Period	Odd Serial Number	Even Serial Number	Captain And Above
January	Shotgun	Shotgun	---
February	---	Qualify*	Even*/Combat
March	Qualify*	---	Odd*/Combat
April	---	Qualify	---
May	Qualify	---	---
June	---	Qualify	---
July	Shotgun	Shotgun	---
August	Qualify*	---	Odd*/Combat
September	---	Qualify*	Even*/Combat
October	Qualify	---	---
November	---	Qualify	---
December	Qualify	---	---

\* Factory Ammunition.

**Security Officers.** Security officers shall qualify in accordance with the Department's Firearms Qualification Schedule, with the exception of January and July, when they need not qualify.

**Exceptions:** Qualification requirements may be altered as follows:

- \* Those personnel who have not completed the shotgun qualification course of instruction at the Police Academy need not qualify during the months of January and July.

- \* When the facilities of a course become overloaded, the rangemaster may require officers to shoot on another course.
- \* All officers, regardless of serial number, may qualify on the bonus qualification course in lieu of the combat course.
- \* Lieutenants and below with more than 20 years of service shall qualify in accordance with the relevant provisions of the current MOU.
- \* Line reserve officers with more than twenty years of service shall qualify in accordance with the relevant provisions of the current Memorandum of Understanding for Lieutenants and below with more than twenty years of service.

**258.12 COMBAT AND NIGHT-COMBAT COURSES, REQUIRED SCORE.** To qualify on the combat course, officers, reserve officers, and security officers shall meet the minimum qualification requirements. Those personnel failing to attain a qualifying score shall repeat the course until the minimum score for each target is attained in one relay.

When sufficient daylight exists, the minimum passing score is 210 with a minimum of 105 on each target. During the hours of darkness, the minimum passing score is 180, with a minimum of 90 on each target.

**258.13 SHOTGUN COURSE.** Officers below the rank of Captain, and concerned reserve officers, shall shoot the shotgun course during those months designated in Manual Section 3/258.08.

The shotgun course will not be scored; however, officers must demonstrate proficiency with the shotgun to satisfy the qualification requirement.

**258.14 FIREARMS AND EQUIPMENT USED FOR QUALIFYING.** The firearm and equipment used by an officer or reserve officer to fulfill his or her qualification shooting requirements shall be the same firearm and equipment items the officer carries on-duty in his or her current assignment.

Security officers shall use the firearms provided for their use at the range at which they qualify.

**Exception:** An on-duty officer, when practicable, shall use a shotgun assigned to his or her division when qualifying on the shotgun range.

**258.18 AMMUNITION USED FOR QUALIFYING.** Ammunition used in qualification and bonus qualification shooting shall be either full factory load service ammunition or reload practice ammunition with ball or wadcutter lead bullet. Explosive, incendiary, Hi-Way Master, dum-dum, foreign-made, or any bullet developing a velocity exceeding one thousand feet per second shall not be permitted. No allowance will be made for misfires when reload ammunition is used in a bonus qualification shoot.

**Exception:** Officers, reserve officers, and security officers shall qualify twice yearly with factory ammunition which is due to be replaced in compliance with Manual Section 3/611.20.

**258.20 CITY-PAID AMMUNITION.** City-paid ammunition may be used by an officer for either the scheduled qualification shoot during any period or the bonus qualification shoot during those periods when he/she is scheduled to shoot the target course. An officer, reserve officer, or security officer desiring to use City-paid ammunition for qualification shall present his/her identification card to the range officer. The range officer shall enter each officer's information into the Shooting Qualification and Bonus (SQUAB) System. Upon successful completion of the course, each officer shall receive a Training/Qualification Receipt.

Each officer, and each security officer who has been employed as such for one year or longer, shall be entitled to thirty rounds of City-paid ammunition per period for qualification. An officer, or security officer who has been employed for one year or longer, failing to qualify with City-paid ammunition shall purchase his/her own additional ammunition necessary to successfully qualify.

Security officers and reserve officers in their first year of employment will be permitted to use City-paid ammunition for each attempt to qualify until the qualification requirements have been fulfilled. Reserve officer, or a security officer in his/her first year of employment, may be required to undergo remedial firearms training when he or she fails to qualify after several attempts.

**Exception:** City-paid ammunition shall not be furnished for the initial attempt to qualify during those periods when factory ammunition must be used for qualification. Officers failing to qualify with factory ammunition shall be required to purchase the ammunition needed for subsequent attempts to qualify. Reload ammunition may be used for subsequent attempts to qualify.

**258.24 MULTIPLE USE OF CITY AMMUNITION.** When a commanding officer is notified that an officer under his or her command has used City-paid ammunition more than once in any qualification period without authorization, the commanding officer shall direct the officer to report to the Accounting Section, Fiscal Operations Division, within fourteen (14) days for payment of the appropriate fees. The officer shall report to Room 712, Parker Center, on any weekday, between the hours of 0830 and 1700, and shall pay a fee equal to the purchase price of the extra ammunition used. The officer shall obtain a receipt from the Police Accountant, which shall be presented to his or her commanding officer as evidence of compliance.

**258.28 RECORDS AND REPORTS OF DEPARTMENT RANGES.** Marksmanship

scores attained during bonus shoots by officers, reserve officers, and security officers shall be recorded on bonus qualification cards. The commanding officers of divisions operating Department ranges shall forward all qualification cards to the Department Armory at the conclusion of the last day of each qualification period.

**258.32 RESPONSIBILITY OF COMMANDING OFFICER, TRAINING DIVISION.** The Commanding Officer, Training Division, shall be responsible for keeping a progressive record of the bonus qualification scores made by all officers, reserve officers, and security officers. Such reports shall be maintained for a period of one year.

**258.33 RESPONSIBILITY OF DIVISION COMMANDING OFFICERS.** Commanding officers of divisions to which shotguns are assigned shall:

- \* Ensure that the training coordinator maintains the Shotgun Maintenance/Test fire Log, Form 11.50.0; and,
- \* Ensure duty shotguns are inspected and test fired during the months of January and July.

**Duty Shotgun.** A duty shotgun is defined as a shotgun that is issued on a routine/daily basis. Duty shotguns shall be inspected and test fired during the normal shotgun qualification months of January and July by officers assigned to an Area/division.

**Reserve Shotgun.** A reserve shotgun is defined as a shotgun that is not issued on a routine/daily basis, however, is a fully functioning shotgun kept in stand-by. Reserve shotguns shall be inspected and test fired once annually by officers assigned to an Area/division. An effort should be made to periodically rotate shotguns between duty and reserve status.

**Note:** Less lethal shotguns are excluded from this process.

**Exception:** Shotguns stored in reserve which are not in normal use shall be tagged, "Reserve", by the divisional armorer after initial test firing and thereafter be test fired at one-year intervals. Any shotgun maintained in reserve which is subsequently placed into normal use shall be fired twice annually in compliance with requirements of this Section.

- \* Ensure that each officer has received four shotgun shells. Thereafter, officers shall not be issued additional ammunition when signing out a shotgun. The issuance of shotgun shells shall be recorded on the individual Uniform and Equipment Division and Inspection Record, Form 1.41.0.
- \* Designate divisional armorers who shall be responsible for the inspection of all Department shotguns assigned to their divisions at least once every thirty days. A

shotgun shall be cleaned or repaired when inspection reveals deficiencies.

**Note:** All repairs shall be made by the Department Armorer.

- \* Ensure that divisional armorers obtain the replacement of damaged or missing shotgun ammunition through, Ordnance Unit, Training Division.

**258.34 AREA/DIVISION TRAINING COORDINATOR'S RESPONSIBILITY.**  
Area/division training coordinators shall:

- \* Maintain the Shotgun Maintenance/Test Fire Log, Form 11.50.0, in a three-ring binder;
- \* Ensure duty shotguns are inspected and test fired during January and July;
- \* Ensure reserve shotguns are inspected and test fired once annually; and,
- \* Monitor the Shotgun Maintenance/Test Fire Log and place his/her name and serial number at the end of each record as it occurs.

**258.36 SUPERVISORY RESPONSIBILITY.** Supervisors shall ensure that subordinates qualify while on-duty, whenever practicable, and at such times as will prevent congestion on the ranges at the end of the month.

**258.38 RECEIPT FOR MONTHLY QUALIFICATION.** Each officer, reserve officer, and security officer, upon firing the prescribed qualification course, shall be given the detached portion of his/her monthly qualification card indicating a qualifying score or failure to qualify. It shall be the responsibility of the person qualifying to obtain this receipt upon completion of firing. The Bonus Qualification, Form 13.4, may be used as a receipt for monthly qualification during those months when the officer is scheduled on the target range and the minimum required scores for monthly qualification are attained in a bonus qualification shoot.

**259. BONUS QUALIFICATION SHOOTING.** Officers are entitled to receive compensation upon attaining certain scores in the bonus qualification shoots. Following is the schedule of compensation and qualifying scores:

**Marksman.** Eight dollars a month; 300 out of a possible 400 points.

**Sharpshooter.** Sixteen dollars a month; 340 out of a possible 400 points.

**Expert.** Thirty-two dollars a month; 380 out of a possible 400 points.

**Distinguished Expert.** Sixty-four dollars a month; 2,310 out of a possible 2,400 points in any consecutive six-month period.

**Note:** Revolvers shall be fired double-action.

**259.10 PERIOD OF COMPENSATION.** Compensation for shooting shall be continued for a period of one year following the date of

qualification. At the end of the one-year period, officers must requalify in the bonus shoot to continue to receive compensation. An officer who receives compensation in a given schedule may requalify in a higher schedule at any scheduled bonus qualification shoot and receive additional compensation accordingly. However, an officer shall not, at any time, receive compensation for more than one schedule.

**259.14 BONUS QUALIFICATION COURSE.** The bonus-shoot course will consist of six phases on the firing range.

Phase I	- 7 Yards	- 4 shots/3 sec 2 shots/1.5 sec
Phase II	- 7 Yards	- 6 shots/3.5 sec
Phase III	- 10 Yards	- 4 shots/3 sec 2 shots/1.5 sec
Phase IV	- 10 Yards	- 2 shots/2 sec 2 shots/2 sec 2 shots/2 sec
Phase V	- 17 Yards	- 10 shots/30 sec
Phase VI	- 25 Yards	- 2 shots/4 sec 2 shots/4 sec 2 shots/4 sec

Total rounds fired: 40  
Total possible score: 400

The bonus silhouette target with superimposed scoring rings shall be used for the bonus qualification course. Additionally, designated head shots are scored 10 points each. Firing out of sequence and/or failure to follow other procedures will result in a disqualification.

When shooting on the bonus qualification course, an officer shall fire only one relay in one day. The firing of the first round during Phase I shall constitute "firing" for this purpose. The rangemaster shall cause a copy of the Bonus Qualification, Form 13.4 (individual target score), to be made available, without delay, to the officer after completion of firing a bonus qualification course.

**259.22 BONUS QUALIFICATION SHOOT-SUPERVISION.** For the purpose of inspection and control, the Commanding Officer, Training Division, shall designate a qualified observer to be present at all bonus qualification shoots.

**260. HOME-GARAGING OF DEPARTMENT VEHICLE.**

**A Home-Garaging Vehicle Authority** is a Police Commission authorization to drive one City vehicle off-hours and garage that vehicle away from the regular work location. For home-garaging purposes, a City vehicle is any motor vehicle which is under the direction and control of the Police Department and is not owned by a City employee. The "regular work location" is where the Department usually requires the home-garaging employee to report for work at the beginning of each tour duty. A

Home-Garaging Vehicle Authority is assigned to a position or group of positions having the same specific duties and responsibilities within the same command. A vehicle authority is not assigned to an employee who holds a valid Home-Garaging Employee Authorization, Form 11.35.1, for that vehicle authority.

**A Home-Garaging Vehicle Authority Application, Form 11.36.0,** is used to apply for a Home-Garaging Vehicle Authority. Each new and renewal Home-Garaging Vehicle Authority Application, Form 11.36.0, shall briefly describe the specific duties which require the authority. Each new Home-Garaging Vehicle Authority Application shall state: (1) Whether or not the position is an increase in the table of organization (TO); (2) if not an increase in TO, where the position came from and why; (3) position responsibilities, including changed conditions, which now require a Home-Garaging Vehicle Authority; and (4) and how those responsibilities were carried out without such an authority.

Only those Home-Garaging Vehicle Authority Applications which meet one or more of the following criteria will be approved. Each new or renewal Home-Garaging Vehicle Authority Application shall include a justification based on the applicable criteria.

- \* Employees whose duties regularly subject them to emergency call-outs where time is a critical factor and direct response serves the public interest and/or employees who, because of their individual expertise, use of specialized equipment or assignment of a specially equipped vehicle, are regularly and without prior notice required to respond directly to a crime scene.
- \* Employees at or above the command level whose duties require regular and unscheduled inspectional and supervisory activities.
- \* Crime task force employees whose duties require direct reporting to locations other than their assigned headquarters.

**Note:** Staff and command officers are exempt from completing the Home-Garaging Vehicle Authority Application for Department vehicles to which they are personally assigned. For purposes of this Section, the term staff and command officers include civilian equivalents.

**A Home-Garaging Employee Authorization, Form 11.35.1,** is a contract in which an employee and his/her commanding officer certify that the employee is assigned to a position for which the given Home-Garaging Vehicle Authority has been approved by the Police Commission. Each employee who uses a Home-Garaging Vehicle Authority shall hold a valid Home-Garaging Employee Authorization prior to such use. Any change in garaging location or other certified condition of use invalidates the concerned Home-Garaging Employee Authorization. A new Home-Garaging Employee Authorization shall be

completed, approved by the Home-Garaging Review Committee, and forwarded to Planning and Research Division prior to home-garaging after such change. All Home-Garaging Employee Authorizations for a given fiscal year become invalid on the first day of the next fiscal year.

The Boards of Police Commissioners will grant approval of a specific employee or team of employees to regularly home garage a Department vehicle only when they are subject to a high frequency of emergency call-outs or inspections.

The use of all home-garaged vehicles, excluding transportation to and from work, will be restricted to the performance of official duties. Personal use of home-garaged vehicles is prohibited.

All home-garaged vehicles must be assigned in a manner which will provide the maximum use and availability of the vehicles and equipment.

When not in use, all home-garaged vehicles must be properly sheltered in a locked garage and provided with adequate security to safeguard the vehicle and its contents.

Persons riding as passengers in home-garaged vehicles shall be limited to Department personnel, other City employees when it can be demonstrated that such riding is in the best interest of the City or the Department, and other persons accompanying the permittee in his/her capacity as a Department employee representing the Department; and the permittee must be available for immediate response. Only Department personnel shall be permitted to operate a home-garaged vehicle.

Each commanding officer shall maintain a list of positions under his/her immediate command for which the Board has authorized home-garaged vehicles.

**260.01 HOME-GARAGING OUTSIDE THE COUNTY.**

Officers of the rank of lieutenant and below, authorized to home-garage an emergency response vehicle, including motorcycles, shall home-garage their assigned vehicle within the County of Los Angeles or within 60 miles of the Los Angeles City limits when outside the County. Officers home-garaging an emergency response vehicle outside the County should refer to their current MOU to determine if they are required to pay an associated parking fee.

**Note:** The monthly parking fee negotiated in the current MOU (No. 24) is \$40.00 for cars and \$25.00 for motorcycles.

When a parking fee is to be assessed, the specified amount will be collected through automatic payroll dues deduction.

**Officer's Responsibility.** Officers currently authorized to home-garage an emergency response vehicle shall complete a new Home-Garaging Employee Authorization, Form 11.35.1, if the vehicle is or will be home-

garaged outside the County, and complete a Payroll Deduction Card, City Form 66CS17, if a parking fee is applicable.

**Note:** The parking fee assessment applies only to officers who are regularly assigned emergency response vehicles. The fee assessment will not apply to temporary home-garaging.

When officers will no longer home-garage their emergency response vehicle outside the County of Los Angeles, they shall complete a new Home-Garaging Employee Authorization, Form 11.35.1, with a Cancellation of Employee Parking Payroll Deduction Card, City Form 66CS16, and submit them to their commanding officer. A Cancellation of Employee Parking Payroll Deduction Card shall also be completed when an employee is no longer authorized to home-garage a vehicle.

**260.02 HOME-GARAGING EMPLOYEE'S RESPONSIBILITY.**

**Annual Home-Garaging Responsibilities.** Each employee who is assigned to a position with a home-garaging vehicle authority shall:

- \* Complete and obtain his or her commanding officer's approval of a Home-Garaging Employee Authorization, Form 11.35.1, prior to home garaging under that vehicle authority each fiscal year.
- \* Complete and obtain approval of a new Home-Garaging Employee Authorization prior to home garaging under a new vehicle authority (usually necessary when an employee is temporarily or permanently reassigned from one home-garaging position to another).

**Note:** Each position which is approved for home garaging is assigned a Home-Garaging Vehicle authority code number. Each employee who is assigned to such a position, even for a single tour of duty, must obtain approval of a Home-Garaging Employee Authorization **for that position** prior to home garaging while assigned to it. This Home-Garaging Employee Authorization shall bear the same code number as the position. No Home-Garaging Employee Authorization may be used for more than one Home-Garaging Vehicle authority.

- \* Complete and obtain approval of a new Home-Garaging Employee Authorization prior to any home garaging at a new garaging location.

**Monthly Home-Garaging Responsibilities.** Each employee (staff and command officers, Metropolitan Division officers and two-wheel motorcycle officers exempted) authorized to home garage a Department vehicle shall document on the Home-Garaging Vehicle Log, Form 11.35.0, all off-hour emergency call-outs, off-hour inspections, other off-hour uses, and on-duty enroute activities, as defined below. No other driving shall be logged. A single log shall be maintained for each

Home-Garaging Vehicle authority (one vehicle per authority), regardless of the number of drivers.

- \* A "**driver**" is an employee who (1) holds a valid Home-Garaging Employee Authorization, Form 11.35.1, and (2) uses that authorization to drive any City vehicle off-hour and/or to garage that vehicle away from the regular work location.
- \* "**Off-hour**" means (1) off-duty and (2) prior to the beginning of the employees next normal tour of duty.
- \* An "**off-hour emergency call-out**" occurs when a home-garaging employee who is (1) off-duty; (2) not at a Department facility; (3) receives previously unknown facts or instructions; (4) based on those facts or instructions, drives immediately and directly to a designated location; and (5) because time is a critical factor in service of the public interest. At least 10 emergency call-outs per vehicle authority per calendar year are required for receiving and retaining a Home-Garaging Vehicle authority except authorities for employees at or above the command level, two-wheel motorcycle officers, and Metropolitan Division officers.
- \* An "**off-hour inspection**" occurs when (1) a home-garaging employee (2) at or above the supervisory level (3) initiates any necessary inspectional or supervisory activity.
- \* An "**other off-hour use**" occurs when a home-garaging employee who is (1) off-duty (2) initiates necessary City business which is (3) neither an off-hour emergency call-out (4) nor an off-hour inspection. Commuting is not City business and shall not be documented on this log.
- \* An "**on-duty enroute activity**" occurs when a home-garaging employee (1) conducts any City business (2) at the beginning or at the end of a normal tour of duty (3) at a location other than the regular work location.

**Senior Home-Garaging Employee.** The senior employee (staff and command officers, Metropolitan Division officers and two-wheel motorcycle officers exempted) authorized to home garage under each vehicle authority shall submit a completed Home-Garaging Vehicle Log, Form 11.35.0, for that authority to his or her commanding officer no later than 10 days after the end of each month.

**260.04 STAFF AND COMMAND OFFICERS RESPONSIBILITY.**

**Annual Home-Garaging Responsibility.** Each staff and command officer shall:

- \* Review and approve all Home-Garaging Employee Authorizations, Form 11.35.1, submitted by all immediate subordinate staff and command officers and by all other employees within his or her command who are not also within a subordinate command.
- \* Forward each Home-Garaging Employee Authorization directly to Planning and

Research Division immediately upon approval.

- \* Complete a Home-Garaging Vehicle Authority Application, Form 11.36.0, for each vehicle (staff and command officers and two-wheel motorcycles excepted), requested to be home garaged by employees within his or her command who are not also within a subordinate command.
- \* Complete a Home-Garaging Approval Summary, Form 11.36.1, (staff and command officers excepted), to summarize and convey for approval these Home-Garaging Vehicle Authority Applications and to apply directly for these authorities for two-wheel motorcycles.
- \* Review and approve all Home-Garaging Approval Summaries and Home-Garaging Vehicle Authority Applications received from subordinate officers.

**Note:** Each staff and command officer shall be responsible for a careful review to ensure both the completeness of each Home-Garaging Vehicle Authority Application and the necessity for the home garaging of a City vehicle.

- \* Forward all Home-Garaging Approval Summaries and Home-Garaging Vehicle Authority Applications through channels to the Chair, Home Garaging Review Committee for approval no later than February 1 prior to the fiscal year of the applications.

**Note:** A Home-Garaging Vehicle Authority Application and Home-Garaging Approval Summary for a new vehicle authority may be submitted whenever the need for the new authority is identified. A new authority is one not requested or not approved the previous fiscal year.

**Monthly Home-Garaging Responsibility.** Each staff and command officer shall:

- \* Review and approve all Home-Garaging Vehicle Logs, Form 11.35.0, for vehicle authorities within his or her command which are not also within a subordinate command.
- \* Ensure that Home-Garaging Vehicle Logs are submitted to Planning and Research Division at the end of each month.

**Commanding Officer's Responsibility.** The commanding officer of each employee who is authorized to home-garage an emergency response vehicle shall:

- \* Review all current and new Home-Garaging Employee Authorization(s), Form 11.35.1, in his/her command and determine which officers will home-garage vehicles outside the County;
- \* Provide a Payroll Deduction Card, City Form 66CS17, to officers if a parking fee is to be assessed;
- \* Collect the completed Payroll Deduction Cards, City Form 66CS17, and forward them to the Department's Home-Garaging

Coordinator, PRD, in conjunction with the completed Home-Garaging Employee Authorization, Form 11.35.1;

- \* Maintain a list of all officers who will be home-garaging emergency response vehicles outside the County;
- \* Forward all the received Cancellation of Employee Parking Payroll Deduction Card(s), City Form 66CS16, to the Department Home-Garaging Coordinator; and,
- \* Maintain a copy of all current completed Home-Garaging Employee Authorization(s), Form 11.35.1.

**Department Home-Garaging Coordinator's responsibility.** The Commanding Officer, PRD, is designated as the Department's Home-Garaging Coordinator. The Department's Home-Garaging Coordinator shall:

- \* Collect all Home-Garaging Employee Authorization (s), Form 11.35.1, and Payroll Deduction Cards, City Form 66CS17, from commanding officers;
- \* Forward all obtained Payroll Deduction Cards, City Form 66CS17, and Cancellation of Employee Parking Deduction Cards, City Form 66CS16, to City Employee Benefits Division, Commute Options and Parking Section;
- \* Maintain a file of Home-Garaging Employee Authorizations, Form 11.35.1, for emergency response vehicles that are home-garaged outside the County of Los Angeles, within 60 miles from the City limits; and,
- \* Provide a list of all officers who will be home-garaging emergency response vehicles outside the County of Los Angeles, within 60 miles from the City limits, to the City Employee Benefits Division, Commute Options and Parking Section, on a quarterly basis per fiscal year.

**260.06 CHAIR, HOME GARAGING REVIEW COMMITTEE RESPONSIBILITY.** The Chair, Home Garaging Review Committee shall cause all Home-Garaging Approval Summaries, Form 11.36.1, and Home-Garaging Vehicle Authority Applications, Form 11.36.0, to be reviewed and, if approved, forwarded to the Commanding Officer, Planning and Research Division, no later than March 1 prior to the fiscal year of the applications.

**260.08 PLANNING AND RESEARCH DIVISION, COMMANDING OFFICER'S RESPONSIBILITY.**

- \* Cause all Home-Garaging Approval Summaries, Form 11.36.1, and Home-Garaging Vehicle Authority Applications, Form 11.36.0, to be reviewed for accuracy and completeness and presented to the Chairperson, Home-Garaging Committee, no later than May 1 prior to the fiscal year of the applications.

- \* Notify all staff and command officers of the approval or disapproval of Home-Garaging Vehicle Authorities by the Board of Police Commissioners.

**260.10 LIABILITY INSURANCE REQUIREMENTS.** Each Police Department employee who is authorized to home garage a City motor vehicle shall be named insured on a standard automobile liability insurance policy for the employee's personally-owned motor vehicle or, alternatively, shall be a named insured on a non-owned automobile insurance policy. This insurance policy shall provide at least the minimum coverage prescribed by the City.

**Exception:** Officers assigned to two-wheel motorcycle duty are exempted from liability insurance requirements.

**Note:** Current insurance requirements are:

- \* Bodily injury Liability-\$25,000 each injury/\$50,000 each accident.
- \* Property Damage Liability-\$5,000.

**261. DISPERSAL PARKING AND TEMPORARY HOME GARAGING.** A Department employee may dispersal park or temporarily home garage a Department vehicle away from the employee's regular work location only when such parking is an operational necessity. Employees shall obtain prior written approval to dispersal park or temporarily home garage a vehicle in accordance with the procedures outlined in this section.

**Definitions.**

**Dispersal Parking.** Dispersal parking is the authorized temporary off-duty parking of a Department vehicle at a Los Angeles Police Department facility away from the regular work location.

Dispersal parking refers exclusively to a named employee authorized to park at a specifically designated location for a specified period of time.

No single dispersal-parking period shall exceed **seven** consecutive calendar days. Any continuation of the authorization will require a new request.

Dispersal parking is not warranted by virtue of rank, position, use of a particular vehicle, association with an authorized employee, or any other condition or circumstances apart from the operational considerations providing the basis for the authorization. Any employee qualified to drive a Department vehicle may either request such authorization on his or her own initiative or be required to do so by his or her immediate supervisor.

Authorization for dispersal parking shall be requested by completing a Special Parking Authorization, Form 11.37. Any change in dispersal-parking location or other certified condition of use invalidates the Special Parking Authorization. In such cases, a new Special

Parking Authorization shall be completed and approved prior to further dispersal parking.

**Temporary home garaging.** Temporary home garaging is the authorized temporary off-duty parking of a Department vehicle at a location other than a Los Angeles Police Department facility. *Temporary home garaging is authorized only at locations within Los Angeles County.*

**Note:** Guidelines for who may request approval to temporarily home garage, how to request approval, and validity of the Special Parking Authorization are the same as for dispersal parking.

Parker Center personnel may use Motor Transport Division's motor pool vehicles for temporary home garaging with the appropriate authorization. Use of motor pool vehicles will be monitored by Motor Transport Division to ensure that Special Parking Authorization forms are completed on all vehicles checked out overnight.

**Department vehicle.** A Department vehicle is any motor vehicle which is under the direction and control of the Police Department and is not owned by a Department employee. This includes budgeted, hold-harmless, seized, Rule 11, leased, donated, and court-awarded cars, vans, pick-up trucks, and utility vehicles.

**Regular work location.** A regular work location is where the Department usually requires the employee to report for work at the beginning of each tour of duty.

**Department facility.** A Department facility is any one of the 18 geographic Area Community Police stations, Parker Center, the Police Academy, or any Department-controlled parking area.

**Employee's Responsibility.** Each employee requesting to dispersal park or temporarily home garage a Department vehicle shall:

- \* Complete the "Requesting Employee" portion of the Special Parking Authorization, Form 11.37.
- \* Forward this form to his or her immediate supervisor.
- \* Begin dispersal parking or temporarily home garaging only after confirming that the Authorization has been approved in writing by his or her commanding officer.

**Exception:** An employee may temporarily dispersal park or temporarily home garage a vehicle with the approval of his or her immediate supervisor when the employee's commanding officer is not available and the parking is of immediate necessity. This temporary approval shall be documented in the "Justification" box of the Special Parking Authorization by the approving supervisor prior to any such parking.

**Immediate Supervisor's Responsibility.** The immediate supervisor of an employee who submits a Special Parking Authorization shall:

- \* Determine whether the proposed dispersal parking or temporary home garaging is an operational necessity.
- \* Complete the "Immediate Supervisor" box and forward the form without delay through channels to the requesting employee's commanding officer.
- \* Permit dispersal parking or temporary home garaging to begin only after confirming that the Authorization has been approved in writing by the requesting employee's commanding officer.

**Exception:** A supervisor may approve temporary dispersal parking or temporary home garaging when the employee's commanding officer is not available and the parking is of immediate necessity. This temporary approval shall be documented in the "Justification" box of the Special Parking Authorization by the approving supervisor prior to any such parking.

- \* Ensure the Sign Out Sheet is properly completed and filed.

**Commanding Officer's Responsibility.** The commanding officer of an employee who submits a Special Parking Authorization shall:

- \* Certify that the proposed dispersal parking or temporary home garaging is an operational necessity.
- \* Approve or disapprove the Authorization;
- \* Without delay, forward the original of each approved Authorization to the next higher level of command or to the concerned bureau, whichever is higher.
- \* File a copy of the Authorization, whether or not approved.

**Bureau Commanding Officer's Responsibility.** In the following description of responsibilities, the term "bureau" means the command one level above that to which the employee is assigned or the employee's bureau, whichever is higher. Each bureau commanding officer shall:

- \* Review and sign each Special Parking Authorization.
- \* Forward a copy of the Authorization to the Commanding Officer, Administrative and Technical Services Bureau, Motor Transport Division.
- \* File the original.

**Administrative and Technical Services Bureau's Responsibility.** The Commanding Officer, Administrative and Technical Services Bureau, shall monitor dispersal parking and temporary home garaging use of Department vehicles and advise bureau commanding officers when irregularities are discovered.

**270. PRODUCT EVALUATION PROCEDURES.** The Product Evaluation Manual shall be maintained and distributed by Planning and Research Division. All products under consideration by the Department shall be evaluated in accordance with its guidelines.

**270.10 PRODUCT EVALUATION REQUESTS.** All requests, approved or disapproved, for product evaluation shall be forwarded to Planning and Research Division. When Department employees originate the requests, they shall submit an Employee's Report, Form 15.7, to their commanding officer containing the following information:

- \* Available preliminary data on the product.
- \* A description of the need for the product.
- \* Any history of contact by a Department employee, on or off duty, with the product, its manufacturer, or its distributor.

Upon receipt of the request, the employee's commanding officer shall review the request and forward it through channels along with a Form 15.2 to Planning and Research Division. The Form 15.2 shall contain any additional information known to the commanding officer, including an opinion, if any, as to the desirability of the product.

**273. MOTION PICTURE/TELEVISION FILMING LOCATION AUDITS.** When auditing a filming location, the auditing supervisor shall:

- \* Determine who is in charge of the filming location (usually the location or production manager);
- \* Request and review a copy of the filming permit;
- \* Ensure the production company is in compliance with all conditions and restrictions of the permit;
- \* If the production company does not possess a current filming permit (violation of LAMC Section 12.22(a)13, Commercial Filming Without a Permit), order the filming manager to remove the equipment from the location. Complete a Complaint Application, Form 5.15, naming the person in charge of the filming location as the violator;

**Note:** If the person in charge of the filming location states that the production company has a filming permit, but a copy is not at the location, the auditing supervisor may call the Entertainment Industry Development Corporation (EIDC) to verify if a filming permit has been issued. The person in charge of the filming location shall be advised to maintain a copy of the valid permit at the filming location at all times.

If the production company is in violation of any filming permit conditions, the auditing supervisor shall:

- \* Advise the person in charge of the filming location that the violation(s) must be corrected immediately;
- \* Ensure that filming ceases until violations (e.g., no filming permit, potential safety hazards) are corrected and documented on the audit. Filming may resume once the violation(s) is corrected;
- \* If sworn and/or retired officers are employed at the filming location and are

present, include the officer's name(s), serial number(s), and a telephone number where he/she may be contacted regarding the audit;

- \* If the person in charge refuses or cannot correct the violation(s), order the film crew to immediately remove all filming equipment from the location;
- \* Contact Special Events Permit Unit (SEPU), Emergency Services Division (ESD), and advise personnel that the film company has been ordered to stop filming. SEPU personnel will respond to the filming location upon request. If ESD is closed, ESD personnel may be contacted via the Department Command Post. The EIDC may also be contacted for advice;
- \* If an active or retired officer does not meet the criteria listed on the audit, ensure the officer takes immediate action to correct any deficiencies. The audit shall list the officer's name, serial number, and division of assignment for active officers; and name, serial number, home address and telephone/pager number for retired officers; and,
- \* Forward the completed audit to the Area watch commander.

The Area watch commander shall:

- \* Remain aware of filming locations within the Area, note any crowd or traffic problems, and require a supervisor to respond to any complaints of violations;
- \* Ensure that a field supervisor is dispatched to conduct periodic audits, particularly when there is reasonable cause to believe there is a violation;
- \* Ensure that the field supervisor has correctly noted any violations of filming permit rules and regulations, applicable LAMC sections, and Department policy, and that appropriate action has been taken;

**Note:** Retired or active officers who fail to comply with the rules and regulations of their Motion Picture/Television Filming Work Permit, Form 1.47.01, may be subject to suspension or revocation of that permit. Active officers may also be subject to disciplinary action by the Department.

- \* Review and approve the completed audit;
- \* Make an entry in the Watch Commander's Daily Report, Form 15.80, briefly explaining the outcome of the audit, and noting any violations observed and/or corrective action taken; and,
- \* Attach the completed audit to the Watch Commander's Daily Report and forward to the Area commanding officer.

Upon receiving an audit, the Area commanding officer shall review the completed audit, identify non-compliance with rules and regulations, and take appropriate action. The audit shall then be forwarded to ESD.

The Commanding Officer, Emergency Services Division, shall:

- \* Ensure personnel from SEPU respond to the film location upon request by the auditing supervisor;
- \* Receive all requests for filming permits within the City from the EIDC;
- \* Approve or disapprove each permit submitted;
- \* Identify filming locations that should be subject to an audit by Area supervisors;
- \* If necessary, request an audit via an Intradepartmental Correspondence, Form 15.2, to the Area commanding officer in which the filming is to take place;
- \* Maintain files on all completed audits;
- \* Ensure the Department's central repository of information regarding filming locations on public property is maintained;
- \* Notify Personnel Group (PG) and obtain a tracking number for complaints involving retired LAPD officers at a filming location;
- \* Complete an investigation and adjudicating the complaint with a recommended action, e.g., suspend, revoke or deny the Motion Picture/Television Filming Work Permit;
- \* Forward a copy of the completed investigation, adjudication and recommended action to the Commanding Officer of PG; and,
- \* Complete the investigation utilizing an Intradepartmental Correspondence, Form 15.2, and addressing the complaint in the following format:
  - \* Background;
  - \* Allegations;
  - \* Investigation/Findings; and,
  - \* Recommendation(s).

If a complaint investigation has already been completed because it involved both active and retired officers, ESD shall complete a synopsis of the investigation relating to the retired officer using the above format.

Note: When the Commanding Officer, ESD, identifies an issue(s) requiring further investigation, he/she shall confer with the active officer's commanding officer to determine the appropriate investigative remedy. In the event an agreement cannot be reached, the Commanding Officer, Internal Affairs Group, shall make the determination.

## 275. OCCUPATIONAL SAFETY PROCEDURES.

**275.10 DEFINITION OF TERMS-CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT.** The following definitions apply to the terms contained within the provisions of the California Occupational Safety and Health Act (Cal/OSHA):

- \* Safety Violations:
  - \* **Serious** (other than carcinogen). A violation which presents substantial probability that an employee will suffer death or serious physical harm.

\* **Serious** (carcinogen). A violation of any standard, order, or special order regarding the use of a carcinogen.

\* **General.** A violation which is specifically determined not to be of a serious nature but has a relationship to occupational safety and health of employees.

\* **Regulatory.** One that pertains to permits, posting, record keeping, or reporting requirements.

\* **Imminent Hazard.** Any conditions or practices in a place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated.

\* **Hazard Correction.** The elimination or control of a workplace hazard in accordance with the requirements of applicable Federal or State statutes, regulations, or standards.

\* **First Aid.** The one-time treatment and follow-up visit for the purpose of observation of a minor injury which does not ordinarily require medical care.

\* **Serious Injury or Illness** (immediately reportable to the Division of Occupational Safety and Health). Any occupationally related injury or illness which requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement. Serious injuries or illness shall not include any death, injury, or illness resulting from a traffic collision on a public street or highway or caused by the commission of a Penal Code violation, except the violation of Section 385 of the Penal Code (which refers to the operation of heavy equipment adjacent to high-voltage overhead conductors).

\* **Recordable Occupational Injuries or Illnesses.** Any occupational injuries or illnesses which result in:

- \* Fatalities, regardless of the time between the death, or the length of the illness; or,
- \* Lost workday cases, other than fatalities, that result in lost workdays; or,
- \* Nonfatal cases without lost workdays which result in transfer to another job or termination of employment; or,
- \* Require medical treatment (other than first aid); or,
- \* Involve loss of consciousness; or,
- \* Restriction of work or motion;
- \* Any diagnosed occupational illnesses which are reported to the employer but are not classified as fatalities or lost workday cases.

\* **Work Location.** Any office, bureau headquarters, Area headquarters, division, or section not directly under the command of a division.

\* **Commanding Officer.** Any commanding officer or officer in charge of a work location.

**275.20 COMMANDING OFFICER, PERSONNEL DIVISION-RESPONSIBILITY.** The Commanding Officer, Personnel Division, is designated as the Department Safety Coordinator and, through the Safety Unit, Medical Liaison Section, shall ensure that:

- \* The Department complies with the California Occupational Safety and Health Act of 1973.
- \* All safety violations are corrected in accordance with the requirements of applicable Federal or State regulations or standards.
- \* When a citation is issued by a State Compliance Safety Engineer or Industrial Hygienist, the Employer's Report of Corrected Conditions of Alleged Serious, General and Regulatory Violations, is completed and returned to the Division of Occupational Safety and Health, upon correction of the violation and a copy of the citation is forwarded to the City Personnel Department, Occupational Safety Office, Mail Stop 517.
- \* When applicable, the citation is contested in 15 working days after receipt, following the Occupational Safety and Health Appeals Board procedures. Appeals shall be coordinated with the City Safety Administrator.
- \* Employer's Report of Occupational Injury or Illness, State Form 5020, are examined and marked recordable, or non-recordable, and appropriate copies are returned to the commanding officer of the work location or origin.
- \* A chronological file of all recordable State Forms 5020 is maintained within the Medical Liaison Section. These forms shall be retained for five years following the year to which they relate.
- \* An accident prevention program is being maintained in all Department facilities.
- \* The completed annual summaries of occupational Injuries and Illnesses for each work location, Cal/OSHA Form 200, are collected for the Department for each calendar year.
- \* An Occupational Injuries and Illnesses Survey Form, Cal/OSHA No. 200, is completed upon receipt in accordance with the instructions contained there in, and returned in accordance with the aforementioned instructions.
- \* An officer under his or her command is immediately dispatched to any location when any of the following is occupational related:

- \* An employee is killed or critically injured.
- \* Five or more employees are seriously injured at the same time.
- \* An alleged imminent hazard is reported.

- \* A roster of Medical Liaison Section personnel to be notified during other than normal business hours is submitted to Detective Support Division.
- \* The Police Facilities Unit, Facilities Management Division, is notified regarding any alterations or improvements deemed necessary by Cal/OSHA.

**275.30 SUPERVISORY**

**RESPONSIBILITY.** Each commanding officer or officer in charge of a work location shall ensure that:

- \* City of Los Angeles notices regarding "Treatment and Reporting of On-Duty Injuries to Sworn and Civilian Employees" are posted at all times on official bulletin boards or in prominent location for all employees to view.
- \* The Log of Occupational Injuries and Illnesses, Cal/OSHA Form 200, and related Employer's Report of Occupational Injury or Illness, State Form 5020, are maintained at the work location.
- \* The Summary of Occupational Injuries and Illnesses, Cal/OSHA Form 200, is compiled, certified, and posted for all employees to view from February 1 to March 1 of each year.
- \* A completed copy of Cal/OSHA Form 200 is forwarded to the Medical Liaison Section, Personnel Division, no later than February 1 of each year.

When supervisors are notified that a safety violation exists, they shall:

- \* Immediately correct the hazard, if practicable.
- \* During normal business hours, contact the Safety Unit, Medical Liaison Section. When the notification is received during other than normal business hours, the supervisor shall take any possible action to prevent an injury and notify the Safety Unit as soon as practicable during normal business hours.
- \* Submit an Employee's Report, Form 15.7, to the commanding officer prior to end of watch. The Form 15.7 shall indicate the nature of the hazard and list the corrective action taken or any requests made for corrective action. The commanding officer shall review and forward a copy of the Employee's Report to the Commanding Officer, Personnel Division, within one working day.

When a supervisor becomes aware that an imminent hazard exists at any Department facility, the supervisor shall:

- \* Cause all personnel who may be threatened by the imminent hazard to leave the

affected area. Take all practicable corrective measures.

- \* Allow no one, other than repair personnel, to enter the area of the hazard.
- \* During normal working hours notify the Safety Unit, Medical Liaison Section, Personnel Division. When that unit is closed, notify the City Safety Administrator, Occupational Safety Office, Personnel Department, via the City Hall telephone operator supervisor, and notify the Safety Unit, Medical Liaison Section, Personnel Division, as soon as practicable during normal business hours.
- \* Submit a Form 15.7, to the commanding officer prior to end of watch. The commanding officer shall review and forward a copy of the Form 15.7 to the Commanding Officer, Personnel Division, within one working day.

When a supervisor is informed that a State Compliance Safety Engineer or Industrial Hygienist (Cal/OSHA representative) arrives to conduct a safety inspection or investigation, and presents proper identification, the supervisor shall:

- \* Notify the Personnel Department Occupational Safety Office immediately and a Safety Engineer or Industrial Hygienist will be dispatched to accompany the Cal/OSHA representative on an inspection and to assist a supervisor during a closing conference.

**Note:** The inspection **shall** be delayed pending the notification and arrival of personnel from the Medical Liaison Section and Occupational Safety Office.

- \* During normal business hours, notify the Safety Unit, Medical Liaison Section, immediately. When the inspection commences during other than normal business hours, contact the Administrative Information Unit, Detective Support Division, who shall notify an on-call officer from the Medical Liaison Section.
- \* Provide free access to any premises and Cal/OSHA records related to the inspection, after the arrival of personnel from Medical Liaison and Occupational Health and Safety.

**Note:** Any confidential Department reports, papers, photographs, etc., shall be removed or secured prior to the inspection.

- \* Invite an employee representative to accompany the State representative and you during the inspection, throughout which employees may be interviewed, photographs may be taken, tests may be made, and environmental samples may be taken. Take notes and be prepared to discuss the Cal/OSHA representatives findings during the closing conference.

When a citation is issued by the Cal/OSHA alleging a safety violation, the supervisor of the concerned location shall:



- \* Immediately correct the alleged hazard, if practicable.
- \* Submit a Form 15.7 indicating the results of the Cal/OSHA representative inspection to the concerned commanding officer prior to end of watch. The commanding officer shall review and forward a copy of the Form 15.7 to the Commanding Officer, Personnel Division, within one working day.

**Note:** No copy of the citation is given to the supervisor at the time of the inspection. The citation and Employee's Report of Corrected Conditions of Alleged Serious, General, and Regulatory Violations will be mailed via certified mail or directly delivered to the inspection location with reasonable promptness, but not after six months have elapsed since the inspection.

When the violations noted on a citation have not been corrected prior to the arrival of the citation at the work location, a copy of the citation shall be permanently posted upon receipt at or near the location of each violation until the unsafe condition is corrected or for three working days, whichever is longer. Upon correction of the violation, a copy of the citation shall be filed at the work location. The original citation and the Employer's Report of Corrected Conditions of Alleged Serious, General, and Regulatory Violations shall be forwarded to the Commanding Officer, Personnel Division. When violations noted on a citation have been corrected prior to the arrival of the citation at the work location, a copy of the citation shall be made and filed at the work location. The original citation and the Employer's Report shall be forwarded to the Commanding Officer, Personnel Division.

When a Safety Deficiency Report, Form PDES11, is issued by a City Safety Engineer alleging a safety violation or hazardous condition, the supervisor of the location shall:

- \* Immediately correct the alleged hazard, if practicable.
- \* Indicate corrective measures taken in the "Supervisors Reply," section of the Deficiency Report.
- \* Submit the completed Form PDES11 to his/her commanding officer for review.
- \* Ensure that the **green** copy of the Form PDES11 is forwarded to the Medical Liaison Section, Personnel Division, within one day after it is reviewed by the commanding officer.
- \* File the pink copy of the Form PDES11 at the work location.

#### 275.40 FIELD OFFICER RESPONSIBILITY-TELEPHONIC NOTIFICATION.

An officer who responds to the scene of an occupationally related death or serious injury shall immediately notify the Administrative Information Unit, Detective Support Division who shall immediately notify the California Division of Occupational Safety and Health.

When a Department employee is killed or seriously injured in the line of duty:

- \* During normal business hours, the Medical Liaison Section shall be immediately notified and shall immediately notify the California Division of Occupational Safety and Health.
- \* During other than normal business hours, the Administrative Unit, Detective Support Division, shall be immediately notified and shall immediately notify the on-call officer from the Medical Liaison Section.

#### 275.50 RECORD KEEPING-PROCEDURES AND RESPONSIBILITY.

**Employer's Report of Occupational Injury or Illness, State Form 5020.** For each occupational injury or illness reported to a supervisor, a completed State Form 5020 shall be forwarded to Medical Liaison Section within 24 hours.

**Exception:** If an injury or illness is initially determined to be "recordable" under Cal/OSHA, one copy of the State Form 5020 shall be retained at the work location with the Log and Summary of Occupational Injuries and Illnesses, Cal/OSHA Form 200, prior to forwarding the other six copies to the Medical Liaison Section.

Upon verification by the Medical Liaison Section that an injury or illness is "recordable," one copy of the State Form 5020 marked "recordable," shall be returned to the work location of origin and filed with the Form Cal/OSHA 200. The originally retained copy shall be appropriately marked and filed in the employee's divisional package.

**Note:** The returned copy will not bear a Workers' Compensation case number.

**Log and Summary of Occupational Injuries and Illness, Cal/OSHA Form 200.** All "recordable" illnesses, injuries, or deaths shall be recorded on this form. Each entry shall be made as early as practicable but no later than six working days after receiving information that a recordable case has occurred.

When an injury or illness is initially determined to be "recordable" and entered on the Cal/OSHA Form 200, and, upon verification by Medical Liaison Section that it is "nonrecordable," a single line shall be drawn through the entire entry on the Form Cal/OSHA 200.

When an injury or illness is initially determined to be "nonrecordable," and upon final verification by the Medical Liaison Section that it is "recordable," an entry shall be made on the next vacant line on the Cal/OSHA Form 200, and a copy of the State Form 5020 filed with the log.

Summary of Occupational Injuries and Illnesses, Cal/OSHA Form 200. An annual summary of occupational injuries and illnesses shall be compiled for each work location. Each

annual summary shall be based on the information contained in the log of occupational injuries and illnesses and entered in the "Totals" column. Even though there were no occupational injuries or illnesses in the work location during the year, zeros must be entered on the totals line.

The summary shall be completed no later than one month after the close of each calendar year and shall cover the occupational injury and illness experience in that calendar year.

The commanding officer or officer in charge at each work location shall certify that the annual summary is true and complete by affixing the signature to the certification line at the bottom of the Cal/OSHA Form 200.

A completed copy of the Form Cal/OSHA 200 shall be posted adjacent to the Cal/OSHA Poster "Safety and Health Protection on the Job" in each work location. The summary, covering the previous calendar year, shall be posted no later than February 1, and shall remain in place until March 1.

A copy of the completed Form Cal/OSHA 200 shall be forwarded to the Medical Liaison Section, Personnel Division on February 1 of each year.

Log and Summary of Occupational Injuries and Illness, Cal/OSHA Form 200 and Employer's Report of Occupational Injury or Illness, State Form 5020 shall be retained in each work location for five years following the year to which they relate. Cal/OSHA Forms 200 and State Forms 5020 shall be available for inspection and copying by authorized representatives of the United States Department of Labor, the Department of Health, Education and Welfare, or the State of California.

The Cal/OSHA Form 200 shall, upon request, be made available to any employee, former employee, and to their representative for examination and copying in a reasonable manner and at reasonable times. The employee, former employee, and their representatives shall have access to the log and summary for any work location in which the employee is or has been employed.

#### 278. MENTAL EVALUATION MANUAL.

**278.10 MENTAL EVALUATION MANUAL.** The Mental Evaluation Manual of the Los Angeles Police Department shall be maintained, amended, and distributed by Detective Support Division.

**Area/Division Commanding Officer-Responsibility.** Area/division commanding officers shall be responsible for:

- \* The care and maintenance of all copies of the Mental Evaluation Manual assigned to their Area/division.
- \* Ensuring that their personnel are familiar with the contents of the Mental Evaluation Manual.

**279. BUILDING EMERGENCY COORDINATOR PROGRAM.** This Program is designed to provide for the safe and orderly evacuation of employees from the workplace in the event of an emergency. Under the Program, every worksite housing more than 10 personnel must have a Building Emergency Coordinator (BEC), or a Floor Emergency Coordinator (FEC), and a disaster plan.

**Note:** The title "Floor Emergency Coordinator" was created to identify a specific assignment for the Police Department only. For purposes of the Departments Building Emergency Coordinator Program, Floor Emergency Coordinators have the same responsibility as those outlined in the City's Emergency Procedures Manual for Building Emergency Coordinators.

Generally the BEC/FEC is the Commanding Officer of the entity assigned to the facility. At the Geographic Areas the BEC/FEC shall be the Area Commanding Officer. For those entities in leased space and those entities housed in other City buildings i.e., City Hall East, the senior officer shall act as the BEC/FEC.

**Exception:** The BEC for the Piper Technical Building (Piper Tech) is determined by the Department of General Services.

The BEC/FEC's are encouraged to delegate the routine BEC Responsibility to a supervisor under their command. To maintain knowledge of the facility within the location, the expected duration of the supervisor's assignment should be considered prior to delegating the BEC responsibility. Although the responsibility for the BEC program is delegated to an individual at each facility, it may be necessary for another individual to assume the BEC responsibility during non-business hours.

Disaster plans shall be completed by each BEC/FEC in accordance with the City's Emergency Procedures Manual. Disaster plans may include more information than is included in the Emergency Procedures Manual guidelines. Minimum operating force, mobilization plans, station or asset security, or any other concern specific to the facility may be included in the plan. In order to ensure that each BEC program is effective, the facility Evacuation Plan shall be a part of each entity's Standing Plans.

**Commanding Officer, Detective Support Division (DSD) - Responsibility.** The Commanding Officer, Detective Support Division is designated as the BEC for Parker Center. Emergency Operations Section (EOS) will provide staff support to assist with the selection of Floor Wardens, scheduling Floor Warden training and will coordinate with DSD an annual BEC exercise for Parker Center. The Commanding Officer, DSD, shall:

- \* Maintain the Parker Center disaster plan and conduct the duties of the BEC Program applicable to Parker Center;

**Officer in Charge, Emergency Operations Section, - Responsibility.** The Officer in Charge, Emergency Operations Section, shall be responsible for overall coordination of the Department's BEC Program. The Officer in Charge, EOS, shall:

- \* Review facility disaster plans submitted by Department BEC's and FEC's Department wide.
- \* Ensure that annual audits of all facility disaster plans are conducted to ensure that plans are complete and accurate.
- \* Maintain an up-to-date list of all BEC/FEC and Floor Warden assignments Departmentwide.
- \* Ensure that BEC/FEC and Floor Warden assignment lists are forwarded to the Emergency Planning Unit, Department of General Services (DGS), in January of each year for scheduling of annual training.

**Note:** Changes in BEC/FEC or Floor Warden assignments shall be forwarded to DGS immediately upon receipt.

- \* Cause audits to be conducted to ensure that annual training and fire drills required under the City's BEC Program are being conducted.
- \* Review Fire Drill Reports and occupant training rosters received from BEC's and FEC's and forward them to the Emergency Planning Unit, DGS.
- \* Ensure that new and leased space facilities have a BEC or FEC assigned when the facilities are occupied.

**Responsibility of Building Emergency Coordinators and Floor Emergency Coordinators.** Building Emergency Coordinators and Floor Emergency Coordinators (FEC) shall:

- \* Maintain the facility disaster plan and the City's Emergency Procedures Manual in a readily accessible location within the facility.
- \* Ensure that all personnel within the facility are aware of the procedures contained in the disaster plan.
- \* Ensure that the "Occupant Instructions" portion of the City's Emergency Procedures Manual is posted on the facility's Official Bulletin Board.
- \* Ensure that all personnel within the facility receive training on the "Occupant Instructions" annually.
- \* Ensure that the disaster plan is updated as needed and forwarded to EOS for review and approval.
- \* Perform BEC/FEC duties as described in the City's Emergency Procedures Manual.
- \* Designate Floor Wardens and other Program positions, as needed.
- \* Forward a list of BEC/FEC and Floor Warden assignments through channels to EOS during December of each year.

**Note:** Annual training is required for all BECs, FECs, and Floor Wardens regardless of whether or not they have previously attended

the training.

- \* Immediately notify EOS in writing, of any changes in BEC/FEC or Floor Warden assignments during the year;
- \* Ensure that personnel assigned to positions under the BEC Program are familiar with their duties.
- \* Conduct a fire drill each year in accordance with the provisions of the City's Emergency Procedures Manual, and forward the Fire Drill Report through channels to EOS.

**280. MEMORANDUM OF AGREEMENT PROCEDURES.**

**280.10 MEMORANDUM OF AGREEMENT-DEFINED.** A Memorandum of agreement is a written agreement, signed by the Chief of Police, between the Department and an outside entity.

**280.20 STAFF AND COMMAND OFFICER'S RESPONSIBILITY.** All staff and command officers shall:

- \* Initiate, negotiate, re-negotiate, and write all outside agency agreements under their command.
- \* Forward copies of completed agreements through the chain of command to the Commanding Officer, Risk Management Group, for review and coordination of Chief of Police approval and signature.
- \* Forward completed and signed agreements to Planning and Research Division.

**280.30 COMMANDING OFFICER, PLANNING AND RESEARCH DIVISION, RESPONSIBILITY.** The Commanding Officer, Planning and Research Division, shall provide advice on the negotiation and completion of agreements and coordinate Chief of Police approval and signature on all agreements.

**280.40 PLANNING AND RESEARCH DIVISION'S RESPONSIBILITY.** Planning and Research Division shall:

- \* Coordinate assignment of request for formal agreements received from outside agencies.
- \* Provide exemplars of previously approved agreements to negotiators upon request.
- \* Maintain a repository of all approved agreements.
- \* Track expiration dates of agreements.
- \* Notify the appropriate staff or command officer when an expiration date is approaching.

**PLANNING AND ACCOUNTING**

**301. NON-BUDGETED TEMPORARY SPECIALIZED UNITS.** The primary strategy for addressing police-community problem solving is to involve the affected basic car(s) and specialized units authorized in the

Department's budget. Prior to forming a specialized unit outside the budget process, commanding officers shall obtain approval according to the following procedure.

**Area Commanding Officer's Responsibility.** An Area commanding officer shall obtain prior approval from his/her bureau commanding officer. That approval shall be in writing and include submission of an Intradepartmental Correspondence, Form 15.2, to the bureau commanding officer containing the following information:

- \* The unit's specific mission;
- \* Number of employees needed by specific rank and paygrade;
- \* Method of personnel selection;
- \* Method of deployment (e.g., uniformed or plain clothes, hours, and days of the week); and,
- \* Duration the unit will be needed.

If an Area commanding officer determines that a non-budgeted specialized unit will be needed beyond the originally approved time limit, he/she shall request an extension by submitting a Form 15.2 to the bureau commanding officer. This request shall include the reason for the unit's extension and its revised duration.

**Bureau Commanding Officer's Responsibility.** Bureau commanding officers shall ensure that prior approval is obtained for all non-budgeted specialized units and that these units are disbanded upon completion of their stated mission.

If a bureau commanding officer elects to form a specialized unit outside the budget process, he/she shall comply with the requirements stated above and obtain approval from the Chief of Police.

**303. THE DEPARTMENT BUDGET.**

**303.05 BUDGET GUIDE.** The Budget Guide, which contains budget definitions and detailed procedures, is updated and distributed by Fiscal Operations Division.

**303.10 BUDGET-DEFINITIONS.** Department budget requests shall be classified according to the following categories:

**Operating Budget** (Personnel, Expense, and Equipment.) Personnel requests are those made for additional officers or civilians and/or upgrading of existing positions.

Expense requests are those made for:

- \* Contractual services, including lease items.
- \* Travel.
- \* Any operating budget item not included in the definition of equipment.

Equipment requests are those made for any article in the following categories which are capable of sustained use over a significant period of time:

- \* A complete vehicle, chassis or body.

- \* Any item of electronic communications equipment for stationary or vehicular use.
- \* Any item of electric or electronic office equipment.
- \* Any item of office furniture costing more than \$50.00.
- \* Any item or shop tool used for the purpose of automotive or machinery repair (not including repair parts or field tools), or any other operating equipment item costing more than \$100.00.

**Alterations and Improvements.** These are requests for minor modifications to existing buildings or grounds, either interior or exterior, such as installation or removal of partitions, heating, plumbing, and lighting.

**Capital Projects.** These are requests which require acquisition of land, construction of buildings, or significant additions to buildings.

**303.20 BUDGET-DUTIES OF COMMANDING OFFICERS.** Commanding officers shall submit annual requests for needed budgetary items. A budget memorandum shall be published prior to the beginning of each fiscal year indicating the dates the budget requests are due. The memorandum will include a general statement of the fiscal policy and any other information necessary for proper completion of budget requests for the forthcoming year. Commanding officers desiring additional procedural information may contact the Budgetary Planning Section, Fiscal Operations Division.

**Note:** When practicable, bureau commanding officers may consolidate division, Area and/or group requests into a bureau request.

**303.30 BUDGET-ORIGINAL SUBMISSIONS.**

**Capital Projects.** Capital projects shall be submitted on the Budget Request, Form 1.91.4. One set of plans or maps shall be attached to the original form.

**Alterations and Improvements.** Alterations and improvement requests shall be submitted on CAO Form 42. One set of plans shall be attached to the original form and shall be submitted to the Commanding Officer, Facilities Management Division.

**Building Maintenance and Repair.** Normal maintenance, or upkeep and repair work as the need arises, shall be requested on an Intradepartmental Correspondence, Form 15.2, through the Officer in Charge, Facilities Section, Facilities Management Division.

**Personnel.** Personnel requests shall be submitted on the Personnel Budget Request, Form 1.91.3. A separate form is required for each position requested, except in those cases where personnel are of the same civil service class title and will have identical work assignments. Budget requests shall not be submitted to fill vacancies in the authorized strength.

**Expense.** Expense requests shall be submitted on the Expense Budget Request, Form 1.91.1. Requests should not be submitted for expense items used to maintain normal operation of the division unless unusual needs are anticipated. Examples of normal expense items are office supplies, Department forms, duplicating paper, and fuses.

In computing travel expenses, the total cost of the trip should be included on one form. Compute and itemize expenses such as fares, living expenses, registration, and tuition. Estimate living expenses at the current rate, which may be obtained from Fiscal Operations Division. Indicate the number of persons for whom funds are being requested.

**Equipment.** Equipment requests shall be submitted on the Equipment Budget Request, Form 1.91. Any quantity of the same specific item shall be submitted on one request. Items not of identical description shall be submitted on a separate request.

**Exception:** When a vehicle is being requested, a separate request is not required for accessories. Accessories such as radio, red lights, and siren shall be included in the description.

**Note:** Replacement of worn equipment with new equipment of the same specifications shall be requested through the Officer in Charge, Supply Section. **Telephonic** equipment shall be requested through the Commanding Officer, Facilities Management Division, Administrative and Technical Services Bureau, (Manual Section 3/564.10). Requests for these items may be submitted as the need arises.

**303.40 BUDGET-PACKAGE ITEMS.** When a request is contingent upon the granting of another request, or when a request is submitted as an alternative to another request, or when two or more requests are in any way connected, the connected requests form a package. The justification for all items in a package (Personnel, Expense, and Equipment) need appear only on the request for the principal item. A Package Request, Form 1.91.2, shall be utilized.

**303.50 BUDGET-JUSTIFICATION NUMBERS.** The space for justification numbers on Forms 1.91, 1.91.1, and 1.91.3 shall be utilized to consecutively number each request in priority order. All requests in a package (Manual Section 3/303.40) shall bear the same number.

**303.60 BUDGET-RESUBMISSIONS.** Requests which were denied in the past may be resubmitted. Resubmission of items (personnel, expense, equipment, alterations and improvements, capital projects) denied in the preceding year shall be submitted on the proper form in the manner of a new request.

**Note:** The fact that a budget request is a resubmission shall be indicated by marking "yes" in answer to question number 2 on the form, "Was this item a denied request in the

last budget?" Renewals or continuances of items approved in the previous budget shall be submitted as new requests. Examples are requests to attend annual conventions or requests for subscriptions to newspapers.

**325. GRANT FUND APPLICATIONS.** Applications for grant funds shall be directed to Planning and Research Division.

**Note:** Assistance may be obtained from the Grants Unit, Planning and Research Division, prior to application.

**340. ESTABLISHMENT OF CHECKING ACCOUNTS**

**340.10 REQUEST FOR ESTABLISHMENT OF A CHECKING ACCOUNT.**

**Requesting Entity - Responsibility.** Anytime a Department entity wishes to establish a checking account with monies received from **any** source, (e.g., contributions, Secret Service funds, non-budgetary funds, etc.), the entity shall submit an Intradepartmental Correspondence, Form 15.2, to Fiscal Operations Division (FOD) containing the following:

- \* Request for approval to establish a checking account;
- \* Source of funds;
- \* Intended use of funds; and,
- \* Anticipated yearly deposits.

The Form 15.2 shall be submitted through the requesting entity's chain of command.

**Fiscal Operations Division - Responsibility.** Upon receipt of the Form 15.2, FOD shall:

- \* Review the request;
- \* Determine if the account is subject to the City's financial controls;
- \* If yes, establish a new account with the City contracted bank; and,
- \* If not, advise the requesting entity of the appropriate means to handle the monies.

**350. NON-BUDGETARY FUNDS.** Non-budgetary Department funds are those funds established for the control and accounting of monies and other resources obtained from sources other than City appropriations which are used to carry on Department-sponsored activities. In all reports and statements concerning these funds, the notation non-budgetary shall be made. Unless specifically exempted, all non-budgetary funds shall be administered as set forth in the subsections of Manual Section 3/350.

**350.10 FUND COMMITTEES.** Each non-budgetary Department fund shall be administered by a fund committee. Each fund committee shall establish and publish a statement of the purposes of the fund, a list of election procedures, membership eligibility requirements, and other specific rules pertaining to the administration of the fund. The chairperson of the committee shall delegate to the committee members such

authority necessary to ensure the proper accounting and expenditure of the funds resources. The committee chairperson shall also designate an alternate from among the committee members to act as chairperson in his or her absence.

**350.11 DEVIATION FROM ESTABLISHED FUND COMMITTEE MEMBERSHIP.** When the nature of a particular fund requires a deviation from the fund committee membership set forth in the subsections of Manual Section 3/350, the commanding officer shall submit two copies of an Intradepartmental Correspondence, Form 15.2, through channels to Administrative and Technical Services Bureau. The Form 15.2 shall contain:

- \* The reason a deviation is necessary.
- \* The proposed committee membership.
- \* A request for approval.
- \* Signature blocks for each level in the chain of command, including a signature block for the Commanding Officer, Administrative and Technical Services Bureau.

One copy of the Form 15.2 shall be retained at Administrative and Technical Services Bureau. The original shall be returned to the chairperson of the fund committee and shall indicate approval or denial of the request.

**350.12 FUNDS CONTROL COMMITTEES.** Funds control committees may be established in order to coordinate and to standardize the administration of two or more divisional funds of similar nature.

**350.14 BOOKKEEPING SYSTEM.** The chairperson of a non-budgetary Department fund committee shall appoint an accounting officer who shall be responsible for maintaining a bookkeeping system for the committee. The accounting officer shall:

- \* Maintain a double-entry journal listing receipts on the left page and disbursements on the right page. (Royal Vernon Line, No. 2176, or its equivalent, shall be used.)
- \* Record each transaction in the journal listing the date, check number when applicable, source or purpose, and the amount received or expended.

**Exception:** Contributions which consist of services or other resources, on which a monetary value cannot be placed with reasonable accuracy, shall be treated in accordance with Manual Section 3/350.20.

- \* Deposit all currency and checks in a checking account, a federally insured savings account, or the Los Angeles Police Credit Union in the name of the fund.

**Exception:** A petty cash fund, not to exceed one hundred dollars, may be kept in a safe place within the station.

- \* Sign all checks drawn on the checking account and have them countersigned by

the chairperson of the fund committee or his/her designated alternate.

- \* Obtain authorization from the fund committee for all disbursements; however, the fund committee may authorize routine disbursements from the petty cash fund without prior approval.
- \* Account for each disbursement with an itemized receipt, invoice, or voucher, and maintain a file of these documents for one year.
- \* Make disbursements of less than ten dollars, including tax, from the petty cash fund. Disbursement of ten dollars or more shall be made by check when the fund has a checking account. Expenditures from petty cash shall be accounted for with receipts, invoices, or vouchers.
- \* Replenish the petty cash by means of a check drawn on the fund account.
- \* Reconcile the fund journal with the fund bank account and petty cash each month and report any discrepancies to the fund committee chairperson.
- \* Complete a Receipts and Disbursements Report, Form 15.47, at the end of each month and forward one copy of the report to the Chief Accounting Employee, where it will be checked for accuracy and proper accounting procedures. One copy of this report shall be posted in a conspicuous space for review by the members of the fund.

**350.16 AUDITS OF NONBUDGETARY DEPARTMENT FUNDS.** A detailed annual audit of each non-budgetary Department fund shall be conducted by two Department employees designated by the fund committee chairperson. Persons who are responsible for the accounting of a particular fund shall not be assigned to audit that same fund.

Each month, two Department employees designated by the chairperson shall verify the correctness of the Receipts and Disbursements Report by comparing each entry in the books with invoices, vouchers, and receipts. They shall also compare balances with receipts, expenditures, and bank deposits.

The results of monthly and annual audits shall be submitted in writing to the chairperson of the fund committee and to the commanding officer(s).

**350.17 INCOME TAX RETURNS.** The chairperson of each non-budgetary fund shall be responsible for ensuring the fund's compliance with Federal and State tax laws.

**350.18 FUND EXPENDITURES.** Each fund committee shall conduct its affairs in a manner beneficial to the majority of its constituents and to the Department as a whole. Whenever practicable, goods and services shall be paid for with existing resources; the incurring of debts shall be prohibited, unless prior approval is obtained from the Office of the Chief of Police. When expending non-budgetary funds, the committee members shall recognize the

limitations of resources and the transiency of fund constituents.

**350.20 ACCEPTANCE OF DONATIONS.**

All donations to the Department, or for the benefit of employees or Department-sponsored activities, shall be approved by the Commanding Officer, Administrative Technical Services Bureau, prior to acceptance. All requests for the acceptance of donations shall be directed to the Commanding Officer, ATSB, via Intradepartmental Correspondence, Form 15.2. The Commanding Officer, ATSB, will determine, based on the nature and purpose of the donation, whether it requires formal acceptance as a donation. Based upon the value of the donation, the appropriate level of approval will be determined in accordance with the Los Angeles Administrative Code. Donations received prior to ATSB approval shall not be placed into use until approval is received.

**Donations – Defined.** Donations that are reportable include gifts of money, buildings, use of building space, land, equipment (including loaned equipment and equipment transferred from other City departments), services, supplies and anything else of value that may benefit individual employees or their families, groups of employees, the Department, Department entities (e.g., station funds), or Department-sponsored activities (e.g., Department employee athletic teams and youth activities). This includes, but is not limited to, any donation received from an elected official, the Parker Foundation, the LAPD Foundation, and Area booster associations.

**Exception:** Proceeds from vending machines and fundraising events (such as bake sales) on Department premises, which are limited in participation to Department employees, and perishable food items received as donations do not need to be reported. Holiday toy drives and similar events for needy children and other members of the community are not subject to the reporting requirements of this Order.

**Commanding Officer’s Responsibility.** Commanding officers are responsible for all donations accepted by and used within their command. Commanding officers who seek or who are offered a donation shall obtain approval from the Commanding Officer, ATSB, prior to accepting or using the donation. Commanding officers shall submit a Form 15.2, via their chain of command, to the Commanding Officer, ATSB, requesting approval to accept a donation. A copy of the Form 15.2 shall be retained for record keeping purposes by the submitting entity. The submitted Form 15.2 shall:

- \* Itemize the donation, including item description, make, model, serial number, quantity and value, and estimates of continuing costs for supplies, service charges or fees, and maintenance of operation, as applicable;
- \* When applicable, document the inspection and written approval from Information

Technology Division to accept computer equipment and accessories, from Motor Transport Division for vehicles, and from Special Operations Support Division, Traffic Coordination Section, for bicycles. Other approvals may be required for specialized items;

- \* Fully identify the donor, reason for the donation and indicate whether the donation was solicited by or on behalf of the Department, its employees or their families, or whether the donor sought out the Department to make the donation. Attach the incoming letter written by the donor or, in absence of such a letter, the outgoing letter of acknowledgement;
- \* Document that in soliciting and/or accepting the donation, no expressed or implied commitment or promise was made to the donor or representatives of the donor; that the donor will not receive any tax advantage, preferential treatment, endorsement, or recommendation; and, that the donor is not allowed the use of any LAPD patent; and,
- \* Identify the complete details and anticipated source of funding, if a donation requires support such as monthly service fees, lease or rental charges, supplies, telephone lines, cabling, or non-City standard equipment maintenance or installation.

In certain exigent instances, telephonic approval to provisionally take custody of a donation pending formal approval may be obtained from the Commanding Officer, ATSB. In those instances, the required documentation shall be submitted to ATSB within five working days.

Funds established for fallen officers and their families and other catastrophic events that seek donations from other than Department employees shall be reported to ATSB via a Form 15.2

Upon initial approval for a donation that requires continuing support, such as telephone line charges, cell phone service, lease or rental costs, or supplies which come from an outside source, the commanding officer shall submit a quarterly report itemizing the ongoing donation. Small ongoing donations of items such as office supplies shall also be reported on a quarterly basis and referenced to the specific initial donation that the ongoing donation supports.

**Commanding Officer, Administrative Technical Support Bureau Responsibility.** Upon receiving a request to accept a donation, the Commanding Officer, ATSB shall:

- \* Determine if the donation requires acceptance via the Department Trust Fund;
- \* Determine if approval is needed beyond the Department (Police Commission, City Council, etc.);
- \* If needed, prepare additional documentation and obtain approval;

- \* If no further approval is needed, approve or disapprove the donation;
- \* Report the decision or status to the requesting commanding officer within ten working days;
- \* Maintain necessary databases and tracking mechanisms of all Department donations (including those in ongoing support of initial donations);
- \* Report to the Chief of Police the number, type and status of donation acceptance requests received on a quarterly basis; and,
- \* Ensure expenditure of funds is in compliance with the conditions of the donation.

**Appeal of Denied Requests.** When a request for the acceptance of a donation is denied by the Commanding Officer, ATSB, the involved commanding officer may submit an appeal via the chain of command to the Chief of Staff. The Chief of Staff shall review the appeal and render a decision. The Chief of Staff shall then notify the appealing commanding officer via the chain of command of the decision.

**350.30 AREA, DIVISION, SECTION, UNIT, AND JOINT FUNDS.** Area, division, section, unit, and joint funds shall consist of all monies received from vending machines, ranges, coffee rooms, or other sources which are intended to benefit the members of certain employee groups or the Department as a whole.

**Area, Division, Section, Unit Funds.** The membership of an Area, division, section, or unit fund committee shall consist of the commanding officer or Officer in Charge and a minimum of four elected employees of non-supervisory rank. The committee shall contain an odd number of members.

The chairperson of an Area or division fund committee shall be the commanding officer. The chairperson of a section or unit fund committee shall be the Officer in Charge.

**Joint Funds.** The membership of a joint fund committee shall consist of the commanding officer and a minimum of one elected member of non-supervisory rank for each participating division or Area, and officer in charge and a minimum of one elected member of non-supervisory rank from each participating section or unit which is not a part of a participating division or Area.

The chairperson of a joint fund committee involving two or more divisions, or an Area and one or more divisions which are not part of the organizational structure of the Area, shall be one of the participating commanding officers, to be selected by the members of the committee.

**350.32 AREA BOOSTER FUNDS.** Area booster funds shall be administered by members of the community selected by the concerned booster organizations. The commanding officer and the community relations officer of the Area shall participate in

the administration of Area booster funds in an advisory capacity only.

**350.40 PRISONERS' WELFARE FUND.** The Prisoners' Welfare Fund shall consist of all non-budgetary money received by Jail Division intended for the welfare of prisoners.

**Responsibility.** The Commanding Officer, Administrative and Technical Services Bureau, is responsible for the proper administration and accounting of this fund.

**350.44 LOS ANGELES POLICE DEPARTMENT SCOUTERS' ASSOCIATION FUND.** The Los Angeles Police Department Scouters' Association Fund shall consist of all money and equipment utilized for the administration of the Association.

**Responsibility.** The administration and accounting of this fund shall be as determined by the Scouting Control Committee (Manual Section 2/093.20).

**350.46 MAINTENANCE OF BICYCLE LICENSE FUND ACCOUNT.** All Areas which issue bicycle licenses shall maintain a Bicycle License Fund Account containing the following information:

- \* Bicycle licenses received from the City Clerk.
- \* Bicycle licenses sold.
- \* Fees collected from the sale of bicycle licenses.
- \* Monies deposited with the City Clerk.

**Bicycle License Funds.** Upon accumulating \$50.00, the officer responsible for maintaining the Area Bicycle License Fund account shall transport the money to an office of the City Clerk and purchase replacement books of bicycle licenses.

**Monthly Bicycle License Statement.** The officer responsible for maintaining the Area Bicycle License Fund account shall forward, by the tenth of each month, a Monthly Bicycle License Statement, Form 9.27, to the Bicycle Detail, Juvenile Division.

**350.48 DEPARTMENT-SPONSORED YOUTH ACTIVITY FUNDS.** The Department-sponsored Youth Activity Funds (Area level) shall consist of all monies received for the benefit of the members of each youth activity sponsored by the Department.

**Responsibility.** Area commanding officers shall be responsible for the proper administration and accounting of these funds and may appoint the membership of the fund committees.

**Bookkeeping System.** A permanent journal record of cash receipts and disbursements for each Youth Activity Fund shall be kept under the supervision of an officer designated by the Area commanding officer. An itemized invoice shall be obtained or voucher made for each expenditure.

**Note:** Contemplated scouting unit programs incurring expenditures up to \$2500 shall be approved at the Area level. Expenditures over \$2500, not exceeding \$5000, shall be approved at the bureau level. Expenditures exceeding \$5000 shall be submitted to the Scouting Control Committee for approval before such program is started. Scout units shall obtain Committee approval before commencing any money raising activities.

**350.50 FUND RAISING ACTIVITIES.** Non-budgetary fund committees, if not otherwise directed by the provisions of Manual Section 3/350, shall establish written policy for fund raising activities. This policy shall be submitted to the bureau commanding officer for approval. In addition, all fund raising activities shall be approved by the committee and bureau commanding officer prior to the activity.

**Note:** Employee benefited fund raising activities shall not be conducted by on-duty personnel, unless approved by the Chief of Police.

**350.52 FUND RAISING ACCOUNTING.** An item for item accounting in the form of a profit and loss accounting system shall be maintained for all fund raising activities. This accounting shall be available for review by the non-budgetary fund committee members during the fund raising activity. At the completion of the activity, the accounting report shall be submitted to the committee, which will conduct a detailed audit. The audit shall be forwarded to the bureau commanding officer.

**355. SECRET SERVICE FUNDS.**

**355.10 USE OF SECRET SERVICE FUNDS FOR OTHER THAN WITNESS-PROTECTION PROCEDURES.** The Secret Service Fund is used for expenses incurred during criminal investigations arising within the City of Los Angeles and for such expenses necessarily incurred in the detection of crime. The fund shall not be used for any of the following:

- \* To supplement the income of any Department employee;
- \* To procure any fixtures, equipment, or supplies for the general use of the Department; or,
- \* To employ any personnel from established civil service classifications.

**Disbursement and Expenditures.** Each Area commanding officer, and division commanding officers designated by the Chief of Police, shall be allotted Secret Service funds. The funds shall be used as follows:

- \* The funds shall be expended only when necessary in the furtherance of criminal investigations that fall within the area of responsibility of the commanding officers.
- \* At the discretion of the commanding officer, the Area Vice officer in charge may direct supervisory control over the

Secret Service funds, but **not** over Witness Protection funds.

**Note:** Officers may use their own money for investigations, subject to reimbursement by an assigned supervisor. When it is known in advance of an operation that a specific expenditure will be required, the Officer in Charge may provide Secret Service funds.

- \* After an expenditure, the officer shall submit an Expenditure of Secret Service Funds, Form 15.37,1, to his or her supervisor for approval and reimbursement no later than the following workday.

**Note:** Expenditures over \$250 for narcotics investigations, \$50 or more for vice investigations, and \$150 or more for vehicle rentals require approval of the commanding officer prior to the expenditure.

**Exception:** Entities may submit a request through channels to the Chief of Police for approval of higher routine expenditure limits when specific, ongoing operational needs are identified.

**Obtaining Additional Funds.** Additional funds may be provided when the following conditions exist:

- \* When Secret Service funds have been depleted by necessary expenditures;
- \* When a specific investigation requires an inordinate amount of funds; or,
- \* When an immediate investigation is essential.

Entities needing additional monies shall first contact their bureau for any reserve funds. If reserve funds are not available, the requestor shall:

- \* Complete an Intradepartmental Correspondence, Form 15.2, from the requestor's commanding officer to the Director, Office of Operations, which describes in detail the purpose and need for the funds. The Form 15.2 should include any special circumstances pertaining to the investigation (e.g., the possibility and manner of reimbursement). Confidential information that would compromise the investigation shall not be included in the request.
- \* Submit the Form 15.2 to the bureau commanding officer for review.

**Note:** If appropriate, a fact sheet may accompany the Form 15.2.

If approved, the bureau commanding officer shall submit the Form 15.2 to the Director, Office of Operations. After review and approval by the Director, Office of Operations, funds will be made available from the OCO Reserve Fund.

**Recovery of Secret Service Funds.** In order to protect the integrity of the Department and the credibility of involved officers, the following procedures have been established for recovering Secret Service funds.

- \* The Arrest Report, Form 5.2, shall list in detail all monies expended and the disposition of the money involved.
- \* Money shall be recovered only when it can be identified by serial numbers or other markings.
- \* Other operating expenses incurred in the investigation shall not be taken from the person arrested.

**Note:** When winnings have been received in bookmaking investigations, the original bet shall be taken from the winnings, returned to the Secret Service Fund, and the remainder booked as evidence.

**Exception:** Entities may submit a request through channels to the Chief of Police for approval of higher routine expenditure limits when specific, ongoing operational needs are identified.

**355.20 MONTHLY REPORT OF SECRET SERVICE FUNDS AND WITNESS PROTECTION EXPENDITURES.** Each bureau, Area, division, or unit that has been issued, or has expended, secret service funds shall complete the Monthly Report of Secret Service Money, Form 15.37. This report shall be submitted by the third working day of the calendar month following the month reported.

**Note:** This report shall be considered confidential and copies shall be filed in a locked compartment.

Additionally, the officer responsible for disbursing Secret Service Funds shall maintain a bound ledger with the following items included for each transaction:

- \* Date (and time and location if Area Secret Service Fund expenditure).
- \* Amount.
- \* Type expenditure of transfer of funds.
- \* Signature of officer receiving.
- \* Signature of officer disbursing.
- \* A running balance of funds.

Witness Protection expenditures must be reported to the bureau at the end of each month. The bureau shall review the Monthly Report of Secret Service Money, Form 15.37, and forward the original to Fiscal Operations Division and a copy to the Office of the Chief of Police (OCOP). This process shall be completed by the third workday of each month.

Witness Protection expenditures shall be reported separately from the vice expenditures report. However, all Witness Protection cases occurring in the same month shall be documented in one report.

The events requiring submission of a Monthly Report of Secret Service Money, Form 15.37, are delineated on the reverse side of the Form 15.37. Additionally, a Form 15.37 is required:

- \* When Witness Protection funds are received from the bureau or the OCOP, even if there are no expenditures.

- \* Each month a balance of funds exists; that is, if a balance of money appears at the end of one month's report, a report is required for the following month.

When Secret Service funds are received for Witness Protection purposes, an original and six copies of the Form 15.37 shall be prepared with the following additional information:

- \* All Witness Protection cases listed on the report shall be identified by case number.
- \* Any unused funds returned to the OCOP or bureau shall be listed in the "Transferred Out" section.

**355.30 WITNESS PROTECTION PROGRAM.** The Witness Protection Program is a County program designed to increase successful criminal prosecutions through the protection of witnesses and their families. The following criteria must be met in order to obtain funds from the Witness Protection Program:

- \* A witness or family member has been threatened, or an actual threat to the safety of a witness or family member exists;
- \* Criminal charges have been filed, or there is a strong likelihood charges will be filed by the District Attorney's Office against a defendant; and,
- \* The witness will be called or has been called to testify against the defendant.

**Disbursement.** The Executive Officer, OCOP, will make an annual allocation of Secret Service funds to all geographic bureaus for the purpose of administering the Witness Protection Program at the bureau level. This allocation shall occur at the beginning of each fiscal year.

**Procedures for Obtaining Funds.** When a witness relocation case develops and the established criteria for obtaining funds are met, the investigating officer shall complete a District Attorney's (DA) Witness Protection Program Assistance Request. The investigating officer shall then discuss the case with an immediate supervisor (Detective III or above) and obtain approval from the commanding officer.

**Note:** The DA Witness Protection Program Request has been revised to include a signature block for the commanding officer.

The supervisor shall then telephonically contact the Program Coordinator at the District Attorney's Office for initial approval to use the funds.

Upon telephonic approval, the investigating officer shall make an appointment to appear in person at the District Attorney's Program Coordinator's office for written approval. Once written approval has been obtained, the investigating officer shall transport the approved Witness Protection Program Request to the bureau to obtain the fund.

Once the funds have been disbursed, the investigating officer shall be responsible for obtaining all necessary receipts. These receipts and a letter to the County Business Office shall be mailed to the concerned bureau immediately after the funds have been expended. A copy of all original receipts shall be maintained in division files.

**Note:** The required letter to the County Business Office shall include the name, serial number, and phone number of the investigating officer. The letter shall also indicate which bureau is to be reimbursed and the mailing address.

**Investigating Officer-Responsibility.** When a witness relocation case develops, and the criteria for obtaining funds are met, the investigating officer shall:

- \* Complete a District Attorney's (DA) Witness Protection Program Assistance Request.
- \* Submit the request to the investigating officer's OIC/supervisor.

**Unit OIC/Supervisor-Responsibility.** The unit OIC/supervisor, upon receipt of a DA's Witness Protection Program Assistance Request, shall:

- \* Review the request for completeness and accuracy;
- \* Determine if the criteria for obtaining funds are met; and,
- \* Forward it to the commanding officer for approval.

**Commanding Officer-Responsibility.** The commanding officer receiving Secret Service funds for Witness Protection purposes shall ensure that:

- \* A secure location is established for control of the funds;
- \* Proper accounting procedures are followed, including the completion of the Monthly Report of Secret Service Money, Form 15.37; and,
- \* Personnel are properly trained in Witness Protection Program procedures.

The commanding officer, upon receipt of a DA's Witness Protection Program Assistance Request, shall:

- \* Review the request and determine if the criteria for obtaining funds are met;
- \* If approval is granted, make an approval notation on the request and forward it to the DA's Office for approval;
- \* After obtaining approval from the DA, contact the bureau to determine if there are sufficient bureau Secret Service Funds to fulfill the request. If so, the commanding officer shall forward the request to the bureau for disbursement of funds; and,
- \* If the bureau does not have sufficient funds, cause the request to be forwarded to the Commanding Officer, Fiscal Operations Division. The commanding officer shall also cause a copy of the

request to be forwarded to the bureau with the words "NOTIFICATION ONLY" printed in red across the top.

The commanding officer, upon receipt and expenditure of Secret Service Funds, shall:

- \* Retain a copy of the completed DA Witness Protection Program Assistance Request form, an itemized list of expenditures, and all related receipts for the file;
- \* Forward the originals of the above listed documents to the District Attorney's Accountant, Room 54037, Hall of Records, 320 West Temple Street, Los Angeles, California 90012;

**Note:** Only expenditures substantiated by receipts will be reimbursed.

- \* Cause the Secret Service Fund transaction to be recorded in the appropriate Secret Service Ledger, and,

**Note:** The transaction shall not be recorded in the bureau Secret Service Ledger if the funds are received from Fiscal Operations Division.

- \* Upon receiving the reimbursement from the District Attorney's Office, immediately return the funds to the appropriate Secret Service Fund. If funds were obtained from Fiscal Operations Division, a telephonic notification of the reimbursement shall be made to the concerned bureau.

**Bureau Commanding Officer-Responsibility.** The bureau commanding officer, upon receipt of a DA's Witness Protection Program Assistance Request, shall:

- \* Review the request and determine if the District Attorney's Office approved the request; and,
- \* Disburse the funds if the balance of the bureau Secret Service Fund will cover the request.

**Commanding Officer, Fiscal Operations Division (FOD), - Responsibility.** The Commanding Officer, FOD, upon receipt of a DA's Witness Protection Program Assistance Request, shall review the request and disburse the funds if the request has been approved by the DA.

**Note:** The Commanding Officer, Detective Bureau, is designated as the Department Witness Protection Program Coordinator. Employees having any questions regarding this program should direct their inquiries to the Program Coordinator.

**355.35 OFF-HOURS EMERGENCY WITNESS RELOCATION.** Sworn personnel having the need to relocate an endangered witness during non-business hours shall follow the pertinent guidelines delineated in the Department's Detective Operations Manual.

**355.40 CALIFORNIA WITNESS PROTECTION PROGRAM (CWPP).** Department employees in need of obtaining

State funds from the CWPP shall contact the Department Witness Protection Program Coordinator for advice and assistance.

**370. REIMBURSEMENT OF OFFICER RELOCATION EXPENSES.** In order for an officer to be reimbursed for relocation expenses, the threat must be deemed as credible. The determination shall be made by the Director, Office of Operations (OO). Section 832.9 PC mandates that an employer reimburse an officer for certain relocation expenses when the officer has been the subject of a credible threat as a result of the officer's employment. Section 832.9 PC defines a credible threat as, "a verbal or written statement or a threat implied by a pattern of conduct or a combination of verbal or written statements and conduct made with the intent and the apparent ability to carry out the threat so as to reasonably fear for his/her safety or the safety of his/her immediate family."

**Officer's Responsibility.** When an officer learns that he/she is the subject of a threat(s) against him/her or a member of his/her family **AND** the threat is a result of the officer's employment as a Los Angeles Police Officer, the officer shall:

- \* Immediately notify his/her commanding officer or immediate supervisor; and,
- \* If the officer chooses to relocate, request relocation reimbursement on an Employee's Report, Form 15.7, and submit it to his/her commanding officer.

**Note:** As such a threat invariably includes a criminal investigation and contains personnel issues, the Employee's Report is considered to be and shall be handled as a confidential document.

If an officer chooses to relocate and wishes to be reimbursed, prior approval is required from the Director, Office of Operations. However, under exigent circumstances, approval can be obtained telephonically. Additionally, if the threat is determined to be credible and falls within Section 832.9 PC, documentation will be needed for reimbursement, if approved.

**Note:** If telephonic approval is given, the required documentation must be submitted within five business days.

**Commanding Officer's Responsibility.** Upon learning that an officer under his/her command is subject of a threat, a commanding officer shall make appropriate notifications including the Commanding Officer, Robbery-Homicide Division (RHD), so an investigation into the threat can begin immediately. If the threat has been deemed credible and the officer wishes to relocate, the commanding officer shall:

- \* Review the officer's Employee's Report; and,
- \* Forward Intradepartmental Correspondence, Form 15.2, (also a confidential document), to the Director, Office of Operations, via the chain of command, requesting approval for

reimbursement of relocation expenses with the Employee's Report attached.

**Note:** If telephonic approval is received from the Director, Office of Operations, the required documentation shall follow within five business days.

**The Director, Office of Operations - Responsibility.** When the Director, Office of Operations, is notified that an officer is requesting reimbursement for relocation expenses, the commanding officer shall:

- \* Verify from the appropriate entity, usually Robbery-Homicide Division, the circumstances of the threat against the employee and determine if the officer is the subject of a credible threat;
- \* Forward all reimbursement related documents to FOD;
- \* Ensure that FOD has reviewed and approved the amount to be reimbursed prior to the final approval for reimbursement;
- \* Either approve or disapprove the request for reimbursement of relocation expenses; and,
- \* Notify the officer via the chain of command of the decision.

**Fiscal Operations Division's Responsibility.** Fiscal Operations Division shall:

- \* Review the request for payment of relocation expenses for conformance with Section 832.9 PC;
- \* Liaison with the City Controller, if necessary, in determining if the recommended expenditure is legal and appropriate;
- \* If approved, determine the amount to be reimbursed as governed by Section 832.9 PC; and,
- \* If approved, arrange for the payment of the relocation expenses to the involved officer.

**375. REIMBURSEMENT FOR EMPLOYEE-FURNISHED EQUIPMENT.**

**375.25 EQUIPMENT FURNISHED BY EMPLOYEE-REIMBURSEMENT.**

Employee furnished tools or personal property which are **damaged, destroyed, lost, or stolen** in the performance of an employee's duties may result in reimbursement, providing the employee had taken reasonable care to protect the property against damage, destruction, loss, or theft.

- \* **Tools. Items required by the nature** of an employee's duties and which are **furnished** at the employee's own expense.
- \* **Personal Property.** Items normally carried or worn by employees to satisfactorily perform their duties.

**375.50 CALCULATION OF REIMBURSEMENT.** When an employee is entitled to reimbursement, the reimbursement shall be calculated by subtracting the sum of five dollars and any other amount the employee may be entitled to receive from other



sources from the lesser of the following:

- \* The cost of repair of the property or tool.
- \* The cost of replacement of the property or tool.
- \* The market value of the property or tool immediately prior to loss or damage.

**Note:** A damaged or destroyed wrist watch will be reimbursed up to a maximum amount of fifty dollars. Claims exceeding \$50.00 will be reviewed on an individual basis to determine the amount to be reimbursed.

Reimbursement shall not be given:

- \* For damage caused by the fault of the employee;
- \* For tools lost by the fault of the employee;
- \* For damage or loss of vehicles or jewelry (other than watches);
- \* To the extent to which the employee may be entitled to reimbursement for other sources;
- \* When the employee does not file his claim within the proper time period; and,
- \* When the employee's claim is denied.

**375.75 INITIATING AND PROCESSING CLAIMS.**

**Claimant's Responsibility.** An employee claiming reimbursement for lost or damaged property or tools shall:

- \* Submit the claim on a Claim for Reimbursement, Form General 139, in triplicate, through channels to the employee's commanding officer for verification;

**Note:** When the employee requesting reimbursement is a commanding officer or higher, the claim shall be submitted to the employee's immediate superior.

- \* Submit such claim within five working days after the employee becomes aware, or should have been aware, of the damage or loss of the property or tool;

**Note:** The date the damage or loss was first reported should be documented in Section IV of the Claim For Reimbursement where the employee certifies the authenticity of the claim. The facts explaining why the employee was not aware of the damage or loss when the claim is filed more than five working days after the damage or loss shall, when applicable, be included in the statement.

- \* Attach to the claim a copy of all documents which substantiate the claim, such as:
  - \* Receipts showing actual purchase price of items;
  - \* Estimates for repairs of replacement of items;
  - \* Receipts for repairs;
  - \* A detailed list of lost or stolen items; and,
  - \* Accident reports, arrest reports, and formal or informal incident reports.

**Note:** Presentation of claims should not be delayed beyond five working days merely because estimates for repairs of replacement have not been obtained.

- \* Submit the damaged article, when practicable, with the claim. When the damaged article is not submitted, the reason shall be indicated on the claim; and,
- \* Retain any article returned to the employee until a final determination is made on the claim.

**Supervisor's Responsibility.** A supervisor upon receiving a Claim for Reimbursement from an employee shall:

- \* Ensure that the forms are properly filled out;
- \* Complete Section V Supervisor's Investigation, and make an approval notation in the left margin adjacent to the signature line; and,

**Note:** Supervisors shall ensure that the facts explaining why an employee was not aware of the damage or loss when a claim is filed more than five working days after the incident occurred are included in Section II, Narrative Description of Incident and Damage or Loss.

- \* Forward the completed forms, with the damaged article, when practicable, to the employee's commanding officer.

**Commanding Officer's Responsibility.** A commanding officer upon receiving Claim for Reimbursement, Form General 130, from an employee, shall:

- \* Ensure that the circumstances of the loss or damage fall within the provisions of the ordinance;
- \* Review Section V, Supervisor's Investigation, and sign on the "Supervisor's Signature" line;
- \* Inspect the damaged article, when practicable, to ensure that the claim accurately describes the damage;
- \* When deemed necessary, retain the damaged article pending a final determination of the claim; otherwise return the article to the claimant who shall retain the article until the claim is finalized;
- \* Upon the request of the City Purchasing Agent, forward the damaged property to: City Purchasing Agent, 200 N. Main Street, Room 1430, by Department mail service ensuring the claimant's name, rank, serial number, division, and the date are marked on the outside of the package;
- \* Forward an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Administrative and Technical Services Bureau with the Claim for Reimbursement only when additional information is necessary to supplement the supervisor's investigation or property is being held as evidence or for investigation; and,
- \* Cause firearms to be delivered to the Purchasing Agent by the claimant or at the

direction of the commanding officer. A receipt shall be obtained from the Purchasing Agent accepting the firearm.

**Commanding Officer, Administrative and Technical Services Bureau-Responsibility.** The Commanding Officer, Administrative and Technical Services Bureau, upon receiving a Claim for Reimbursement, Form General 130, shall:

- \* Ensure that all claims for reimbursement have been thoroughly investigated and that they fall within the provisions of the ordinance;
- \* Complete Section VI, Endorsement by Department Head;
- \* When the claim is denied, enter the reason for denial on all three copies of the form in the remarks section, return the property to the claimant's commanding officer, and distribute as follows:
  - \* Original-Returned to claimant;
  - \* Duplicate and supporting documents-File in Department's Personal Property Claim File; and,
  - \* Triplicate-Claimant's divisional personnel file.

**Note:** The same distribution shall also be used when the claim is denied by the Purchasing Agent.

- \* When the claim is approved forward the original and all copies of the claim with all supporting documents to Fiscal Operations Division.

**Commanding Officer, Fiscal Operations Division-Responsibility.** The Commanding Officer, Fiscal Operations Division, upon receiving an approved Claim for Reimbursement, Form General 130, shall:

- \* Forward the original and duplicate copy of the claim with all supporting documents to the Purchasing Agent. The triplicate copy shall be retained pending final disposition of the claim;
- \* When an approved claim is finalized, draw a demand on the fund established for reimbursement for lost or damaged property or tools; and,
- \* Maintain a file of all approved and paid claims for a period of two years.

**376. REPLACEMENT OR REPAIR OF CITY-OWNED EQUIPMENT.**

**376.05 REQUESTING REPLACEMENT/REPAIR-CRITERIA.**

Whenever a City-owned personal or safety equipment item is lost or stolen, or damaged, or worn, to the point of being unserviceable, the employee shall request replacement or repair of the item.

**376.10 SAFETY EQUIPMENT.** The ownership of all safety equipment shall remain with the City. Safety equipment is divided into two classifications as follows:

\* **General Safety Equipment.** Safety equipment issued to all sworn employees upon appointment.

Item	Location Replacement Obtained
*Ammunition *Handcuffs	Training Division Training Division
Item	Location Replacement Obtained
*Service Weapon *Baton *Body Armor *Hobble Restraint Device *Equipment Belt and Accessories *Helmet (General Duty) *Large Chemical Irritant Control Device	Training Division Supply Section Supply Section Supply Section Supply Section Supply Section Supply Section

\* **Specialized Safety Equipment.** Safety equipment issued to employees upon transfer to certain specialized assignments.

Item	Location Obtained
*Helicopter flight suit, boots, helmet *Motorcycle boots, breeches, gloves, windglasses *Motorcycle Helmet *Small Chemical Irritant Control Device	Authorized Vendor Authorized Vendor Supply Section Supply Section

**Note:** Commanding officers shall cause an entry to be made on an employee's Uniform/Equipment Issuance and Inspection Record, Form 1.41, when a chemical irritant control device and/or holster is issued. The serial number and expiration date of the device shall be entered on the Form 1.41.

**376.15 CITY-ISSUED PERSONAL EQUIPMENT.** City-issued personal equipment is divided into two classifications as follows:

\* Permanently City-Owned.

Item	Location Replacement Obtained
*Badge *Buttons *Cap Piece *Identification Card *Keys (999 gamewell) *Name Tag *Rain boots, coat, hat (civilian)	Personnel Division Personnel Division Personnel Division Personnel Division Personnel Division Authorized Vendor Supply Section

\* **Temporarily City-Owned.** Temporarily City-owned personal equipment is issued to employees upon appointment. Ownership of this equipment transfers from the City to the employee after a specified length of time.

Item	Length of City Ownership	Location Obtained
*Books(Penal Code, First Aid, Street Guide, Training Bulletins, Vehicle Code)	One Year	Training Division
*Flashlight	One Year	Training Division
*Blouses (blue/white)	One Year	Authorized Vendor
*Cap/Hat	One Year	Authorized Vendor
*Rain boots, coat hat (sworn)	One Year	Authorized Vendor
*Trousers (blue/khaki)	One Year	Authorized Vendor

**Note:** The initial issuance of khaki uniforms is

provided by the City for civilian employees upon assignment to jail or property duties.

*Bag Equipment (female Reserve Officer)	Five Years	Training Division
*Whistle	Five Years	Training Division

**376.18 PURCHASE OF CITY-OWNED PERSONAL EQUIPMENT BY RETIRING EMPLOYEES.** Sworn employees retiring under honorable conditions may purchase the following City-owned equipment items:

- \* Official Police Badge.
- \* Service Weapon.
- \* Cap Piece.
- \* Call-box key.

**Retiring Police Reserve Officers.** Police reserve officers eligible for a retirement identification card will be permitted to purchase their Department-issued firearm.

**Purchase of Badge.** Officers, or persons acting in their behalf, who wish to purchase their badge shall submit a request to the Commanding Officer, Personnel Division, requesting approval. Upon approval of the request, the officer shall:

- \* Complete a Retention of Badge Agreement;
- \* Pay for the badge at Fiscal Operations Division (FOD) and obtain a receipt;
- \* Pay the Los Angeles Police Revolver and Athletic Club (LAPRAAC) in advance for the cost of badge mounting and obtain a receipt.
- \* Deliver copies of the receipts received from FOD and LAPRAAC to the Retirement Counseling Unit, Personnel Division.

Personnel Division shall retain the badge, pending pick-up by LAPRAAC, and issue a receipt to the employee.

Badges prepared for presentation as a memorial to a police officer killed in the line of duty will be mounted in a shadow box acrylic holder and presented to the deceased officer's immediate family.

**Service Weapon.** Officers wishing to purchase their Department issued 9mm semi-automatic pistol or .38 caliber revolver shall present their weapon to the Retirement Counseling Unit and obtain a Weapon Certificate. The officer shall hand-carry the Certificate to the Salvage Section, Department of General Services, and pay for the weapon.

**Note:** Only those officers who are eligible for an unrestricted retirement identification card will be permitted to purchase their weapon.

**Cap Piece and Call-Box Key.** Officers wishing to purchase their cap piece or call-box key shall pay for the items at Fiscal Operations Division and obtain a receipt. A copy of the receipt shall be delivered to the Retirement Counseling Unit.

**Commanding Officer, Personnel Division-Responsibility.** The Commanding Officer, Personnel Division, prior to authorizing the

sale of City-owned equipment to a retiring officer, shall verify that the officer's retirement status is "honorable" and:

- \* Ensure that officers purchasing revolvers are eligible to be issued unrestricted retirement identification cards.
- \* Ensure that a Weapon Certificate authorizing sale of the service weapon to the retiring officer has been completed.
- \* Ensure that a copy of the receipt for the purchase of the badge, cap piece, or call-box key has been received.
- \* Coordinate the mounting of badges for retiring officers.

**376.20 SAFETY EQUIPMENT- ISSUANCE AND REPLACEMENT.**

\* **General Safety Equipment.** General safety equipment shall be issued to employees upon appointment and replaced according to procedures found in Manual Section 3/376.

\* Specialized Safety Equipment.

\* **Issuance.** Upon appointment to a detail necessitating specialized safety equipment, an employee shall:

- \* Obtain a Requisition, Form 15.11, for the equipment from the commanding officer of the division requiring the equipment.
- \* Present the Requisition to Supply Section.

\* **Replacement.** When specialized safety equipment is lost, stolen, damaged, or worn to the extent that it is no longer serviceable, the employee shall request replacement or repair according to existing procedures (Manual Section 3/376.).

\* **Return.** Upon leaving an assignment necessitating specialized safety equipment, an employee shall return the equipment to Supply Section.

**Note:** Unserviceable City-owned equipment shall be returned prior to issuance of serviceable equipment.

**376.25 CITY-ISSUED PERSONAL EQUIPMENT-REPLACEMENT OR REPAIR.**

When a City-issued personal equipment item is lost, stolen, damaged or worn to the point of being unserviceable **during the period of City ownership**, and the loss or damage is not the result of negligence on the part of the employee, the employee may request replacement or repair according to current procedures (Manual Section 3/376).

After City-issued personal equipment has become the property of the employee, he/she shall continue to be responsible for maintaining it in a serviceable condition. However, if the equipment is **damaged, lost, or stolen** while the employee is acting within the course of his/her duties, the employee may request **reimbursement** according to current procedures (Manual Section 3/375).

**376.30 REQUESTING REPLACEMENT OR REPAIR-EMPLOYEE'S RESPONSIBILITY.** When City-owned personal or safety equipment items (Manual Section 3/376) are lost or stolen, or damaged or worn to the degree of being unserviceable, the employees shall:

- \* When the property is stolen or lost, complete the appropriate crime report or lost report, and an original and two copies of an Employee's Report, Form 15.7, requesting the replacement of the item;
- \* When the property is damaged or worn to the extent that it is unserviceable, complete an original and two copies of an Employee's Report, Form 15.7, describing the circumstances of the damage or wear, requesting repair or replacement of the item, and stating whether the employee is entitled to reimbursement from any other source (such as personal insurance);
- \* Submit the completed reports to their supervisor without unnecessary delay;
- \* When immediate replacement of the item is necessary, obtain a supervisor's approval and proceed to the appropriate division to obtain a temporary replacement. Temporary replacement items available through Supply Section shall be issued only upon presentation of a completed Requisition, Form 15.11; and,
- \* After review by the commanding officer, take the returned copy of the Employee's Report, Form 15.7, to the appropriate division and obtain the permanent item.

**Note:** A copy of the Form 15.7 shall be attached to the Requisition, Form 15.11, when submitting a request for replacement of City-owned equipment through Supply Section.

**376.32 REPLACEMENT-PRIVATE VENDOR.** Items available through a private vendor shall be obtained as follows:

- \* Upon receipt of an Employee's Report, Form 15.7, and Requisition, Form 15.11, from the employee's commanding officer, Supply Section shall order the item. Supply Section shall advise the employee of the time and place for any necessary fitting; and,
- \* Supply Section shall take delivery of the item from the vendor and notify the employee.

**Note:** Unserviceable items shall be surrendered prior to issuance of a permanent replacement.

**376.35 REPLACEMENT OR REPAIR OF CITY-OWNED PERSONAL AND SAFETY EQUIPMENT ITEMS-SUPERVISOR'S RESPONSIBILITY.** When a supervisor becomes aware of lost, stolen, damaged, or worn City-owned personal or safety equipment, he or she shall ensure the appropriate crime or lost reports are completed and:

- \* Ensure that an Employee's Report, Form 15.7, is completed requesting replacement of the item.
- \* Forward the completed Employee's Report and a copy of related reports to the employee's commanding officer.
- \* When immediate replacement is necessary, direct the employee to obtain a temporary replacement at the appropriate division.

**Note:** If the equipment is unserviceable due to wear, only the Employee's Report is required.

**376.40 REPLACEMENT OR REPAIR OF CITY-OWNED EQUIPMENT ITEMS-COMMANDING OFFICER'S RESPONSIBILITY.** Upon receipt of an Employee's Report, Form 15.7, requesting the repair or replacement of a City-owned personal equipment item (Manual Section 3/376), a commanding officer shall:

- \* Cause an investigation to be made into the circumstances of the incident to verify the information regarding the theft, loss, or damage;
- \* When negligence is indicated, cause the appropriate disciplinary action to be initiated;
- \* When the request is for repair or replacement of an item which has been damaged or worn, inspect the article to determine if repair or replacement is necessary;
- \* Direct the officer requiring replacement of City-owned equipment to take the Form 15.7 to the appropriate division and obtain the item;

**Note:** A copy of the Form 15.7 shall be attached to the Requisition, Form 15.11, when submitting a request for replacement of City-owned equipment through Supply Section.

- \* Forward the findings of his or her investigation on an Intradepartmental Correspondence, Form 15.2, with the related documents to the employee's bureau commanding officer for administrative review; and,

**Note:** When investigations are conducted at the bureau level, the findings are to be forwarded to the Chief of Police for review.

- \* Include in the Form 15.2 an explanation of any changes or additions to the original information presented by the claimant.

**376.43 REPLACEMENT OR REPAIR OF CITY-OWNED EQUIPMENT ITEMS-BUREAU COMMANDING OFFICER'S RESPONSIBILITY.** Upon receiving the findings of an investigation involving theft, loss or damage to City-owned personal equipment items, the bureau commanding officer shall:

- \* Review the investigation of the circumstances regarding the request for repair or replacement of a City-owned equipment item;

- \* Ensure the claim for reimbursement has been thoroughly investigated;
- \* When it is determined that the damage or loss was the result of employee negligence, ensure the appropriate disciplinary action has been initiated; and,
- \* Forward an informational copy of the Form 15.2, with the related documents, to the Commanding Officer, Administrative and Technical Services Bureau.

**376.45 COMMANDING OFFICER, ADMINISTRATIVE AND TECHNICAL SERVICES BUREAU-RESPONSIBILITY.**

Upon receipt of an informational copy of the findings of an investigation involving theft, loss, or damage to City-owned equipment items, the Commanding Officer, Administrative and Technical Services Bureau, shall review the findings to ensure consistent handling of similar occurrences Departmentwide and report to the Chief of Police, on developing trends.

**376.50 LOST/STOLEN DEPARTMENT IDENTIFICATION CARDS/BADGES-TELETYPES.** In addition to the above procedures, the following steps shall be taken when a badge or identification card is lost or stolen:

- \* The supervisor approving a lost or stolen report shall cause a teletype, indicating the missing property (e.g., lost badge) and listing the owner's name, serial number, rank, and badge number to be transmitted to all Department facilities, "Attention: Lost/Stolen Department Identification Card/Badge."
- \* Each Area headquarters team shall maintain a list of lost or stolen Department badges and identification cards. Prior to admittance to a Department facility, station security personnel may inspect any Department identification card displayed to verify the identity of the person. A badge or identification card may be checked against the list of lost or stolen badges and identification cards.

**377. RECOVERED CITY-OWNED EQUIPMENT ITEMS.** When City-owned personal equipment items are recovered, standard Department procedures for the booking, custody, and release of property shall apply.

**380. INDIVIDUAL FINANCIAL STATEMENT.**

**380.10 REPORTING.**

**Employee-Responsibility.** Employees who receive financial reimbursement from other than the City of Los Angeles for any on-duty functions or who are summoned in response to an order, notice, subpoena or other written or verbal direction, in which their occupation as a Department employee was a factor and for which they received any monies, shall report all monetary compensation received and submit a Declaration of Receipt/Expenditure of

Funds, Form 15.24, and/or a Personal Expense Statement, Form General 16, to their supervisor for review within five working days following their return to duty. Employees shall also submit receipts to substantiate any expenditure of funds.

**Exception:** A Declaration of Receipt/Expenditure of funds, Form 15.24, or a Personal Expense Statement, Form General 16, is not required when funds are distributed **directly** to the employee from private sources, such as the Commission on Peace Officer Standards and Training (POST) or Parker Center Foundation.

**Note:** If funds are paid directly to the Department and then distributed to the employee, in whole or part, a Form 15.24 or Form General 16 must be completed.

Employees who respond to an order, notice, subpoena, or other written or verbal direction, and who received monetary compensation in the form of witness, per diem mileage or parking fees shall remit fees based upon the following transportation:

- \* City vehicle-remit all witness and mileage fees, in addition to unused fees for per diem and parking.
- \* Private vehicle-remit all witness fees, in addition to unused fees for per diem, mileage, and parking.

**Note:** Employees may contact the Department Chief Accountant, FOD, for further information regarding guidelines and form completion.

**Supervisor-Responsibility.** Supervisors shall immediately review, and upon approval, forward the Form 15.24 and/or Form General 16 to the employee's commanding officer.

**Commanding Officer-Responsibility.** Commanding officers shall review, and upon approval of documents submitted by an employee, forward the documents to FOD within 10 calendar days following the employee's return to duty.

**Commanding Officer, Fiscal Operations Division-Responsibility.** The Commanding Officer, FOD, shall review all documents submitted relative to the receipt/expenditure of funds, determine the amount of money (if any) an employee owes the City, and ensure collection of such monies.

**Note:** The Department's travel guidelines shall be used as the basis for reimbursement.

### 390. OFFICIAL TRAVEL BY DEPARTMENT EMPLOYEES.

**390.01 TRAVEL-DEFINED.** Travel by Department employees is defined as a business trip or attendance at a convention or business meeting which:

- \* Has a public, municipal purpose, the aims of which are reasonably calculated to aid

the Department in the attainment of its objectives.

- \* Requires expenses for transportation to any location farther than one day's (8 hours) round-trip travel by automobile from this City; or,
- \* Requires expenses for overnight lodging and meals.

Types of travel have been defined by the City Administrative Officer as follows:

\* **Conventions.** A convention is defined as a regularly recurring conference of the membership of a professional, technical, fraternal, or other organization in which the subject matter **broadly** relates to Department operations.

\* **Business Meetings.** A business meeting is defined as an advisory committee session or other gathering in which the subject matter is of specific concern to Department operations.

**Note:** This definition includes, but is not limited to training activities, conferences, panels, seminars, or workshops on specific City problems; and appearance before judicial, quasi-judicial, or legislative bodies.

\* **Business Trips.** A business trip is defined as travel for other than a convention or business meeting, the purpose of which is of immediate concern to Department operations.

**Note:** This definition includes investigative travel (e.g., criminal investigations, extraditions, and personnel investigations) and operations travel (e.g., recruiting, real estate and grant negotiations, and the observation of activities of other law enforcement agencies).

Short term travel is defined as:

- \* Not requiring prolonged absence (less than 24 hours travel time).
- \* The point of destination is outside the Los Angeles County area.
- \* It requires more than eight hours to complete a round trip to the point of destination from the employee's place of assignment.

**Exception:** Any Department employee or entity participating in any Department affiliated overnight activity involving any juvenile(s) shall comply with the Juvenile Division rules and guidelines for such activity. This includes all Youth Program Overnight Outings with juvenile participants. Written approval is required for the activity from the Area commanding officer, bureau commanding officer, and the Commanding Officer, Juvenile Division. The written request must include:

- \* The purpose of the trip;
- \* The identity of all participants including adults providing supervision;
- \* The destination and method of travel in detail;

- \* The source of funds and amount to be spent on the trip;
- \* The accounting procedures; and,
- \* Insurance guarantees.

**390.17 TRAVEL AUTHORITY - REQUEST FORMAT.** All requests for non-investigative travel, such as business meeting or convention, shall be submitted on an Intradepartmental Correspondence, Form 15.2, and shall include:

- \* Name(s), serial number(s), and division(s) of assignment of traveling employee(s).
- \* Dates and number of days involved.
- \* Purpose of travel.
- \* Destination.
- \* Costs.
- \* Mode of transportation to be used.
- \* Authority financing the travel.
- \* A statement that sufficient funds have been allocated for the travel.
- \* A statement that the travel:

- \* Has been budgeted by the Department; or,
- \* Is being financed by another agency.

- \* If another agency is financing the trip, a statement that the trip is in the best interest of the City.

**Note:** Requests for non-budgeted travel for business meetings and business trips shall include a statement that the trip is of benefit to the City.

All request for travel for business trips shall be submitted on a Request for Investigative Travel, Form 15.70.

**390.20 TRAVEL AUTHORITY REQUEST FOR NON-INVESTIGATIVE TRAVEL.** When Department personnel are required to travel out of the City limits for training purposes or situations requiring an overnight stay, a travel authority request shall be completed and forwarded through the appropriate channels to the Office of the Chief of Police at least 30 days prior to the date of departure.

**Exception:** A travel authority is not required if an employee is traveling within the **County**, and has been assigned by a training order, and will not receive a reimbursement for expenses.

**390.25 BUDGETED TRAVEL.** Budgeted travel is travel for which City funds have been appropriated in anticipation of a particular event requiring a trip. Employees shall request authorization for all budgeted travel, **other than investigative**, in accordance with the following procedures:

- \* Prior to submitting a request for budgeted travel, an employee shall contact Fiscal Operations Division to ensure that approved funds are sufficient to cover costs.
- \* When possible, a request shall be submitted 30 days prior to the date of departure. It shall be forwarded through channels to the

Commanding Officer, Administrative and Technical Services Bureau, for review.

- \* The Commanding Officer, Administrative and Technical Services Bureau, will review the request and, if approved, forward it to the Office of the Chief of Police for approval.
- \* One copy of each request approved by the Chief of Police shall be forwarded to the Commanding Officer, Fiscal Operations Division.

**Exception:** When travel for the purpose of training includes absence from the State for 12 or more weeks, or will require expenditure of more than \$1,000 while out of the State, three copies of approved request shall be forwarded to the Commanding Officer, Fiscal Operations Division, who shall forward one copy to the Board of Pension Commissioners and one copy to the Worker's Compensation Division of the City Attorney's Office.

**390.33 BUDGETED INVESTIGATIVE TRAVEL.** All requests for investigative travel shall be submitted on the Request for Investigative Travel, Form 15.70, and forwarded through the employee's commanding officer to the bureau commanding officer for approval. Upon approval, the bureau commanding officer shall forward the approved request to Fiscal Operations Division (FOD).

**Note:** Employees assigned to entities within the Chief of Staff, shall submit the Request for Investigative Travel, Form 15.70, through the employee's commanding officer to the Chief of Staff. Upon approval, the Chief of Staff shall forward the request to FOD. Employees assigned to Consent Decree Bureau and Counter Terrorism and Criminal Intelligence Bureau shall submit their request through the employee's commanding officer to the Office of the Chief of Police.

Requests for travel funds on a District Attorney's Authorization for out-of-state extradition shall be submitted to the officer's commanding officer for approval. The request shall then be forwarded directly to Fiscal Operations Division prior to the date of the employee's departure.

**Return from Budgeted Investigative Travel.** An officer returning from travel which is funded by FOD administered accounts shall within five days, submit to his/her bureau commanding officer a Personal Expense Statement, Form General 16. An officer returning from *extradition related* travel shall, within five days, personally furnish Accounting Section, FOD, with the information necessary for the Accounting Section to complete Form General 16, and the State of California Reimbursement Form.

**Exception:** Divisions conducting specialized investigations not funded by FOD administered accounts are not required to comply with the provisions of this section.

When approving requests, bureau commanding officers and their equivalents should use current Department expenditure rates as a general guideline. A copy of the current rates may be obtained by contacting the Accounting Section, FOD. Any deviation from the standard rates shall be explained by the submitting officer on an Employees Report, Form 15.7, prior to providing the personal expense information to Fiscal Operations Division.

**390.35 FOREIGN TRAVEL.**

**Investigating Officer-Responsibility.** When an investigating officer is required to conduct an investigation outside of the United States, he/she shall contact the Foreign Prosecution/Interpol Liaison Unit (FPLU), Detective Support Division, prior to completing a Request for Investigative Travel, Form 15.70. The investigating officer shall be guided by the advice of the FPLU.

**Note:** Department personnel who anticipate traveling to a foreign country on personal business or leisure are also encouraged to contact the FPLU for information and advice.

**Detective Support Division - Responsibility.** Detective Support Division shall provide an investigating officer any advice which may be pertinent for the country to which he/she is traveling. In addition, FPLU shall establish and maintain a Foreign Advisory Travel Log. The Foreign Advisory Travel Log shall include, but not be limited to, the following information:

- \* The investigating officer's name, rank and serial number.
- \* The name of the foreign country to which the officer is traveling.
- \* The advice provided.

**390.37 EMERGENCY INVESTIGATIVE TRAVEL FUND.** The Emergency Investigative Travel Fund is administered under the control of the Commanding Officer, Detective Support Division (DSD). The fund may be used when:

- \* The travel would normally be funded from the Investigative Travel Account.
- \* Fiscal Operations Division is closed and will not be open in time to obtain advanced funds prior to the detective's departure.
- \* Immediate in-person investigation is essential and in the Department's best interest.
- \* The use of the fund is approved by the commanding officer and a staff officer from the bureau to which the requesting detective is assigned. Approval of a staff officer from the Chief of Staff's office shall be required for personnel assigned to Major Crimes Division, Vice Division, and Internal Affairs Group.

**Note:** If no staff officer is available, the Department Commander, when deployed, shall be contacted through DSD for approval.

When a detective needs access to the Emergency Investigative Travel Fund, the

detective shall complete a Request for Investigative Travel, Form 15.70; obtain approval for the travel request from his/her commanding officer and the appropriate staff officer; and present the travel request to DSD. Upon returning from the trip, the detective shall pay to Fiscal Operations Division any unused portion of the money disbursed to him/her from the fund along with the appropriate receipts and expense reports (Manual Section 3/390.73).

Upon receiving an approved travel request, the Watch Commander, DSD, shall review the request for completeness; verify the use of the fund with the staff officer approving, if necessary; disburse the necessary amount to the requesting detective receiving funds signs a City of Los Angeles Receipt, Form General 30, acknowledging receipt; give the detective one copy of the receipt and keep one copy of the receipt for DSD records; and ensure that, on the next business day, the travel request and original copy of the Receipt, Form General 30, are delivered to Fiscal Operations Division.

**Note:** The Commanding Officer, DSD, shall ensure that proper records are maintained to account for fund activity. The records shall be retained for a minimum of one year.

The Commanding Officer, Fiscal Operations Division, shall ensure that the fund is reimbursed upon receipt of the travel request and Receipt, Form General 30.

**390.41 NON BUDGETED TRAVEL.** Non budgeted travel is travel requiring a deviation from the City Administrative Officer's Approved Travel List. A deviation from the City Administrative Officer's Approved Travel List can require a transfer of funds between Department accounts, an appropriation of funds, use of funds budgeted for another trip, or an increase or decrease in the number of employees budgeted for the trip. Employees shall request authorization for non budgeted travel in accordance with the following procedures:

- \* Conventions.
  - \* When practicable, requests shall be submitted 60 days prior to the date of departure. Such request require approval by the City Council and the Mayor.
  - \* The source of funds must be determined prior to submitting requests. Information on financing may be obtained telephonically from the Commanding Officer, Fiscal Operations Division.
  - \* Requests shall be accompanied by a request for Interim Travel Authority, Form General 110, prepared in quadruplicate.
  - \* Requests shall be forwarded to, and reviewed by, the Commanding Officer, Fiscal Operations Division, who shall prepare a Request for Adjustment of Appropriated Funds, Form General 105, to provide for either an appropriation, transfer, or reallocation of budgetary

funds. The request and attached forms shall be returned to the requesting employee.

- \* Requests and attached forms shall be forwarded by the requesting employee through channels to the Board of Police Commissioners for approval. Approved requests will be forwarded by the Board of Police Commissioners to the Mayor and City Council for approval.

**Note:** All non-budgeted convention travel must be approved by the City Council prior to the employee's departure.

- \* Business Meetings or Business Trips.
  - \* When practicable, requests shall be submitted 30 days prior to the date of departure and forwarded through channels to the bureau to which the requesting employees area assigned;
  - \* The commanding officer of the bureau shall review requests and, upon approval, forward them to the Commanding Officer, Administrative and Technical Services Bureau;
  - \* The Commanding Officer, Administrative and Technical Services Bureau, shall review requests as to the availability of funds only, and forward the requests to the Chief of Police for approval; and,
  - \* One copy of all requests approved by the Chief of Police shall be forwarded to the Commanding Officer, Fiscal Operations Division.

**390.49 TRAVEL REQUIRING NO EXPENDITURE OF CITY FUNDS.**

Requests for travel requiring no expenditure of City funds shall be submitted thirty days prior to the date of departure in accordance with following procedures:

- \* **Travel Financed by Another Governmental Agency or Private Institution.** Requests for travel financed by another governmental agency (except under Board-approved grants), an educational institution, private industry, or a private organization, when such travel is required and is necessary in the performance of legally assigned duties, shall be forwarded through channels to the Office of the Chief of Police for approval.

**Court Proceedings.** An employee subpoenaed by the prosecuting agency of another jurisdiction in a criminal proceeding where the other jurisdiction is paying all costs associated with the trip, shall complete a Request for Investigative Travel, Form 15.70, and forward it through the employee's bureau commanding officer or bureau equivalent for approval. Upon approval, the approved request shall be forwarded to Fiscal Operations Division.

**Note:** The financing of such travel shall not create obligations, expressed or implied, between the City or the Department and the financing agency.

- \* **Travel in Connection with Management Development Programs.** Requests for travel in connection with management development programs such as the FBI National Academy require the approval of the Chief of Police.
- \* **Travel Financed by Peace Officers' Associations.** Requests for travel financed by non-profit professional peace officers' associations which are established primarily to improve methods and procedures in law enforcement shall be forwarded through channels to the Office of the Chief of Police for approval.
- \* **Travel Financed by a Grant.** Requests for travel financed by a proper grant in aid as provided by law shall be coordinated through the Grants Unit, Planning and Research Division and forwarded through the requestor's chain of command to the Commanding Officer, Administrative and Technical Services Bureau for review. Requests will then be forwarded to the Office of the Chief of Police for approval.
- \* **Travel Reimbursed by the Commission on Peace Officer Standards and Training (POST).** A request for travel that is reimbursable by the Commission on Peace Officer Standards and Training shall be forwarded on an Intradepartmental Correspondence, Form 15.2, from the requesting employee's commanding officer to the Commanding Officer, Training Division. Such requests shall be submitted 30 days prior (or as soon as the notice is received) to the date of departure, and must contain the course description as well as the justification for the employee's attendance. Training Division shall be responsible for forwarding the request for reimbursement to the Office of the Chief of Police.

**Note:** Failure to adhere to these procedures may result in a denial of the request or the Department's refusal to pay for a course which was attended without appropriate authorization.

**390.57 DETERMINING MODE OF TRANSPORTATION.**

The mode of transportation to be utilized shall be determined in the following manner:

- \* **City Vehicle-Commercial Airline.** Employees who are entitled to transportation at City expense normally shall travel by City vehicle. Use of City vehicles for travel shall be approved by the employee's commanding officer. However, if the total cost of using the City vehicle, the traveling employee's salary, and per diem expenses exceeds the total cost of air fare, salary, a rented vehicle, and per diem expenses, commercial airline shall be used. Employees traveling by commercial airline shall use "air coach" or similar accommodations.

**Exception:** Commercial airline normally shall not be used while transporting shackled prisoners, except by special arrangement with

the airline.

- \* **Personal Automobile.** Requests for the utilization of personal vehicles for travel assignments shall be submitted on a Form 15.2 and forwarded through channels to the Office of the Chief of Police for approval. Such requests shall be made only when prior permission for a leave enroute has been obtained, when no other mode of transportation is available or practical, or when in the best interest of the City. Any extenuating circumstances shall be thoroughly explained on the Form 15.2 to the Office of the Chief of Police.

The employee using a personal automobile shall be reimbursed if the following guidelines are followed.

- \* At his own expense, obtain liability insurance covering the full use and operation of the personal vehicle. The limits on liability shall not be less than \$25,000 in the case of injury or death of one person, and \$50,000 in the case of injury to or death of more than one person, and in the case of property damage, not less than \$5,000 in any one accident.
- \* Submit the insurance policy to the operator's immediate commanding officer in the form of a Certificate of Insurance **prior to departure.**

**Note:** The guidelines are delineated from the City of Los Angeles Administrative Code, Section 4.232, Insurance Required.

**390.65 INTERRUPTED OR INDIRECT TRAVEL.**

- \* **Illness or Injury.** A Department employee who becomes ill or injured and is unable to continue a travel assignment shall:
  - \* Obtain competent medical attention.
  - \* Notify his commanding officer as soon as practicable.
  - \* Notify the Medical Liaison Section, Personnel Division, or, when closed, the Administrative Unit, Detective Support Division, as soon as practicable.
- \* **Leave Enroute.** An employee who, for personal reasons, desires an interruption of travel or deviation from the direct route shall adhere to the following procedures:
  - \* The leave enroute shall be included in the travel request for Department approval.
  - \* Per diem expenses shall not exceed those which would have been incurred during uninterrupted travel.
  - \* The leave enroute shall be at the employee's own expense.
  - \* The actual time involved in the leave enroute shall be off-duty time.
  - \* City vehicles shall not be used during a leave enroute.

**390.73 EXPENSES INCURRED ON TRAVEL ASSIGNMENT.**

**Per Diem Expenses.** Per diem expenses for lodging and food are allowable at a rate which is periodically established by the City Administrative officer. Employees spending travel funds shall be guided by the *Fiscal Operations Division-Travel and Per Diem Guidelines* available at Fiscal Operations Division, and Detective Support Division during other than normal business hours.

**Note:** Normal business hours are between 0830 hours and 1630 hours, Monday through Friday.

Costs that exceed the amount of authorized per diem shall be at the employee's expense. An employee shall not use another employee's unused portion of per diem expenses.

When allocated funds are available, reimbursement may be made for items of expense which are clearly related to the travel (e.g., registration or attendance fees, baggage transfer, telegraph, official communications costs, and taxicab fares).

**Reporting Expenses.** An employee who receives Department funds in advance for travel expenditures shall, within 10 calendar days after concluding a travel assignment, report the expenditure of funds in the following manner:

- \* The employee shall complete a Declaration of Receipt/Expenditure of Funds, Form 15.24 (Manual Section 3/380).

**Exception:** A Declaration of Receipt/Expenditure of Funds, Form 15.24, is not required when funds are distributed **directly** to the employee from private sources, such as the Commission on Peace Officer Standards and Training (POST) or Parker Foundation. Funds from these sources paid to an employee through the Department, in whole or in part, do require a Form 15.24 to be completed.

- \* The employee shall prepare three copies of a Personal Expense Statement, Form General 16, supported by receipts for transportation, lodging, and other miscellaneous expenditures, to be submitted for approval as follows:
  - \* A statement prepared by an employee of the rank of commander or below shall be signed by the employee's bureau commanding officer, or in those instances where the employee has no bureau commanding officer, by the concerned deputy chief.
  - \* A statement prepared by a deputy chief shall be signed by the Chief of Police.
- \* Two copies of each Personal Expense Statement shall be forwarded to the Accounting Section, Fiscal Operations Division. Original signatures shall appear on the original and one copy.
- \* Employees who are returning from extradition-related travel shall submit their

personal expense statement information in accordance with Section 3/390.33 of the Department Manual.

- \* The Commanding Officer, Administrative and Technical Services Bureau, shall be the final approving authority for each Personal Expense Statement.

**Exception:** The Board of Police Commissioners is the final approving authority for each Personal Expense Statement submitted by the Chief of Police.

**Unused Travel Expenses.** Unused travel funds shall be returned to the Principal Accountant, Fiscal Operations Division, by cash or check made payable to the City of Los Angeles, within 10 calendar days following completion of the employee's travel.

Prior to submitting the employee's Personal Expense Statement for review and approval, the employee shall attach the check or money order to the statement.

**Note:** When the unused travel funds consist of cash, the employee shall hand carry the cash to the Principal Accountant, Fiscal Operations Division, and obtain a receipt to attach to the Personal Expense Statement.

**390.75 TRAVEL AWARDS.** All travel awards accrued as a result of employment with the City and/or expenditure of City funds shall be forwarded to Fiscal Operations Division.

**Employee-Responsibility.** An employee who receives a travel award for traveling on City business and/or at City expense shall submit all such awards to the employee's commanding officer within five (5) working days of the employee's return from the activity.

**Note:** An employee on vacation or extended days off shall submit the travel awards within five (5) working days following the employee's return to duty.

**Commanding Officer-Responsibility.** Upon receipt of travel awards, the commanding officer shall:

- \* Review the travel awards to ensure that all awards acquired by virtue of the employee's employment have been submitted.
- \* Upon approval, forward the employee's travel awards to the Commanding Officer, Fiscal Operations Division.

**Commanding Officer, Fiscal Operations Division-Responsibility.** The Commanding Officer, Fiscal Operations Division, shall, after review, ensure that all travel awards are applied to future Department travel.

**390.81 CONVENTION REPORTS.** Employees who attend a convention and incurs travel costs (total cost to City) in excess of \$100, or is absent for four or more working days while being shown for payroll purposes as being on regular duty, shall prepare a Report on Convention Travel By City Representatives, Form General 155, and a Declaration of

Receipt/Expenditure of Funds, Form 15.24 within five (5) working days following their return to duty at their place of assignment. The employee shall forward the Form General 155 in *triplicate* with a copy of the Form 15.24 and the original of the Personal Expense Statement, Form General 16, through channels to Administrative and Technical Services Bureau, for review and submission to the Office of the Chief of Police.

**Note:** A Form General 155, prepared by the Chief of Police shall be submitted directly to the Board of Police Commissioners.

**390.89 TIMEKEEPING PROCEDURES FOR EMPLOYEES ON TRAVEL ASSIGNMENTS.** Entries in divisional time books for Department employees who are on travel assignments shall be shown as present and the notation, "Special Assignment" shall be placed in the space provided for notes (Manual Section 3/705.40).

**Exception:** Employees on travel assignments necessitating a transfer to Personnel Division shall be shown as on leave with pay.

**RECORDS AND REPORTS**

**405. CONFIDENTIAL NATURE OF DEPARTMENT RECORDS, REPORTS, AND INFORMATION.** All official files, documents, records, reports, and information held by the Department or in the custody or control of an employee of the Department shall be regarded as confidential. Employees shall not disclose or permit the disclosure or use of such files, documents, reports, records, or information except as required in the performance of their official duties. The unauthorized use of information obtained through employment with the Los Angeles Police Department can subject the employee to possible disciplinary action and/or criminal prosecution. This includes information obtained from manually stored records, as well as information obtained from automated records.

Supervisors in units having access to terminal points for City-controlled computers containing confidential information shall complete an Operator Security Statement, Form 1.58, for each employee having access to such terminals.

**Note:** The home address, telephone number, and other personal information concerning Department employees may be released to persons both within and outside the Department only with approval of the watch commander or officer in charge.

**406. RELEASE OF POLICE RECORDS INFORMATION.**

**406.10 GUIDELINES AND RESTRICTIONS FOR THE RELEASE OF POLICE RECORD INFORMATION.** Employees shall be guided by Manual Section

1/440.40 when releasing any information to the public. The following guidelines shall apply to *all* releases of police record information.

**Guidelines.** Information regarding the commission of a crime and the resulting investigation may be made available to the public prior to the making of an arrest, the issuance of an arrest warrant, or the filing of formal charges. The following guidelines shall apply to *all* releases of information to the public.

- \* Department personnel should not release information if it is believed that it would jeopardize the investigation; jeopardize the successful prosecution of a criminal case; affect the outcome of a civil case involving the City of Los Angeles; or infringe upon the person's right to privacy.

**Note:** Facts concerning the crime which could only be known by the perpetrator, or which could be utilized as polygraph keys should not be released.

- \* The home address of the victim of a crime shall not be released to the public unless the home address is also the location of the crime. The name and home address of a witness to a crime shall not be released to the public.

**Exception:** The above information may be released if given permission to do so by the respective victim or witness, or if the investigating officer believes that its release would assist in the investigation of the crime.

- \* The name and address of a confidential informant shall not be released.

**Restricted Release of Information-Juvenile Subjects.** Authorized Department employees may release certain juvenile information in accordance with the following procedures:

**When a Warrant Has Been Issued for a Juvenile.** Authorized employees may release the name, alleged offense, and physical description of any juvenile provided that:

- \* The juvenile is alleged to have committed an offense as defined in Section 667.5(c) PC;
- \* An arrest warrant for the juvenile has been issued, and he or she is not in custody;
- \* The release of the information would assist in the apprehension of the juvenile or the protection of public safety; and,
- \* There is no court order prohibiting the release of the information.

**When a Juvenile is Arrested.** Authorized employees may release the name and alleged offense of a juvenile in custody provided that:

- \* The juvenile is 14 years of age or older;
- \* The juvenile was arrested for any alleged felony as defined in Section 1192.7(c) of the Penal Code (PC);
- \* Upon request by "interested persons"; and,

**Note:** "Interested persons" is defined as any

agency involved in the criminal justice system (e.g., probation, counselors, prosecutors, and detention facilities).

- \* There is no court order prohibiting the release of the information.

**When a Juvenile is Convicted.** Authorized employees may release the name of a convicted juvenile provided that:

- \* The juvenile is 14 years or older;
- \* The juvenile has been found guilty by the court of any felony described in WIC Section 707(b); and,
- \* There is no court order prohibiting such release.

**Note:** Authorized personnel include the following:

- \* Area commanding officers;
- \* Area detective division watch commanders; and,
- \* The commanding officer, specialized detective divisions, e.g., Robbery-Homicide Division, Vice Division, Major Crimes Division, etc.

Department employees may release information contained in Department records regarding a juvenile (except as above) when the employee believes that the release of information will benefit the juvenile.

Juvenile Subject information may be released to another law enforcement agency when the requesting agency has a legitimate need for the information pursuant to Section 828 WIC.

If a judge from a court other than Juvenile Court orders a Department employee to produce records pertaining to a juvenile subject, the order shall be forwarded to the Discovery Section, Risk Management Group.

Information contained in Department records regarding juvenile subjects that has been or is likely to be filed as a petition in any other document filed in such case or made available to the Probation Department, judge, referee or other hearing officer, Department of Public Social Services (DPSS), or Children's Services worker, may be released only to the following agencies or persons:

- \* Los Angeles County Children's Services Department (LACCS).
- \* Juvenile court personnel.
- \* The juvenile who is the subject of the report(s).
- \* The attorney for the juvenile.
- \* Probation Department.
- \* DPSS.
- \* Department of Motor Vehicles where the law requires the release of such information relative to the offense that has been sustained or where licensing is involved.
- \* Other persons who have been designated by court order of the judge of the juvenile court upon filing a petition therefore.

**Restrictions for the Release of Sex Crime Information.** Department personnel shall not disclose the name of any person who alleges to be the victim of a sex crime, if that person has requested confidentiality.

**Exception:** Confidential information concerning a person who alleges to be the victim of a sex crime may be released to a prosecutor or other persons or public agencies where authorized or required by law.

**Requests for Investigative Information.** All requests for investigative information shall be directed to personnel in the following order: The detective, the detective's supervisor, the detective's commanding officer, the watch commander, or to the Watch Commander, Detective Support Division.

The employee handling the request shall:

- \* Determine the identity and agency affiliation of the caller.
- \* Determine what information the caller requires and the reason the information is being requested.
- \* Verify the caller's identity whenever the caller is not personally known to the employee.
- \* Determine the caller's right-to-know the requested information.

**Note:** The same standards for the release of CORI (Manual Section 3/408.16) shall apply equally as well to the release of investigative information.

**Information Requiring Approval Prior to Its Release to the Public.** The following information shall not be released unless authorized by the investigating officer and approved by an officer of the rank of deputy chief or higher:

- \* The character or reputation of the accused person.
- \* The existence or content of any confession or admission; the nature and content of statements made by the accused person; or the refusal or failure of the accused person to make any statement.
- \* The results of any examination or test, or the accused person's refusal or failure to submit to an examination or test.
- \* The credibility, identity, or testimony of a prospective witness.
- \* The possibility of a plea of guilty to the offense charged or to a lesser offense.
- \* Any opinion as to the accused person's guilt or innocence, the merits of the case or the evidence of the case.
- \* The analysis and conclusions of an investigating officer regarding the officer's investigation.

**Release of Sex Offense Report Information.** An employee receiving a request for information or a request for copies of a crime or a combined crime/evidence and arrest report that deals with a sex offense shall refer the requestor to the Commanding Officer, R&I



Division, for information.

**406.20 REQUESTS BY THE PUBLIC FOR INFORMATION CONTAINED IN POLICE RECORDS.**

**Routine Requests.** Department employees shall refer all requests for information contained in police records to the Commanding Officer, R & I Division. All routine requests shall be submitted in writing to:

Los Angeles Police Department  
P.O. Box 30158  
Los Angeles, CA 90030  
Attn: Commanding Officer,  
Records and Identification Division

**Exception:** News releases and information about newsworthy incidents shall be handled in accordance with Section 3/406.10 of the Department Manual.

The Commanding Officer, R & I Division, shall coordinate and/or respond to all requests for information contained in police records.

**Exception:** Major Crimes Division (MCD) shall be responsible for correlating the requested information and responding to requests for Freedom of Information Ordinance (FOIO) information. R & I Division shall only be responsible for registering and forwarding requests for FOIO information to MCD.

**Requests for Master Arrest Blotter Information.** Master Arrest Blotter information includes the following:

- \* Adult arrestee's full name and current home address.
- \* Physical description to include date of birth, color of eyes and hair, sex, height, and weight.
- \* Date and time of booking and location booked.
- \* Any outstanding warrants from other jurisdictions.
- \* Amount of bail set.
- \* Date, time, and location of arrest.
- \* Type of crime and primary charge.
- \* Supplemental charges.
- \* Probable investigative unit.

Requests for Master Arrest Blotter Information must be submitted in writing to the Commanding Officer, Records and Identification Division.

**Exception:** Requests for Blotter information for incidents less than 24 hours old may be made verbally to either the Commanding Officer, R&I Division, for Departmentwide arrest information, or to the watch commander of the Department jail facility for arrests occurring within the Area(s) serviced by the jail.

**407. RELEASING REPORTS TO PAROLE AND PROBATION OFFICERS.**

**In Person.** Upon presentation of appropriate agency identification, parole or probation officers who qualify as peace officers under the

Penal Code shall be provided with copies of arrest and related reports of parolees or probationers arrested by this Department.

The reports shall be provided by Records and Identification Division, the investigative division or, when closed, the watch commander of the uniformed division.

**Telephonically.** Telephonic requests from parole officers for arrest and related reports involving a parolee shall be referred to the detective or watch commander, who shall:

- \* Verify the officer's identification.
- \* Ensure that requested reports are mailed without delay to the officer at the appropriate California Department of Corrections facility.

**Exception:** The reports shall *not* be provided when the release of such information could possibly jeopardize the successful prosecution of a case, when City property or a City employee on-duty is involved in an incident which could possibly entail City liability, or when the incident includes an officer-involved shooting. In any of these circumstances, the parole or probation officer shall be referred to the supervisor of the investigating officer for release of appropriate information.

**408. CRIMINAL RECORDS.**

**408.15 CRIMINAL OFFENDER RECORD INFORMATION (CORI)-DEFINED.** As defined in California Penal Code Section 11075, CORI (a) "... means records and data compiled by Criminal Justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. (b) Such information shall be restricted to that which is recorded as the result of an arrest, detention, or other initiation of criminal proceedings or of any consequent proceedings related thereto." This includes the following:

- \* California Department of Justice Rap Sheets.
- \* Any criminal history information received from the California Department of Justice via teletype (CLETS).
- \* Department of Justice computerized criminal history system printouts.
- \* FBI or other states' rap sheets.
- \* Information maintained in the Department's alpha index criminal history card files.
- \* Local criminal history information received via the Automated Index System.

**Note:** The individual arrest and crime reports are covered by the Public Records Act and are not considered to be Criminal Offender Records Information.

**408.16 RELEASES OF CORI- DETERMINATION OF RIGHT-TO-KNOW/NEED-TO-KNOW.** Prior to releasing any Criminal Offender Record

Information, the employee releasing the information must determine the request's right-to-know and need-to-know. *No CORI shall be released unless there is both a right-to-know and a need-to-know.*

- \* **Right-to-Know.** The right-to-know is the legal authority for a person or agency to have access to Criminal Offender Record Information. Those persons or agencies authorized by law to access CORI are defined in California Penal Code Sections 11105 and 13300.
- \* **Need-to-Know.** The need-to-know is the official purpose for which the information is being requested. The purpose or compelling requirement for the information must be directly related to official duties and/or responsibilities of the person or agency initiating the request.

**Note:** Department automated and manually stored information systems **shall not** be used for the dissemination of CORI to any other agency or person for purposes of employment, licensing, or certification. Under no circumstances shall CORI be released to the news media or representatives of the news media.

Upon receipt of request for CORI, the Department employee shall specifically ask for the name, unit/agency, reason for the request, and the intended use of the information. Responses shall be entered in the appropriate fields on the computer screen.

Department employees, when uncertain as to whether a requesting agency or person is authorized to receive CORI data, shall contact the Watch Commander, Records and Identification Division, and be guided by that advice.

**408.17 REQUESTING CORI FOR OUTSIDE RELEASES.** The Request/Release Criminal Record, Form 8.42.0, shall be completed by the requesting officer prior to obtaining CORI through any automated system, Records and Identification Division, or the teletype system if the information is to be *released to an authorized person outside the Department*. The completed forms shall then be forwarded daily to Records and Identification Division for filing.

**Exception:** It shall be left to the discretion of the Area/division commanding officer as to whether completion of the Form 8.42.0 is required when information is to be released to authorized person outside the Department who *routinely receive* CORI in order to process LAPD arrestees. These include local courts, members of the Los Angeles County District Attorney's Office and the Los Angeles City Attorney's Office.

**408.18 RESPONSIBILITY FOR THE SECURITY OF CORI DOCUMENTS.** The Department employee requesting CORI shall be responsible for the security of all documents requested. The employee shall ensure that these documents will be kept in Department

records or files which are secure. CORI documents, when no longer needed, or not contained in a case folder, shall be disposed of in an Area/division burn box.

**408.20 DUTIES OF PERSONS INSPECTING DEPARTMENT RECORDS.**

Upon the presentation of satisfactory identification, persons who are authorized to inspect Department records shall be instructed to complete a Request/Release Criminal Record, Form 8.42.0, enumerating, in the space provided, the reports desired.

**408.22 REQUESTING THE SEALING OF ARREST RECORDS.**

**Investigating Officer's Responsibility.** When in the course of an investigation it is determined that an arrestee is "factually innocent," the investigator shall record that information on an Investigator's Final Report, Form 5.10, *or*, if the charge does not require a Form 5.10 (i.e., most misdemeanors), a Follow-up Report, Form 3.14, supporting that determination.

An investigating officer shall also conduct an investigation to determine if an arrestee is "factually innocent" when notified by Records and Identification Division of the Department's receipt of a citizen's Petition to Seal and Destroy Arrest Records (BCID8270) and no investigative determination has been made.

**Note:** An individual may be deemed "factually innocent" when:

- \* Mistaken identity has been clearly established; or,
- \* No crime was found to have occurred.

When a complaint has been issued by the responsible City or District Attorney's Office, but has not been filed with the court, the investigating officer shall inform the respective City or District Attorney that the arrestee has been determined to be "factually innocent" and request that the complaint be withdrawn. The name of the approving City or District Attorney, together with a statement indicating the withdrawal of the complaint, shall be included on the Form 5.10 or 3.14.

**Records and Identification Division, Watch Commander's Responsibility.** The Watch Commander, Records and Identification Division, upon receipt of a Petition to Seal and Destroy Arrest Records (BCID 8270) from a requesting citizen, shall:

- \* Confirm that an investigative determination of "factually innocent" was made. In the absence of a documented investigative determination, conduct an inquiry into the circumstances of the arrest. Unless that examination supports a determination of "factually innocent," the petition shall be denied.
- \* If presented with circumstances which could indicate that a finding of "factually innocent" may be justified, contact the investigating unit if one has been assigned.

Should it then be the investigating officer's conclusion that the individual arrested was "factually innocent," the investigator shall initiate a Form 5.10 or Form 3.14 as appropriate.

- \* Submit the petition to the Commanding Officer, Detective Bureau, for a final determination when Records and Identification Division and the investigating officer do not agree on the investigative determination.
- \* Obtain the concurrence of the responsible City or District Attorney when the Petition is approved.
- \* Cause the removal of the arrest record from the regular Department files.
- \* Provide the petitioner with a written declaration indicating that a finding of "factually innocent" was made and that the arrest record has been sealed pending destruction.

**The Commanding Officer, Detective Bureau - Responsibility.** The Commanding Officer, Detective Bureau, shall make the final determination when Records and Identification Division and the investigating officer do not agree on the investigative determination.

**408.25 SEALING CRIMINAL RECORDS.** An employee of this Department receiving a court order to seal a criminal record shall forward the order to the Commanding Officer, Records and Identification Division.

The Commanding Officer, Records and Identification Division, shall be responsible for the gathering, sealing and custody of records held by this Department.

Commanding officers who are notified of a court order to seal criminal records shall forward all records and reports held by their divisions to the Commanding Officer, Records and Identification Division. These records shall be accompanied by a certification that a search has been made and that the forwarded reports represent all the detachable records of the subject which are then in the custody of their divisions. If the search fails to disclose any record, this information shall be forwarded to the Commanding Officer, Records and Identification Division.

**Note:** If the records are not detachable and sealing will necessarily affect other records, commanding officers shall meet the requirements of the court order by permanently obliterating all references to the criminal record.

All index cards or other references in Department files, maintained at Records and Identification Division, shall have an entry made that will indicate that the particular record has been sealed. In response to requests for further information regarding sealed records, employees shall advise such persons that access to the records and reports may be obtained only by court order.

**408.27 DESTRUCTION OF RECORDS-MARIJUANA OFFENSES.** Statutory Destruction.

- \* Records and Identification Division and other organizational entities. All records concerning arrests of adults for violation of the following statutes shall be destroyed in the manner prescribed by 11361.5 H&S, two years after the date of conviction, or, if there was no conviction, the date of arrest:
  - \* When arrested on or subsequent to January 1, 1976, for:
    - \* 11357(b) H&S-Possession-one ounce or less.
    - \* 11357(c) H&S-Possession-more than 1 ounce.
    - \* 11360(c) H&S-Furnishing or transporting, one ounce or less.
  - \* When arrested subsequent to June 30, 1977, for 11360(b) H&S Furnishing or transporting, one ounce or less.
- \* **Litigation Processing.** If the defendant or a co-defendant has filed a related civil action against either the City or the arresting/investigating officers, copies of the applicable records shall be secured, filed and retained by the Civil Investigation Section, Risk Management Group, until final resolution of the civil action.

**Department of Justice-Ordered Destruction.** A Department employee who receives a Department of Justice order requiring the destruction of records relative to arrest for possession of marijuana which occurred prior to January 1, 1976, shall forward the order to the Commanding Officer, Records and Identification Division who shall ensure that the specified records are located and destroyed.

**408.50 ARREST RECORD INFORMATION TO COURT.** Records and Identification Division shall establish positive identification by fingerprint classification prior to releasing arrest record information to court.

**409. CONFIDENTIAL REPORTS - NON-TRAFFIC**

**409.10 CITY LIABILITY.** When City property or a City employee on-duty is involved in a non-traffic incident which could entail City liability, all reports shall be classified and processed as confidential.

The officer completing such report shall have the words, "CONFIDENTIAL - THIS REPORT IS FOR THE CONFIDENTIAL USE OF THE CITY ATTORNEY" typed in the left side margin of the report and all connected reports. A copy shall be placed in a sealed manila envelope and forwarded through Department mail to the Public Liability Section, City Attorney's Office. Persons wishing to inspect these reports or make inquiries concerning the liability of the City

shall be referred to the Public Liability Section, City Attorney's Office.

**409.20 OFFICER-INVOLVED SHOOTING OR LAW ENFORCEMENT ACTIVITY RESULTING IN A DEATH OR INJURY-CONFIDENTIAL REPORTS.** The original and all copies of the final administrative report of the following incidents shall be marked "Confidential." The Commanding Officer, Force Investigation Division, shall retain the original and distribute copies to the Office of the Inspector General (for the Board of Police Commissioners), Risk Management Group, and the Department's Use of Force Review Board:

- \* The use of deadly force (e.g., discharge of a firearm) by a Department employee;
- \* All uses of an upper body control hold by a Department employee, including the use of a modified carotid, full carotid or locked carotid hold;
- \* All deaths while the arrestee or detainee is in the custodial care of the Department (also known as an In-Custody Death or ICD);
- \* A use of force incident resulting in death (also known as a Law Enforcement Activity-Related Death or LEARD);
- \* A use of force incident resulting in an injury requiring hospitalization (also known as a Law Enforcement Activity-Related Injury or LERI);
- \* All head strikes with an impact weapon (e.g., baton, flashlight, etc.);
- \* An incident in which a member of the public is bitten by a Department canine and hospitalization is required;
- \* Accidental discharge of a firearm;
- \* Animal shootings; and,
- \* Incidents where the Department has agreed to conduct similar critical incident investigations for a non-Department entity, such as a Los Angeles Fire Department Arson Unit tactical officer-involved shooting incident.

**Exception:** Related crime and arrest reports shall be marked and regarded as confidential but distributed in the normal manner.

**410. TRAFFIC RECORDS.**

**410.10 RELEASE OF TRAFFIC COLLISION INFORMATION.** Information received from Department of Motor Vehicle (DMV) documents or automated files is **confidential**. Therefore, traffic collision information which is obtained directly from DMV files may only be released to specific parties, **and only in person** after verifying the identity of the requestor (Manual Section 3/410.10). In the case of a hit-and-run traffic collision, traffic report information obtained directly from DMV files may be released **only** after the DMV information regarding the hit-and-run vehicle and/or suspect has been **verified** through the Department's follow-up investigation. Once verified, such information may only be released to:

- \* Involved party or parties.
- \* Parents or legal guardian of minor parties.
- \* Persons injured in reported collisions.
- \* Owners of vehicles or damaged property.
- \* Persons or agencies who may incur civil liability.
- \* An attorney or authorized representative of any of the above persons (Manual Section 3/410.20).

**Note:** Department employees shall verify the identity of the requestor.

Employees, excluding Records and Identification Division personnel, **shall only** release DMV records information to authorized requestors **in person** and shall verify the identity of the requestor.

Information may be released to other persons on the approval of the Watch Commander, Records and Identification Division.

Persons inspecting a traffic collision report shall complete a Request/Release Criminal Record, Form 8.42.0 (Manual Section 3/408.20).

**410.20 AUTHORIZED REPRESENTATIVES OF PROPERLY INTERESTED PERSONS.** Authorized representatives are:

- \* Those persons having written permission to act in the behalf of properly interested persons (Manual Section 3/410.10).
- \* Insurance companies with whom properly interested persons are insured.
- \* Persons having written authorization to act in behalf of insurance companies with whom properly interested persons are insured.

An authorized representative shall be required to present a written authorization from the properly interested person designating the representative, identifying the accident, and requesting that the information be revealed.

**410.30 RELEASE OF TRAFFIC COLLISION PHOTOGRAPHS.** Photographs shall be available to any properly interested person (Manual Section 3/410.10).

**Exception:** Photographs of a dead body shall only be released to an authorized representative, unless release to a properly interested person is approved by the Watch Commander, Records and Identification Division.

**410.50 CONFIDENTIAL CASES.** A traffic collision report and related photographs shall be considered confidential if they were reported prior to November 10, 1969, and involve:

- \* A City employee acting within the scope of his/her employment.
- \* Property owned or maintained by the City.
- \* City property or a City employee acting within the scope of his or her employment

influencing the actions of an involved party.

A person seeking information from confidential reports shall only be given the information contained in the Traffic Collision Report, CHP Form Set.

A person wishing to inspect the full report or having questions regarding the liability of the City shall be referred to the Liability Section, City Attorney's Office, City Hall.

A report shall no longer be considered confidential after a letter of release is received from the City Attorney's Office.

**410.70 GOVERNMENT AGENCIES.** No information contained in traffic collision reports shall be revealed to any person claiming to be the official representative of any government agency unless that agency is a concerned party or authorized agency (Manual Sections 3/410.10 and 3/410.20), and then only when accompanied by an official authorization signed by the head, or designated person of record, of the concerned agency containing the following:

- \* The name of the investigator to whom the information is to be released.
- \* The traffic collision in which the vehicle or property was involved.
- \* The identity of the vehicle or property.
- \* The signature of the head of the concerned government agency or the person of record delegated the authority to sign such request.

In the case of a traffic collision in which a veteran is involved, wherein the Veterans Administration is conducting an official investigation, it shall be necessary to present an officially signed authorization containing the following:

- \* The name of the investigator to whom the information is to be released.
- \* The traffic collision in which the veteran was involved.
- \* The purpose for which the information is to be used.
- \* The signature of the veteran, authorizing the Veterans Administration to obtain the information.
- \* The signature of the head of the Veterans Administration or the person of record delegated the authority to sign such requests.

No blanket authorization can be given to any government agency, and each authorization shall be related to an individual case. This procedure shall not affect the regular distribution of copies of traffic collision reports to certain government agencies.

**412. DEATH REPORTS.**

**412.10 RELEASE OF DEATH REPORT INFORMATION.** An employee receiving a request for information or copies of a Death Report, Form 3.11, shall refer the person to the

investigating division, unless the cause of death is listed on the Death Report as natural. If the cause of death is listed as natural, an employee may release information or copies of the report to properly interested persons or their authorized representatives after obtaining telephonic approval from the detective division.

**413. SEX CRIMES.**

**413.04 CATEGORIES OF SEX OFFENDERS – DEFINED.**

**Serious Sex Offender.** An individual convicted of at least one of the following charges: assault with intent to commit rape; oral copulation or sodomy; oral copulation; sodomy; rape; sodomy with a minor or by force; lewd or lascivious conduct with a child or a dependent adult; oral copulation with a minor or by force; continuous sexual abuse of a child; child molestation; penetration with a foreign object by force; kidnapping with intent to commit specified sex offenses; felony sexual battery; felony enticement of a child for purposes of prostitution; or, abduction of a child for purposes of prostitution.

**High-Risk Sex Offender.** An individual convicted of multiple violent crimes, at least one of which was a violent sex crime.

**413.05 SEX OFFENDER INDEX.** The Sex Offender Index (SOI) provides public access to specified information of registered sex offenders. When public access to the SOI is requested, the following procedures shall be completed.

**Employees' Responsibility.** An employee who receives a request from the public regarding sex offender information shall:

- \* Refer the individual to the front desk of the nearest SOI equipped Community Police Station.

**Front Desk Employees' Responsibility.** An Employee who receives a request from the public regarding sex offender information shall:

- \* Request the applicant to provide a California driver's license or California identification card.
- \* Confirm the applicant is a California state resident and is at least 18 years of age.
- \* Ensure the Request to View Sexual Offender Identification Information, Form BCIA 4078, has been completed and signed by the applicant.
- \* Complete the Request to View Sexual Offender Identification Information Log, Form 8.28.0.
- \* Submit the completed Form BCIA 4078 to the Watch Commander for review and approval.
- \* When Watch Commander approval has been obtained, direct the applicant to the SOI.

- \* When requested, provide assistance to the applicant in obtaining information from the Sex Offender Index.

**Note:** Employees shall not provide information from the SOI via the telephone.

**Watch Commander's Responsibility.** A Watch Commander receiving a request from the public for sex offender information shall:

- \* Review the Form BCIA 4078 for completeness.
- \* Ensure the applicant is a California resident at least 18 years of age.
- \* Complete and sign the "Law Enforcement Use Only" section of the Form BCIA 4078.
- \* Ensure the Form 8.28.0 has been completed and initialed after review.
- \* After Form BCIA 4078 and Form 8.28.0 are reviewed and approved, direct the front desk employee to allow the applicant access to the SOI.
- \* When disapproved, provide the applicant with the reason for denial.

**Area Commanding Officers' Responsibility.** The Area Commanding Officer shall be responsible for:

- \* Ensuring that roll call training is provided to Department personnel on the use of the SOI.
- \* Ensuring the SOI is properly maintained in the Area station and is available for public use on a twenty-four hour basis.
- \* Ensuring that related forms are properly maintained for a period of five years from the request date and in accordance with Department record retention procedures.
- \* Informing the Commanding Officer, Juvenile Division, Department Coordinator for Sexual Offender Criminal Information, of any special problems or situations arising from the use of the SOI.

**Juvenile Division - Responsibility.** The Commanding Officer, Juvenile Division, is designated the Department Coordinator for Sexual Offender Criminal Information and shall be responsible for:

- \* Informing the Chief of Police of any special problems or situations arising from the use of the Sex Offender Index (SOI).

**Information Technology Division - Responsibility.** The Commanding Officer, Information Technology Division, shall be responsible for:

- \* Installing the SOI equipment.
- \* Coordinating the use of SOI within the Department.
- \* Maintaining updated data on SOI.
- \* Maintenance of the dedicated computers deployed at geographic Areas.
- \* Creation and distribution of the SOI Instructional Guide to all Department commands using dedicated computers.
- \* Revising the SOI Instructional Guide.

**Area Detective Division - Major Assault**

**Crimes (MAC) Coordinator - Responsibility.** The MAC Coordinator shall be responsible for:

- \* Maintaining a file of all completed BCIA 4078 forms, and Form 8.28.0, for a period of five years and in accordance with Department record retention procedures.
- \* Prior to filing, review the Request to View Sexual Offender Identification Information, Form BCIA 4078, and the Request to View Sexual Offender Identification Information Log, Form 8.28.0, for completeness.
- \* Provide roll call training to Department personnel on the use of the SOI;
- \* Ensuring the SOI is properly maintained in the Area station lobby and is available for public use on a twenty-four hour basis.
- \* Informing the commanding officer of any special problems or situations arising from the use of the SOI.
- \* Ensuring that the SOI computer and screen are not relocated or moved from the location designated by ITD.

**413.07 DISCLOSURE OF INFORMATION REGARDING SERIOUS REGISTERED SEX OFFENDERS AND "HIGH-RISK" SEX OFFENDERS.**

**Applicable Penal Code Sections.**

- \* Pursuant to Section 290(m)(1) PC: Certain information regarding serious registered sex offenders may be released to the public.
- \* Pursuant to Section 290(n) PC: Certain information regarding "high-risk" sex offenders, as defined in Section 290(n)(1)(A)(i-v) PC, and 290(n)(1)(B)-(I) PC, may be disclosed to the public.

**Non-Releasable Information.** The offender's exact residence or business address shall not be released without the approval of the Chief of Police.

**Procedure for the Release of Information Regarding Serious Sex Offenders and High-Risk Offenders.** The approval of the Area commanding officer or his/her designee, shall be obtained before any information regarding any sex offender is released.

**Note:** In cases of exigent circumstances approval may be obtained by the watch commander.

**Release of Information Regarding Serious Sex Offenders 290(m)(1) PC.** The release of serious sex offender information will be decided after personnel assigned to an Area's REACT or MAC table (if there is not a REACT) have conducted an investigation and reasonably determined that an offender is "likely to encounter" a member of the public and put that person or their child "at risk."

**Release of Information Regarding High-Risk Sex Offenders 290(n) PC.** Information provided by the California Department of Justice on all "high-risk" sex offenders may be made public after it has been determined

that the offender frequents, resides or is employed within the boundaries of a specific Area serviced by the Department.

**Note:** It is not necessary to apply standards of "likely to encounter" and "at risk" when considering the release of information regarding such offenders.

**Method of Release.** The method(s) employed in the release of information must be reasonable, relating to both the threat posed by the sex offender and the likely geographic proximity to potential victims. The disclosure may only be as broad as is necessary for the protection of the public. Once the Registered Sex Offender Advisory Form is completed, the following notifications or options should be considered:

- \* Bulletins and/or maps (indicating the approximate location of an offender);
- \* Community meetings (personal, door to door notifications);
- \* Educational facilities, playgrounds, parks, and churches;
- \* Other law enforcement agencies; and/or,
- \* Media (press releases).

**Exception:** Information shall not be posted on the Internet.

**Disclaimers.** Per 290(m)(5) PC every disclosure pursuant to 290(m)(4) and 290(n)(3) PC shall state that, "The purpose of the release of the information is to allow members of the public to protect themselves and their children from sex offenders." **Information released shall not include information that would identify prior victims.**

**Record Retention.** Per 290(n) PC, "Agencies disseminating information to the public (i.e., high-risk sex offenders) shall maintain records of the means and dates of dissemination for a minimum of five years." This shall include all Preliminary Investigation Reports, Form 3.01 and the Follow-up Investigation, Form 3.14.

**Procedure for the Release of "Serious" Sex Offender Information to Additional Persons.** When personnel assigned to an Area's REACT or MAC table believe that persons and entities receiving information concerning high-risk or serious sex offenders (pursuant to 290 (m) (1) PC) need to disclose this information to additional persons, the officer/investigator shall:

- \* Complete the Registered Sex Offender Advisory, Form 8.30.0;
- \* Complete the authorization to Release Serious Sex Offender Information, Form 8.30.5; and,
- \* Obtain approval from the Area commanding officer.

Authorization for further dissemination/disclosure regarding "serious" sex offenders shall **only** be given when the personnel assigned to an Area's REACT or MAC table, acting on behalf of the law enforcement agency, determines that the third

party receiving the information also satisfies the conditions set forth in 290(m)(1), 290(m)(2)(A-B) and (3)PC (i.e., "may be at risk," "likely to encounter").

**Example:** A principal of a school receives information regarding a serious sex offender and wants to advise the Parent Teachers Association of that information.

**Immediate Release of Information, Officer's Responsibility.** When an officer has reasonable suspicion based on information which has come to his/her attention that a person is "**at risk**" of becoming a victim of a sex offender convicted of a crime listed in 290.4 PC, and is **likely to encounter that person**, and circumstances exist that reasonably appear to present an **immediate threat of risk to the public**, with the approval of his/her **supervisor**, the officer may:

- \* Verbally release the information to a potential victim who is 18 years of age or older. If the potential victim is a minor, release of the information shall be to the minor's parent/guardian; and,

**Note:** The officer/investigator making notification shall thereafter complete a PIR, entitled "Sex Offender Registrant Incident." The PIR should include the date, time, and location of the contact with the offender (if applicable), along with the circumstances that led the officer to reasonably suspect another person may likely encounter the sex offender. The name, address, and phone number of the reporting party (if applicable) should also be included.

- \* Obtain a Division of Records (DR) number from records personnel and forward a copy of the PIR to the appropriate Area.

**Investigating Officer's Responsibility.** Certain investigative steps must be undertaken and background information regarding the offender's past offenses and current behavior shall be gathered prior to the release of information. Public notifications are for the purpose of protecting the public, not a means of punishing the offender for past crimes. All public notifications must comply with this intent.

The following is a list of minimum investigative steps that shall be completed prior to the release of information on any sex offender falling into the category of 290(m)(1) PC:

**Investigative Steps For Offenders Falling Into The Category Of 290(m)(1) PC.**

- \* Document why the release is necessary to protect the public, i.e., there is "**reasonable suspicion**" based on information which has come to the Department's attention "**that a person is at risk of becoming a victim of a sex offender**" convicted of a crime listed in 290.4 PC, and that the offender is "**likely to encounter that person,**" and

**"circumstances exist that reasonably appear to present an immediate threat of risk to the public."**

- \* Document the names of individual(s) that the sex offender is likely to encounter (e.g., neighborhood children or a woman if the suspect targets women).

**Investigative Steps For Offenders Falling into the Category Of 290(n) PC, High-Risk Offenders.** Prior to disclosure of information under Section 290(n) PC, the investigating officer shall reference, in the Follow-Up Investigation, Form 3.14, the applicable PC Sections to ensure that the offender falls within the criteria established for a "high-risk" offender.

**Note:** This list is not meant to be exhaustive, other investigative steps may be incorporated into the Follow-up Investigation.

**Area Commanding Officer's Responsibility.** When an Area commanding officer becomes aware that a public release of sex offender information should be made he/she shall:

- \* Ensure that a REACT or MAC investigator conducts a follow-up investigation to determine whether or not the offender is a sex offender as defined by 290(m)(1) or 290(n) PC, living, working, or frequenting locations within the Area's boundaries;

**Note:** Priority should be given to assigning the follow-up responsibilities to the Area's REACT, as they have the greater expertise in this subject matter.

- \* Determine if there is cause for the public release of information regarding that person, if the individual is a 290 (m) (1) PC offender;
- \* Determine if permission should be sought from the Chief of Police to include the offender's exact residence or business address in the release of information;
- \* Ensure the investigating officer completes the Registered Sex Offender Advisory, Form 8.30.0, if a public disclosure is initiated;
- \* Ensure that the investigating officer coordinates the release of information and the distribution of the Registered Sex Offender Advisory, Form 8.30.0, with appropriate Department entities (i.e., chain of command, Media Relations, etc.) and the public; and,
- \* Ensure that records regarding the release of sex offender information are tracked, readily retrievable, and kept on file for five years.

**413.10 VICTIM OF A CRIME REQUEST FOR CONFIDENTIALITY OF INFORMATION.** Government Code Section 6254 provides that the court may order the victim of a sex crime or other non-sex crimes as defined in Government Code Section 6254 to be identified as either Jane or John Doe in all records and court proceedings, if the court finds that such an order is reasonably necessary

to protect the privacy of the victim regarding the following Penal Code Sections:

- \* 220 - Assault with intent to commit mayhem, rape, sodomy, oral copulation
- \* 261 - Rape
- \* 261.5 - Unlawful sexual intercourse with a person under 18 years of age.
- \* 262 - Rape of a spouse
- \* 264 - Rape of spouse; unlawful sexual intercourse
- \* 264.1 - Rape or penetration of genital or anal openings by a foreign object, acting in concert by force or violence
- \* 273a - Willful harm or injury to child; endangering person or health
- \* 273d - Corporal punishment or injury of child
- \* 273.5 - Willful infliction of corporal injury
- \* 286 - Sodomy
- \* 288 - Lewd or lascivious acts with a child under the age of 14
- \* 288a - Oral copulation
- \* 289 - Penetration of genital or anal openings by a foreign object
- \* 422.6 - Interference with the exercise of civil rights; damaging property; speech threatening violence
- \* 422.7 - Aggravating factors for punishment; present ability to commit violent injury or actual physical injury
- \* 422.75 - Protected classes; enhanced penalty for felonies against person or property of public agency or private institution because of class membership
- \* 646.9 - Stalking

**Employee's Responsibility.** Request for Confidentiality of Information, Form 3.02 or Spanish Version, Form 3.02.1 shall be completed by the employee taking a crime report from any person alleging to be the victim of a crime as defined in Government Code Section 6254, which includes the above listed Penal Code Sections.

**Note:** A Form 3.02 or 3.02.1 shall be completed for all victims of crimes as specified in Government Code Section 6254 whether or not they exercise the right to confidentiality.

In addition to complying with established procedures for handling the preliminary investigation of an offense, employees shall:

- \* Advise the victim of the right to confidentiality.
- \* Request that the victim initial the appropriate statement referencing victim confidentiality on the Form 3.02 or 3.02.1 and sign the form as an acknowledgment of the advisement.
- \* Complete a Request for Confidentiality of Information, Form 3.02, including the "Other" box when appropriate.

If the victim is traumatized to such a degree that he or she is unable to comprehend the

advisement or unable to sign the Form 3.02 or 3.02.1, the officer shall assign the victim confidentiality. The victim may retract his/her right to confidentiality when the victim is able to comprehend the advisement and the investigating officer is advised. If the victim of the crime is a minor, the parent or guardian of the victim shall complete and receive a copy of the form.

If no parent or guardian is present, the officer receiving the report shall contact the Area Major Assault Crimes (MAC) Coordinator. If the Area MAC Coordinator is not available, Juvenile Division shall be contacted for advice. After normal business hours, the employee shall contact Detective Support Division (DSD) for advice.

- \* Provide a copy of the Form 3.02 or 3.02.1 to the victim;
- \* Complete a Preliminary Investigation Report (PIR), Form 3.01, or Arrest Report, Form 5.2, documenting the victim's first name and last initial only in the "Victim Information" section (exclude all other personal information on the PIR or arrest report face sheet);
- \* Complete the narrative of the report referring to the victim by his/her first name and last initial;
- \* Record the DR number in the upper-right-hand corner of all attached documents. The documents shall then become pages of the Department's report and numbered accordingly;
- \* Attach the original form 3.02 or 3.02.1 as the cover sheet of the PIR, Form 3.01, or the Combined Crime, Arrest, or Evidence Report, Form 5.2, and write the words "SEX CRIME (or applicable crime) - 3.02 (or 3.02.1) ATTACHED" along the left margin of the Form 3.01, 5.2, or 10.01; and,
- \* Provide the victim with a DVV pamphlet.

**Investigating Officer's Responsibility.** The investigating officer responsible for filing a sexual assault case shall remove the victim's identifying information, with the exception of the victim's first name and last initial, from all copies of reports/documents submitted to the appropriate prosecutor's office.

**Commanding Officer, Records and Identification Division-Special Duties.** The Commanding Officer, Records and Identification (R&I) Division, is responsible for maintaining files that are confidential in nature. The release or inspection of confidential reports such as records or certain required registrations, correspondence regarding criminal matters, and crime reports requires the approval of the Commanding Officer, R&I Division. Special attention should be given to safeguarding those crime reports of sex crimes that require confidentiality pursuant to California Penal Code Section 293

The Crime and Miscellaneous Reports Section, R&I Division, is responsible for ensuring that crime reports involving sex crimes or crimes

pursuant to those specifically enumerated in Government Codes Section 6254 in which the victim has requested confidentiality pursuant to California Penal Code Section 293 are properly safeguarded and **not** made a matter of public record.

**Restrictions for the Release of Victim Information.** Department personnel shall not disclose the name of any person who alleges to be the victim of a crime enumerated in Government Code Section 6254, if that person has requested confidentiality.

**Exception:** Confidential information concerning a person who alleges to be the victim may be released to a prosecutor or other persons or public agencies where authorized or required by law.

**Release of Sex Offense Report Information.** An employee receiving a request for information or a request for copies of a crime or a combined crime/evidence and arrest report that deals with an offense enumerated in Government Code Section 6254 shall refer the requestor to the Office of the Commanding Officer, R&I Division.

#### 425. LEGAL PROCESSES.

**425.05 LEGAL PROCESS-DEFINED.** A legal process shall mean any discovery order, subpoena duces tecum, or notice of motion for pretrial discovery, except a personal service subpoena requiring only the appearance of a Department employee.

**425.10 ACCEPTANCE-GENERAL.** When a subpoena duces tecum, discovery order, or pretrial discovery motion is directed to the Department or the Custodian of Records, it shall **only** be accepted by the Discovery Section, Risk Management Group. The business hours of the Discovery Section are 0800 to 1630 hours, Monday through Friday.

If the process server insists on serving a sworn supervisor, at other than Risk Management Group, the supervisor shall:

- \* Advise the server that the only Department entity designated to accept processes served on the Department is the Discovery Section, Risk Management Group.
- \* Advise the server that the person served will be unable to deliver a copy of the subpoena to the Discovery Section, Risk Management Group, within such time as will allow compliance with the subpoena.
- \* Provide adequate directions for the process server to locate the Discovery Section, Risk Management Group.

If the server leaves the process at the station, the supervisor shall forward it, with a Form 15.7 containing the date and time the process was left by the server and any pertinent circumstances involved, to the Discovery Section, Risk Management Group.

**Exception:** The following entities shall accept legal processes relating to their areas of responsibility:

- \* Board of Police Commissioners.
- \* Property Claims Officer or Property Division Supervisor, Administrative and Technical Services Bureau.
- \* Narcotics Division.
- \* Vice Division.
- \* Detective Support Division.
- \* Major Crimes Division.

**425.15 LEGAL PROCESS FOR RELEASE OF BOOKED PROPERTY.** An employee accepting a legal process, "Notice of Garnishment," "Writ of Attachment," "Writ of Execution," "Order to Withhold," or "Notice of Levy" concerning booked property shall immediately forward the document to Administrative and Technical Services Bureau. No such property shall be released except at the direction of the Commanding Officer, Administrative and Technical Services Bureau.

**Note:** Administrative and Technical Services Bureau shall notify the investigating officer of an impending release of property described in a legal process.

**425.20 LEGAL PROCESSES LOG.** Risk Management Group, Discovery Section, personnel shall enter the following information in a Legal Processes Log: The type of process, date and time, where served, person(s) affected, investigative unit handling and person notified, and such other information as may be pertinent.

**425.30 LEGAL PROCESSES INVOLVING THE PRODUCTION OR INSPECTION OF EVIDENCE OR RECORDS IN COURT.** The Commanding Officer, Risk Management Group, shall be responsible for the coordination of activities concerning the production or inspection of records in court that is required by a legal process. In any case involving records in custody of other divisions, he/she shall:

- \* Confer with the commanding officer of the concerned division.
- \* Determine the confidential nature of the items requested by the process.
- \* Confer with the City Attorney when there is doubt as to the confidential nature of the items requested by the process, or when the records are deemed to be confidential and he believes they should not be produced in court.
- \* Arrange for the transportation of records to court when compliance is ordered or deemed advisable.

**Note:** Certain organizational entities shall accept legal processes relating to matters within their areas of responsibility (Manual Section 3/425.10).

**440. PAYROLL CHECKS AND ROSTERS.**

**440.10 DISTRIBUTION.** Commanding officers shall delegate the responsibility of receipt, custody, and distribution of the payroll checks for personnel of their command to employees assigned to office duty. No person shall be permitted to handle checks except the commanding officer and those assigned to such duty by the commanding officer. Undistributed checks shall be retained in a place where they are accessible only to those responsible for their distribution. Signed check rosters shall be retained in the division or unit files for six months after receipt.

**440.30 PAYROLL SIGNATURES.** Rosters for distribution of payroll checks to employees shall be signed by each employee in the space opposite their name when they claim their check. An employee signing a payroll roster shall do so by writing their name as it appears thereon; such writing shall constitute their payroll signature. An employee who accepts delivery of a check for another shall write the name of the other employee opposite such name on the roster and shall follow this signature with their own signature.

**440.60 UNCLAIMED PAYROLL CHECKS.** Payroll checks shall be returned to the Chief Accounting Employee with an explanatory note if they are not claimed within thirty days after receipt.

**SUPPLIES AND MAINTENANCE**

**504. SALVAGEABLE MATERIALS, DISPOSAL OF.**

**504.40 COMMANDING OFFICER'S DUTIES.** Commanding officers shall notify the Supply Section, Fiscal Operations Division, by telephone, whenever salvageable material or equipment has been accumulated in an amount necessitating removal. Salvageable materials and items of equipment shall not be disposed of, nor converted to uses for which they were not originally intended, except on authorization from the Officer in Charge, Supply Section.

**Note:** Salvageable equipment or material is defined as equipment or material no longer needed or no longer usable.

**504.80 DUTIES OF OFFICER IN CHARGE, SUPPLY SECTION.** Upon receiving notification to pick up salvageable material or equipment, the Officer in Charge, Supply Section, shall cause the property to be picked up and a receipt therefore to be issued to the unit. He or she shall then arrange for disposal of the property.

**508. REQUESTS FOR EQUIPMENT, SUPPLIES, OR SERVICES.** Requisitions, Form 15.11, shall be signed by the division, Area, or bureau commanding officer.

**Budget-Approved Items.** Requests for budget-approved items shall be submitted on a Requisition, Form 15.11.

**Requests for Furniture or Equipment Items Not Included in the Current Budget.** If the need is urgent and, in the opinion of the commanding officer, the item cannot wait for inclusion in the next budget, a letter shall be directed to the Commanding Officer, Fiscal Operations Division, thoroughly justifying the need and urgency of the request.

**Construction of Items by Carpenter/Shop.** A letter shall be directed to the Commanding Officer, Facilities Management Division justifying the need for the item requested.

When the request involves the repair of private property mistakenly damaged as a result of police action, the letter shall be considered as a formal request, signifying that the commanding officer has been made aware of the incident.

**Repair of Office Machines, Furniture and Equipment (Except Communications Equipment, Armament, and Vehicles).** Repairs shall be requested by telephoning the Supply Section, Fiscal Operations Division.

A note stating the exact nature of the complaint with the samples of work, if appropriate, showing the various operations where the equipment is malfunctioning shall be attached to the machine.

**Loan of Furniture and Equipment.** Temporary use of furniture and equipment may be requested by directing a letter, justifying the need of such items, to the Officer in Charge, Supply Section, Fiscal Operations Division.

Commanding officers of units to which equipment is assigned, shall retain accountability and responsibility for inventorying furniture and equipment loaned to other commands. Commanding officers shall ensure that loaned equipment is *physically* accounted for within ten days of receipt of an inventory list from Supply Section.

**Chemical Irritant Control Device.** Requisitions for chemical irritant control devices shall be made on a Requisition, Form 15.11, and submitted to the Officer in Charge, Supply Section, Fiscal Operations Division.

**Food Supplies.** Individual Jails shall order food supplies as directed by Jail Division. Jail Division shall provide Fiscal Operations Division with documentation required to obtain payment to the vendor.

**Guns.** Requisitions for guns, including submachine guns and bullet-proof vests, shall be made on a Requisition, Form 15.11, and submitted to the Commanding Officer, Training Division.

**Tear Gas.** Requisitions for tear gas, gas guns, and gas masks shall be made on a Requisition, Form 15.11, and submitted to the Commanding Officer, Training Division.

**516. EQUIPMENT INVENTORY CONTROL.** Inventory control of Department furniture and equipment items shall be effected by Fiscal Operations Division.

Fiscal Operations Division shall, each fiscal year, provide commanding officers with an updated inventory listing of furniture and equipment items for which they are responsible.

**516.20 COMMANDING OFFICER'S RESPONSIBILITY-EQUIPMENT INVENTORY.**

The responsibility for furniture and equipment items shall be as follows:

- \* The Adjutant to the Chief of Police shall be responsible for items assigned to the Office of the Chief of Police.
- \* Each bureau commanding officer shall be responsible for items assigned to his/her bureau office.
- \* Each Area commanding officer shall be responsible for items assigned to his/her Area.
- \* Each division commanding officer, other than those assigned to Areas, shall be responsible for items assigned to his/her division.
- \* The Commanding Officer, Special Operations Support Division, shall be responsible for items assigned to the following section:
  - \* Traffic Coordination Section.
- \* The Commanding Officer, Counter Terrorism and Criminal Intelligence Bureau, shall be responsible for items assigned to the Emergency Services Division.
- \* The Commanding Officer, Detective Bureau, shall be responsible for items assigned to the Investigative Analysis Unit.

Within 15 working days after receiving an inventory listing from Supply Section, a commanding officer shall:

- \* Cause a complete inventory to be taken of all furniture and equipment items in his/her command.
- \* Draw a line through each item on the listing that cannot be accounted for.
- \* Ensure that appropriate lost or theft reports have been completed on all missing items.
- \* Cause all equipment and furniture loaned to other commands to be physically inventoried. The findings of the inventory shall be included in the commanding officer's report to Supply Section.
- \* Add to the listing the description and serial number or LAPD inventory numbers of items in his/her command that are not included on the listing.
- \* Sign the inventory listing acknowledging receipt of, and assuming responsibility for custody, safekeeping, and preventative maintenance of all furniture and equipment items listed.
- \* Complete an Intradepartmental Correspondence, Form 15.2, describing circumstances regarding the loss of any

assigned items, or the acquisition of any items that were added to the listing.

- \* Forward copies of the Form 15.2 and the related lost or theft report(s) to the Commanding Officer, Fiscal Operations Division, Administrative and Technical Services Bureau, and the commanding officer of the concerned group or bureau.
- \* Forward the Form 15.2 and the signed inventory listing to the Officer in Charge, Supply Section.
- \* Retain a copy of the inventory listing.

Commanding officers of divisions that maintain and issue items of equipment such as: hand-held radios, raid jackets, cameras, fingerprint kits and measure meters on a nonpermanent basis, shall be responsible for:

- \* Developing an inventory system to control issuance of each item of equipment.
- \* Ensuring that all equipment is accounted for each time it is checked in or out and that the employee issuing and receiving the equipment is indicated on the inventory control records.

**Note:** To assist in inventory control, the Equipment-Issue Control Card, Form 15.65, may be used.

**516.60 EQUIPMENT INVENTORY UPON A TRANSFER OF COMMAND.**

Prior to an exchange of command, the departing commanding officer shall:

- \* Ensure that his/her copy of the inventory listing is complete and accurate.
- \* Complete an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Fiscal Operations Division, describing the circumstances regarding the loss of any assigned items.

Within ten working days after assuming a new assignment, a commanding officer shall:

- \* Verify the accuracy of the previous commanding officer's copy of the inventory listing.
- \* Complete an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Fiscal Operations Division, acknowledging acceptance of responsibility for assigned furniture and equipment items.

**516.80 EQUIPMENT TRANSFER.**

Personnel desiring to transfer furniture or equipment items from an Office, group, bureau, Area, or division to another Office, group, bureau, Area or division shall submit a request on an Intradepartmental Furniture and Equipment Transfer Record, Form 11.10, to Supply Section, prior to the transfer of items. Supply Section shall cause the transfer of the items.

**520. REALLOCATION OF SPACE AFFECTING OTHER COMMANDS.**

When a staff or command officer desires reallocation of space within a police facility not solely under his/her command, the staff or command

shall forward an Intradepartmental Correspondence, Form 15.2, to the Chairperson, Police Facilities Committee (Manual Section 2/093.50), requesting the reallocation.

**524. CONSERVATION OF ELECTRICITY.**

Supervisory officers shall make necessary inspections of light fixtures to prevent waste of electricity.

- \* Fluorescent fixtures shall be turned off in rooms which will not be used for a period of two hours.
- \* Incandescent fixtures shall be turned off in rooms not in use.

**532. VEHICLE KEYS.**

**532.20 KEY BOARDS.** Each division or Area having automotive equipment shall maintain a station key board. The station key board shall contain a sufficient number of spaces or hooks to accommodate two sets of keys for each vehicle assigned to the division or Area and those keys the commanding officer considers necessary for normal station operation.

**532.40 EXTRA VEHICLE KEYS.**

Every motor vehicle operated by the Department shall have six sets of keys. Two sets of keys for each vehicle assigned to a division or Area shall be maintained on the station key board when not in use. A third set shall be maintained by the watch commander or equivalent officer in charge. The fourth set shall be maintained by the Area/division for emergency preparedness purposes. The remaining two sets of keys shall be maintained by Motor Transport Division.

**532.60 VEHICLE KEY REPLACEMENT.**

Missing or additional keys shall be requested by submitting an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Motor Transport Division. Damaged or other non-operable keys shall be replaced by contacting the Central Garage Supervisor.

**536. DEPARTMENT BUILDING AND ROOM KEYS.**

**536.10 RESPONSIBILITY FOR PROCURING AND SUPPLYING KEYS.**

Employees responsible for Department-issued keys shall notify their commanding officer when any key is lost, stolen, or damaged. The commanding officer shall then request a replacement by submitting an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Fiscal Operations Division.

**536.20 KEY CONTROL RECORDS.**

Commanding Officers shall establish and maintain records of Department keys assigned to their command.

**Note:** Personnel Division maintains a permanent record of: 1) all Gamewell keys, and 2) 999 keys issued to *sworn* personnel.



The Key Receipt, Form 11.14, shall be completed and distributed when a key is assigned to an employee (Manual Section 5/11.14).

When employees are reassigned, they shall return all keys assigned by their commanding officer. The original copy of the Key Receipt shall be given to the concerned employee, and the division file copy shall be destroyed.

Issuance and replacement of 999 keys:

- \* Personnel Division shall be responsible for the issuance and replacement of 999 keys to sworn personnel.
- \* Commanding officers shall be responsible for the issuance, control, and replacement of 999 keys to civilian personnel.

**Note:** 999 keys shall not be issued to civilian personnel unless required by their job assignment.

**540. BUILDING MAINTENANCE.** Commanding officers and watch commanders shall make regular inspections and take such measures as are necessary to ensure that buildings under their supervision are neat, clean, and in good repair. Watch commanders shall see that assembly room benches and tables are dusted before roll call. In addition, watch commanders shall see that assembly rooms, halls, and other rooms used during the preceding watches are swept and dusted.

**540.15 BUILDING SERVICES COORDINATOR.**

**Building Services Coordinator-Designation.** Commanding officers of each Department entity shall designate a Building Services Coordinator for facilities used by their personnel. Common areas within Department buildings are the shared responsibility of the respective Building Services Coordinators.

**Exception:** The Commanding Officer, Administrative and Technical Services Bureau, shall be designated the Building Services Coordinator for Parker Center. In addition to the duties outlined in Department Manual Section 3/540.15, the Building Services Coordinator for Parker Center shall:

- \* Perform regular inspections of Parker Center and take the necessary measures to ensure that the facility is neat, clean, and in good repair.
- \* Ensure that the Parker Center Unofficial Bulletin Board is organized and has no unauthorized material posted as defined in Department Manual Section 3/550.15.
- \* Ensure that miscellaneous articles are not attached in any manner to the doors, walls, windows, partitions, or the elevators of Parker Center.
- \* Ensure that no sales/fund raising activities are conducted within Parker Center's lobby/reception area, located on the first floor.
- \* Ensure that fund-raising activities are approved by the fund-raising committee

and the concerned bureau commanding officer prior to the activity.

**Building Services Coordinator-Responsibility.** The Building Services Coordinator shall:

- \* Establish liaison with the Building Services Liaison, Facilities Maintenance Section, Facilities Management Division.
- \* Conduct regular inspections of assigned areas for problems and preventive maintenance needs.
- \* Telephonically notify the Building Services Liaison, Facilities Maintenance Section, Facilities Management Division, when requesting emergency building services, and maintain a log of all such requests.

**Note:** When Facilities Maintenance Section, Facilities Management Division is closed, requests for emergency repairs or janitorial services which are not provided by Custodial Service Attendants shall be reported to Building Maintenance and Operations Division, Department of General Services.

- \* Initiate written requests for non-emergency building services to the Commanding Officer, Facilities Management Division.
- \* Retain the active Building Repair or Service Requests, Form General 113, received from the Building Services liaison until the requested services are completed.
- \* Upon verifying the completion of the requested services, sign and forward the completed Form General 113 to Facilities Management Division.

**540.30 EMERGENCY REQUESTS FOR BUILDING REPAIRS.** When the office of the Commanding Officer, Facilities Management Division, is closed, requests for emergency repairs or janitorial services which are not provided by orderlies shall be telephonically reported to Building Maintenance and Operations Division, Department of General Services.

**541. CALENDARS.** Wall calendars other than those issued by the Department shall not be used in Department-owned or controlled premises. Calendars with commercial advertising shall not be displayed.

**546. REQUESTING REFILLS FOR FIRE EXTINGUISHERS.** When employees use, or cause the discharge of, any part of the contents of fire extinguishers located on Department premises, they shall notify their commanding officer.

Upon becoming aware that a fire extinguisher has been used, the commanding officer of the premises where the fire extinguisher is located shall ensure that the office of the Commanding Officer, Facilities Management Division is notified telephonically as soon as practicable. The notification shall include the location and type of the extinguisher (foam, soda and acid, or carbon dioxide).

**550. BULLETIN BOARDS.**

**550.10 OFFICIAL BULLETIN BOARDS-ESTABLISHED.** A separate bulletin board, or a designated portion of a bulletin board, shall be established as an official bulletin board at each division. Official bulletin boards shall be placed at a location convenient to all personnel.

**Material Posted on Official Bulletin Boards-Restrictions.** Only Department publications of an informative or directive nature, and material which is approved by the division commanding officer, shall be posted on an official bulletin board.

**Note:** The Commanding Officer, Van Nuys Area, shall be responsible for assigning and controlling use of space on bulletin boards located on the ground floor of Valley Headquarters Building.

**550.15 UNOFFICIAL BULLETIN BOARDS-AUTHORIZED.** Unofficial bulletin boards may be established for the posting of miscellaneous material which is approved by the division commanding officer.

**550.20 INSPECTION OF BULLETIN BOARDS.** Division commanding officers shall be responsible for routine inspections of division bulletin boards, including assigned portions of joint bulletin boards.

The Commanding Officer, Van Nuys Area, and the Building Services Coordinator, Parker Center, respectively, shall be responsible for routinely inspecting the unassigned portions of joint bulletin boards in the Valley Headquarters Building and Parker Center.

**556. EMERGENCY REQUISITIONING OF JAIL EQUIPMENT.** Jail personnel may obtain emergency exchange of soiled bedding, blankets, or towels at the Police Supply Section, Materials Management Services Division, Department of General Services, on weekdays between 0700 and 1500 hours.

**558. LOAN OF EMERGENCY WEAPONS AND FIELD EQUIPMENT.** Emergency weapons and field equipment issued by Central Property Section, or Valley Property Section, Property Division, shall be returned within time limits determined by the Commanding Officer, Property Division.

**Note:** Emergency weapons and field equipment are stored at Central and Valley Property Sections, only under exigent circumstances (Manual Sections 2/345.35 and 2/345.55).

**564. COMMUNICATIONS EQUIPMENT-INSTALLATION, REMOVAL, EXTENSION, AND REPAIRS.**

**564.10 INSTALLATION, REMOVAL, AND EXTENSION OF COMMUNICATIONS EQUIPMENT.** All requests for installation, removal, or extension

of communications equipment, telephones, including cellular telephones, shall be directed to the Commanding Officer, Facilities Management Division on an Intradepartmental Correspondence, Form 15.2.

**564.20 REQUESTS FOR COMMUNICATION EQUIPMENT.**

Commanding officers preparing requests for new communication equipment shall coordinate such requests with Communications Division.

**564.30 FIELD TELEPHONE REPAIRS.**

Requests for field telephone repairs shall be directed to the Wire and Signal Division, Information Technology Agency.

**564.50 TELEPHONE REPAIRS.** Requests for telephone repairs shall be directed to the Facilities Management Division.

**564.70 TELETYPE REPAIRS.** The Teletype Section, Records and Identification Division, shall be notified immediately in the event of failure of teletype machines.

**564.90 RADIO REPAIRS.** Requests for radio repairs shall be directed to the Electronics Division, Public Utilities and Transportation Department. Metropolitan units should be serviced at the radio repair shop. Outlying units will be serviced by a mobile service truck.

**566. CELLULAR TELEPHONES.**

**Requests for Department Cellular Telephones.** Requests for Department cellular telephones shall be submitted on an Intradepartmental Correspondence, Form 15.2, to Facilities Management Division and must include justification for issuance. Requests from divisions must be approved by the concerned division's bureau commanding officer. Bureau commanding officers should evaluate each request and determine if the issuance of a cellular telephone is in the best interest of the Department and the City prior to approving and forwarding the request to Facilities Management Division. Final approval for the issuance of cellular telephones shall be the responsibility of the Commanding Officer, Facilities Management Division.

**Use of Department Cellular Telephones.** Department cellular telephones are issued to conduct City-related business while away from City facilities. Council policy prohibits personal calls on cellular telephones except for urgent personal business and directs that such calls be charged to the employee's home telephone number or the employee's personal credit card.

Expenses for any personal calls not charged to the employee's home telephone number or credit card shall be reimbursed in accordance with instructions on the Department of General Services Telephone Payment Approval, Form GS/1.

**Non-Budgeted Cellular Telephones.** Cellular telephones obtained and maintained through

the Forfeited Assets Trust Fund or with funds from grants, gifts, private sources, or any source other than the Information Technology Agency are non-budgeted cellular telephones (Manual Section 3/520.20). Requests for these cellular telephones shall be routed through the same internal Department approval cycle as Information Technology Agency funded instruments. Such requests shall also include the source of funds for the purchase, installation, maintenance, and monthly bill. The concerned commanding officer shall ensure that applicable procedures are followed.

**Employee's Commanding Officer-Responsibility.** Commanding officers shall be responsible for the proper use and control of all Department cellular telephones assigned to their command. This responsibility includes monthly audits of all cellular telephone bills and confirmation that employees adhere to the reimbursement procedures established by Information Technology Agency.

**567. EMERGENCY OPERATIONS ORGANIZATION (EOO) TELEPHONES.**

The EOO cellular telephones shall only be used in the event of a major disaster or emergency which is, or is likely to become, beyond the control of the normal services provided by the Department. Emergency Operations Organization cellular telephones shall not be used to facilitate emergency operations that are within the scope of a division's customary responsibilities nor is usage intended for day-to-day emergencies, which include barricaded suspect incidents or pursuits.

The concerned Area and traffic division commanding officers, the Commanding Officer, Metropolitan Division, and the Commanding Officer, Emergency Services Division, shall be responsible for the proper care and maintenance of the assigned cellular telephones and shall ensure that:

- \* Personnel assigned EOO cellular telephones have been properly trained in the care, use, and testing of the equipment and that they understand and adhere to EOO policy regarding cellular telephone use.
- \* The EOO cellular telephone is stored in a secured location.
- \* A monthly audit is performed to ensure that the EOO cellular telephone is fully operational.

**568. RADIO AND ELECTRONIC INVESTIGATION EQUIPMENT.**

**568.05 ELECTRONIC SURVEILLANCE EQUIPMENT-DEFINED.**

Electronic surveillance equipment is that apparatus used to detect, locate, observe, photograph, record or intercept information about persons under Department investigation without their knowledge. Electronic surveillance equipment is divided into two categories:

- \* **Restricted Items.** Restricted items normally include all electronic surveillance

equipment designed or adapted for concealed use. Included are items such as: pen registers; trap traces; transmitters capable of being concealed in an automobile, room or telephone; body transmitters; induction coils; and receivers and recorders when used with hidden transmitters. Tracking or tailing devices and other non-visual equipment are also restricted items. Use of restricted electronic surveillance equipment requires authorization of a command or staff officer.

**Note:** With the exception of miniature recorders, on-duty employees shall not possess or use privately owned restricted electronic surveillance equipment. When used, privately owned miniature recorders are subject to the same authorization requirements as other restricted items.

- \* **Discretionary Items.** Discretionary items are those items not specifically designed for concealed use, but which can be used in a concealed manner. When used for such purposes, discretionary items temporarily become restricted items of electronic surveillance equipment and, as such, their use is controlled. Discretionary items include tape recorders, mini-recorders, hand-held radio receivers, T.V. cameras and video recorders, night-viewing devices, repeaters and cameras.
- \* **Provide Security.** All employees using electronic surveillance equipment shall provide security for the equipment while it is in their possession.
- \* **Return Equipment.** Ensure that the equipment is safely returned to the assigned unit as soon as possible after the equipment's usage.

**568.10 REQUESTS FOR USE OF RESTRICTED ELECTRONIC SURVEILLANCE EQUIPMENT.**

The following procedure shall be followed for every use of restricted electronic surveillance equipment.

**Obtain Authorization.** Employees shall obtain proper authorization prior to using restricted electronic surveillance equipment.

**Complete Training.** Prior to using electronic surveillance equipment, employees shall satisfactorily complete required training.

- \* **Investigating Officers.** Investigating officers who require the use of restricted surveillance equipment shall complete the top portion of an Authorization to Use Restricted Electronic Surveillance Equipment, Form 12.41, and submit the form to a supervisor for approval.

**Note:** When the investigation is of a sensitive nature, only the shaded items are required to be completed.

- \* **Supervisors.** Supervisors receiving a Form 12.41 from investigating officer(s) shall review the request and discuss the intended

use of the equipment with the investigating officer(s). Supervisors approving the request shall cause the Form 12.41 to be submitted either to their bureau commanding officer or designated staff officer responsible for the investigation.

**Note:** When exigent circumstances exist, the Department Command Post, Communications Division, may be contacted for assistance in locating a *staff* officer. Bureau commanding officers or staff officers may grant telephonic authorization to use restricted electronic surveillance equipment, when the circumstances of the situation do not allow for approval through normal channels. When telephonic approval is granted, the name of the approving bureau commanding officer or staff officer shall be printed on the line where they would normally sign and the notation "telephonic" shall be placed next to the staff officer's name.

\* **Staff Officers.** The bureau commanding officer or designated staff officer responsible for the investigation shall review all requests for authorization to use restricted electronic surveillance equipment. If the bureau commanding officer or designated staff officer responsible for the investigation or staff officer agrees with the proposed equipment usage they shall sign the Form 12.41.

**Note:** All requests for use of restricted electronic surveillance equipment shall be approved by a bureau commanding officer or staff officer. Bureau commanding officers or staff officers shall not delegate their authority to authorize the use of restricted electronic surveillance equipment.

**568.15 REVIEW.** Upon completion of the investigation and return of the equipment, the concerned commanding officer *and* a staff officer shall review the Authorization to Use Restricted Electronic Surveillance Equipment, Form 12.41.

**Commanding Officer's Responsibility.** The commanding officer reviewing the restricted electronic surveillance equipment usage shall:

- \* Evaluate the equipment usage for its compliance with all the aspects of technical, legal, and procedural requirements for the use of restricted electronic surveillance equipment. Appropriate comments, if any, shall be made in the "After Action Evaluation" portion of the Form.
- \* Determine if the equipment was used as authorized. Whenever modifications or deviations are noted they shall be explained in the "After Action Evaluation."
- \* Ensure that serial numbers of any tape(s) used, and the date and time the equipment was returned to the issuing unit, are recorded in the appropriate sections of the "After Action Evaluation."
- \* Certify that a review of the equipment usage has been conducted by signing the

"After Action Evaluation" section of the Form 12.41.

- \* Cause the Form 12.41 to be delivered to the concerned staff officer for review.

**Bureau Commanding Officer's or Staff Officer's Responsibility.** The bureau commanding or staff officer reviewing the use of restricted electronic surveillance equipment shall:

- \* Ensure that the concerned commanding officer has reviewed the Form 12.41 and properly evaluated the technical, legal, and procedural aspects of the equipment usage.
- \* Document the review of the equipment usage by signing and dating the Form 12.41.
- \* Forward the completed Form 12.41 to the Commanding Officer, Administrative and Technical Services Bureau.
- \* Notify the Chief of Police of any concerns and/or problems that arise from electronic surveillance equipment usage.

**Commanding Officer, Administrative and Technical Services Bureau – Responsibility.** The Commanding Officer, Administrative and Technical Services Bureau, shall review all uses of restricted electronic surveillance equipment and shall be responsible for the following special duties relating to the use of such equipment:

- \* Maintaining a confidential file of all approved Authorizations to Use Restricted Electronic Surveillance Equipment, Form 12.41.
- \* Evaluate equipment needs for maintenance, planned replacement, assessments of future technology and/or efficiency, and effectiveness of the Department equipment resources.

**568.20 REQUESTS FOR ASSIGNMENT OF STORED ELECTRONIC INVESTIGATION EQUIPMENT.** Requests for assignment of electronic investigation equipment stored at Scientific Investigation Division shall be made by commanding officers on an Intradepartmental Correspondence, Form 15.2, in duplicate. Requests for assignment on a permanent basis shall be submitted through channels to the Commanding Officer, Administrative and Technical Services Bureau. Requests for assignment on a temporary basis shall be submitted through channels to the Commanding Officer, Scientific Investigation Division. Electronic investigation equipment assigned on a temporary basis by Scientific Investigation Division shall be returned upon completion of the assignment.

**Note:** In an emergency, the Officer in Charge, Electronics Section, Scientific Investigation Division, may temporarily assign electronic investigation equipment pending the approval of the Commanding Officer, Scientific Investigation Division.

**568.30 DUTIES OF COMMANDING OFFICER, INFORMATION AND COMMUNICATION SERVICES BUREAU-ASSIGNMENT OF STORED ELECTRONIC INVESTIGATION EQUIPMENT.** Upon receiving a request for the permanent assignment of electronic investigation equipment which is stored at Scientific Investigation Division, the Commanding Officer, Information and Communications Services Bureau, shall determine the necessity for the requested equipment.

- \* If the request is approved, forward the original copy to Scientific Investigation Division and return the approved duplicate to the division receiving the equipment.
- \* If the request is disapproved, return the request to the originator with an explanation for the disapproval.

**568.40 CONTROL OF ELECTRONIC SURVEILLANCE EQUIPMENT.** Control of electronic surveillance equipment is the responsibility of the commanding officers of the following organizational entities:

**Unit to Which Equipment is Assigned-Responsibilities.** The commanding officer of every unit which maintains and uses electronic surveillance equipment shall be responsible for:

- \* Maintaining control over issuance of all electronic surveillance equipment assigned to the unit. The Electronic Surveillance Equipment Inventory Card, Form 12.42, may be used for this purpose.
- \* Submitting within 30 days, the inventory records of all electronic surveillance equipment acquired since the last annual inventory.
- \* Determining if persons requesting the loan of electronic surveillance equipment are sufficiently qualified to properly use the equipment.
- \* Maintaining, in proper working order, all electronic surveillance equipment assigned to the unit.
- \* Ensuring that personnel have been properly trained prior to using electronic surveillance equipment. Such training shall encompass technical, legal, and operational aspects of equipment usage.

**Note:** The commanding officer of every unit which frequently uses or regularly maintains electronic surveillance equipment shall appoint a minimum of two officers to act as unit electronic surveillance equipment coordinators. Officers appointed to this position shall perform their duties in addition to their regular assignment. Officers in this assignment shall have their days off and vacations scheduled so that one coordinator is always available during the unit's normal duty hours.

**Unit Using Equipment-Responsibilities.** The commanding officer of every unit using electronic surveillance equipment shall:

- \* Ensure that all officers using equipment are trained in the technical, legal, and operational aspects of electronic surveillance equipment usage.
- \* Ensure that each use of restricted electronic surveillance equipment is documented by a completed and approved Authorization to Use Restricted Electronic Surveillance Equipment, Form 12.41.
- \* Ensure that the equipment, while it is in the possession of the unit, is adequately secured and that it is afforded care and maintenance to ensure its continued operation.
- \* Ensure that all equipment is returned to the unit assigned the items as soon as possible.
- \* Ensure that whenever possible, all equipment installation and usage is completed in the presence of a supervisor.

**Scientific Investigation Division-Responsibility.** The Commanding Officer, Scientific Investigation Division, shall be responsible for the following duties and functions related to all electronic surveillance equipment:

- \* Functionally supervising the mechanical or technical aspects of all electronic surveillance equipment usage within the Department.
- \* Approving all replacement equipment for technical standards.
- \* Maintaining inventory records for all Department electronic surveillance equipment. The Electronic Surveillance Equipment Inventory Card, Form 12.42, shall be used for this purpose.
- \* Coordinating annual maintenance inspections and physical inventories conducted at the direction of each bureau commanding officer, and providing Scientific Investigation Division assistance in such inspections and inventories.
- \* Reviewing all budget and grant requests for electronic surveillance equipment and all purchases of such equipment, including component parts and attachments, to ensure Department wide compatibility.
- \* Inspecting all newly-acquired equipment prior to its delivery to the requesting unit and inspecting all unserviceable equipment prior to its delivery to Supply Section for disposal.

**568.45 SURVEILLANCE EQUIPMENT TRAINING RESPONSIBILITY.** Training in the technical, legal, and operational use of electronic surveillance equipment shall be the combined responsibility of the Commanding Officer, Training Division, and the commanding officer of any unit using electronic surveillance equipment.

**Commanding Officer, Training Division-Responsibility.**

- \* Developing a comprehensive training program to instruct members of this Department in the technical, legal, and

operational aspects of electronic surveillance equipment usage.

- \* Incorporating electronic surveillance equipment training into Department schools for vice and narcotics officers, investigators, sergeants, lieutenants and captains.

**568.50 STORAGE OF UNASSIGNED ELECTRONIC INVESTIGATION EQUIPMENT.** Unassigned electronic investigation equipment shall be stored in a safe and secure place at Scientific Investigation Division.

**568.60 REPAIR OF RADIO EQUIPMENT.** When radio equipment is in need of repair, Communication Division, Information Technology Agency (ITA), shall be notified by telephone without delay.

- \* When emergency repairs are needed on radio equipment and personnel of Communications Division are not available, such repairs may be made by the Electronics Section, Scientific Investigation Division.
- \* When emergency repairs are made on radio equipment by other than ITA Communications Division personnel, the Director of Communications shall be notified as soon as practicable.
- \* The Director of Communications, when informed that emergency repairs have been made on radio equipment, will assign a technician to inspect the repaired equipment and make any necessary repairs or changes to bring the equipment within Department standards.

**568.70 REPAIR OF ELECTRONIC INVESTIGATION EQUIPMENT.** When electronic investigation equipment maintained by Scientific Investigation Division is in need of repair, the Electronics Section, Scientific Investigation Division, shall be notified by telephone, without delay:

- \* When emergency repairs are needed on electronic investigation equipment and personnel of Scientific Investigation Division are not available, such repairs may be made by personnel of the unit to which the equipment is assigned;
- \* When emergency repairs are made on electronic investigation equipment by other than Scientific Investigation Division personnel, the Electronics Section, Scientific Investigation Division, shall be notified as soon as practicable; and,
- \* When notification has been received by the Electronics Section, Scientific Investigation Division, that emergency repairs have been made on electronic investigation equipment, a technician shall be assigned to inspect the repaired equipment and make any necessary repairs or changes to bring the equipment within Department standards.

**Exception:** Repair of dictating and transcribing equipment shall be requested in

the same manner as radio repairs (Manual Section 3/568.60).

**568.80 TESTING OF ELECTRONIC INVESTIGATION EQUIPMENT.** The officer in charge of a unit having electronic investigation equipment which is not in use shall test the equipment monthly to determine that it is in proper condition.

**569. RECORDING TAPES.**

**569.20 RECORDING TAPE COORDINATOR.** The commanding officer of each geographic Area and each specialized investigative or traffic division shall designate an officer in his command as the Area or divisional Recording Tape Coordinator.

**Note:** Other division commanding officers may, when the use of tapes indicates the necessity, designate a Recording Tape Coordinator.

A record of all tapes utilized by Area or divisional personnel shall be established by the Recording Tape Coordinator, who shall:

- \* Forward all recorded tapes no longer required for investigation purposes to Scientific Investigation Division for storage.
- \* Complete a Sound Recording Tape Issue/Receipt, Form 12.48 "C" slip, when a recorded tape is no longer desired and a Sound Recording Tape Issue/Receipt, Form 12.48 "B" slip, has been previously filed at Scientific Investigation Division, and forward the Form 12.48 "C" slip and tapes to Scientific Investigation Division.
- \* Ensure that all recorded and blank tapes are maintained in a locked recording tape cabinet.
- \* Ensure that the Recording Tape Inventory, Form 12.40, is properly completed and maintained.
- \* Order blank tapes from Scientific Investigation Division, as needed.
- \* Audit the division recording tape system on a monthly basis.
- \* Ensure that a Sound Recording Tape/Issue Receipt, Form 12.48 "A" slip, is completed for each assigned tape that is transferred to another Recording Tape Coordinator, and forward the Form 12.48 "A" slip to Scientific Investigation Division.

**Note:** These procedures do not apply to personal recording tapes used by officers to record community contacts (Manual Section 3/570).

**569.40 ELECTRONICS SECTION, SCIENTIFIC INVESTIGATION DIVISION-RESPONSIBILITY.** The Electronics Section, Scientific Investigation Division, shall be responsible for:

- \* Ensuring that a Sound Recording Tape Issue/Receipt, Form 12.48 "A" slip, is completed for each recording tape issued to Recording Tape Coordinators.

- \* Supplying recording tapes as requested by Recording Tape Coordinators.
- \* Maintaining a file of duplicate copies of the Recording Tape Inventory, Form 12.40.
- \* Reviewing monthly audits conducted by Recording Tape Coordinators.
- \* Retaining recorded tapes in compliance with the Los Angeles City Administrative Code, Section 12.3.

**570. TAPE RECORDING OF COMMUNITY CONTACTS.** An officer in an uniformed assignment may use a personal tape recorder to record **in-person** community contacts at the officer's option. When an officer chooses to tape record community contacts, the procedures outlined in this section shall be followed.

**Note:** Tape recordings of suspects' statements and recordings made during criminal investigations shall be made in accordance with existing law and procedures for these types of recordings. Tape recordings involving proceedings shall be made in accordance with existing personnel practices and the Public Safety Officer's Procedural Bill of Rights.

**Officer's Responsibility.** Uniformed officers wishing to use personal tape recorders to record community contacts shall submit a Request to Use a Personal Tape Recorder, Form 12.45, to their commanding officer. Personal tape recorders shall not be used without the approval of the concerned commanding officer. This approval shall remain in effect until the officer transfers to a non-uniformed assignment or the approval is revoked. If an officer desires to resume tape recording community contacts after transferring back into a uniformed assignment, a new Request to Use a Personal Tape Recorder shall be submitted.

Officers who obtain approval to use a personal tape recorder to tape community contacts and subsequently elect to discontinue the practice shall notify their commanding officer of this decision via an Employee's Report, Form 15.7.

Officers who use personal tape recorders to record community contacts are responsible for maintaining the recorders in proper working order, providing their own tapes, storing tapes, and maintaining personal records to ensure tapes of incidents are retrievable if needed. Whenever tape recording a contact, officers shall:

- \* Use only new, blank tapes.

**Note:** New tapes may be used until they are full. Once full, tapes may not be erased and reused.

- \* On tape, either during or following the contact, identify themselves, the date and time, and the name of the person or persons being recorded.
- \* Activate the tape recorder as soon as possible, consistent with officer safety and prudent field tactics. Once activated, the

tape recorder shall remain on for the remainder of the contact.

**Note:** If the contact is interrupted (i.e., officer returns to the unit to write a citation or do a warrant check and there will be no contact with the person involved for several minutes), the tape may be stopped and restarted upon continuing the conversation.

- \* Record each contact during which a recording is made on the Daily Field Activities Report, Form 15.52, and place a "T" in a circle at the end of the recorded person's name on the Activities Report.
- \* Make tapes available in a timely manner for audit and administrative review at the request of a Department supervisor.

Authorization to use personal recorders to tape community contacts may be revoked by the commanding officer if an officer fails to comply with the provisions of this section.

Officers shall not tape record telephone conversations except in accordance with existing law and Department electronic surveillance guidelines (Manual Section 3/568).

**Retention of Tapes.** All tape recordings shall be retained and maintained by the officer making the recording for a minimum of **two years**.

**Recordings of Contacts Resulting in Arrest or Crime Reports, Personnel Complaints, and Civil Lawsuits.** Whenever an incident is tape recorded and:

- \* An Arrest Report, Form 5.2, is completed;
- \* A Release from Custody Continuation Report, Form 5.2.8, is completed;
- \* A crime report is completed;
- \* The recording involves a personnel complaint; or
- \* The recording involves a civil suit against the City, the Department, or the officer.

The fact that a tape recording was made shall be documented in the related reports, discovery questionnaires, or Employee's Report, Form 15.7 (civil suits).

Officers shall provide tapes containing discoverable material or information relevant to personnel investigations, criminal investigations, and civil suits to prosecutors, defense attorneys, and personnel complaint/civil suit/criminal investigators upon request under existing Department discovery, criminal, and complaint investigation procedures.

**Note:** Officers shall, upon their request, be provided with a copy of surrendered tapes. The concerned investigator shall have surrendered tapes copied at Scientific Investigation Division and provide the requested copy to the officer.

**Supervisor's Responsibility.** Supervisors shall conduct random audits of tape records and

recordings made by officers to ensure compliance with these procedures.

**Commanding Officer's Responsibility.** Commanding officers shall review and evaluate each Request to Use a Personal Tape Recorder on a case-by-case basis. If a request is denied, the commanding officer shall document the reason for the denial and ensure that the officer is notified.

Upon being notified that an officer desires to discontinue tape recording community contacts, commanding officers shall ensure that the approved Request to Use a Personal Tape Recorder is removed from the officer's divisional personnel package and filed in division files for storage in accordance with records retention guidelines for original documents.

When an officer is transferred to another command, the officer's Requests to Use a Personal Tape Recorder, which are maintained in division files, shall be transferred to the new assignment with the officer. The forms shall be maintained in the division files at the new command.

**Scientific Investigation Division's Responsibility.** Scientific Investigation Division shall produce copies of tape recordings in response to requests related to discovery, administrative or criminal investigations, and duty-related civil suits, except as previously noted in this section.

**572. ARMAMENT.** Department armament includes, but is not limited to, firearms, ammunition, chemical agents, bulletproof vests and face masks, and accessories.

**572.20 CONTROL OF ARMAMENT.** Department-owned armament shall be transferred only by the Department Armorer. Division commanding officers may make temporary loans between divisions to meet emergencies.

**572.40 INSPECTION AND INVENTORY OF ARMAMENT.** A division commanding officer shall cause an inspection and an inventory to be made of the Department armament assigned to the division at least semi-annually.

**Armament Report.** Division commanding officers, shall submit a Semi Annual Equipment Report, Form 15.61, on January 1 and July 1.

**572.60 REPLACEMENT OF ARMAMENT.** Following the expenditure of Department armament, a requisition for its replacement shall be made without delay. Reference shall be made to the DR numbers connected with the expenditure.

**579. LOSS, THEFT, DAMAGE OR DESTRUCTION OF ELECTRONIC COMMUNICATION EQUIPMENT**

**579.10 MOBILE DATA TERMINAL DAMAGE.**

**Officer's Responsibility.** When an officer damages or discovers an MDT with visible signs of damage, they shall immediately report it to their watch commander and prepare an Employee's Report, Form 15.7, for the watch commander's approval. The Form 15.7, shall include, but not be limited to, the following information:

- \* Cause and nature of the damage (if known);
- \* State if the MDT is still operable;
- \* Vehicle shop number; and,
- \* Mobile Data Terminal number.

**Watch Commander's Responsibility.** Upon receipt of an officer's completed Form 15.7, the watch commander shall assign a supervisor to conduct an **immediate** investigation of the damage. This investigation shall be documented on a Form 15.7. The supervisor's investigation and the officer's 15.7 shall be reviewed by the watch commander. The watch commander shall also ensure that a Motor Vehicle Trouble Ticket, Form 11.03 is completed. The forms shall be forwarded to the commanding officer for review and approval.

**Note:** Malfunctioning MDTs resulting from normal use will continue to be repaired by submitting a completed Motor Vehicle Trouble Ticket, Form 11.03 and the approval of any supervisor.

**Supervisor's Responsibility.** Supervisors assigned to conduct the damage investigation shall inspect the MDT and document the investigation on a separate Form 15.7, which shall include, but not be limited to, the following information:

- \* A detailed description of the damage;
- \* Photographs of any visible damage;
- \* The MDT number;
- \* An assessment regarding the cause of the damage; and,
- \* Any other relevant or pertinent information

**Note:** If at any time during the investigation the supervisor becomes aware of MDT damage caused by misconduct, the supervisor shall immediately initiate a Department Complaint Investigation pursuant to existing policy.

**Commanding Officer's Responsibility.** Commanding officers shall review the completed investigation to determine if the investigation is complete and addresses all pertinent issues. After review, the Motor Vehicle Trouble Ticket, Form 11.03 shall be forwarded to Motor Transport Division to ensure that the MDT is repaired. Approval of the investigation shall be documented on an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Information and Communications Services Bureau, and forwarded with a copy of the investigation and Motor Vehicle Trouble Ticket to the respective

bureau commanding officer for review and approval.

**Bureau Commanding Officer's Responsibility.** Bureau commanding officers shall review the results of the investigation. After review, copies of the investigation shall be forwarded to the Commanding Officer, Information and Communications Services Bureau.

**Commanding Officer, Information and Communications Services Bureau - Responsibility.** The Commanding Officer, Information and Communications Services Bureau shall review all investigations surrounding MDT damage and develop a system for tracking and monitoring MDT damage.

**579.20 REPORTING/INVESTIGATING LOSS, THEFT, DAMAGE OR DESTRUCTION OF HANDHELD RADIOS.**

**Employee's Responsibility.** When an employee determines that a handheld or its related equipment (e.g., battery, battery charger, and shoulder microphone) has been stolen, lost, damaged or destroyed, he/she shall immediately report the incident to a supervisor, prepare an Employee's Report, Form 15.7, and if necessary, complete a Preliminary Investigation Report (PIR), Form 3.01.0. The Form 15.7 and any related report shall document the:

- \* The equipment or handheld radio identification number(s);
- \* Date, time, and location of occurrence;
- \* Circumstances related to the theft, loss damage or destruction; and,
- \* When appropriate, action(s) taken to locate handheld radio/equipment.

**Supervisor's Responsibility.** Upon notification or discovery of the loss, theft, damage, or destruction of a handheld radio or related equipment, the supervisor shall conduct an investigation and ensure that the appropriate report(s) are completed. The supervisor shall record his/her investigation on an appropriate supervisor's log (e.g., Sergeant's Daily Report, Form 15.48) and forward the log along with the original Form 15.7 and a copy of the accompanying report(s) to the commanding officer of the command assigned the handheld radio or the equipment.

**Commanding Officer's Responsibility.** When notified of the theft, loss, damage or destruction of a handheld radio or related equipment, the commanding officer shall forward an Intradepartmental Correspondence, Form 15.2 and a copy of any related report(s) to his/her bureau commanding officer for review. The Form 15.2 shall detail the circumstances of the incident and document the action to be taken, including the initiation of a personnel complaint, when appropriate. One copy of the Form 15.7 and related PIR (if any)

shall be maintained with the handheld radio inventory documentation.

**Note:** The original Form 15.7 shall be maintained by the initiating command.

Commanding officers of commands assigned handheld radios and equipment shall maintain a current inventory record of that equipment. The handheld radios and related equipment shall be audited semi-annually during April and October of each year. The results of that audit shall be forwarded via the chain of command to Information and Communications Services Bureau (ICSB).

**Bureau Commanding Officer's Responsibility.** Bureau commanding officers shall review the results of the investigation and forward copies of the report(s) to Administrative and Technical Services Bureau (ATSB) and ICSB.

**Recovery of Lost or Stolen Rovers.** When equipment that has been reported stolen or lost is located, a Follow-Up Investigation Report, Form 3.14 shall be completed. Copies of the Form 3.14 shall be forwarded to the command assigned the equipment, that command's bureau commanding officer, ATSB, and ICSB.

**580. CARE OF DEPARTMENT VEHICLES.**

**580.10 VEHICLE MAINTENANCE.** Division commanding officers shall cause all motorized equipment in their respective divisions to be maintained in the best practicable condition. Division watch commanders shall be responsible for the inspection of motorized equipment for defects at the change of each watch.

**580.20 UNAUTHORIZED CHANGES IN MOTORIZED EQUIPMENT.** No unauthorized employee shall make any alterations, additions, removals, or repairs to City-owned or controlled motorized equipment, nor shall they permit any unauthorized person to perform such changes. This shall not be construed to prevent employees from securing or performing emergency services.

**580.40 TOW SERVICE-DEPARTMENT VEHICLES.** Tow service for Department vehicles may be obtained at any time by notifying the communications control operator either by radio or by telephone. Tow service required for Department vehicles outside Los Angeles County shall be obtained by telephoning Detective Support Division.

**580.50 CANCELLATION OF TOW SERVICE.** After a request has been made for tow service and that service is no longer necessary, or additional information need be delivered to the tow truck operator, the communications control operator shall be immediately notified.

**580.60 AUTOMOTIVE PARTS-AREA GARAGES.** Automotive parts may be secured

through divisional stockrooms or the Central Automotive warehouse. Motor Transport Division personnel receiving parts shall account for all parts received according to current MTD policy for each vehicle identified by its shop number. All used parts which are being replaced shall be discarded according to MTD policies and within all applicable local, State and Federal regulations governing automotive products and chemicals.

**580.80 VEHICLE RESOURCES MANAGEMENT PROGRAM.**

**Commanding Officer Responsibility.** Each commanding officer shall:

- \* Ensure that vehicles are pooled during normal duty hours to achieve maximum utilization of vehicles assigned to the division.
- \* Internally adjust vehicle assignments to equalize mileage build-up.

**Note:** Divisions based at Parker Center shall use the Parker Center Motor Pool only after the supply of assigned and available divisional vehicles has been exhausted.

**Exception:** Low-profile and specialized vehicles, not adaptable to general patrol or routine police functions, shall be excluded from pooling.

- \* Prepare an original and two copies of the Vehicle Resources Quarterly Report, Form 15.69, and submit the original and one copy to his/her bureau commanding officer.

**Group or Bureau Commanding Officer's Responsibility.** Each group or bureau commanding officer, using the Vehicle Resources Quarterly Report, Form 15.69, shall, on a quarterly basis:

- \* Review vehicle resources management on a bureau-wide basis.
- \* Direct a group or bureau approved copy of the Vehicle Resources Quarterly Report, Form 15.69, to the Commanding Officer, Administrative and Technical Services Bureau.

**Administrative and Technical Services Bureau - Responsibility.** Administrative and Technical Services Bureau shall:

- \* Review vehicle resources management on a Department wide basis.
- \* Make Department wide adjustments, as necessary.

**580.90 VEHICLE TRANSFERS.** Administrative and Technical Services Bureau, shall apply Department approved vehicle formulas to the number of authorized personnel of each Area/division and allocate police passenger vehicles when appropriate.

**Note:** Police passenger vehicles are defined as:

- \* Marked black and white vehicles.
- \* Plain vehicles.

- \* Undercover vehicles.

Fleet Services Section, MTD, shall telephonically notify involved Area/division fleet coordinators of vehicle transfers, and send each coordinator a copy of the vehicle transfer. The notification will normally be made one week prior to the effective date of transfer.

**Commanding Officer's Responsibility.** Area/division commanding officers shall assign a day watch supervisor as Fleet Coordinator.

**Fleet Coordinator's Responsibility.** When the Fleet Coordinator becomes aware that a vehicle assigned to his or her Area/division is to be transferred to another Area/division, the Fleet Coordinator shall, four days prior to the effective date:

- \* Cause the vehicle records and keys to be gathered.
- \* Cause the concerned vehicle to be available for transfer.

When Fleet Coordinators become aware that a vehicle is to be transferred to their Area/division, they shall:

- \* Notify the Area/division forfeiting the vehicle of the impending transfer.
- \* Arrange for a transfer of the vehicle to occur three days prior to the effective transfer date.
- \* Take possession of the vehicle and all records from the forfeiting Area/division.
- \* Immediately arrange for the appropriate radio and decal adjustments to occur.
- \* Notify the Fleet Services Section, MTD of the completed transfer.

**Commanding Officer, Motor Transport Division-Responsibility.** When the Commanding Officer of Motor Transport Division is notified by Administrative and Technical Services Bureau of a vehicle transfer, he or she shall adjust mechanic to vehicle ratios, if necessary.

**581. USE OF BLACK AND WHITE POLICE VEHICLES BY CIVILIAN PERSONNEL.** Civilian personnel normally shall not use black and white police vehicles. When it is necessary for any civilian employee to operate a black and white vehicle, an "Out of Service" sign shall be prominently displayed on each side of the vehicle.

**582. PARKER CENTER MOTOR POOL.**

**582.50 AUTHORIZING USE OF VEHICLES FROM PARKER CENTER MOTOR POOL.** Vehicles may be obtained from the Parker Center Motor Pool only upon presentation of an approved LAPD Transportation Order, Form 11.34, unless specifically assigned by Motor Transport Division to continuously serve an office within Parker Center, and only after the supply of assigned and available divisional vehicles has been exhausted. Employees from units outside

Parker Center may obtain a vehicle from the Parker Center Motor Pool should there be sufficient vehicles available to meet the normal needs of entities within Parker Center.

**Supervisor's Responsibility.** A supervisor receiving an employee's request for a Parker Center Motor Pool vehicle shall:

- \* Ensure that all vehicles assigned to the requesting employee's unit, if applicable, have been utilized.
- \* Ensure that the reason for the request constitutes an appropriate use of the pool vehicle.
- \* Review LAPD Transportation Order, Form 11.34.0, for completeness.
- \* Indicate the estimated number of miles that will be driven and the duration of the trip on the form.
- \* Complete and sign, if appropriate, the LAPD Transportation Order and return it to the requesting employee.

**Note:** The practice of "rubber-stamping" or "pre-signing" the transportation orders shall not be permitted.

- \* Ensure the pool vehicle is immediately returned once the specific use has been completed.

**Note:** Inappropriate use of a pool vehicle shall consist of:

- \* Obtaining a pool vehicle when its use is not immediately required (i.e., Holding the vehicle for later use).
- \* Utilizing a pool vehicle to attend court in the civic center area unless the use can be justified. Justification may include, but is not limited to the transportation of arrestees, victims, witnesses and/or property.
- \* Utilizing a pool vehicle for transportation to lunch or for personal business.

**Commanding Officer's Responsibility.** Commanding officers of divisions authorized to request the use of Parker Center Motor Pool vehicle shall:

- \* Ensure that the use of divisional vehicles is maximized by pooling during normal duty hours.
- \* Ensure that appropriate training is provided to concerned personnel regarding the request and use of pool vehicles.

**Vehicles for Extended Trips.** When a motor pool vehicle is to be used for an extended trip which requires the issuance of a fuel credit card, the concerned commanding officer shall authorize the use of a vehicle and prepare an LAPD Transportation Order, Form 11.34. This order shall then be submitted to the Watch Commander, Detective Support Division, for approval and issuance of a fuel credit card if said trip conforms with established Department policy.

**582.60 CATEGORIES OF BUSES AND VANS-DEFINED.** The three categories of

buses and vans that may be used for transportation to non-operational settings are:

- \* Buses and vans maintained and controlled by Motor Transport Division (MTD), Parker Center.
- \* **Budgeted** buses and vans controlled by Area commanding officers, maintained by MTD.
- \* **Non-budgeted** buses and vans donated to the Department that are controlled by Area commanding officers, and maintained by MTD.

**582.65 RESTRICTIONS ON TRAVEL DESTINATIONS.** Destinations of travel using a **Department-owned and maintained** bus or van shall be limited to the greater metropolitan area of Los Angeles (local travel), which may include parts of Orange, San Bernardino, and Ventura Counties. Requests for travel to destinations outside of the greater metropolitan Los Angeles area shall be reviewed by the Assistant Commanding Officer, Administrative and Technical Services Bureau, on a case-by-case basis.

**Note:** Travel involving deserts and mountain passes will generally not be approved; therefore, other forms of transportation should be considered.

**582.70 MTD BUS/VAN AVAILABILITY.** The availability of buses and/or vans controlled by MTD that may be used for transportation to non-operational settings shall be telephonically verified through MTD prior to forwarding a written request to the Assistant Commanding Officer, Administrative and Technical Services Bureau.

**582.75 AREA/DIVISION COMMANDING OFFICER-RESPONSIBILITY.** The commanding officer of an Area/division that uses Department-owned and maintained buses or vans for transportation to non-operational settings shall ensure that:

- \* The driver of the bus possesses a valid Class B California Operator's License and has a current medical certificate.
- \* Travel requests to destinations outside of the greater metropolitan area of Los Angeles are reviewed and approved by the Commanding Officer, Administrative and Technical Services Bureau, prior to submission for review by the Office of the Chief of Police.
- \* When the destination of travel is outside of the greater metropolitan area, two copies of all written requests shall be submitted in the prescribed format not later than five working days prior to the date the bus or van will be used.

**582.80 ASSISTANT COMMANDING OFFICER, ADMINISTRATIVE AND TECHNICAL SERVICES BUREAU-RESPONSIBILITY.** Upon receipt of a request to use a Department-owned bus or van for travel outside of the greater metropolitan

area of Los Angeles, the Assistant Commanding Officer, Administrative and Technical Services Bureau, shall determine if the vehicle to be used is mechanically reliable for the travel requested.

**583. VEHICLE LOANS.**

**583.50 LOANED VEHICLES-DEFINITION AND USE.** A loaned vehicle is defined as any vehicle temporarily loaned without cost to the Department by an automobile dealership or other business. Use of these vehicles is restricted to the specific purpose authorized by the bureau commanding officer of the entity to which the vehicle is loaned, but in no event shall the vehicle be used for pursuit or other high speed driving.

If a loaned vehicle is used in the Home-Garaging Program, the loaned vehicle shall be substituted for a City vehicle that is normally taken home. The number of take-home vehicles shall not exceed the number of home-garaging authorities assigned to the concerned entity.

If a loaned vehicle is used in the Home-Garaging Program, the loaned vehicle shall be substituted for a City vehicle that is authorized for the purpose. In no case shall the number of take-home vehicles exceed the number of home-garaging authorities assigned to the specific organizational entity. Loaned vehicles shall be considered City vehicles, and all rules and regulations pertaining to use of City vehicles shall apply.

**583.55 REQUEST FOR LETTER OF INDEMNITY/PROOF OF INSURANCE.** The Request for Letter of Indemnity/Proof of Insurance, Form General 184, is generated by the Department to request a letter of indemnity from the City Office of Finance, Risk Management and Safety Division. The process is intended to provide automobile dealerships or other businesses with limited protection against liability and damage that may result from the Department's use of their vehicle(s). A separate form is required for each loaned vehicle. A Hold Harmless Information Supplemental, Form 11.40.1 (formerly Exhibit "A") shall be submitted concurrently. The form shall list the vehicle contracted for loan to the Department. Each new vehicle trade requires a new Form General 184 and Hold Harmless Information Supplemental to be submitted.

Each Form General 184 shall be completed as directed and the box marked "Personal Property" shall be checked. The requesting entity's commanding officer shall be listed as the initiator of the request. The form, along with the Hold Harmless Information Supplemental, shall be forwarded by the requesting commanding officer to the bureau commanding officer. Upon his/her approval, the bureau commanding officer shall submit both original forms to the City Office of Finance, Risk Management and Safety Division; and forward copies to the commanding officer of the entity requesting

the vehicle loan; Administrative and Technical Services Bureau for distribution to Motor Transport Division; and, the Assistant Commanding Officer, Administrative and Technical Services Bureau.

**Note:** Requesting bureaus are responsible for distributing copies of Form General 184 and the Hold Harmless Information Supplemental **prior to** forwarding the originals to the City Office of Finance, Risk Management and Safety Division.

Each Hold Harmless Information Supplemental shall be completed as directed by the Department entity seeking the vehicle loan. The requestor shall ensure that Motor Transport Division (MTD) inspects the vehicle, if required, and signs off on the Hold Harmless Information Supplemental for approved vehicles. The completed form shall be submitted to the requesting entity's commanding officer, along with Form General 184. Once the approved Form General 184, and Hold Harmless Information Supplemental, are received by the City Office of Finance, Risk Management and Safety Division, a letter of indemnity will be provided to the loaning party. A copy of the letter will be sent to the commanding officer requesting the loan. The loaning party must be in receipt of the letter prior to the vehicle's use.

**583.60 COMMANDING OFFICER'S RESPONSIBILITY.** Commanding officers shall:

- \* Determine the specific need and duration (no longer than 12 months) for the use of loaned vehicle(s);
- \* Ensure that each approved loaned vehicle is assigned a Department shop number and inspected by MTD for safety and damage prior to accepting delivery. Vehicles failing that safety inspection shall not be used;

**Exception:** Vehicles borrowed from car rental agencies and which are to be used for a period of five days or less need not be inspected by MTD nor are the Form General 184 or the Hold Harmless Information Supplemental required. A car rental agency is any business where the primary service offered is *daily* car rental. A dealership that offers car rentals secondary to the selling of automobiles is not considered a rental agency for the purpose of the Section.

- \* Review and forward the Form General 184, and the Hold Harmless Information Supplemental, Form 11.40.1 to their bureau commanding officer (make every effort to ensure that requests are submitted to the bureau at least ten days prior to necessity);
- \* Upon receipt of the City-issued letter of indemnity, notify the Department employee requesting the vehicle loan;
- \* Ensure a copy of the letter of indemnity is forwarded to ATSB and the bureau;
- \* Maintain a copy of the Form General 184, the Hold Harmless Information Supplemental, and the letter of indemnity for a minimum of twelve months. Ensure



that a new Form General 184 and Hold Harmless Information Supplemental are initiated if a vehicle has been on loan more than twelve months; and,

- \* Upon return of the loaned vehicle, ensure that a representative of the loaning agency inspects the loaned vehicle and signs the Area copy of the Hold Harmless Information Supplemental, indicating the vehicle's condition and forward the signed form to MTD.

To ensure that no loaning agency is overburdened with requests for vehicle loans, commanding officers who intend to seek a vehicle loan from a business shall, prior to contacting the business, contact the commanding officer of the geographic bureau in which the dealership is located. The geographic bureau commanding officer, in which the dealership or other business is located, shall have final authority regarding the appropriateness of seeking the loan.

**583.65 BUREAU COMMANDING OFFICER'S RESPONSIBILITY.** Bureau commanding officers considering the use of a loaned vehicle shall:

- \* Review the Request for Indemnity/Proof of Insurance, Form General 184, and determine the necessity and specific need for the loaned vehicle(s);
- \* Approve or disapprove the request;
- \* If approved, sign and forward the original Form General 184 and Hold Harmless Information Supplemental to the City Office of Finance, Risk Management and Safety Division. Prior to forwarding, copies shall be sent to the requesting commanding officer and Administrative and Technical Services Bureau;
- \* Make every effort to ensure that requests are forwarded to the City Office of Finance, Risk Management and Safety Division, at least five days prior to the desired due date cited by the requesting commanding officer; and,
- \* Have final authority regarding the appropriateness of Department entities seeking loaned vehicles from a business or dealership within their bureau.

**Exception:** Approval for a loaned vehicle to be used for a confidential operation/investigation may be requested via the Chief of Staff.

**583.70 MOTOR TRANSPORT DIVISION-RESPONSIBILITY.** Motor Transport Division (MTD) is responsible for:

- \* Conducting mechanical safety inspections of loaned vehicles prior to deployment in the field;
- \* Assigning a temporary shop number to each loaned vehicle;
- \* Providing minor emergency repairs, and emergency towing;
- \* Providing minor repairs and adjustments as approved by the Commanding Officer, MTD; and,

**Note:** Vehicle damage caused by a traffic collision or as a result of enforcement activities shall not be repaired using Department facilities unless authorized by the Commanding Officer, MTD.

- \* Maintaining a special file for loaned vehicles to include:
  - \* A copy of the Hold Harmless Information Supplemental;
  - \* A copy of the Form General 184;
  - \* The issuance of temporary shop numbers;
  - \* The continuous listing of active loaned vehicles;
  - \* The quarterly expenditures and inspections on loaned vehicles; and,
  - \* A copy of a letter of indemnity generated by the City Office of Finance, Risk Management and Safety Division.

**583.75 ASSISTANT COMMANDING OFFICER, ADMINISTRATIVE AND TECHNICAL SERVICES BUREAU, RESPONSIBILITY.** The Assistant Commanding Officer, Administrative and Technical Services Bureau, shall be responsible for:

- \* Maintaining a list of loaned vehicles being utilized in each bureau;
- \* Maintaining copies of Form General 184, the Hold Harmless Information Supplemental, and the letter of indemnity for auditing purposes; and,
- \* Completing an annual vehicle loan audit report to be submitted to the Chief of Police during the first quarter of each calendar year.

**583.78 ADMINISTRATIVE AND TECHNICAL SERVICES BUREAU - RESPONSIBILITY.** The Commanding Officer, Administrative and Technical Services Bureau, shall ensure that copies of Form General 184, the Hold Harmless Supplemental, and the letter of indemnity are distributed to Motor Transport Division and the Assistant Commanding Officer, Administrative and Technical Services Bureau.

**583.80 LOANED VEHICLES INVOLVED IN TRAFFIC COLLISIONS.** Traffic collisions involving loaned vehicles shall be considered "City Property Involved" as defined in Section 4/405.10 of the Department Manual. Investigation and related reports shall be completed in accordance with current procedures.

**584. TWO-WHEELED MOTORCYCLES.**

**584.25 ASSIGNMENT OF TWO-WHEELED MOTORCYCLES.** Under the direction of the Commanding Officer, Special Operations Support Division, the Officer in Charge, Traffic Coordination Section, shall assign motorcycles on a Citywide basis by order of rank and officer "seniority."

**584.50 CLASSIFICATION OF TWO-WHEELED MOTORCYCLES.** Motorcycles shall be classified as either New or Reissue.

**New.** A newly purchased motorcycle assigned to an officer directly from the New Motorcycle List.

**Reissue.** A motorcycle which has been reassigned from one officer to another.

**584.75 TWO-WHEELED MOTORCYCLE ASSIGNMENT SENIORITY LISTS.** "Seniority," for the purpose of assignment of motorcycles, shall be determined by the officer's length of continuous service on two-wheeled motorcycle duty. If the length of service is the same for two or more officers, "seniority" shall be resolved as outlined in Manual Section 3/125. Two lists shall be maintained for the assignment of motorcycles, according to the following systems:

**New Motorcycle Assignment.** An issuance list for new motorcycles shall be updated each time new motorcycles are purchased. This list shall represent the top two-thirds of the Motorcycle Officer Seniority List.

**Reissue Motorcycle Assignment.** An assignment list for reissue motorcycles for officers not on the New Motorcycle Issuance List shall be maintained on the basis of an officer's seniority. This list shall represent the remaining one-third of the entire Motorcycle Officer Seniority List. All newly assigned motor officers will be added to the bottom of the seniority list and, with seniority, move up to the New Motorcycle Issuance List.

**588. PETROLEUM PRODUCTS.**

**588.20 ACCEPTING DELIVERY OF PETROLEUM PRODUCTS.** All employees accepting tank truck delivery of petroleum products for the Department shall check the tank truck meter reading before delivery is begun and after delivery has been completed. Before signing the receipt for delivery, a check shall be made to determine that the receipt represents only the difference between the two readings.

**588.40 EMERGENCY GASOLINE SERVICE.** Divisions having fuel pumps and a sufficient quantity of fuel shall service vehicles of other divisions when requested.

**590. HECTOGRAPH WORK, REQUISITION FOR.** Requests for hectograph work shall be submitted to the Assistant Commanding Officer, Administrative and Technical Services Bureau, on a Requisition, Form 15.11, stating the reason for the request and the number of copies required. Requests for hectograph work shall be accompanied by the master copy of the work.

**591. MULTILITH WORK, REQUISITION FOR.** Requests for multilith work shall be submitted to the Assistant

Commanding Officer, Administrative and Technical Services Bureau, on a Requisition, Form 15.11, stating the reason for the request and the number of copies required. Requests shall be accompanied by a draft of the proposed work.

**592. FORMS REVISION, REQUESTS FOR.** A request for a new form or revision of an existing form shall be prepared in duplicate on an Intradepartmental Correspondence, Form 15.2, and forwarded through channels to the Commanding Officer, Planning and Research Division. Each request should include estimated yearly requirements and should be accompanied by a draft of the proposed form.

**596. BOOKS AND PAMPHLETS, REQUISITIONING AND ASSIGNMENT OF.** Necessary reference books and pamphlets shall be ordered on a Requisition, Form 15.11, signed by the concerned commanding officer. The requisition should give the title, name of the author, name of the publisher, date of publication, and any other pertinent information. Copies of the California State Penal Code and other assigned reference books shall be kept in the office to which they are assigned.

**598. VENDING MACHINES**

**598.05 AUTHORIZED VENDING MACHINES.** The Los Angeles Municipal Code, Section 21.65, defines a vending machine as "... any coin operated vending machine for the dispensing of goods, wares, merchandise or other tangible property." Any coin operated machine not conforming to this definition is prohibited from installation or use in any Department facility.

**598.10 VENDING MACHINE PLACEMENT.** Prior to placing a vending machine on a police premise, an Area commanding officer or a member of an Area or joint fund committee shall obtain a Request for Vending Machine form from Facilities Management Division. The commanding officer of the requesting Area or division shall forward the completed form and an Intradepartmental Correspondence, Form 15.2, as a cover letter, to the Commanding Officer, Facilities Management Division. The Commanding Officer, Facilities Management Division, shall forward it to the Chief of Police. Upon approval of the Chief of Police, the form is transmitted to the Department of General Services for final approval. The Commanding Officer, Facilities Management Division, shall notify the requestor of the final disposition of the request.

**598.12 RELOCATION OF VENDING MACHINES.** Prior to relocating a vending machine, an Area commanding officer or a member of an Area or joint fund committee shall submit to the Commanding Officer, Facilities Management Division, a letter of request on an Intradepartmental Correspondence, Form 15.2. The Form 15.2 shall contain the following information:

- \* Reason for moving.
- \* Type of machine.
- \* Present and proposed location.
- \* Existing facilities to be utilized.
- \* Facilities needed.

The Commanding Officer, Facilities Management Division, shall notify the requester when approval has been obtained from the Chief of Police.

**UNIFORMS AND PERSONAL EQUIPMENT**

**601. POSSESSION OF UNIFORMS AND PERSONAL EQUIPMENT.**

**601.10 REQUIREMENTS.** All officers shall possess at all times a serviceable uniform and the necessary equipment to perform uniformed field duty. Officers assigned to duty wherein a special uniform is required shall also possess the uniform required by their special assignment. All uniforms and equipment referred to in this Chapter shall meet the specifications outlined in the Department Uniform and Personal Equipment Specifications.

**Exception:** Exemptions from this Section may be granted by the Chief of Police.

**601.20 UNIFORM AND PERSONAL EQUIPMENT SPECIFICATIONS.** The "Uniform and Personal Equipment Specifications" booklet is an official Department publication. All distribution and maintenance shall be the responsibility of the Office of Support Services. Requests for copies shall be directed to the Director, Office of Support Services.

**602. MAINTENANCE OF UNIFORMS AND EQUIPMENT.**

**602.10 AVAILABILITY FOR USE.** All uniforms and equipment shall be maintained in a clean, serviceable condition and shall be ready at all times for immediate use.

**602.20 LEATHER EQUIPMENT MAINTENANCE.** Leather equipment shall be kept dyed and shined, and shall be replaced when it is cracked or worn out.

**603. EMPLOYEE IDENTIFICATION**

**603.10 WEARING OF A DEPARTMENT ISSUED-BADGE.**

**On-Duty, Uniformed Employees.** Uniformed employees shall wear their official Department-issued badge on the outermost garment of their uniform. However employees attired in a Department-approved specialized uniform, (e.g., bike detail or bomb squad) may wear a facsimile badge provided that the facsimile badge has been approved by the Uniform Committee for wearing with the specialized uniform. In all cases, the badge shall be displayed on the outermost garment of

the specialized uniform so it is clearly visible at all times.

**On-Duty, Non-Uniformed Officers.** On-duty, non-uniformed officers shall wear their official Department-issued badge so it is readily accessible for presentation to members of the public.

**Exception:** Officers working an undercover assignment, in which their identification as a law enforcement officer would hinder their investigation or their safety, are exempt from this requirement. Generally, this does not include plain clothes detectives conducting follow-up investigations.

**Display of Identity in a Department Facility.** While in a Department facility, non-uniformed employees shall display either their official badge or Department-issued identification card.

**603.20 IDENTIFICATION CARD – ALL EMPLOYEES.** On-duty employees shall have their Department-issued identification card in their immediate possession. Anytime a person requests to verify an employee's status as a Department employee, the employee shall present the identification card.

**Exception:** Officers working an undercover assignment, in which their identification as a law enforcement officer would hinder their investigation or their safety, are not required to have the identification card in their immediate possession. Generally, this does not include plain clothes detectives conducting follow-up investigations.

**603.30. IDENTIFICATION FOR COURT APPEARANCES.** Upon entering any courtroom or court office, officers who are conducting official business shall present their identification card to the bailiff or court clerk. When making a duty-related court appearance at a United States Federal Courthouse, officers shall present their identification card to the court security officer at the post of entry.

**603.40. POCKET NAME TAG – ALL EMPLOYEES.** The pocket name tag designed in accordance with the Department Uniform and Equipment Specification Manual is an approved item, which may be used by all Department employees. The pocket name tag may be worn at functions and meetings where recognition of the Department affiliation would be desirable. However, the pocket name tag is not a substitute for the Department-issued badge or identification card.

**604. UNIFORM COMMITTEE.** The membership and responsibilities of the Uniform Committee are set forth in Manual Section 2/093.10.

**605. PERSONAL APPEARANCE.**

**Commanding Officer's Responsibility.** Each commanding officer is responsible for ensuring that sworn employees within his/her command comply with the Department's personal

appearance standards. Non-compliance with the Department's sworn personal appearance standards may be misconduct. Commanding officers shall ensure that appropriate action is taken when sworn employees fail to comply with the standards.

**605.10 PERSONAL APPEARANCE-GENERAL.** On-duty sworn employees shall maintain a neat, clean, and professional appearance. Generally, this requires an employee to be well groomed, without excessive ornamentation and dressed in a Department uniform or business attire.

**Exception:** Officers whose duties require conducting or supervising undercover investigations are exempt from these requirements. If a sworn employee's assignment temporarily requires the employee to deviate from these standards, the employee's commanding officer may verbally grant an exemption not to exceed two working days. All other exemptions shall be submitted in writing, to bureau commanding officer, explaining the purpose for the exemption, the degree to which the exemption is granted, and the expected duration of the exemption. The bureau commanding officer shall approve or deny all written requests for exemptions. The bureau commanding officer may approve an all-inclusive exemption for entities such as Area vice units. All commanding officers shall review all exemptions within their respective commands each January and rescind or extend the exemption in writing. Each command shall also maintain a file of exemptions entitled "Department Appearance Standards-Exemptions."

Sworn employees who are authorized to wear their uniform while working an off-duty assignment (e.g., school activities, Coliseum) shall comply with the same standards as those for on-duty officers.

Sworn employees working off-hours engaged in public Department business shall adhere to the same personal appearance standards as on-duty employees. Off-hours business activities include, but are not limited to a court appearance, attendance at an administrative hearing, or an appearance before the Police Commission or City Council.

**605.20 HAIR STANDARDS-GENERAL.** All employees shall maintain their hair in a neat, clean, and well-groomed manner to reflect a professional and businesslike appearance. Unacceptable hair styles include, but are not limited to, a design(s) sculpted into the hair or wearing long hair over a shaved (to scalp) portion of the head. Dyeing or highlighting the hair is acceptable provided it is consistent with a natural hair color, without obvious blocks, patterns or spots of color.

**Note:** Color sheens and overdyes are not acceptable.

**605.22 HAIR STANDARDS-UNIFORMED.**

**Uniformed Male Employees.** Male employees shall maintain their hair properly trimmed and at least moderately tapered. The hair shall not extend below the top of the shirt collar, cover any portion of the ear, and shall not interfere with the employee's vision. Sworn male employees shall ensure that their hair does not interfere with the proper wearing of the uniform hat or the prompt and proper placement of protective head and/or face gear.

**Uniformed Female Employees.** Female employees shall arrange their hair so it does not extend below the bottom edge of the shirt collar. It shall not interfere with the employee's vision and shall not be arranged in a way that would be advantageous for a suspect to grab, such as in a ponytail. Sworn female employees shall ensure that their hair does not interfere with the proper wearing of the uniform hat or the prompt and proper placement of protective head and/or face gear.

Uniformed females who are not field certified shall maintain their hair so as to present a neat appearance consistent with the type of duty performed.

**605.24 HAIR STANDARDS-SWORN NON-UNIFORMED.**

**Non-uniformed Sworn Employees.** Non-uniformed sworn employees shall maintain their hair so it presents a professional and businesslike appearance.

**Male Employees.** On-duty sworn non-uniform male employees shall keep their hair properly trimmed at all times. The hair shall be moderately tapered and shall not extend below the top of the shirt collar nor cover any portion of the ear.

**Female Employees.** On-duty sworn non-uniform female employees shall maintain their hair so as to present a neat appearance consistent with their job assignment.

**605.25 HAIR ORNAMENTATION.**

**Male Employees.** Male employees shall not wear hair ornamentation.

**Female Employees.** Female employees in non-uniformed assignments may, to facilitate compliance with the Department's general hair standards, wear businesslike hair ornamentation. Female uniformed employees shall not wear hair ornamentation.

**Hair control devices.** Inconspicuous hair-control devices such as cloth-covered rubber bands (not to exceed one-quarter inch in diameter) and plain hairpins or clips may be used to comply with department standards. Hair-control devices shall not interfere with the prompt and proper placement of protective head and/or face gear. Hair-control devices shall either be black or consistent with the employee's hair color and shall in no way

detract from an employee's uniform appearance.

**605.26 WIGS AND HAIRPIECES.** Wigs and hairpieces may be worn. The wig or hairpiece and the employee's overall appearance must conform to the Department's general hair standards.

**605.30 GROOMING STANDARDS-SWORN AND UNIFORMED CIVILIAN EMPLOYEES.**

**Sideburns.** Sideburns shall not extend beyond a point even with the bottom of the ear lobe and shall extend in a cleanshaven, horizontal line. The flare (terminal portion of the sideburn) shall not exceed the width of the main portion of the sideburn by more than one fourth of the unflared width. Sideburns shall be trimmed and neat in appearance.

**Mustaches.** Male employees may wear a short and neatly trimmed mustache of natural color. Mustaches shall not extend below the vermilion of the upper lip or below the corners of the mouth and may not extend to the side more than one-half inch beyond the corners of the mouth.

**Beards.** Employees shall be clean shaven when reporting for duty. Beards shall be permitted only when required by the nature of the assignment or for a bona fide medical condition. To request a medical exemption to wear a beard, the employee shall provide his commanding officer with the following:

- \* A doctor's note from the employee's personal physician stating the employee needs a medical exemption from shaving; and
- \* A completed Authorization for Release of Medical Information, Form OHSD MR 101.

The employee shall be available to be examined by the City of Los Angeles Personnel Department, Occupational Health Services Division (OHSD), as directed by Medical Liaison Section, Personnel Division to determine and approve of the exemption status.

The employee's commanding officer shall forward the doctor's note and the completed Authorization for Release of Medical Information via Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Personnel Division, Medical Liaison Section, Personnel Division, will contact OHSD regarding the request for a disability/medical accommodation.

Department employees who have received a medical exemption that precludes them from shaving, have been accommodated by the Department, and do not have any duty-related restrictions, may be used in a full-duty uniformed capacity. The employee's beard shall be neatly trimmed and not longer than one-quarter inch in length.

**Fingernails.** Employee's fingernails shall be neat, clean, and shall not display decals or ornamentation. Fingernails shall not extend more than one-fourth inch beyond the tip of the finger. They shall not interfere with the employee's duty performance such as the safe drawing of the service weapon and all other safety equipment.

**Uniformed Female Employees.** Uniformed female employees may only wear clear or neutral (beige or cream) nail polish (white nail tips are allowed).

**Non-uniformed Female Employees.** Non-uniformed female employees may only wear fingernail polish that is professional and businesslike in color.

**Male Employees.** Male employees may only wear clear fingernail polish.

**605.40 GROOMING STANDARDS NON-UNIFORMED CIVILIAN EMPLOYEES.** Contemporary hair and grooming standards are allowable as long as a neat appearance is maintained and styles do not constitute a safety hazard to the employee.

**605.45 MAKE-UP.**

**Female Employees.** If make-up is worn, it shall be worn in moderation and shall be consistent with a professional and businesslike appearance.

**Male Employees.** Male employees may wear make-up to conceal skin imperfections. Make up shall be worn in moderation and shall be consistent with a professional and businesslike appearance.

**605.50 CIVILIAN CLOTHING.** Civilian clothing worn by an employee while on-duty shall be appropriate to his or her assignment.

**605.70 ORNAMENTATION.**

**Commanding Officer's Responsibility.** Each commanding officer is responsible for ensuring that sworn employees within his/her command comply with the Department's personal appearance standards. Non-compliance with the Department's personal appearance standards is misconduct. Commanding officers shall ensure that appropriate action is taken when sworn officers fail to comply with the standards.

**Sworn Uniformed Employees.** A sworn uniformed employee may wear one conservative ring on each hand (engagement and wedding ring when worn on the same finger count as one ring), a conservative wristwatch, a religious ornament worn underneath the uniform, a Police or Military "Killed In The Line Of Duty" remembrance bracelet and a medical alert necklace worn underneath the uniform or worn as a bracelet.

Sworn uniformed employees shall not wear any other type of visible body ornamentation including, but not limited to earrings, nose studs, nose or eyebrow rings, tongue studs or

rings, lip studs or rings, non-medical alert necklaces, bracelets, or large, conspicuous rings. Jewelry or personal ornaments shall not be affixed to any part of the uniform or equipment.

**Note:** Sworn employees who are authorized to wear the uniform while working off duty shall be held to the same standards as those working on duty.

**Non-Uniformed Sworn Employees.**

**Sworn Female Employees.** Sworn female employees may wear a single matched pair of earrings, one earring on each earlobe. The earrings shall be conservative, professional, and businesslike in appearance. Sworn female employees may wear one conservative ring on each hand (engagement and wedding ring when worn on the same finger count as one ring), a conservative wristwatch, a conservative necklace and bracelet, a religious ornament, a Police or Military "Killed In The Line of Duty" remembrance bracelet and a medical alert necklace and/or bracelet. Sworn female employees **shall not** wear any other type of visible body ornamentation such as, but not limited to, multiple earrings in each ear, nose studs, nose or eyebrow rings, tongue studs or rings, or lip studs or rings.

**Sworn Male Employees.** Sworn male employees may wear one conservative ring on each hand, a conservative wristwatch, a conservative necklace and bracelet, a religious ornament, a Police or Military "Killed In The Line of Duty" remembrance bracelet and a medical alert necklace and/or bracelet. Sworn male employees **shall not** wear any other type of visible body ornamentation such as, but not limited to, earrings, nose studs, nose or eyebrow rings, tongue studs or rings, or lip studs or rings.

**605.75 SUNGLASSES.** Prescription and non-prescription sunglasses worn by sworn employees shall be conservative in style and professional in appearance. Plastic or composite frames shall be a dark color and free of ornamentation. The temple width shall be no wider than one-half inch and in no case obstruct the peripheral vision. Wire frames are acceptable in either black, gold, or silver color. The lenses shall be dark shades of gray, green, or brown. Gradient (light sensitive) lenses are acceptable; however, the lenses must return to a neutral color when not in sunlight. Designer lenses of color such as pink, blue, and yellow are not acceptable. Silver-coated or reflective lenses are not acceptable. Sunglasses may not be worn at night, indoors, or in darkened areas. Sworn employees may utilize a plain black corded leash on their sunglasses.

**Note:** This section does not apply to officers in undercover assignments or to officers wearing shooting glasses while on a shooting range.

**605.80 COURTROOM/ ADMINISTRATIVE HEARING ATTIRE.** Sworn employees appearing in court or at an administrative hearing shall wear a Class A or

Class C uniform or business attire. Sworn employees in a non-uniformed assignment or sworn employees authorized to wear a specialized uniform (e.g., bicycle or jumpsuit) shall wear a Class A or Class C uniform or business attire when appearing in court or at an administrative hearing. Civilian clothing worn by Department personnel, including employees in "low visibility" assignments (e.g. vice or narcotics enforcement), while appearing in court or an administrative hearing, shall present a businesslike appearance. Acceptable business attire shall conform to the following:

- \* **Sworn Male Employees.** Male employees shall wear a business suit or a sport coat and slacks, dress shirt, a tie and dress shoes. Braces (suspenders) that are consistent with a businesslike appearance are acceptable accessories provided they do not interfere with the wearing and retrieval of safety equipment.
- \* **Sworn Female Employees.** Female employees shall wear either a businesslike dress, skirt, or pants with a businesslike blouse and/or sweater, blazer or sport coat and dress shoes. The hemline of the dress or skirt shall be of a professional and businesslike length. Hosiery shall be of a solid businesslike color and without patterns.

**Note:** A Department raid jacket or pants made of denim material do not constitute proper business attire.

**Exception:** The following are exceptions to the uniform and clothing standard for sworn employees:

- \* Officers specifically requested to appear in court in attire similar to that worn during the arrest, e.g., vice, shall comply with that request; and,
- \* On-duty officers conducting an undercover investigation in the field or working their assignment requiring a specialized uniform and who are called to court or an administrative hearing without sufficient time to change into proper attire, may proceed directly to court or the administrative hearing and shall provide a brief explanation for their attire.

**605.85 CLOTHING STANDARDS – NON-UNIFORMED ASSIGNMENT.** The wearing of the Department uniform is acceptable attire for sworn employees in non-uniformed assignments. Employees who cannot or choose not to wear a uniform shall wear appropriate business attire. Business attire shall conform to the standards set forth in (Manual Section 3/605.80).

Non-uniformed officers in public view away from a Department facility shall conceal their weapon (s), handcuffs, and other equipment by wearing a business jacket, sport coat, or other accessory (e.g., purse, or authorized "pouch" type holster, etc.).

Note: Clothing or accessories shall not interfere with an officer's wearing or retrieval of safety equipment.

**605.90 VISIBLE TATTOOS AND BRANDINGS.**

On-Duty Uniformed Employees. Sworn Department employees, while on duty, shall not display any visible tattoos or brandings. Sworn uniformed employees shall cover any visible tattoos and/or brandings by wearing a Department approved uniform or by wearing a skin patch that covers the tattoos and/or brandings.

Note: A skin patch is any patch or bandage that is of a neutral tone (e.g. Ace bandage or Band-Aid that resembles the skin tone of the officer).

On-Duty Non-Uniformed Employees. Sworn Department non-uniformed employees shall cover any visible tattoos and/or brandings by wearing Department approved business attire.

Note: Sworn officers working in an undercover assignment are exempt from this policy while working in an undercover capacity.

Employees Working Off-Hours Engaged in Department Business. Employees working off-hours engaged in Department business activities, either in a uniformed or non-uniformed capacity, shall not display tattoos and/or brandings. The means by which tattoos and/or brandings are covered shall be the same for off-duty employees as previously outlined for on-duty employees.

Note: Off-hours business activities include, but are not limited to, a court appearance, attendance at an administrative hearing, business meetings or working off-duty in uniform.

Supervisors and Commanding Officer's Responsibility. Supervisors and Commanding Officers shall ensure that sworn Department employees comply with these standards. When a sworn employee fails to comply with these standards, supervisors and commanding officers shall ensure that corrective action is taken.

**606. WEARING OF UNIFORM.**

**606.10 WHO SHALL WEAR UNIFORM.** All employees regardless of rank shall wear the prescribed uniform and personal equipment during their tours of duty.

**606.15 OFF-DUTY WEARING OF THE UNIFORM.** Department personnel shall not wear a Department approved uniform, while off duty, without obtaining prior approval from their commanding officer to represent the Department in the activity for which the uniform is being worn. Requests shall be made by submitting an Employees Report, Form 15.7, to their commanding officer.

Commanding officers shall review the circumstances of the request and, if the

representation of the Department that is signified by the wearing of the uniform is determined to be in the best interest of the Department, approve the request.

**Note:** Personnel may wear their uniforms off-duty when commuting directly to and from work and at off-duty functions or employment for which the wearing of the uniform has been authorized by the Chief of Police.

**606.20 EXEMPTIONS TO WEARING UNIFORMS.** The following officers are exempted from wearing the prescribed uniform (Manual Section 3/606.10):

- \* Chief of Police.
- \* Staff officers.
- \* Command officers.
- \* Non-uniformed and plainclothes investigating officers.

**Special Exemptions.** When the wearing of a uniform is not practical because of work conditions, and when prior exemption has been granted by the Chief of Police, certain officers may be exempted from wearing the prescribed uniform.

**606.30 REQUESTS FOR UNIFORM EXEMPTIONS.** Requests for permission to be exempted from wearing the prescribed uniform shall be made, through channels, to the Director, Office of Support Services.

**606.40 MIXED CLOTHING.** Employees shall wear only the uniform specified for their particular rank and assignment. Civilian clothing shall not be worn with any distinguishable part of the uniform when in public view.

**606.60 RETENTION OF PRESENT UNIFORM.** Unless otherwise specified by the Chief of Police, employees presently possessing uniforms which met specifications as to color, style, and fit, in effect at the time of purchase, may wear them as long as they are fully serviceable and acceptable in appearance.

**607. UNIFORMS AND EQUIPMENT CITY ISSUED.**

**607.10 CONTRACT PROVISIONS OFFICERS' RESPONSIBILITY.** Ownership of uniforms and equipment, provided for recruit officers at City expense, is retained by the City for varying lengths of time (Manual Sections 3/376.10 and 3/376.15). Such time shall be computed from the officers date of appointment. Officers shall comply with contract provisions specified on the Form 1.41.

**607.20 MAINTENANCE AND REPLACEMENT.** Officers shall be responsible for the maintenance and replacement of issued items (Manual Section 3/376).

- \* Items shall not be altered. Uniforms may be tailored to provide proper fit.
- \* Loss or theft of an issued firearm, handcuffs, badge, helmet, helmet bag,

nameplate, cap device, or identification card shall be reported on the appropriate report.

- \* City ownership periods for replacement items shall remain computed from the officer's date of appointment.

**607.30 RETURNING CITY-OWNED PROPERTY.** An employee shall return all City-owned property in his/her possession under the following circumstances:

**Resignation or Termination.** An employee who resigns or is terminated from the Department shall deliver all City-owned property in his/her possession to his/her immediate supervisor.

**Exception:** Any supervisor may take possession of City-owned property from a terminated or separated employee when circumstances indicate that it would be in the best interest of the Department.

Property obtained from an employee who is terminated or has resigned shall be reported to Personnel Division via teletype and forwarded to the proper division as follows:

- \* Badge, identification card, cap piece, buttons, and call box key to Personnel Division.
- \* Firearm and handcuffs to the Ordnance Unit, Training Division.
- \* All other items to Supply Section.

**Death.** Upon the death of a Department employee, Employee Assistance Unit, Behavioral Science Services, shall retrieve City-owned property issued to the deceased (Manual Section 2/390.10).

**Leave of Absence.** An employee granted a leave of absence without pay that exceeds thirty days, but is less than one year, shall, prior to the effective date of the leave, surrender all City-owned property in the employees possession to his or her immediate supervisor, who shall ensure that all City-owned property in the possession of the employee is surrendered and held for safe-keeping pending the return of the employee.

An employee granted a leave of absence without pay of one year or longer shall, prior to the effective date of the leave, surrender all City-owned property in his or her possession, except uniforms, to Personnel Division. Personnel Division shall hold the employee's badge and identification card pending the return of the employee. All other equipment shall be forwarded to the appropriate division for reissuance. The surrender of the City-owned property shall be recorded on the employee's Individual Uniform and Equipment Issue Record, Form 1.41.

**Military Leave.** A sworn employee, or civilian employee issued a badge (e.g., detention officer), who has been granted military leave in excess of thirty days, may retain all City-owned equipment, including their badge and Department identification card.

**Relief From Duty.** An employee who is relieved from duty shall surrender all City-owned property in his/her possession to the officer executing the order of relief from duty. The officer executing the order shall ensure that all City-owned property is delivered to the employee's commanding officer for safekeeping.

**Inactive Duty.** A commanding officer who assigns an employee to inactive duty shall, when circumstances indicate it to be necessary, obtain all City-owned property in the possession of the employee. The employee's commanding officer shall cause the property to be held for safekeeping.

Each commanding officer shall provide a secure storage area for the safekeeping of City-owned property surrendered by employees who have been suspended, relieved from duty, assigned to inactive duty, or granted extended leaves of absence without pay (exceeding thirty days but less than one year). When an employee resigns or is terminated, property returned by the employee shall be forwarded to the appropriate division.

**608. UNIFORM AND EQUIPMENT DEALERS.**

**608.10 LISTED DEALERS.** A listing of the names and addresses of the authorized uniform and equipment dealers shall be distributed semi-annually by the Director, Office of Support Services, to all Department personnel, the City Purchasing Agent, and each authorized dealer.

**608.20 LISTED DEALER DESIGNATION.** A person or an organization desiring a designation as a listed dealer in uniform and/or equipment may address a letter to the Chief of Police stating that fact. The Uniform Committee representative shall inspect the dealer's premises and submit a report to the Director, Office of Support Services. The Director, Office of Support Services, shall determine whether the dealer's facilities meet Department standards. Those dealers having satisfied Department standards may be designated as listed dealer's and shall be furnished a copy of the Department Uniform and Equipment Specifications Manual.

**608.30 DEALERS GUARANTEE.** Each dealer requesting designation as a listed dealer must have a written guarantee on file with the Director, Office of Support Services, which specifies that the dealer will fully comply with the procedures set forth in the Department's Uniform and Personal Equipment Quality Control Program. The guarantee must contain the dealer's agreement to readily refund to the buyer the entire purchase price of any article of uniform or equipment which is substandard or is not made in strict accordance with the Department specifications in effect at the time of purchase.

**608.50 UNIFORM AND EQUIPMENT COMPLAINTS.** An employee desiring to register a complaint regarding an item of his/her uniform or equipment purchased from a listed dealer shall incorporate the information in an Employee's Report, Form 15.7, directed to the Chairperson, Uniform Committee, in care of the Director, Office of Support Services.

**608.60 WITHDRAWAL OF LISTED DEALER DESIGNATION.** The Uniform Committee may recommend to the Chief of Police that the designation of a merchant as a listed dealer be withdrawn for cause. Following such a recommendation by the Uniform Committee and with the approval of the Chief of Police, the name of the merchant shall be withdrawn from the roster of listed dealers.

**609. NEWLY ACQUIRED EQUIPMENT.**

**609.10 WATCH COMMANDER'S APPROVAL.** Employees shall submit new uniform and equipment articles to their watch supervisors, who shall determine by inspection whether the articles meet Department specifications and are properly fitted.

**610. FIREARMS.**

**610.10 POSSESSION REQUIRED.** Every officer shall possess an authorized firearm.

**610.11 AUTHORIZED WEAPONS AND AMMUNITION.** Except when taking a firearm or ammunition into police custody, officers shall not possess on City property, in a City vehicle, in a privately-owned vehicle parked on City property, or at any time while on duty, any firearm or ammunition which has not been approved by the Department.

Off-duty officers who carry a concealed firearm pursuant to their employment as a Los Angeles Police officer shall carry only firearms and ammunition which have been authorized by the Department for on-duty use.

**Exception:** Officers may possess other than Department approved firearms and ammunition while firing at the Police Academy ranges for recreational purposes. Further, reload ammunition may be used for qualification at Department ranges.

**610.13 COMPACT SEMIAUTOMATIC PISTOLS USED AS A PRIMARY WEAPON.** Officers that are assigned to non-uniformed assignments, such as detectives, staff personnel, specialized unit members, etc., may carry as their primary weapon a Department approved compact semiautomatic pistol while assigned to a temporary uniformed assignment. The concerned officers shall carry the appropriate ammunition, magazines, magazine pouch, and holster for uniformed officers.

**610.15 CITY-OWNED REVOLVERS.** Officers who have been furnished a

City-owned revolver may carry that revolver while on-duty as their primary weapon.

**Note:** Officers who possess a *City-owned* six-inch revolver may, at their own expense, have the barrel cut to four inches by the Department Armorer. The Department Armorer shall maintain sole responsibility for any mechanical repair or alteration of City-owned firearms, including removal of the side plates or modification of the original finish.

**610.17 DEPLOYMENT OF THE URBAN POLICE RIFLE (UPR).** Only personnel who are UPR trained and certified are authorized to deploy the UPR in the field.

**610.19 PURCHASE OF CONCEALABLE FIREARMS/LARGE CAPACITY MAGAZINES BY SWORN OFFICERS.**

When an officer requests to purchase an authorized on-duty or off-duty concealable firearm and/or large capacity magazine(s) without waiting the normal 10-day waiting period, Area and division commanding officers may issue a waiver letter. This waiver letter will allow officers to take possession of purchased concealable firearms and/or large capacity magazines immediately, without waiting the 10-days required of purchasers who are part of the general public.

Any officer who has difficulty in securing the release, after a waiver letter has been issued, of a firearm and/or large capacity magazine(s) from a gun dealer prior to the normal 10-day waiting period shall not insist upon the early release of the weapon and/or magazine(s). When appropriate, the officer shall contact and be guided by the direction of his/her commanding officer who may, at his/her discretion, refer the dealer to the Supervisor, Dangerous Weapons Control Section, State Department of Justice.

**Officer's Responsibility.** Officers requesting a 10-day waiver letter to purchase an authorized on-duty or off-duty concealable firearm and/or large capacity magazine(s) shall request and obtain approval from his/her commanding officer. Officers shall indicate the name and address of the business where the concealable firearm/large capacity magazine(s) will be purchased and a complete description of the concealable firearm and/or large capacity magazine(s) to be purchased including the type, make, model, barrel length, finish, capacity and caliber. The firearm shall be on the Department's Approved Firearms list maintained by the Firearms Training Unit (FTU), Training Division.

**Commanding Officer's Responsibility.** The commanding officer shall either approve or deny the request. The commanding officer's approval also certifies that the officer has no restrictions on his/her ability to carry a firearm or possess large capacity magazines (e.g., domestic violence conviction, subject to a court order, etc.). Upon approval of the request, a waiver letter shall be completed for

Department approved firearms and a separate waiver letter shall be completed for large capacity magazines.

**Note:** In compliance with the Bureau of Criminal Information and Analysis, California Department of Justice, the Department is prohibited from using the California Law Enforcement Telecommunications System to access State summary criminal history information to determine if an officer is prohibited from possessing a firearm(s).

**Exigent Circumstances.** In the event of an exigent circumstance, a waiver letter may be appropriate allowing an officer to purchase a firearm that is not authorized for on-duty or off-duty use (e.g., an officer needs a weapon to protect his/her family from a credible threat arising from his/her employment). In such cases, the officer's bureau commanding is authorized to grant the waiver.

**Note:** A waiver letter to purchase a firearm for the purpose of a shooting competition does not amount to an exigent circumstance.

**610.20 INSPECTION AND REGISTRATION OF CONCEALED FIREARMS.** All firearms to be carried by sworn personnel on or off duty by virtue of their employment as peace officers shall be approved by the Department Armorer and may include:

**Primary Weapon.** A primary weapon is the Department approved firearm which officers are **required** to carry on-duty.

**Additional Weapon/Back-up Weapons.** An additional or back-up weapon is a Department approved weapon that shall be carried in a concealed manner.

**Privately-Owned Firearms.** On-duty officers may carry, as their primary or additional/back-up weapon, a privately-owned firearm that meets Department specifications.

**Registration of Concealable Firearms with Department of Justice.** An officer shall immediately complete and forward to the Gun Unit, Detective Support Division, a Firearm Registration Report, Form 12.49, for each concealable firearm carried or intended to be carried on or off-duty by virtue of peace officer status, when such firearm comes into or leaves the officer's ownership, possession or control.

**Exception:** When a Dealer Record of Sale or a Peace Officer's Record of Purchase of Firearm form has been completed and forwarded to the Department of Justice to report the acquisition or transfer of ownership, possession, or control of the firearm, a Form 12.49 is not required.

**Inspection and Registration of Concealable Firearms with the Department.** Prior to carrying a concealable firearm on or off-duty by virtue of peace officer status (830.1 P.C.), officers shall:

- \* Present the firearm to the Department Armorer for inspection and approval. An officer who acquires a previously approved firearm shall present it to the armorer for reinspection and recodation on the acquiring officer's Firearms Inspection Record, Form 13.02.
- \* Present the firearm to their supervisor who shall record the required information on the officer's Uniform/Equipment Issuance and Inspection Record, Form 1.41.1.
- \* When a Firearm previously approved by the Armorer is transferred to another owner, the officer relinquishing possession of the firearm shall, in addition to completing a Form 12.49, notify the Armorer of the transfer telephonically or in person.

**Department Armorer-Responsibility.** The Department Armorer shall maintain a Firearm Inspection Record, Form 13.02, for each officer. Information relating to each approved firearm, or previously approved and transferred firearm, shall be recorded on this form. Each Form 13.02 shall be maintained by the Armorer until the officer is separated from the Department.

**610.25 MANUALLY COCKING AND FIRING THE DOUBLE-ACTION SEMI-AUTOMATIC PISTOL.** Because of the potential for an accidental discharge when the hammer of a **double-action** semi-automatic pistol is **manually** cocked to the rear of the slide, the manual cocking of such a pistol is prohibited. The first round shall be fired in the double-action mode.

**Note:** Generally, the pistol should be returned to double-action mode when the involved officer has determined that the immediate necessity to fire no longer exists (e.g., prior to a foot pursuit or climbing a wall). Accuracy and fire control are the officer's goals when confronted by the need to stop a life-threatening attack.

**610.30 RE-APPROVAL OF FIREARMS.** Each officer shall ensure that any mechanical repair or modification of a *privately-owned* concealable firearm which the officer intends to carry in his/her capacity as a peace officer, *either on or off-duty*, is inspected and approved by the Department Armorer. The officer shall secure such approval, and shall cause the repair or modification to be recorded by the Department Armorer, *prior* to carrying the firearm on his/her person, either as a primary or supplementary weapon.

Additionally, a firearm shall be resubmitted to the Department Armorer for inspection and approval before such weapon is carried on-duty when:

- \* Directed by a supervisory officer.
- \* It has been stripped and reassembled.
- \* There is reason to believe that the safety device designed by the manufacturer has been rendered ineffective.
- \* It is functioning improperly.

Mechanically unsafe firearms shall not be knowingly carried on-duty. A firearm discharged accidentally due to an evidently defective safety device, or for any other apparent mechanical defeat, shall be presumed to be an unsafe weapon carried in violation of this section.

**610.40 MAINTENANCE OF FIREARMS.** Firearms carried on-duty shall be maintained in a clean, serviceable condition.

**610.45 FIREARM EXPLOSIONS.** When a Department-approved firearm explodes, all recoverable pieces of the firearm and the ammunition used shall be forwarded to the Commanding Officer, Scientific Investigation Division, for examination. All facts concerning the explosion shall be reported by the concerned employee on an Employee's Report, Form 15.7, and forwarded to the Commanding Officer, Scientific Investigation Division. This report shall include:

- \* Make, model, caliber, serial number, and barrel length of firearm.
- \* Date and source of firearm purchase.
- \* An estimate of the total number of rounds fired through the firearm.
- \* An accurate description and source of the ammunition used in the firearm at the time of the explosion.

Witnesses to the explosion shall submit their observations on separate Employee's Report, Form 15.7, to the Commanding Officer, Scientific Investigation Division. One copy of each report shall be forwarded to the Commanding Officer, Training Division.

**Commanding Officer, Scientific Investigation Division-Duties.** The Commanding Officer, Scientific Investigation Division, shall cause the concerned firearm and ammunition to be examined. He/she shall submit an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Training Division, stating his/her opinion of the cause of the explosion.

**610.50 UNIFORMED OFFICERS-REQUIRED FIREARMS.** Personnel on-duty, in uniform, shall carry an approved primary firearm in the uniform holster attached to the equipment belt.

**Exception:** Uniformed personnel in an assignment that does not involve physical contact with the public may carry a firearm that meets the specifications of a back-up or off-duty firearm, as their primary firearm, with prior approval of the concerned commanding officer.

**610.60 PLAINCLOTHES ASSIGNMENT - REQUIRED FIREARMS.** On-duty officers in a non-uniformed assignment shall carry an approved primary firearm in a holster specifically designed for that firearm and securely attached to the officer.

**Exception:** Plainclothes officers in staff assignments or assignments that do not involve

physical contact with the public in field situations may carry a firearm, in a holster, that meets the specifications for a back-up or off-duty firearm, as their primary firearm, with prior approval of their bureau commanding officer.

**610.67 DUTY ASSIGNMENT – OR TACTICAL REQUIREMENT VARIATIONS.** Officers in special duty assignments may carry firearms other than those described as primary or additional/back-up weapons as long as the firearms are consistent with the particular assignment and prior written approval is obtained from the officers' commanding officer. All of these firearms shall be approved by the Department Armorer (Manual Section 4/610.20).

**Note:** Special duties may include, but are not limited to SWAT, Detective Support Division, vice and narcotics.

**610.70 BACK-UP OR CONCEALED OFF-DUTY FIREARMS.** An officer carrying a back-up firearm on-duty, and officers carrying a firearm off-duty, shall ensure that the firearm conforms to the specifications and regulations set forth by the Department.

**Note:** Questions regarding approved firearms should be directed to the Department Armorer or the Uniform and Equipment Specifications Manual.

**610.90 HOLSTERING A BACK-UP OR CONCEALED OFF-DUTY FIREARM.** An on-duty officer carrying a back-up firearm or an officer carrying a firearm off-duty shall carry the firearm in a secured manner. The firearm shall be concealed and contained in such a manner as to prevent the firearm from falling out or becoming accessible to unauthorized persons when engaged in physical police activities such as a foot pursuit or physical altercation. If the firearm is secured in a pocket, no other items should be carried in that same pocket to ensure immediate and unhindered access to the firearm. Additionally, an approved firearm with a shrouded or internal hammer is preferable for carrying in a pocket, as a firearm with an exposed hammer spur is more likely to become snagged on clothing when drawing.

**Note:** When an off-duty officer carries a firearm in his/her waistband, the firearm must be secured in a holster that is specifically designed for that firearm and the holster must be securely attached to the waistband or belt.

**Exception:** A commanding officer may exempt an officer from these requirements when the nature or tactical requirements of a particular duty assignment require such an exemption.

**610.92 FIREARM(S) CARRIED IN A CONTAINER.** An on-duty officer may carry a back-up firearm or an off-duty officer may carry a concealed firearm in a container that is immediately accessible to and under the control of the officer. Such a container may

include, but is not limited to, a briefcase, fanny pack, backpack, or purse. Unless the container is specifically designed to carry that firearm, the firearm shall be in a holster specifically designed for the firearm before it is secured in the container.

**610.95 LOADING AND UNLOADING REVOLVERS AND SEMIAUTOMATIC PISTOLS UTILIZING THE DEPARTMENTAL LOADING/UNLOADING BARREL.** The Departmental Loading/Unloading Barrel is designed to prevent injuries resulting from accidental discharges while loading and unloading revolvers and semiautomatic pistols. Therefore, personnel loading or unloading a revolver or semiautomatic pistol shall use, and follow the applicable instructions posted on, available Departmental barrels.

**610.97 FIREARMS USED FOR TRAINING – COLOR-CODING.** Firearms shall only be color-coded by the Firearms Training Unit, Training Division. Color-coding shall be applied to the stock (grip) of the firearm or as needed to the slide handle of a shotgun, the hand guard of a rifle, or other portions of the firearm such as the barrel and sling. Color-coding shall be applied as follows:

**Yellow:** A modified firearm capable of firing only blank rounds.

**Blue:** A modified firearm capable of firing only paintball or paint-type rounds.

**Orange:** A firearm disabled and unable to fire any type of ammunition.

**Green:** Less-lethal weapons such as the beanbag shotgun.

**No color-code:** Firearms capable of firing live ammunition.

**Area/Division Training Coordinator's Responsibility.** Training coordinators shall conduct training in accordance with established Training Division procedures. In addition, coordinators shall:

- \* Ensure that firearms obtained for training are forwarded to the Firearms Training Unit, Training Division, for color-coding, modification, and approval as training firearms;
- \* Only utilize firearms that have been color-coded and approved as training firearms by the Firearms Training Unit, Training Division; and,
- \* Maintain a repository of training firearms.

**Training Division's Responsibility.** The Firearms Training Unit, Training Division, shall coordinate with Area/division training coordinators to color-code, modify, inspect, and approve all existing and newly acquired firearms used for training. Additionally, the Firearms Training Unit, Training Division, shall provide support and advice to entities conducting firearms/tactics training.

**Area/Division Commanding Officer's Responsibility.** Commanding officers shall ensure that training is conducted in accordance with established Training Division procedures. Commanding officers shall also ensure that firearms utilized have been color-coded, modified as necessary, and approved for training by the Firearms Training Unit, Training Division.

**611. AMMUNITION**

**611.20 REPLACEMENT OF AMMUNITION.** All ammunition required by this Chapter shall be replaced with new ammunition every six months.

**611.25 LOST OR UNSERVICEABLE CONDITION OF DEPARTMENT AMMUNITION.** Officers shall report the loss or unserviceable condition of their Department approved ammunition to their supervisor immediately.

**611.30 REQUIRED AMMUNITION FOR PRIMARY WEAPON-UNIFORMED OFFICERS.**

**Revolver.** The service revolver shall be carried fully loaded by uniformed officers assigned to field duty. In addition, uniformed officers in field assignments shall carry a minimum of 12 rounds in the cartridge case.

**Semiautomatic Pistol.** Uniformed officers shall carry their primary semiautomatic pistol (and magazine) **fully loaded** at all times when assigned to field duty. In addition, uniformed officers in field assignments shall carry as a **minimum** for their primary semiautomatic pistol **two fully loaded** reserve magazines in the magazine pouch.

**Exception:** Uniformed personnel who carry a primary semiautomatic pistol or an authorized additional semiautomatic pistol as a primary weapon in an assignment that does not involve physical contact with the public or does not require the wearing of the Police Equipment Belt shall carry as a **minimum one fully loaded** magazine in a magazine pouch worn on the belt or shoulder holster strap.

**611.40 REQUIRED AMMUNITION FOR PRIMARY WEAPON-PLAINCLOTHES OFFICERS.**

**Revolver.** Plainclothes officers shall carry their revolver fully loaded at all times. In addition, they shall carry a minimum of six rounds of ammunition in a cartridge carrier worn on the belt or shoulder holster strap.

**Semiautomatic Pistol.** Plainclothes officers shall carry their primary semiautomatic pistol (and magazine) **fully loaded** at all times. In addition, they shall carry as a **minimum** for their primary semiautomatic pistol **one fully loaded** magazine in a magazine pouch worn on the belt or shoulder holster strap.

**Exception:** At the discretion of their commanding officer, undercover officers and



"Special Duties officers" may be exempted from Department Manual provisions pertaining to handguns, ammunition, and related equipment (Manual Section 3/610.67).

**611.50 ADDITIONAL AMMUNITION.** In addition to the required ammunition carried on the person, uniformed and plainclothes officers shall be encouraged by their supervisors to carry extra ammunition. When worn on the Police Equipment Belt, the **supplemental** ammunition pouch/case shall be worn immediately behind the holster; when worn with an additional handcuff case, the **supplemental** ammunition pouch/case shall be worn centered between the handcuff cases. Additional fully-loaded magazines or cartridge cases may also be carried concealed upon the officer. Officers are urged to carry extra ammunition on their persons when off-duty. All Department-issued ammunition not carried on the person shall be maintained in a personal locker or other readily accessible location.

**611.60 DEPLOYMENT OF SHOTGUN SLUG AMMUNITION (SSA)** Only personnel who are trained and certified using Shotgun Slug Ammunition are authorized to carry SSA in the field and deploy it for use.

**614. BASIC UNIFORM-POLICE OFFICERS ELIGIBLE FOR UNRESTRICTED FIELD DUTY.**

**614.10 BASIC UNIFORM REQUIREMENTS.** The items named in this section shall constitute the basic uniform for police officers who are eligible for field duty.

**Note:** The basic uniform shall also be worn by motorcycle officers when temporarily assigned to duties other than two-wheeled motorcycle patrol.

**Exception:** Police officers ineligible for field duty shall wear the basic uniform or appropriate business attire. The maternity uniform has been approved for pregnant officers and is outlined in Manual Section 3/640. Any other exception shall be approved by the employee's commanding officer.

**614.20 CAP (HAT).** Patrol officers, while on-duty, shall ensure that their uniform hat is serviceable and available either at their division of assignment or in their assigned vehicle.

**Exception:** Officers assigned to traffic divisions shall ensure that their uniform hat is available in the passenger compartment of their assigned vehicle and shall wear their hats when directing traffic.

The wearing of the uniform hat is mandatory for all officers:

- \* When an officer is working an assigned footbeat.
- \* When an officer is working an assignment in which the primary function is crowd control (e.g., parades, Coliseum events, etc.).

- \* At inspections, ceremonies, funerals and other appropriate formal events.
- \* As determined by the officer in charge in those situations in which immediate recognition is necessary for officer safety.
- \* As determined by commanding officers when circumstances are such that the wearing of the hat is appropriate.

**Note:** Officers shall wear the Department-issued motorcycle officer's helmet when operating a two-or three-wheel motorcycle.

**614.30 SHIRT.** Shall be the long sleeve uniform shirt.

**614.35 BADGE.** When in uniform, officers shall wear the official badge currently issued to them. The badge shall be attached to the badge holder provided on the outermost garment and shall be clearly visible at all times.

**614.40 TIE.** The tie worn with the uniform shirt shall be a double windsor "reddie" knot with a bendover metal clip allowing a "breakaway" feature when worn.

**Note:** The officer in charge of a detail where a civil disturbance is in progress, or where it may be reasonably expected that one may ensue, may instruct officers under his or her command to remove their neckties.

**614.45 RAIN CLOTHING.** Rain clothing shall be worn during such times as officers may be exposed to inclement weather. It shall consist of the following:

- \* Hood.
- \* Coat or cape.

**614.50 TROUSERS.**

**Note:** Officers assigned to two-wheeled motorcycle duty shall wear the prescribed breeches in lieu of trousers.

**614.60 POLICE EQUIPMENT BELT.** The Police Equipment Belt shall be worn complete with the equipment specified in Manual Section 3/622.

**614.65 TROUSERS BELT.**

**614.90 SHOES.** The authorized footwear shall be one of the following:

**SHOES.** Shall be center laced style, plain tip toe. It shall be black with a smooth finish.

**BOOTS.** Shall be center laced, side-laced or zipped type with a leather top material. It shall be black with a plain tip toe. The heels shall not exceed one inch.

**Note:** Officers assigned to two-wheeled motorcycle duty shall wear the prescribed boots in lieu of shoes.

**614.95 SOCKS.** Shall be solid black or midnight blue without fancy design.

**615. OPTIONAL UNIFORM-POLICE OFFICERS ELIGIBLE FOR UNRESTRICTED FIELD DUTY.**

**615.10 OPTIONAL UNIFORM REQUIREMENTS.** The optional uniform shall consist of the basic uniform with short sleeves, an open convertible collar, and the tie removed.

A undershirt shall be worn under the optional uniform shirt. The undershirt shall be white and shall have a round crew neck collar.

Officers not wearing the optional uniform shall wear the basic uniform with long sleeves and a tie.

Although the optional uniform is authorized, officers shall wear the basic uniform, with long sleeves and a tie, when the division commanding officer deems it appropriate.

**Note:** When the wearing of an optional uniform is authorized, officers may wear a uniform manufactured from the optional summer-weight material.

**617. AIR SUPPORT DIVISION UNIFORM-POLICE OFFICERS**

**617.10 AIR SUPPORT DIVISION UNIFORM REQUIREMENTS.** The flying uniform for officers assigned to Air Support Division shall consist of:

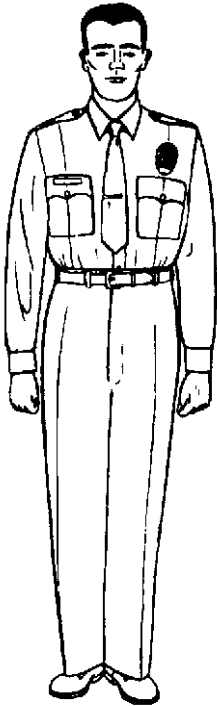
- \* The green flight suit, as described in Sections 1D3 and 1D4 of the Uniform and Personal Equipment Specifications Manual, with Air Support Division emblems, as described in Section 1D5. Officers of the ranks of sergeant and above shall wear the prescribed rank insignia.
- \* Cap or, when airborne, helicopter helmet.
- \* Regulation boots.

Officers shall wear the flying uniform only when engaged in flying duties, or when performing related duties at the airport.

**Exception:** When directed by the Commanding Officer, Air Support Division, the basic uniform (Manual Section 3/614.) with Air Support Division emblems shall be worn.

**618. INDOORS UNIFORM-POLICE OFFICERS.**

**618.10 OFFICE WEAR.** Officers engaged in uniformed work indoors may be exempted by their commanding officer from the provisions of all or part of the requirements of Manual Sections 3/614 and 3/621. However, officers on such indoors duty shall have the required equipment available for immediate use. Uniformed officers detailed to station or office duty wherein the Police Equipment Belt is not worn shall wear the prescribed trousers belt.



**619. JUMPSUIT/UTILITY UNIFORM-POLICE OFFICERS.**

**619.10 UNIFORM REQUIREMENTS.** The following uniforms are authorized for the use by on-duty personnel:

- \* **Jumpsuit Uniform.** A two-piece flame and acid retardant, navy blue uniform consisting of a jacket and matching pants. Specifications for the navy blue jumpsuit are described in Section I-I31.1 and I-I31.2 of the Uniform and Personal Equipment Specifications Manual.
- \* **Utility Uniform** A black, two piece uniform consisting of a shirt and matching pants. Specifications for the black two-piece utility uniform are described in Section I-F1.1 to 3.1 of the Uniform and Personal Equipment Specifications Manual.

**619.20 UNIFORM-AUTHORIZED USE.** On-duty personnel authorized to use the jumpsuit/utility uniform are specified in the Uniform and Personal Equipment Specifications Manual.

All other sworn personnel may purchase jumpsuits/utility uniforms as optional equipment, but may wear them *only* under the following conditions:

- \* During an unusual occurrence, with the approval of the field commander;
- \* During a search or vehicle inspection, which may result in soiled or damaged uniforms or clothing, with the approval of a supervisor; or,
- \* On an "as needed" basis, with approval of their bureau commanding officer.

**Note:** Jumpsuits/Utility uniforms shall be removed and employees shall return to the standard uniform or working attire immediately upon the termination of the unusual occurrence or incident that required the jumpsuit/utility uniform.

**620. FATIGUE UNIFORM-POLICE OFFICERS.**

**620.10 FATIGUE UNIFORM REQUIREMENTS.** The items named in this section shall constitute the fatigue uniform. It shall be worn, at the direction of the commanding officer, when approved by the concerned bureau commanding officer, by those officers whose principal duties make the wearing of the service uniform impracticable.

**Note:** Specific exemptions from wearing the official cap, shoes, and socks may be made by the division commanding officers.

**620.30 SHIRT.**

**620.31 SHORT-SLEEVE SHIRT.** The fatigue shortsleeve shirt may be worn in accordance with the applicable provisions of Manual Section 3/615.10.

**620.35 BADGE.**

**620.50 TROUSERS.**

**620.60 SHOES.**

**620.70 SOCKS.**

**620.80 TROUSERS BELT.**

**621. FIELD EQUIPMENT-POLICE OFFICERS.**

**621.10 REQUIRED EQUIPMENT-UNIFORMED OFFICERS.** In addition to the basic uniform (Manual Section 3/614), officers engaged in uniformed field duty shall carry the following equipment:

**Baton.** Officers using motorized equipment while on-duty shall carry their batons in a manner authorized by their commanding officer. The carrying of the baton by officers assigned to intersection traffic control shall be at the option of their commanding officer.

**Hobble Restraint Device.** With the exception of motorcycle officers, the hobble restraint device shall be carried on the key ring holder of the officer's equipment belt, in either sap pocket of the uniform trouser or in a Department approved carrying case. Motorcycle officers shall carry the hobble restraint device in a uniform pants pocket, or in a Department approved carrying case.

**General Duty Helmets.** Uniformed officers while assigned in vehicles shall keep their general duty helmets in their helmet bags and stored in the vehicle's trunk. All other uniformed officers shall keep their helmets at locations convenient to their assignment. Officers shall store their helmets in their

station lockers when off-duty or on plainclothes assignments.

**Traffic Citation Books.** Both Traffic Notice to Appear and absentee citation books shall be carried.

**Flashlight.** A flashlight shall be carried during the hours of darkness.

**Officer's Field Notebook.**

**Pencil.**

**Street Guide Book.**

**Handcuff key.**

**Whistle.**

**621.20 OPTIONAL EQUIPMENT-UNIFORMED OFFICERS.** In addition to the equipment required (Manual Sections 3/614 and 3/621.10) the following items may be carried as the individual officer may desire:

- \* Disposable plastic handcuffs.
- \* Kubaton (sworn and civilian jail personnel only).

**622. POLICE EQUIPMENT BELT.**

**622.05 AUTHORIZED POLICE EQUIPMENT BELT.**

**Police Equipment Belt-Sam Browne Type.** The Sam Browne type police equipment belt shall remain the authorized equipment belt for the Department and shall be issued to new sworn personnel.

**Police Equipment Belt-Velcro Type.** The use of the Velcro type equipment belt, of the type formerly authorized by the Department, is optional and may be worn in lieu of the Sam Browne equipment belt.

**622.10 REQUIRED EQUIPMENT-POLICE EQUIPMENT BELT.** The items named in this section shall be worn with the Police Equipment Belt.

**622.20 HOLSTER.** The holster shall be worn on the side for which it was designed. The official firearm shall be carried in the holster.

**622.30 CARTRIDGE CASE.** The cartridge case shall be worn on the side opposite the holster and shall be centered on the belt between the belt buckle and the baton holder. Reserve ammunition (Manual Section 3/611.30) shall be carried in the cartridge case.

**622.40 BATON HOLDER.** The baton holder shall be worn on the belt in front of, and directly adjacent to, the key holder. The baton is carried in the baton holder ring.

**622.45 BATON.** Uniformed officers and officers assigned to non-uniformed assignments are authorized to carry and use the following batons:

- \* 24-inch side handle baton.
- \* Expandable Side Handle baton.
- \* Collapsible Baton.

uniformed officers and shall be worn centered over the hip pocket on the same side as the holster.

**622.80 TROUSERS BELT.** The prescribed trousers belt shall be worn under the Police Equipment Belt. It shall be adjusted so that no part other than the top edge is visible.

**624. ADDITIONAL CLOTHING-POLICE OFFICERS ELIGIBLE FOR UNRESTRICTED FIELD DUTY**

**624.10 JACKET.** The nylon waist-length field jacket, as described in Section 1A2 of the Uniform and Personal Equipment Specifications Manual shall be worn by uniformed officers when seasonal conditions require. **No other jacket is authorized to be worn.**

When officers choose to wear the field jacket, it shall be worn with either the long-sleeve shirt or optional short-sleeve shirt.

**Exception:** Officers assigned to two-wheel motorcycle duty are authorized to wear the leather field jacket.

**624.20 MOUNTED HORSE DETAIL UNIFORM.** The mounted horse detail uniform has been approved for officers assigned to the Mounted Platoon, Metropolitan Division. The uniform shall meet the specifications as prescribed in the Department Uniform and Personal Equipment Specifications Manual.

**624.30 DEPARTMENT BEACH DETAIL/BICYCLE PATROL UNIFORM.** The Beach Detail/Bicycle Patrol uniform has been approved for officers assigned to the Beach Detail or to Bicycle Patrol. The uniform shall meet the specifications as prescribed in the Department Uniform and Personal Equipment Specifications Manual.

**626. UNIFORM ACCESSORIES-POLICE OFFICERS ELIGIBLE FOR UNRESTRICTED FIELD DUTY.**

**626.10 SCARF.** A navy blue scarf may be worn only with the field jacket or the Air Support Division flying uniform.

**626.20 KEY CHAIN.** Uniformed officers whose primary duties are traffic related shall wear the prescribed key chain suspended from the right shoulder strap. Other officers assigned to uniformed duty shall not wear the key chain.

**626.30 TIE BAR.** All uniformed officers shall wear the prescribed tie bar. The tie bar shall be worn horizontally and level with the bottom points of the shirt pocket flaps.

**Note:** The Safe Riding Tie Bar may be worn by authorized officers assigned to two-wheel motorcycle duty.

**627. PLAINCLOTHES EQUIPMENT-POLICE OFFICERS.**

**627.10 REQUIRED EQUIPMENT-PLAINCLOTHES DUTY.** Officers, while on

plainclothes duty, shall carry the following equipment:

- \* Ammunition;
- \* Department badge;
- \* Department identification card;
- \* Handcuffs and key;
- \* Pen or Pencil; and,
- \* Department approved firearm.

**Exception:** Officers detailed to undercover duty wherein it is necessary to conceal their identity as officers may be excused by their commanding officers from the provisions of all or part of this section.

**627.20 OPTIONAL EQUIPMENT-PLAINCLOTHES DUTY.** Officers, while on plainclothes duty, may carry the following additional items of equipment:

- \* Hobble Restraint Device.
- \* Disposable plastic handcuffs.
- \* Eighteen inch side-handled baton.

**Note:** Prior to carrying the eighteen inch side-handled baton, officers shall complete an in-service training course which specifically covers its use.

- \* Collapsible baton.
- \* Chemical Irritant Control Device.
- \* Flashlight.
- \* Street Guide book.

**627.30 RAID JACKETS.** The Department issued raid jackets shall only be worn by on-duty officers while serving search and arrest warrants and in those situations where the identification of the officer would be desirable. When a discreet approach is warranted, the wearing of the raid jacket may be waived by the commanding officer or section officer in charge of the operation. Use of the jacket is limited to on-duty plainclothes officers.

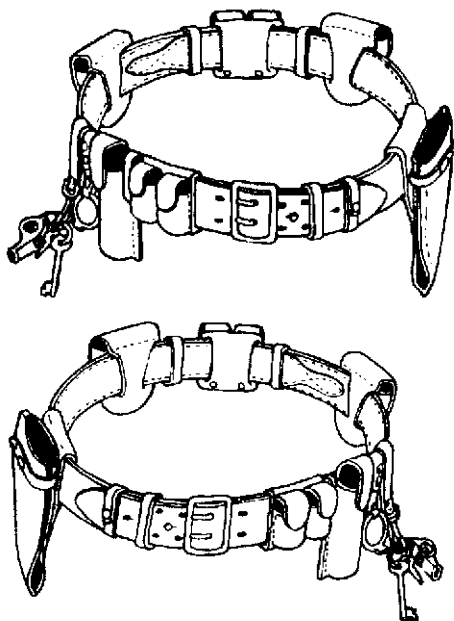
Raid jackets are strictly for identifying non-uniformed officers during tactical situations and shall not be worn as a quasi-uniform. Specialized uniforms or other garments depicting Department affiliation, not approved by the Uniform Committee, are not authorized and shall not be worn.

**Note:** Department raid jackets or pants made of denim material do not constitute proper business attire.

**628. BODY ARMOR**

**628.10 ISSUANCE AND RETURN-COMMANDING OFFICER RESPONSIBILITY.** Each commanding officer shall:

- \* Designate an employee who, in addition to his/her regular duties, shall ensure the proper issuance and return of body armor.
- \* Ensure that sworn officers in priority assignments are issued body armor, as available. For purposes of body armor utilization, priority assignments are:
  - \* Uniformed officer.



**622.50 KEY HOLDER AND KEY RING.** The key holder is worn on the side opposite the holster approximately equidistant between the handcuff and cartridge cases. A key ring shall be carried on the key holder. A whistle and handcuff key shall be carried on the ring. In addition, no more than two other keys may be carried on the key holder at the option of the individual officer.

**Required Equipment-Uniformed Officers** (Manual Section 3/621.10)

**Traffic Officer**

**Motor Officer**

**Exception:** Officers required to wear a key chain (Manual Section 3/626.20) may carry the whistle on the key chain.

**622.55 CHEMICAL IRRITANT CONTROL DEVICE.** Uniformed field personnel shall carry the device in its holster on the equipment belt between the ammunition case and the baton holder.

**622.60 HANDCUFF CASE.** The handcuff case shall be worn centered over the hip pocket on the side opposite the holster. Regulation handcuffs shall be carried in the handcuff case.

**622.70 ADDITIONAL HANDCUFF CASE.** An additional handcuff case may be worn by

- \* Investigative officer (Area or specialized).
- \* Any other assignment specifically designated as a priority assignment by the officer's commanding officer.
- \* Ensure that all body armor which has been issued to officers who have been reassigned to nonpriority assignments is **immediately** returned to Supply Section.

**628.20 DESIGNATED EMPLOYEE RESPONSIBILITY.** The divisional employee designated to control the utilization of body armor shall:

- \* Assist in determining the proper size of body armor for individual officers.
- \* Instruct officers in the proper wearing and maintenance of body armor.
- \* Order needed body armor from Supply Section by completing and forwarding a Requisition, Form 15.11.

**Note:** When necessary, body armor may be obtained at Supply Section between 0730 and 1530 hours on any weekday by presenting an approved Requisition.

- \* Issue body armor to individual officers.
- \* Ensure that returned body armor is forwarded to Supply Section.

**629. RAIN CLOTHING-POLICE OFFICERS ELIGIBLE FOR UNRESTRICTED FIELD DUTY**

**629.10 RAIN CLOTHING REQUIREMENTS-UNIFORMED OFFICERS.** Officers assigned to uniformed duty shall possess an official raincoat or two-piece rainsuit and hat.

**Note:** The two-piece rainsuit is considered a complete unit. The wearing of one piece of the rainsuit without the other is not authorized.

**629.20 RAIN CLOTHING REQUIREMENTS-PLAINCLOTHES OFFICERS.** Officers assigned to plainclothes duty shall possess adequate rain clothing.

**629.30 WEARING OF RAIN CLOTHING.** Officers shall wear the rain clothing prescribed in Manual Section 3/629.10 when weather conditions may require. The type worn shall be sufficient to ensure uninterrupted performance of duty. During light rains, a colorless, transparent cap cover may be worn over the uniform cap in place of the rain cap, and black rubber overshoes may be used in lieu of the prescribed boots.

**629.40 STORAGE OF RAIN CLOTHING.** The prescribed rain clothing shall be stored at the station, office of assignment, or other place where it will be readily available for use.

**630. HIGH-VISIBILITY EQUIPMENT.**

**630.10 HIGH-VISIBILITY EQUIPMENT-WHEN REQUIRED.** The equipment specified as high-visibility equipment shall be worn by each uniformed officer whose

principal duties are traffic collision investigation, traffic direction, or special traffic enforcement (automobile). In addition, such equipment shall be worn at other times as directed by the Chief of Police. Officers whose duties consist of accident investigation or special traffic enforcement (automobile) need not wear white gloves.

Members of the Police Reserve Corps shall wear this equipment when so directed by the Coordinator.

**630.20 HIGH-VISIBILITY EQUIPMENT-DIVISION COMMANDING OFFICER'S RESPONSIBILITY.** Concerned commanding officers shall:

- \* Maintain an adequate supply of high-visibility equipment in a safe and accessible place.
- \* Issue the equipment to officers within their command who are required to wear such equipment.
- \* Maintain records of equipment issued, returned or lost, or which is unserviceable.
- \* Be responsible for all equipment requisitioned.
- \* Upon discovery of equipment lost or mutilated through negligence or carelessness, initiate appropriate action.

**630.30 ISSUANCE OF HIGH-VISIBILITY EQUIPMENT.** Officers required to wear high-visibility equipment for traffic direction shall be issued two pairs of gloves, two cap covers, and one cap band. Officers assigned to accident investigation or special traffic enforcement (automobile) duties shall be issued two cap covers and one cap band.

**Note:** The Reserve Coordinator shall requisition and return such equipment as required by the needs of the Reserve Corps.

**630.40 RETURN OF HIGH-VISIBILITY EQUIPMENT.** High-visibility equipment issued to an officer by reason of his assignment shall be returned to the issuing authority upon termination of the officer's assignment.

**631. HELMETS.**

**631.10 GENERAL DUTY HELMETS-WHEN REQUIRED.** General duty helmets shall be required field equipment for all officers below the rank of captain assigned to the following uniformed duties:

- \* Patrol.
- \* Collision investigation.
- \* Metropolitan Division.

**631.30 GENERAL DUTY HELMETS-DIVISION COMMANDING OFFICER'S RESPONSIBILITY.** Each concerned commanding officer shall:

- \* Complete a Requisition, Form 15.11, when necessary to obtain a general duty helmet for an officer transferring into the division.

- \* Record the helmet serial number on the concerned officer's Individual Uniform and Equipment Issue Record, Form 1.41.1.

**Note:** A notation that the helmet has been returned shall be made on the reverse side of the concerned officer's Uniform/Equipment Issuance and Inspection Record, Form 1.41.

- \* Initiate appropriate action when it is discovered that a helmet has been lost or damaged due to neglect or carelessness.

**631.40 GENERAL DUTY HELMETS-REPAIR AND REPLACEMENT.** All helmets being replaced or in need of repair shall be forwarded to Supply Section.

- \* Supply Section shall be responsible for the delivery, pickup, and exchange of general duty helmets.
- \* General duty helmets that are lost, damaged, or stolen shall be reported on an Employee's Report, Form 15.7, in addition to any other required report. A copy of the Employee's Report, Form 15.7; and a requisition for a replacement helmet shall be forwarded to Supply Section.
- \* General duty helmets in need of routine repair or repainting shall be replaced by forwarding a Requisition, Form 15.11, to Supply Section.

**631.50 HELICOPTER HELMETS.** Those persons riding in Department helicopters shall be provided with a Department-approved **helicopter** helmet and shall wear it during flights. Pilots, observers, and those persons regularly assigned to helicopter duty shall be provided with a custom-fitted, Department approved helicopter helmet. Air Support Division, **Special Operations Bureau**, shall be responsible for providing other persons with helicopter helmets as needed.

**632. DEPARTMENT EMBLEMS.**

**632.10 CAP DEVICE.** The official cap device shall be worn with the cap, but may be covered by a transparent cap cover during inclement weather. The cap device is not worn with the rain hat.

**632.20 DEPARTMENT BUTTONS.** Silverplated, oxidized buttons, as described in Section IJ10 of the Uniform and Personal Equipment Specifications Manual, shall be worn by uniformed officers. The size 24 ligne shall be worn on the male and female officer's basic uniform shirt, cap, and jacket. The size 36 ligne shall be worn on staff and command officer's dress coat. The buttons shall not be polished. When necessary, they may be cleaned with a solution of mild soap and water.

**634. RANK AND ADVANCE PAY-GRADE INSIGNIA.**

**634.10 GENERAL PROVISIONS-RANK AND ADVANCE PAY-GRADE INSIGNIA.** All officers in advance pay-grade positions; officers of the rank of sergeant, detective, or above; and civilians of a supervisory rank shall

wear the appropriate insignia as provided in this section.

**634.15 CIVILIAN SUPERVISORS-RANK INSIGNIA.** Station officers and property officers of supervisory rank shall wear the appropriate rank insignia on the uniform shirt collar. The chevron shall be placed on each side of the uniform shirt collar. The front edge of the insignia shall be placed 3/4 inch from the front of the collar. The middle stripe shall be centered on the collar and the apex of the insignia shall point vertically.

**634.20 POLICE OFFICER ADVANCE PAY-GRADE, SERGEANT, AND DETECTIVE-RANK INSIGNIA.** Police officers in advance pay-grade positions, sergeants, and detectives shall wear the appropriate rank insignia on each sleeve of the uniform shirt and field jacket. The top point of the chevron shall be placed two inches above the mid-point of the distance from the shoulder seam to the upper part of the elbow (with the arm bent). Police officers and sergeants assigned to traffic duty where the assignment emblem is worn shall wear the chevrons 1/4 inch below the traffic assignment emblem.

**634.30 LIEUTENANT-RANK INSIGNIA.** A single bar shall be affixed to the center of each side of the collar of the uniform shirt worn by lieutenants. The front edge of the bar shall be 3/4 inch from, and parallel with, the front edge of the collar. On each shoulder of the field jacket, a single bar shall be placed with the outer edge, 5/8 inch above the sleeve seam. The bar shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

**634.40 CAPTAIN-RANK INSIGNIA.** Two bars shall be affixed to each side of the collar of the uniform shirt worn by captains. The front edge of the insignia shall be 3/4 inch from, and parallel with, the front edge of the collar. On the dress coat and the field jacket, the bars shall be worn on each shoulder with the outer edge 5/8 inch above the sleeve seam. The bars shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

**634.50 COMMANDER-RANK INSIGNIA.** A star shall be affixed to each side of the collar of the uniform shirt worn by commanders. One point of each star shall point upwards in such a manner that a line bisecting this point will be parallel to the front edge of the collar. The center of the star shall be 1 inch from the front edge of the collar and centered on the collar. On the dress coat and on the field jacket, a star shall be worn on each shoulder so that one point of the star points to the rear. The center of the star shall be 1 inch above the sleeve seam and centered directly over the shoulder seam.

**634.60 DEPUTY CHIEF-RANK INSIGNIA.** Two stars shall be affixed to each side of the collar of the uniform shirt worn by deputy chiefs. One point of each star shall point upwards. The stars shall be centered between the top and bottom edges of the collar, and the

center of the front star shall be 1 inch from the front edge of the collar. On the dress coat and on the field jacket, two stars shall be worn on each shoulder in such a manner that one point of each star points to the rear. The center of the outside star shall be 1 inch above the sleeve seam, and both stars shall be centered directly over the shoulder seam.

**634.70 ASSISTANT CHIEF-RANK INSIGNIA.** The three-star insignia worn by Assistant Chiefs shall be affixed in the same relative position as prescribed for deputy chiefs.

**634.80 CHIEF OF POLICE-RANK INSIGNIA.** The four-star insignia worn by the Chief of Police shall be affixed in the same relative position as prescribed for deputy chiefs.

**635. SPECIALIZED ASSIGNMENT INSIGNIA.**

**635.10 AUTHORIZATION TO WEAR INSIGNIA.** The Chief of Police may authorize specific insignia to be worn by members of bureaus, divisions, or other units within the Department. The authorized insignia are prescribed in this section.

**635.15 EXPLOSIVES ORDNANCE AND DEMOLITIONS DIVISION INSIGNIA.** Officers who have successfully completed the United States Army Hazardous Devices School shall wear the insignia of the Explosives and Demolitions Division when assigned to the Bomb Squad, Special Operations Support Division. The insignia shall be worn centered below the upper midseam of the left shirt pocket flap.



**635.17 MOTORCYCLE DRILL TEAM UNIT INSIGNIA.** Officers assigned to the Motorcycle Drill Team Unit may wear the Drill Team insignia 1/4-inch above the right breast pocket.

**635.20 TRAFFIC ASSIGNMENT EMBLEM.** Officers assigned to any traffic assignment shall wear the Traffic Assignment Shoulder Emblem.

TRAFFIC ASSIGNMENT SHOULDER EMBLEM



BLUE LETTERING, SILVER CROSS ON GREEN FIELD, BLUE PIPING - POLICE OFFICER, SILVER PIPING - SERGEANT AND ABOVE.

**635.30 TRAFFIC ENFORCEMENT EMBLEM.** Officers who have successfully

completed the Basic Motorcycle Officer Riding School and who are assigned to a two-wheel traffic enforcement detail shall wear the Traffic Enforcement Emblem.

**635.40 COLLISION INVESTIGATION EMBLEM.** Officers who have successfully completed the Basic Collision Investigation School and the Traffic Collision Update School and are assigned to a collision investigation detail or a four-wheel traffic enforcement detail shall wear the Collision Investigation Emblem.

TRAFFIC ASSIGNMENT EMBLEMS



(1/4 INCH BELOW SHOULDER EMBLEM) SILVER.

**635.70 AIR SUPPORT DIVISION EMBLEM.** Officers assigned to Air Support Division shall wear the appropriate emblem(s).

AIR SUPPORT ASSIGNMENT EMBLEMS



BLUE LETTERING AND SYMBOL ON SILVER FIELD, BLUE PIPING.

PILOT'S EMBLEM WORN ON EXTREME RIGHT OF TOP SEAM OF LEFT BREAST POCKET FLAP. WORN TO THE LEFT OF OTHER MEDALS



OBSERVER'S EMBLEM WORN ON EXTREME RIGHT OF TOP SEAM OF LEFT BREAST POCKET FLAP. WORN TO THE LEFT OF OTHER MEDALS



PILOT'S EMBLEM WORN ON EXTREME RIGHT OF TOP SEAM OF LEFT BREAST POCKET FLAP. WORN TO THE LEFT OF OTHER MEDALS

**636. ARMED FORCES AWARDS.**

**636.10 ARMED FORCES RIBBONS.** Commanding officers shall encourage uniformed personnel to wear ribbons representing duly authorized decorations or awards for service in the Armed Forces of the United States, or awarded by an ally friendly to

the United States at the time of service at formal inspections. Ribbons worn on the uniform shirt shall be affixed below the badge and above any Department medal or award. If necessary to provide sufficient space for ribbons, the badge may be adjusted upwards a maximum distance equal to the width of two rows of ribbons; if additional space is still needed, the location of authorized Department medals and decorations may be adjusted downward the width of one row of ribbons. Ribbons worn on the dress coat and shall be worn below the badge.

**Exception:** Staff and command officers shall wear their Armed Forces ribbons when appearing in dress uniform.

**636.20 ARMED FORCES MEDALS.** Medals of the armed services may be worn only in the manner prescribed by the order of precedence established by military regulations. Such medals may be worn only upon prior approval of the Chief of Police.

**636.30 VETERANS' EMBLEM.** As a means of displaying veteran's status, one discharge button or one official emblem of a veterans' organization, either of the Armed Forces of the United States or an ally friendly to the United States at the time of service may be worn at the top left corner of the left pocket of the uniform shirt.

**637. WEARING OF DEPARTMENT DECORATIONS.**

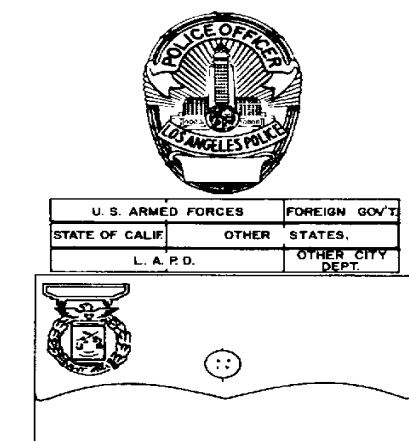
**637.10 WEARING DECORATIONS.**

**General.** Employees shall be encouraged to wear authorized medals or ribbons on the uniform shirt, or dress coat.

**Note:** Medals or ribbons shall not be worn on the nylon waist-length field jacket.

**637.20 AUTHORIZED DEPARTMENT RIBBONS.** Department-issued ribbons authorized for wear with the Department uniform in descending order of precedence are:

- \* Medal of Valor.
- \* Police Distinguished Service Medal.
- \* Police Commission Unit Citation.
- \* Police Medal.
- \* Police Meritorious Service Medal.
- \* Police Meritorious Achievement Medal.
- \* Police Meritorious Unit Citation.
- \* Police Star.
- \* Lifesaving Medal.
- \* Police Commission Distinguished Service Medal.
- \* Police Commission Integrity Medal.
- \* Community Policing Medal.
- \* Human Relations Medal.
- \* Reserve Officer Service Ribbon



**637.30 MEDALS-WHERE WORN.**

**Single.** If only one medal is to be worn, it shall be worn on the extreme right of the top seam of the left breast pocket flap.

**Multiple.**

- \* **Uniform Shirt.** If two or more medals are to be worn, they shall be worn on the top seam of the left breast pocket flap and extending to the left in descending order of precedence.
- \* **Coat.** Authorized medals may be worn on the dress coat. When worn, they shall be affixed in a horizontal line beneath the badge in the same relative position as when worn on the uniform shirt.

**Exception:** The Medal of Valor shall be suspended by the neck sash.

**637.40 DEPARTMENT RIBBONS.** Ribbons representing authorized Department medals may be worn on the uniform in lieu of the respective medals.

They shall be centered above the left breast pocket below the badge extending toward the wearers left in descending order of precedence with the bottom row on the seam. (Ribbons worn on the dress coat and shall be worn directly below the badge.)

Three ribbons shall constitute a complete row. Precedence of rows shall be top to bottom. Additional rows shall also extend toward the wearers left in descending order of precedence. An incomplete row shall be the top row with its ribbons centered on the complete row(s) beneath.

When an employee receives the same award more than once, the second and subsequent awards shall be indicated by a bronze oakleaf cluster worn on the original ribbon. A silver oakleaf cluster will be worn in lieu of five bronze clusters.

**Note:** When Departmental ribbons are worn in conjunction with military ribbons and/or ribbons awarded by outside governmental agencies, the order of precedence is:

- \* United States Government awards.

- \* Foreign Government awards.
- \* State Government awards.
- \* Department awards.
- \* Other City Department awards.

Ribbons must also be worn in the correct order of precedence established by the awarding agency.

If necessary to provide sufficient space for ribbons, the badge may be adjusted upwards a maximum distance equal to the width of two rows of ribbons.

**637.50 MEDAL OF VALOR BUTTON.** Medal of Valor recipients may wear the Medal of Valor button in lieu of the medal or ribbon.

**637.60 POLICE BADGE MOURNING BAND.** A police mourning band may be worn on an officer's badge when:

- \* A peace officer assigned to a Los Angeles County law enforcement agency; a Department employee; or a Los Angeles City Firefighter or Paramedic is killed in the line of duty.
- \* An officer attends a funeral or other service for a fallen law enforcement officer; or
- \* Approved by the Chief of Police.

A mourning band may be worn from the day of the death until midnight on the evening of the funeral.

The band shall be made of black elastic polyester 3/8 in width and shall be positioned horizontally over the City seal of the badge.

**638. SERVICE STRIPES.**

**638.10 WEARING REQUIRED.**

**Sworn.** For each five years of sworn service with the Department, officers shall wear one service stripe on the uniform shirt. Laterally hired officers shall wear one service stripe for each five years of California law enforcement experience, or law enforcement experience with a state accredited law enforcement agency equivalent to Peace Officer Standards and Training.

**Note:** This only applies to the uniform and does not increase the officer's years of service with the City of Los Angeles.

**Civilians.** For each five years of sworn service under honorable conditions or service in non-sworn positions, civilian uniformed employees shall wear one service stripe on the uniform shirt. e.g., an honorable retired officer who returns to employment with the Department as a uniformed civilian employee shall be entitled to wear service stripes indicating his/her total sworn and civilian service on his uniform shirt.

Service as war-emergency personnel with the Department shall be counted in computing length of service. The service stripe may be worn six months prior to the five year period represented if the wearer so desires.

**638.20 LOCATION-FIELD OFFICERS.** Service stripes shall be sewn on the lower left sleeve of the uniform shirt with the lower edge of the bottom stripe one-half inch above the top edge of the cuff. The complete stripe shall be in front of the center Media of the sleeve.

**639. APPROVED PINS-WHERE WORN.**

**639.10 AREA IDENTIFICATION PINS.** Area Identification Pins may be worn by Department employees. The pins shall be worn on the lower left corner of the right pocket flap.

**639.20 SAFE DRIVING PIN.** Officers awarded the Safe Driving Pin may wear it while on-duty. Uniformed officers who choose wear the pin shall display it on the extreme left side of the top seam of the left pocket flap of the uniform shirt. Non-uniformed employees may wear the Safe Driving Pin on their jacket lapel.

**639.30 SERVICE PIN.** Department personnel may wear their most current City of Los Angeles Service Pin on their uniform or civilian attire. Uniformed personnel shall wear the pin on the upper left-hand corner of the right pocket flap of the uniform shirt. Non-uniformed employees dressed in civilian business attire may wear the Service Pin on the jacket lapel.

**639.40 DARE PIN.** The Drug Abuse Resistance Education (DARE) America pin may be worn by Department employees. The pin, when worn on the uniform, shall be worn on the left breast pocket flap, ¾ inch below the top seam and ¾ inch in from the left edge of the flap. Plainclothes personnel may wear the pin on their left lapel of the outer most garment.

**639.50 AWARD LAPEL PINS.** Award Lapel Pins are miniature enameled pins that correspond in color and design to their accompanying ribbon. Uniformed personnel shall wear the pin on the upper left-hand corner of the right pocket flap of the uniform shirt. Employees in a non-uniformed assignment may wear an Award Lapel Pin on their lapel.

**639.60 FLAG PIN.** Department personnel may wear a miniature enameled American Flag pin on their uniform or civilian attire. The pin is to be worn on the uniform left breast pocket flap, ¾ inch below the top seam and ¾ inch in from the outside edge of the flap. For non-uniformed personnel, the pin is to be worn on their left lapel of the outer most garment.

**Note:** Requests for the display of other American Flags on the uniform shall be directed via an Employee's Report, Form 15.7, to the Uniform Committee, via the respective chain of command.

**640. MATERNITY UNIFORM.**

**640.10 MATERNITY UNIFORM.** The maternity uniform has been approved for pregnant officers when it becomes impractical

for them to wear a basic uniform. The uniform shall meet the specifications as prescribed in the Department Uniform and Personal Equipment Specifications Manual.

**660. INSPECTIONS-UNIFORMS AND EQUIPMENT**

**660.10 DEPARTMENT INSPECTIONS.** The Department, or any part of it, may anticipate an inspection by the Chief of Police or his designee at any time.

**660.20 GROUP INSPECTIONS.** Commanders assigned to geographic bureaus shall make periodic inspections of the uniforms and equipment of employees in their bureaus.

**660.30 AREA OR DIVISION INSPECTIONS.** Commanding officers shall cause detailed, individual inspections to be made of the uniforms and equipment of all employees assigned uniformed duty (Manual Sections 3/614 and 3/621) and the equipment of all other sworn personnel in their command (Manual Section 3/627.10). These inspections shall be made in conjunction with the annual performance evaluation.

**Supervisor's Responsibility.** The supervisor who presents a completed performance evaluation to an employee shall review the Individual Uniform and Equipment Division Inspection Record, Form 1.41, with the employee. After verifying the contents and updating the Form 1.41, the supervisor shall indicate in the check box provided on the Performance Evaluation Report, Form 1.78, that this has been done.

**Recording Inspection Results.** The dates and the results of the inspections shall be recorded on the Individual Uniform and Equipment Division Inspection Record. Each employee inspected shall have a Form 1.41 prepared for him. The form provides for a description and evaluation of the personal appearance of employees. A description and evaluation of the regulation uniform and equipment of employees shall be entered. Items which are not applicable may be omitted.

**Retention of Records.** The inspection records shall be retained in a special file to be established by the commanding officer.

When completed, the records shall be filed in the employee's personal file for a period of two years. When an employee is transferred, this form shall accompany the employee's records to his/her new division of assignment.

**Unsatisfactory Conditions.** Unsatisfactory conditions shall be called to the attention of the concerned employee for the purpose of assisting him/her to attain a higher rating. The records of division or Area inspections shall be available for inspection by the concerned employees. Commanding officers shall require that unsatisfactory conditions be corrected and, when necessary, shall institute disciplinary proceedings to ensure conformance with Department rules and regulations.

**Commendations.** Employees who achieve a rating of excellent as a result of an inspection shall be given an oral commendation by the supervisors concerned. When warranted, a written commendation shall also be given.

**660.40 WATCH INSPECTIONS.** Watch commanders shall conduct daily inspections of the watch to ensure that the prescribed articles of uniform and equipment are properly worn and that the uniforms and equipment are in a clean and serviceable condition. Appropriate records of such inspections shall be maintained.

**660.50 SPECIAL INSPECTIONS.** An employee who is responsible for calling the roll for a special detail such as a parade, premiere, or stadium event shall conduct an inspection.

**665. SPECIFICATIONS-UNIFORM AND EQUIPMENT.** The uniform specifications are found in The Department Uniform and Personal Equipment Specifications Manual.

**670. DEPARTMENT PUBLICATION ACCOUNTABILITY.**

**670.05 RECEIPT OF DEPARTMENT PUBLICATIONS.** Commanding officers shall ensure that employees and reserve officers receive all Department directives and training material in accordance with the designated distribution code in a timely manner.

Employees shall acknowledge receipt of publications by signing their Department Publication Receipt Form 1.42.0. These publications include, but are not limited to, the following:

- \* Special Orders;
- \* Administrative Orders;
- \* Operational Orders;
- \* Operational Notices;
- \* Training Bulletins; and,
- \* Any additional directives as indicated by the Chief of Police.

Currently the Department distribution codes are as follows:

- \* Distribution A: (sworn);
- \* Distribution B: (commanding officers);
- \* Distribution C: (civilians only); and,
- \* Distribution D: (sworn and civilian).

The publications shall also be made available to all personnel within each Area/division at a centralized location for referral purposes.

Each officer shall be responsible for maintaining all valid training material issued to him or her by the Department.

**PERSONNEL  
MANAGEMENT**

**701. MEMORANDUM OF UNDERSTANDING PROCEDURES.**

**701.10 MEMORANDUM OF UNDERSTANDING-DEFINED.**

A Memorandum of Understanding is a written memorandum jointly prepared and approved by the Department and the City Council on which agreement is reached through meeting and conferring between the City's management representatives and representatives of a recognized employee organization.

**Note:** When a provision of a Memorandum of Understanding (MOU) conflicts with the Department Manual, the MOU shall take precedence.

**701.20 SUPERVISOR**

**RESPONSIBILITY.** All supervisors shall familiarize themselves with the provisions of Memorandums of Understanding (MOU) affecting their subordinates and shall comply with such provisions.

**701.30 COMMANDING OFFICER'S RESPONSIBILITY.**

- All commanding officers shall:
- \* Ensure adherence to the provisions of every MOU affecting personnel within their command.
  - \* Maintain a readily accessible copy of each applicable MOU.
  - \* Maintain liaison with the Employee Relations Administrator (ERA) regarding the administration of MOU's.

**702. WORKING HOURS, OFFICERS.**

Each officer shall be in actual attendance on-duty for a minimum of eight hours on each day that he/she is assigned to work. Each eight-hour period on-duty shall constitute one work day. [Los Angeles City Administrative Code, Division 4, Chapter 3, Article 5, Section 4.168 (b)(1)].

**702.20 FREE TIME-OFFICERS.** Officers assigned to divisions having an established roll call and training period shall be allowed off-duty "free time" (Code Seven period) of forty-five consecutive minutes during each regular tour of duty. Officers assigned to divisions which do not have established roll call periods shall be allowed off-duty "free time" of 30 minutes during each regular tour of duty.

Officers shall not take or request Code Seven during the first or last hours of their assigned tour of duty. Requests will not be granted by Communications Division without specific approval of the employee's watch commander.

Officers on free time (Code Seven) status are not "on-call" except to the extent that all off-duty members are "on-call." Officers on free time (Code Seven) status may go where they choose and do as they choose during that

period, subject to the rules and regulations of this Department applicable to off-duty officers.

Supervisors may not interrupt an officer's Code Seven period to handle routine matters which could be taken care of at a later time, or which could be handled by other officers who are on-duty at the time.

**Personnel in Uniform.** Sworn personnel are permitted to remain in uniform during Code Seven periods provided they adhere to the following:

- \* Department regulations governing the manner in which the uniform shall be worn; and,
- \* Department regulations governing the conduct of sworn personnel who appear in public while in uniform.

**Completion of Code Seven.** At the completion of Code Seven, sworn personnel shall be at the location where they started Code Seven, and shall be ready to immediately return to on-duty status unless otherwise directed by their watch commander.

**Disposition of City Vehicle.** During Code Seven periods, sworn personnel shall park City vehicles at a police facility within the geographic division boundaries to which they are assigned. Delivery of such vehicles to such location shall be a condition precedent to the approval of a Code Seven request.

**Exception:** Sworn personnel may, at their discretion, park their assigned City vehicles at one of the following locations during Code Seven periods provided that the Department is notified of such location at the time Code Seven approval is obtained:

- \* Any location within a division to which the concerned unit is assigned; or
- \* Any other location approved by their watch commander.

Sworn personnel shall not use or operate City vehicles for any purpose while off-duty during Code Seven periods unless prior approval is obtained from their watch commander.

**Exception:** If an emergency arises, the concerned officers would be considered to have reverted to on-duty status. The restrictions on use of City vehicles during Code Seven periods would no longer apply.

**Interrupted Code Seven.** Whenever a Code Seven period is interrupted because of an emergency, the sworn personnel affected shall immediately revert to on-duty status for the duration of the emergency. Such personnel shall be allowed additional time during their same tour of duty in which to complete their Code Seven. If such additional time cannot be granted during the same tour of duty, the concerned personnel shall receive compensation in accordance with their existing Memorandum of Understanding.

When officers on Code Seven receive a citizen's request for service of a

non-emergency nature, the officers should inform the citizen that they are off-duty and, if the situation warrants, request another unit to handle the request.

**702.30 DAYS OFF, OFFICERS.** All officers shall work 261 days in each calendar year. Each officer shall normally be entitled to eight regular days off during each 28-day deployment period. Additionally, each officer shall receive thirteen days off in lieu of a holiday, to be scheduled during the calendar year at the discretion of the Chief of Police. Planning and Research Division shall, prior to December 15 of each year, issue a deployment schedule for the forthcoming year.

**Note:** Days off in lieu of holidays and days taken off utilizing accumulated overtime are compensatory days and shall be considered working days in computing the 261 work days for a calendar year.

**Absence From Duty.** The number of unused regular days off or the day off in lieu of a holiday shall be reduced by one day for every three and one-quarter days absence during a deployment period, when such absence is for any of the following reasons:

- \* Sick leave (without pay).
- \* Military leave (pay).
- \* Military leave of absence (no pay).
- \* Leave of absence (with or without pay).

Only days absent in any one deployment period shall be used in computing deductions of regular days off in that deployment period.

**Sick, Sick Leave With Pay, Injured on Duty, and Suspended.** When an officer goes off sick (SK); sick leave with pay for illness (SK), injury or death in his/her immediate family (FI); injured on-duty (ID); worker's compensation (WC); or has been suspended, the officer's days off duty shall be recorded as follows:

- \* Any day that was originally scheduled to be a working day or a vacation day shall be recorded as sick (SK), sick family (FI), injured on-duty (ID), worker's compensation (WC), or suspended (SP); or,
- \* Days off in lieu of holidays shall not be deferred from one calendar year to the next.

**Note:** The commanding officer of an employee who is on worker's compensation state-rate status shall forward an Intradepartmental Correspondence, Form 15.2, to Fiscal Operations Division, denoting the inclusive dates that the employee was on state-rate status. The Form 15.2 shall be completed, as soon as practical, upon the employees return to duty. Upon receipt of the Form 15.2, Fiscal Operations Division shall verify the dates the employee was on state-rate status against the time-sheet, to reconcile cash payment for those holidays that were previously paid at state-rate to the employee.



- \* When practicable, time shall be reported to reflect days off on Saturdays and Sundays when an officer is to be carried sick, sick leave with pay, injured on-duty, or vacation for an extended period.

**Officers Temporarily Relieved From Duty.**

Officers who are temporarily relieved from duty pending a Board of Rights hearing shall not incur a loss of pay for 30 calendar days after being served with the charges. Officers temporarily relieved from duty shall be shown as "RP" (relieved from duty with pay) on any scheduled workday during the 30 calendar days following service of the Complaint and Relieve from Duty, Suspension or Demotion, Form 1.61. Thereafter, the officer shall be carried "TR" (relieved from duty **without** pay). However, a suspension or removal may be imposed prior to the end of the 30-day period if a final decision has been made by the Chief of Police. Officers who are relieved from duty **with** pay shall be scheduled for a day off in lieu of a holiday(s) pursuant to the annual Deployment Schedule.

**Timekeeping Audit.** It shall be the responsibility of the concerned division commanding officer to cause an accounting of timekeeping functions to ensure proper accrediting of days off for each deployment period.

**702.60 SUSPENSION OF DAYS OFF.** The Board of Police Commissioners, at its discretion, may suspend operation of Manual Section 3/702.30.

**703. WORKING HOURS, CIVILIAN EMPLOYEES'.** Each full-time civilian employee, of the following classifications, shall be in actual attendance on-duty, for a minimum of eight hours per watch, excluding lunch period, to constitute one working day:

- \* Station Officer.
- \* Senior Station Officer.
- \* Principal Station Officer.
- \* Property Officer.
- \* Senior Property Officer.
- \* Principal Property Officer.
- \* Police Service Representative.
- \* Senior Police Service Representative.

All other full-time civilian employees shall be in actual attendance, on-duty, for the following minimum number of hours, excluding lunch period, to constitute one working day:

- \* Day Watch-eight hours.
- \* Night Watch-seven and one-half hours.
- \* Morning Watch-seven hours.

A full-time employee shall work 20 days exclusive of legal holidays or a leave of absence with pay in each 28-day deployment period. (1)

The 20 days of work may be scheduled at such time during two bi-weekly pay periods as the Chief of Police may direct. (1) A civilian employee shall not be required to work in

excess of eight hours on any day, or 160 hours during any deployment period. (1)

*[(1)Does not apply to members of the Plant Equipment Operators and Repairmen Representation Unit who shall be on a 40-hour-per-week schedule.]*

**703.60 LEGAL HOLIDAYS, CIVILIAN EMPLOYEES.** The term "legal holiday," when used in connection with working hours of civilian employees, shall be limited to the relevant provisions of the current Memorandum of Understanding applicable to members of representation units.

**704. RELIGIOUS OBSERVANCES.** An employee may be allowed time off to observe a religious holiday when such allowance will not interfere with the proper performance of Department operations. Time off shall be deducted from the employees accrued overtime, compensatory equivalent time off, or accrued vacation time. When the employee has no available time which may be deducted, the time off shall be recorded as "Absent" (without pay). However, time off for religious observances may be allowed by rescheduling the employee's regular days off.

**705. TIMEKEEPING.** Each division commanding officer shall cause accurate, official records to be maintained in his or her division, showing the time worked by each employee who is assigned to that division. The records shall be kept on official forms supplied for that purpose by the Department.

**705.10 UNOFFICIAL TIME BOOKS.** A watch commander or an officer in charge maintaining a small, unofficial time book for supervisory use shall use the Time Book, Form 15.30, or the Watch/Assignment and Timekeeping Record, Form 15.10. Entries made therein pertaining to time worked shall correspond to those described in 3/705.40. If an unofficial time book is used to prepare entries for the Divisional Time Book and Form DSB 245, it shall be filed with other division records upon completion of the book. Unofficial time books may be destroyed after a minimum of two years time from the last entry.

**705.30 ENTRIES IN OFFICIAL DIVISIONAL TIME BOOK.** Entries in the Official Divisional Time Book, Form 15.30.1, shall be made only by, or at the direction of, a division commanding officer, a watch commander, or an officer in charge. Entries in the Official Divisional Time Book, Form 15.30.1, shall be made in black ink or by the use of a rubber stamp. The employees rank and paygrade shall be placed in the space designated **Rank**. Authorized abbreviations may be used.

**705.40 OFFICIAL DIVISIONAL TIME BOOK ABBREVIATIONS.** The following abbreviations and symbols shall be used in marking the Official Divisional Time Book, Form 15.30.1:

**All Employees.**

- I - (Vertical line)-Present, working regular assignment. The regular assignment shall be indicated by placing the appropriate symbol in the space following the employee's name and preceding the space for the first day of the payroll period.
- O - Regular day off.
- FH - Floating holiday.
- \$ - Compensatory equivalent day off (CETO).
- TO - Overtime off (1.5-time and one-half).
- TS - Overtime off (1.0-straight time).
- H - Day off in lieu of a holiday (holiday for civilian employees).
- O/1 - Worked on regular day off.
- H/1 - Worked on day off in lieu of a holiday (sworn personnel), or worked on a holiday (civilian personnel).
- P/1 - Voluntary relinquishment of regular day off (penalty day).

**Note:** Alternate duty assignments worked by assigned personnel may be reflected in the Official Divisional Time Book at the discretion of the Commanding Officer.

The following Variation Codes shall be marked in **RED** ink in the divisional time books:

- AW - Absent Without Pay.
- BL - Bereavement Leave.
- FI - Family Illness.
- ID - Injured On Duty Time.
- JD - Jury Duty.
- LP - Leave With Pay.
- LW - Leave Without Pay.
- ML - Military Leave Without Pay.
- MP - Military Leave With Pay.
- PM - Preventive Medicine.
- RP - Relieved From Duty With Pay.
- SK - Sick Time.
- SN - Special Assignment No Pay.
- SP - Suspension.
- TO - Overtime Off (1.5 Time and one-half).
- TR - Relieved From Duty Without Pay.
- TS - Overtime Off (1.0 Straight Time).
- VC - Vacation.
- WC - Workers' Compensation.

**Day Off in Lieu of a Holiday-Sworn Personnel.** A day off in lieu of a holiday, when authorized, may be scheduled on any date during a deployment period.

When an officer is off duty for an entire deployment period due to any of the following

reasons, no day off in lieu of a holiday shall be designated in the Divisional Time Book:

- \* Absent Without Pay.
- \* Leave Without Pay.
- \* Military Leave With Pay.
- \* Military Leave Without Pay.
- \* Relieved From Duty.
- \* Suspended.

**Day Off in Lieu of a Holiday-Civilian Employees.** When a civilian employee works on a legal holiday, it shall be indicated in the Divisional Time Book as H/1. An "H" over the date earned (e.g., H/ 12-25) shall be indicated in the "Notes" portion. This entry shall be carried forward each month until the deferred holiday is used.

When the deferred holiday is used, it shall be indicated as "H\*" in the Divisional Time Book. The word "used" followed by an "H" over the date earned (e.g., H /12-25)" shall be entered in the "Notes" portion. Deferred holidays shall be used in the order in which they are earned.

**Time Book Marking.** The Divisional Time Book shall be marked so that it accurately reflects the actual attendance record for each employee during the deployment period.

Adjustments of less than eight hours to an employees regular work day shall be indicated by using the appropriate time book variation code followed by the number of hours and/or tenths of hours used (e.g., to indicate the use of four hours of overtime off the time book shall be marked 1/TO/4.0, or two hours of sick time off marked 1/SK/2.0).

**Note:** Sick and vacation time can only be used in increments of whole hours.

When an officer is off-duty during an entire deployment period for any of the following reasons, days off shall be scheduled and entered in the Divisional Time Book to reflect four (4) days off for the employee during each payroll period:

- \* Injured On-Duty (Schedule "H" day, if applicable).
- \* Suspended (*Do not* schedule "H" day).
- \* Sick (*May* schedule "H" day if authorized).
- \* Vacation (*May* schedule "H" day if authorized).

When an employee is off-duty during an entire deployment period for any of the following reasons, no days off are earned (Manual Section 3/702.30), and none shall be entered in the Division Time Book:

- \* Absent Without Pay.
- \* Leave Without Pay.
- \* Military Leave With Pay.
- \* Military Leave Without Pay.

**Deferment of Days Off.** Regularly scheduled days off may be deferred within a deployment period. They shall not be deferred from one deployment period to another.

**705.60 TIME SHEET ABBREVIATIONS.** The abbreviations and symbols described in Manual Section 3/705.40 shall be used when marking Time Sheets, Form DSB 245.

**Note:** Time Sheets shall be marked with the actual hours each employee has worked or appropriate abbreviations each day.

**705.70 NIGHT BONUS TIMEKEEPING-CIVILIAN EMPLOYEES.** Civilian employees assigned to night duty receive a night bonus of one additional pay step. When practicable, a civilian employee shall be assigned to night duty for an entire bi-weekly payroll period, the assignment to be effective on the first day of the period.

The Department is restricted as to the civil service positions and the number of civilian employees who may be assigned to night-bonus pay status. Commanding officers shall not exceed their total allotments when assigning civilian employees to night duty.

The Accounting Section, Fiscal Operations Division, shall send a Night Bonus Assignment Roster for the next payroll period with the Time Sheet, Form DSB 245, for the current payroll period to each division. The division commanding officer shall cause the roster to be updated and returned with that Time Sheet to the Accounting Section.

**Night Bonus Employees Not Available for Duty.** When employees on night-bonus status are sick, on vacation, or otherwise temporarily absent from duty, their bonus status need be changed only if their bonus position is filled by another employee replacing them.

**Marking Time Sheets for Night Bonus Status.** A letter, "N" or "D," shall be entered in the "N/D" column on the Time Sheet, Form DSB 245, to signify that a civilian employee has been assigned to either night or day duty for the payroll period. If it is necessary to change an employee to or from night-bonus status during a payroll period, the change shall be noted on the Time Sheet by entering a letter, "N" in the box for each day changed to night-bonus status or a letter, "D" in the box for each day changed to day status.

**705.80 EXPENSE REIMBURSEMENT-POLICE RESERVE CORPS.** The following procedures shall be followed to ensure proper payment of expense reimbursement for police reserve officers:

- \* At the end of each deployment period the Area/division Reserve Coordinator shall note on the deployment report any personnel changes not reflected on the report.
- \* The Area/division commanding officer shall certify the deployment report by affixing their signature, rank, and title following the last entry.
- \* The deployment report shall be forwarded to the Reserve Coordination Section within

seven working days following the end of the deployment period.

- \* A roster of all police reserve personnel shall be compiled by the Reserve Coordination Section and forwarded to Fiscal Operations Division on a semi-annual basis.
- \* Fiscal Operations Division shall then transmit the rosters to the Office of the City Controller semi-annually.

**705.90 PERSONNEL REPORTING PROCEDURE.** Each commanding officer or concerned officer in charge shall ensure that the following information regarding personnel assigned to his/her command is recorded on the Police Personnel Divisional Roster computer printout:

- \* Position assignment of all sworn personnel.
- \* Name, serial number, rank, and division of assignment of sworn personnel loaned to his or her command.
- \* Sworn personnel assigned in lieu of higher paygrade positions.
- \* Location of sworn personnel loaned to other divisions.
- \* Name, serial number, rank, and division of assignment of over T/O personnel, including a brief statement of the authority for each individual's over T/O status and the anticipated termination date of that status.

Each commanding officer or concerned officer in charge shall review for accuracy and sign the Police Personnel Divisional Roster and return it to the Sworn Personnel Services Section, Personnel Division, no later than five working days following the first day of the related deployment period.

**708. OVERTIME DEPARTMENT EMPLOYEES.**

**708.05 OVERTIME MANUAL AND AUDIT GUIDE.** The Overtime Manual and Audit Guide contains all the relevant overtime provisions applicable to sworn and civilian Department personnel. Copies of the Overtime Manual and Audit Guide shall be maintained and used by Department entities responsible for approving overtime.

**Commanding Officers-Responsibility.** All commanding officers shall ensure that:

- \* All personnel within their command adhere to the provisions of the Overtime Manual and Audit Guide.
- \* Overtime Manual and Audit Guides assigned to their command are revised as necessary.

**Fiscal Operations Division-Responsibility.** Fiscal Operations Division is responsible for maintaining the Master Overtime Manual and Audit Guide and publishing revisions as necessary.

**709. VOTING.**

**709.50 TIME OFF FOR VOTING.**

Employees who have less than four consecutive off-duty hours before the beginning or after the end of their watch in which to vote may request the time off necessary to accomplish this purpose. Such request shall be made to their supervisor on an Employees Report, Form 15.7, at least two working days prior to the election, stating the reasons they do not have time to vote while off-duty. If their requests are justified, employees may be allowed only the time off necessary to enable them to vote, but in no event shall more than two hours be granted. This time off shall be either at the beginning or end of the watch. No overtime will be granted to employees voting off duty.

**710. SICK TIME PROVISIONS.**

**710.05 SICK TIME PROVISIONS-SWORN EMPLOYEES.**

A sworn employee, immediately upon employment, is entitled to twelve days of sick time at full pay, five days at seventy-five percent of full pay, and five days at fifty percent of full pay. On the first day of each subsequent payroll period during which January 1 occurs, he or she is entitled to an additional twelve days of sick time at full pay, five days at seventy-five percent of full pay, and five days at fifty percent of full pay.

Unused full-pay sick days may be accumulated to a maximum of one hundred days. When the employee's unused full-pay sick days exceed the one-hundred-day maximum at the end of any calendar year, the excess shall be compensated for by cash payment at fifty percent of the employee's current salary rate on the day of payment.

Partial-pay sick days may be accumulated to one hundred days each. All accrued sick days at partial pay in excess of such maximum amounts shall be deemed waived and lost.

**710.10 SICK TIME PROVISIONS-CIVILIAN EMPLOYEES.**

Civilian employees employed after December 31, 1976, must complete six consecutive months of employment with no more than ten working days absent without pay to qualify for sick leave. Such employees shall be credited with one day of sick leave upon completion of the six-month qualifying period and, for the remainder of that *calendar* year, one day at the end of each subsequent month worked. Excessive absences will delay the completion of the qualifying period.

On January 1 of each year, civilians who were employed prior to January 1, 1977, and those who have completed the six-month qualifying period, shall be entitled to twelve days of sick time at full pay, five days at seventy-five percent of full pay and five days at fifty percent of full pay.

Unused full-pay sick days may be accumulated to a maximum of one hundred days. When the employee's unused full-pay sick days exceed

the one-hundred-day maximum at the end of any calendar year, the excess shall be compensated for by cash payment at fifty percent of the employee's current salary rate on the day of payment.

Partial-pay sick days may be accumulated to one-hundred days each. All accrued sick days at partial pay in excess of such maximum amounts shall be deemed waived and lost.

**Note:** Any relevant provisions of a memorandum of understanding shall apply to members of representation units.

**710.20 SICK TIME PROVISIONS-PART-TIME CIVILIAN EMPLOYEES.**

A part-time civilian employee who has completed six months continuous service without being absent for more than ten days during that period is entitled to a percentage of that sick leave allowed full-time employees. This sick leave shall be computed by dividing the number of hours in the part-time employees normal work week by 40 and rounding the result to the nearest hour. This sick leave may be accrued at the same percentage basis.

**Note:** When computing six months continuous duty for crossing guards, school holidays shall not be included and shall not be considered as a break in service. School holidays, including school vacations when a guard cannot work continuously, must be made up in order for the crossing guard to have worked six months in aggregate. Single-day holidays may be disregarded for practical administrative purposes.

**710.25 PREGNANT EMPLOYEES.**

A pregnant employee may elect to take a maternity leave of absence (Manual Section 3/730.30) or use accumulated sick leave benefits, including 100 percent, 75 percent, and 50 percent paid sick leave time, for that period of time during which she is certified by a physician as unable to work. Accumulated vacation time may be used in conjunction with, or in lieu of, sick time. Sick leave will not be granted, however, after an employee has elected to take a maternity leave of absence and has begun such leave.

**710.30 ABSENCES DUE TO MORAL TURPITUDE.**

An employee shall not be entitled to sick leave with pay when compelled to be absent from work on account of any illness or injury arising from the employee's own moral turpitude.

**710.40 EMPLOYEE MEDICAL CALENDAR.**

Medical Liaison Section, Personnel Division, shall prepare an Employee Medical Calendar, Form General 90, when requested by a commanding officer who believes an employee's use of sick time warrants examination. Upon request of Personnel Division, the Police Accountant shall forward information relating to use of sick leave to Medical Liaison Section. The Employee Medical Calendar shall be sent to the concerned employee's commanding officer, who shall:

- \* Ensure that the employee is informed of Department procedures regarding sick leave.
- \* Initiate appropriate action which will be in the best interests of the employee and the Department.

**711. ILLNESS OR INJURY PROVISIONS.**

**711.10 REPORTING OFF SICK WHEN ON-DUTY.**

An on-duty employee who must go off duty as a result of a non-work related illness or injury shall notify his/her supervisor and complete a Non-Occupational Sick or Injury Report, Form 1.30.

**711.20 REPORTING INJURIES OCCURRING ON-DUTY.**

An Employee who sustains an on-duty illness or injury shall report it to a supervisor immediately. When the injured employee is unable to report the injury, an employee having knowledge of the incident shall ensure that a supervisor is promptly made aware of the circumstances of the injury. The supervisor shall complete an Employers Report of Occupational Injury or Illness, State Form 5020. If the employee is unable to sign the report, the supervisor shall sign the employee's name, followed by the supervisor's initials.

**Sworn Employees.** When a sworn employee is injured to any degree while on duty, the employee's supervisor shall:

- \* Ensure that the employee receives immediate medical treatment.
- \* Notify Medical Liaison Section, Personnel Division, of the circumstances of the injury.
- \* Forward the Employer's Report of Occupational Injury or Illness, State Form 5020, to Medical Liaison Section, Personnel Division, within seven calendar days.

**Civilian Employees.** When a civilian employee is injured seriously (as defined in Manual Section 3/275.10) while on duty, the employee's supervisor shall:

- \* Ensure that the employee receives immediate medical treatment.
- \* Notify Medical Liaison Section, Personnel Division, of the circumstances of the injury.
- \* Forward the Employer's Report of Occupational Injury or Illness, State Form 5020, to Medical Liaison Section, Personnel Division, within seven calendar days.

When the injury is not serious, the civilian employee's supervisor shall:

- \* Notify Medical Liaison Section, Personnel Division, of the circumstances of the injury.
- \* Forward the Employer's Report of Occupational Injury or Illness, State Form 5020, to Medical Liaison Section, Personnel Division, within seven calendar days.

- \* Complete a Non-Emergency Medical Order, Form General 83.
- \* Instruct the employee to deliver the Form General 83 to the designated Workers Compensation doctor as authority to render treatment. The concerned supervisor shall arrange for transportation, if necessary.

**Days Off-Employees.** When an employee is injured on-duty the employee's supervisor or watch commander shall contact Medical Liaison Section, Personnel Division, during normal business hours to determine IOD/NIOD status. This procedure will permit correct entry in the Divisional Time Book at the time of the initial entry.

**711.21 INJURED ON-DUTY-PRELIMINARY INVESTIGATION REQUIRED.** A supervisor who is notified of an on-duty injury to an employee shall ensure an investigation of the circumstances is promptly initiated. The investigation shall include, but not be limited to:

- \* **Activity.** Describe the activity the employee was engaged in when the injury was sustained.
- \* **Statements.** Include the statements of all independent witnesses and employee witnesses.
- \* **Physical Injury.** Include the diagnosis and prognosis of the concerned employee.

**Note:** If a stress-related injury or illness is involved, identify all stated and/or observable manifestations of stress, such as alcoholism, ulcers, anxiety, marital problems or depression. Approximate the date on which stress symptoms were first observed. Include information regarding any on-duty or off-duty situations and influences that are perceived by the employee as stress-producing.

- \* **Treating Physician.** Include the name, telephone number and address of the treating physician.
- \* **Examination of Physical Evidence Relevant to the Injury.** Photograph the accident scene and evidence, and retain the evidence, if appropriate.
- \* **Suggested Action to Correct a Possible Hazard.** Make notifications to the appropriate persons to eliminate hazards.
- \* **Duty Status.** Describe any duty restrictions and the reason the employee was placed off duty.

**Note:** If circumstances require an employee being placed off-duty, a doctor must examine and certify the off-duty status before the employee may receive Worker's Compensation benefits. The reporting supervisor shall include an opinion regarding the necessity for having placed an employee off-duty and shall indicate that the option of placing the employee on limited-duty status was discussed with the physician, when appropriate. If the employee is placed on limited-duty status, the supervisor shall, if the facts of the incident are covered in another police report, attach that report to the State Form 5020 in lieu of a separate

investigation, and request a description of the duty limitations of the involved employee from the treating doctor. If the incident is not reported on another police form, the investigation shall be reported on a Continuation Sheet, Form 15.09, and attached to the Employer's Report of Occupational Injury or Illness, State Form 5020. The State Form 5020 shall be forwarded to Medical Liaison Section, Personnel Division, within seven calendar days. If the assigned supervisor cannot complete an investigation within the seven day time period, a State Form 5020 shall be forwarded to Medical Liaison Section with whatever information is available. A supplemental State Form 5020 shall be completed and forwarded to Medical Liaison Section when the supervisor's investigation is completed. A copy shall be retained by the commanding officer for use by the Area/Division Safety Committee.

**711.22 INJURED ON-DUTY-NOTIFICATIONS.** Commanding officers shall ensure that a supervisor telephonically notifies Medical Liaison Section, Personnel Division:

- \* Immediately, if an injury is serious (Manual Section 3/275.10) or if an employee is hospitalized.

**Note:** When Medical Liaison Section is closed, the notification shall be made to Detective Support Division.

- \* As soon as practicable:
  - \* When the injury is minor.
  - \* When the supervisor is informed by an employee on IOD status that return-to-duty approval has been obtained (Manual Section 3/711.70).

**711.25 REPORTING ILLNESS OR INJURY PRESUMED TO BE DUTY INCURRED-SWORN EMPLOYEES.** When an off-duty officer develops a condition which is diagnosed as pneumonia, pneumonitis, tuberculosis, hernia, or heart trouble, or when an officer is off-duty sick as the result of a condition which is subsequently diagnosed as pneumonia, pneumonitis, tuberculosis, hernia, or heart trouble, the officer shall, as soon as practicable, cause a supervisor to be informed of the circumstances and the diagnosis.

**Supervisor's Responsibility.** When a supervisor is notified that an off-duty officer has developed a condition diagnosed as pneumonia, pneumonitis, tuberculosis, hernia, or heart trouble, the supervisor shall complete an Employer's Report of Occupational Injury or Illness, State Form 5020.

Additionally, the supervisor shall notify the Officer in Charge, Medical Liaison Section, Personnel Division, as soon as practicable during normal business hours.

**711.30 REPORTING ILLNESS OR INJURY WHEN OFF-DUTY.**

**Employee's Responsibility.** Employees who become ill or injured to the extent that they are unable to report for duty shall notify a supervisor at their place of assignment immediately. When calling in sick, an employee shall notify the supervisor taking the call of any scheduled court appearance that he/she will miss during the expected duration of the sick leave.

**Note:** The concerned court may order the employee to provide specific information pertaining to an illness or diagnosis for his/her absence. **Failure to provide such information could cause the employee to be liable for a variety of penalties up to and including "contempt of court,"** per Section 1331 of the California Penal Code.

**Supervisor's Responsibility.** When a supervisor is notified that an employee is sick and/or injured, the supervisor shall not ask about the employee's specific medical condition or diagnosis. Supervisors shall only ask if the illness or injury is either a duty or non-duty related occurrence. If the injury or illness is duty related, supervisors shall complete an Employer's Report of Occupational Injury or Illness Report, State Form 5020. A Form 1.30 shall continue to be used for reporting IOD revisits.

**Medical Reports.** If the employee or physician voluntarily releases a medical report to a supervisor to fulfill the requirements for proof of disability, **the report shall be treated as confidential** and forwarded to Medical Liaison Section. In questionable cases, the concerned supervisor shall contact Medical Liaison Section for advice.

**Court Absences.** Supervisors shall complete the section on the Form 1.30 that reads "DOES THE EMPLOYEE EXPECT TO MISS A SCHEDULED COURT APPEARANCE?" If the employee expects to be absent from court due to his/her illness, the supervisor shall determine from the employee, the approximate duration of the employee's absence. If applicable, the supervisor shall also complete the doctor's name, address and phone number on the space provided on the Form 1.30. A copy of the form shall be forwarded to the divisional subpoena control officer for completion of the Declaration for Continuance.

If the court requests the concerned employee's medical status, the supervisor assigned to inquire into the status becomes an agent for the court. That supervisor shall then ascertain from the employee, his/her medical status per the court's direction.

**Note:** Supervisors are reminded that they **shall not disclose an employee's medical condition** to any entity except to the judicial entity requesting such information. Also, the information shall not be recorded on **any** document.

If the employee refuses to give his/her medical status, the supervisor shall verify that the employee was served with a court ordered subpoena. If the employee was served with a subpoena, the supervisor shall document the employee's refusal on the section of the Form 1.30 that reads: "\*Reporting Supervisor's Investigation." The Form 1.30 shall be forwarded to the divisional subpoena control officer.

The investigating supervisor shall contact the concerned judicial entity and advise them of the employee's medical status, or the employee's refusal to provide information on his/her illness.

**Functional Limitations.** Supervisors shall ensure that non-sworn employees comply with Manual Section 3/711.80. Supervisors shall only require employees to provide a statement from a registered physician or physician's assistant verifying that the employee is unable to work for a specified period of time because of functional limitations. Supervisors may ask what those functional limitations are, and whether the employee has any continuing limitations that may affect the employee's performance.

**Duty Restrictions.** Supervisors shall verify the duty restriction (work status and not the diagnosis of the illness and/or injury) of employees under their supervision every 30 days with the employee's attending physician or physician's assistant, until the employee is taken off of restricted duty by his/her physician, physician's assistant, Medical Liaison Section or the City's Medical Director. The supervisor shall document those findings on a Revisit Form 1.30.

**Note:** If the employee produces another verified documentation from a registered physician or physician's assistant within the 30 days, that would satisfy the above requirements.

**711.60 RESPONSIBILITY OF EMPLOYEES WHILE ON SICK OR IOD STATUS.** Employees off duty due to illness or IOD shall:

- \* When off-duty for a period in excess of seven days, contact a supervisor in their assigned division on the seventh day and at least once every seven days thereafter for the purposes of providing a report of their status and maintaining contact with the Department for duty-related matters. A watch commander may waive the periodic notification requirement and establish a less frequent schedule when extenuating circumstances exist.
- \* Notify a supervisor or watch commander in their assigned division prior to leaving when they intend to leave their residences at any time for a period in excess of 48 hours while on sick or IOD status. Employees shall furnish a supervisor in their assigned division with address(es) and telephone number(s) where they can be

reached while on extended absences from their residences.

**Note:** An employee may contact the day watch commander during normal business hours to fulfill the notification requirements.

**Supervisor/Watch Commander-Responsibility.** A supervisor or watch commander receiving weekly telephonic notification from an employee on sick or IOD status shall report the results of each conversation on the Sick or Injury Report, Form 1.30, as a sick revisit.

**Note:** This does not affect the responsibility or authority of supervisor/watch commanders to initiate periodic sick visits pursuant to Manual Section 3/718.

**Commanding Officer-Responsibility.** The employee's commanding officer shall review the Form 1.30 and determine whether further medical examination is warranted.

**Commanding Officer, Personnel Division-Responsibility.** The Commanding Officer, Personnel Division, at the request of the employee's commanding officer, shall arrange for a medical examination by Medical Services Division, Personnel Department, when such examination is deemed to be necessary.

**Note:** In cases of IOD the examining doctor shall be designated by Workers Compensation Section, Personnel Department.

**711.70 RETURN TO DUTY.**

**IOD Injury or Illness-Sworn.** When an employee returns to duty from injury or illness status, the employee's commanding officer shall cause a Duty Certificate, Form PDAS 43, to be completed. Prior to returning to duty from a IOD injury or illness, an employee shall be examined by a doctor designated by the Worker's Compensation Division, Personnel Department. The doctor will, if appropriate, provide authorization to return to duty.

**Non-IOD Injury or Illness-Sworn.** When a sworn employee returns to duty from a non-IOD injury or illness, the concerned commanding officer may require a sworn employee to report, as soon as possible, to Medical Services Division, Personnel Department, for examination.

When an employee returns to duty, the employee's supervisor shall complete the return to duty section of the Non-Occupational Sick or Injury Report, Form 1.30, if the absence is for less than eight days. If the absence is for eight or more days, a Duty Certificate, Form PDAS 43, shall be completed. The employee's commanding officer shall review the required form and cause it to be distributed.

**IOD Injury or Illness-Civilian.** When an employee returns to duty from injury or illness status, the employee's commanding officer shall cause a Duty Certificate, Form PDAS 43, to be completed. Prior to returning to duty from an IOD injury or illness, an employee

shall be examined by a doctor designated by the Worker's Compensation Division, Personnel Department. The doctor will, if appropriate, provide authorization to return to duty.

**Non-IOD Injury or Illness-Civilian.** When a civilian employee is absent because of a non-IOD injury or illness for three or less days, the concerned commanding officer may require a private physician's letter indicating the fact of the illness and the necessity for the absence.

When a civilian employee is absent because of a non-IOD injury or illness for four or more days, the employee shall present a private physician's letter indicating the fact of the illness and the necessity for the absence.

When the employee returns to duty, the employee's supervisor shall complete the return to duty, section of the Non-Occupational Sick or Injury Report, Form 1.30, if the absence is for less than eight days. If the absence is for eight or more days, a Duty Certificate, Form PDAS 43, shall be completed. The employee's commanding officer shall review the required form and cause it to be distributed.

**Note:** Following the initial treatment, an employee being treated by a physician (not a therapist) for an on-duty injury shall ensure that a Duty Certificate, Form PDAS 43, is completed by the physician once each pay period.

**Restricted Duty-Sworn and Civilian.** Employees on restricted duty shall immediately notify their watch commander or immediate supervisor when certified to return to full duty by the attending physician. Employees shall also provide documentation verifying their change of status.

**711.80 PROOF OF ILLNESS FOR PAID SICK LEAVE-CIVILIAN EMPLOYEES.** No payment for sick leave allowance in excess of three consecutive days shall be made until a doctor's certificate or other satisfactory proof has been received and approved by the employee's commanding officer. If the proof is not satisfactory to the commanding officer, the employee shall be marked absent until satisfactory proof can be furnished. The certificate must indicate the probable duration of the illness or injury and the necessity for the employee's absence.

**Note:** Commanding officers, at their discretion, may require a doctor's certificate or other proof of illness at any time.

If the employee or physician voluntarily releases a medical report to a supervisor to fulfill the requirements for proof of sick leave, **the report shall be treated as confidential** and forwarded to Medical Liaison Section. In questionable cases, the concerned supervisor shall contact Medical Liaison Section for advice.

An employee who is on sick leave at full or partial pay, or both for more than 25

consecutive working days shall receive no further sick leave payments until the following procedures have been complied with:

- \* When it is first determined that an employee will be absent more than 25 consecutive working days, the employee's commanding officer shall notify the Medical Liaison Section, Personnel Division.
- \* The Medical Liaison Section shall forward a Sick Leave Request, Form 89, and a Medical Information Certificate to the employee.
- \* The employee shall complete the applicable portions of both forms and return them to the Medical Liaison Section, Personnel Division, after having the attending physician complete the medical portion of the Medical Information Certificate.
- \* The Medical Liaison Section shall complete the Department section of the Sick Leave Request and record the information in the employee's sick record.
- \* The Medical Liaison Section shall ensure compliance with the confidentiality or medical records pursuant to California Civil Code Section 56.10.
- \* The Medical Liaison Section shall obtain the necessary medical information from treating physicians. All requests for information from a treating physician shall be made through the concerned employee or Medical Liaison Section.
- \* The Commanding Officer, Personnel Division, shall review the Sick Leave Request and forward it and the Medical Information Certificate to the Civil Service Examining Physician.
- \* When the processed forms are returned, the Commanding Officer, Personnel Division, shall:
  - \* Approve or disapprove further payment not to exceed 63 additional working days.
  - \* Notify the Police Accountant and furnish the Controller with all reports and recommendations.

**Note:** When sick leave with pay extends beyond the approved period, the same procedure as above shall be repeated for each successive period of 63 working days.

**712. EMPLOYEE EXPOSURE TO HEALTH HAZARDS-REPORTING PROCEDURES.**

**712.05 EXPOSURE TO CONTAGIOUS DISEASES.**

**Employee Responsibility.** On-duty employees having contact with persons believed to have tuberculosis or infectious hepatitis shall contact Central Receiving Clinic for advice during normal business hours. Employees shall contact the Jail Division Dispensary or a physician at a contract hospital when Central Receiving Clinic is closed. Employees shall complete an Employees Report, Form 15.7.

This report shall be submitted to the employee's supervisor or watch commander and shall include:

- \* The name, address, and date of birth of the person suspected of having tuberculosis or infectious hepatitis.
- \* The date, time, and location of the contact.
- \* The circumstances which caused the employee to suspect the persons condition.
- \* The name of the Central Receiving Clinic, Jail Division Dispensary, or contract hospital employee contacted and the advice received.
- \* A copy of any related reports.

**Note:** This procedure does not prohibit an employee from completing a Form 15.7 when coming into contact with other serious communicable diseases. If more than one employee was exposed to tuberculosis or infectious hepatitis from the same occurrence, one Form 15.7 may be submitted listing the names and serial numbers of each exposed employee.

**Supervisor/Watch Commander-Responsibility.** Upon learning that an employee has been exposed to a serious communicable disease, the supervisor/watch commander shall:

- \* Conduct a thorough and immediate investigation and determine which employees were exposed.
- \* Collect and approve an Employee's Report, Form 15.7, listing each exposed employee and forward them with any related reports to the commanding officer of the Area/division of occurrence.

**Commanding Officer-Responsibility.** The Area/division commanding officer receiving the Employee's Report, Form 15.7, and related reports shall review and forward them to Personnel Division.

**Commanding Officer, Personnel Division-Responsibility.** The Commanding Officer, Personnel Division, upon receiving a copy of the Employees Report, Form 15.7, and related reports shall:

- \* Cause a copy of the Form 15.7 to be placed in each employees medical package at Medical Liaison Section.
- \* In cases of exposure to a tubercular, forward a copy of the Form 15.7 and any necessary related reports to the Tubercular Control Division, County Health Department.

**712.10 EXPOSURE TO HAZARDOUS MATERIALS.**

**Employee-Responsibility.** On-duty employees having any exposure to hazardous materials shall notify their supervisor and complete an Employee's Report, Form 15.7. This report shall be submitted to the employee's supervisor/watch commander and shall include:

- \* The date, time, and location of the exposure.
- \* The circumstances involved.
- \* The type of material involved, if identified.
- \* The commercial company or parties responsible.
- \* The nature and approximate location of the employees duties at the time of exposure.
- \* The time of arrival at the scene and the time of departure from the scene of exposure.
- \* A copy of any related reports.

**Exception:** If the exposure to a hazardous material is the result of an unusual occurrence and an After Action Report is completed, employees do not need to complete a Form 15.7.

**Supervisor/Watch Commander-Responsibility.** Upon learning that an employee has been exposed to a hazardous material, the supervisor/watch commander shall:

- \* Conduct a thorough and immediate investigation and determine which employees were present and exposed.
- \* Complete an Employee's Report, Form 15.7, listing each exposed employee.

**Exception:** If the exposure to a hazardous material is the result of an unusual occurrence and an After Action Report is completed, employees do not need to complete a Form 15.7.

- \* If any exposed employee displays any symptoms that could be related to the exposure to a hazardous material or the Fire Department Incident Commander indicates that possible contamination has occurred, ensure that the employee receives immediate medical treatment and the provisions set forth in Manual Sections 3/711 and 3/720.10 are complied with.
- \* Forward all related reports to the commanding officer of the Area in which the exposure or contact occurred.

**Note:** If more than one employee was exposed to a hazardous material from the same occurrence, *one* Form 15.7 may be submitted by the field commander or a supervisor listing the name and serial number of each exposed employee.

**Commanding Officer-Responsibility.** The commanding officer of the Area of occurrence receiving an Employee's Report, Form 15.7, resulting from contact with a hazardous material shall forward the Form 15.7 and all related reports to the Commanding Officer, Personnel Division.

The commanding officer shall also forward a copy of the completed Form 15.7 and any related reports to the Commanding Officer, Emergency Services Division, Counter Terrorism and Critical Intelligence Bureau.

If a tactical alert is declared and an After Action Report is completed regarding a

hazardous materials incident, the concerned Area commanding officer or officer in charge shall direct an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Personnel Division. The Form 15.2 shall contain:

- \* The date, time, and location of the exposure.
- \* The commercial company or parties responsible.
- \* The type of material involved, if identified.
- \* The name and serial number of each employee involved in the incident, the time the employee arrived at the scene, and the time the employee left the scene of the exposure.

The commanding officer shall also forward a copy of the completed Form 15.2 and any related reports to the Commanding Officer, Emergency Services Division.

**Exception:** Employer's Report of Occupational Injury or Illness, State Form 5020, for injured employees shall not be forwarded to the Commanding Officer, Emergency Services Division.

**Commanding Officer, Personnel Division-Responsibility.** The Commanding Officer, Personnel Division, upon receiving correspondence resulting from contact with hazardous materials shall:

- \* Cause a copy of the Employee's Report, Form 15.7, or Intradepartmental Correspondence, Form 15.2, to be placed in each listed employees medical package at Medical Liaison Section.
- \* Subsequent to an exposure to a hazardous material, if an employee develops symptoms that *could* be related to contact with a hazardous material, cause Medical Liaison Section to review the packages of all involved employees and take the appropriate action.

**Commanding Officer, Emergency Services Division-Responsibility.** If the type of material was not identified at the scene of the employees exposure to a hazardous material, the Commanding Officer, Emergency Services Division, shall cause a follow-up investigation to be conducted to determine the type of material involved in the incident. The results of the follow-up investigation shall be reported on an Intradepartmental Correspondence, Form 15.2, directed to the Commanding Officer, Personnel Division, identifying the hazardous material.

The Commanding Officer, Emergency Services Division, shall also maintain a file of all Forms 15.2, 15.7, and any related reports, except Employer's Report of Occupational Injury or Illness, State Form 5020, resulting from exposure to hazardous materials.

**712.13 DISPOSAL OF INFECTIOUS WASTE.** Items contaminated with blood and/or any body fluid other than saliva and vomitus, which have **no evidentiary value and**

**are not otherwise properly classified as property**, should be discarded. Such items are classified as **infectious waste**, and special disposal procedures may be required.

**Definitions.**

**Infectious Material.** Infectious material includes blood and any body fluid other than saliva and vomitus, unless blood is visible.

**Infectious Waste.** Infectious waste is any waste item containing infectious material on the inside or outside of the item. All infectious waste is classified as contaminated infectious waste or regulated infectious waste.

**Contaminated Infectious Waste.** Contaminated infectious waste refers primarily to personal hygiene products such as sanitary napkins, adhesive bandages, diapers, tissue paper, etc. Such items are commonly used by the general public and become soiled with infectious material as a result of normal intended use. No special disposal procedures are required by law. However, any item soaked or caked with blood would qualify as regulated infectious waste and would require special disposal procedures.

**Regulated Infectious Waste.** The definition of regulated infectious waste includes:

- \* Any liquid or semi-liquid infectious material, or any item contaminated with infectious material which, if compressed, could release the infectious material in a liquid or semi-liquid state.
- \* Any item caked with infectious material which could be released during handling.
- \* Contaminated objects capable of piercing the skin. All syringes not secured in an original manufacture's container are presumed to be contaminated.

**Note:** The distinction between contaminated and regulated infectious waste is one of different State disposal requirements. These requirements are primarily concerned with the origin rather than the type of infectious waste material. Employees should use established universal precautions, as outlined in Personnel and Training Bureau Notice, dated January 9, 1990, "Aids Update", when handling any infectious material.

**Employees Securing and Disposing of Infectious Waste - Responsibility.** The proper disposal of infectious waste is the responsibility of the employee having custody of the material. A Department employee disposing of infectious waste shall do so in accordance with the procedures set forth in this order.

**Contaminated Infectious Waste.** Employees disposing of contaminated infectious waste may dispose of the items as normal waste material, unless the item is caked or soaked with infectious material.

**Regulated Infectious Waste.** Any employee disposing of regulated infectious waste shall secure the item in a Department-approved bio-

hazardous disposal bag. Syringes shall be secured in a Department-approved polypropylene evidence tube prior to being placed in a disposal bag. Any other contaminated sharp objects shall be secured in such a manner to prevent puncturing the bag as a result of normal handling. All regulated infectious waste shall be double-bagged. The top of the bag shall be tied in a knot or secured with a twist tie. Secured and bagged regulated infectious waste may be disposed of at the following locations:

- \* Piper Technical Center, Space 270, bio-hazardous disposal bin (key available from Scientific Investigation Division during normal business hours).
- \* Valley Headquarters Building, bio-hazardous disposal bin, northwest parking lot (key available from Valley Property Section).
- \* Dispensary, Metropolitan Jail Section or Valley Jail Section.

**Note:** Any material deposited in a bio-hazardous disposal receptacle is presumed to thereby become contaminated and require disposal as regulated infectious waste. Ordinary waste material shall not be secured in bio-hazardous disposal bags nor deposited in bio-hazardous receptacles.

**Supervisor's Responsibility.** A watch commander, unit OIC, or immediate supervisor may determine that disposal of regulated infectious waste by the concerned employee is not practical or desirable. Properly secured regulated infectious waste material may be transported by another designated employee or secured at the work location in the Area temporary bio-hazardous disposal receptacle until transportation is arranged, not to exceed two days.

Outlying Areas which use the Department evidence courier system may use the courier service to transport regulated infectious waste to the appropriate bio-hazardous disposal location. The watch commander shall ensure that properly secured regulated infectious waste material is removed by the courier, daily.

**Commanding Officer's Responsibility.** Commanding officers shall ensure that their respective division or unit vehicles are equipped with Department-approved containers for securing regulated infectious waste.

Concerned commanding officers shall ensure that an adequate supply of Department-approved bio-hazardous disposal bags for securing regulated infectious waste is maintained and is accessible to employees. Red bio-hazardous disposal bags and other required disposal equipment are available upon request from Supply Section.

**Scientific Investigation Division - Responsibility.** In addition to transporting analyzed evidence, the Scientific Investigation Division (SID) evidence courier shall transport properly secured regulated infectious waste from those outlying Areas which utilize the

evidence courier service. The evidence courier shall dispose of all transported waste material in accordance with established SID regulated infectious waste disposal procedures.

**712.15 EXPOSURE TO PHENCYCLIDINE (PCP) OR ITS ANALOGS.** PCP shall refer to phencyclidine or any of its analogs.

**Employee's Responsibility.** On-duty employees having any direct physical contact with PCP shall complete an Employee's Report, Form 15.7. This report shall be submitted to the employees supervisor/watch commander and shall include:

- \* The date, time, and location of the contact.
- \* The circumstances involved.
- \* A copy of any related reports.

**Note:** If more than one employee had contact with PCP or witnessed the contact from the same occurrence, *one* Form 15.7 may be submitted listing the names and serial numbers of each involved employee. This procedure does not prohibit an employee from completing a Form 15.7 when coming into contact with other narcotics.

**Supervisor/Watch Commander's Responsibility.** Upon learning that an employee has had direct physical contact with PCP, the supervisor/watch commander shall:

- \* Conduct a thorough and immediate investigation and determine which employees had direct physical contact with PCP.
- \* Collect an Employee's Report, Form 15.7, listing each involved employee.
- \* Forward all related reports to the commanding officer of each exposed employee.

**Note:** If the exposed employee displays any symptoms that could be related to the exposure to PCP, ensure that the employee receives immediate medical treatment, and the provisions set forth in Manual Sections 3/711 and 3/720.10 are complied with. All Employer's Report of Occupational Injury or Illness, State Form 5020, generated as a result of exposure to PCP shall be transported to Medical Liaison Section during the next administrative working day.

**Commanding Officer's Responsibility.** The commanding officer of the exposed employee receiving an Employee's Report, Form 15.7, resulting from contact with PCP shall forward the Form 15.7 and all related reports to the Commanding Officer, Personnel Division.

**Commanding Officer, Personnel Division-Responsibility.** The Commanding Officer, Personnel Division, upon receiving correspondence resulting from contact with PCP shall cause a copy of the Employee's Report, Form 15.7, to be placed in each listed employees medical package at Medical Liaison Section, Personnel Division.

**716. ILLNESS OR INJURY-POLICE RESERVE OFFICERS**

**716.10 RESERVE OFFICER DUTY-CONNECTED INJURY-REPORTING AND RETURNING TO DUTY.**

**Supervisor's Responsibility.** When a police reserve officer sustains a service connected injury or illness, a supervisor shall prepare the Employer's Report of Occupational Injury, State Form 5020. The supervisor shall comply with the same Department provisions for investigating regular sworn personnel injuries (Manual Section 3/711.21).

A police reserve officer who has recovered from a service connected injury and desires to return to duty shall obtain a letter from the officer's treating physician or a Duty Certificate, Form PDAS 43, signed by the physician. The letter shall describe the extent of the injury and indicate that he or she is certified to return to full-duty status. The police reserve officer shall submit the letter or Duty Certificate to his or her supervisor prior to the beginning of the next tour of duty. The Duty Certificate or the treating physician's letter shall be forwarded to the officer's commanding officer.

**Note:** When an on-duty police reserve officer has sustained a serious injury or is hospitalized, the officer's supervisor shall immediately notify the Officer in Charge, Medical Liaison Section, Personnel Division. When Personnel Division is closed, notification shall be made to the Watch Commander, Detective Support Division, who shall contact the Medical Liaison Section Duty Officer.

**716.20 REPORTING AND RETURNING TO DUTY FROM A NON-SERVICE-CONNECTED ILLNESS OR INJURY.**

A police reserve officer who, while off duty, becomes ill or injured or experiences any acute symptoms of an illness which would affect his/her ability to perform regular police duties or which could result in incapacitation while on-duty, shall report the circumstances of the illness or injury to his/her supervisor prior to the beginning of his/her next tour of duty. The supervisor shall complete a Sick or Injury Report, Form 1.30, and forward it to Medical Liaison Section, Personnel Division. When it would serve the best interests of the police reserve officer and the City, the police reserve officer shall be directed to report to Central Receiving Clinic for an examination. The police reserve officer shall obtain a Duty Certificate, Form PDAS 43, from the Clinic and submit it to his/her supervisor. When no examination is necessary, the reserve officer shall obtain a Duty Certificate form at his/her division of assignment, complete those items in Section A on the form which are marked with a "\*", and submit the form to his/her commanding officer.

**716.30 MEDICAL LEAVE OF ABSENCE OR TERMINATION OF POLICE RESERVE OFFICERS.**

**Police Reserve Officer-Responsibility.** When a police reserve officer sustains an illness or injury causing the officer to be unable to complete his or her required tour of duty during any deployment period, the officer shall notify the Area/division Reserve Coordinator prior to the non-attendance.

**Area/Division Police Reserve Coordinator-Responsibility.** When notified of an illness or injury that will result in non-attendance for a period of six months or longer, the Area/division Reserve Coordinator shall report the reason for such non-attendance by completing an Employer's Report and forwarding it to the Officer in Charge, Volunteer Services Section, Personnel Group, for investigation of the matter. The police reserve officer shall be excused from all tours of duty pending the results of the investigation.

**Officer in Charge, Volunteer Services Section-Responsibility.**

When the investigation reveals that a police reserve officer will not be able to properly and safely perform regular police duties for an extended period of time, the Officer in Charge, Volunteer Services Section, shall submit an Employee's Report, Form 15.7, to the Department Reserve Coordinator. The Employee's Report shall contain:

- \* A description of the illness or injury.
- \* A description of how the illness or injury was sustained.
- \* Pertinent medical data and the doctor's prognosis.
- \* A recommendation concerning the police reserve officer's continued employment-leave of absence or termination from the Police Reserve Corps.

**Commanding Officer, Personnel Group-Responsibility.** The Department Reserve Coordinator shall be responsible for supplying written notification, through channels, to the Area/division Police Reserve Coordinator, who shall inform the police reserve officer of the results of the investigation.

**717. WORKERS COMPENSATION CASE NUMBERS.**

**717.10 ASSIGNING OR OBTAINING CASE NUMBERS.** Upon receipt of a State Form 5020, Medical Liaison Section, Personnel Division, shall, when appropriate, obtain a Worker's Compensation Case Number from the Worker's Compensation Division, Personnel Department, enter the number on the State Form 5020, and make the appropriate distribution of the form.

**717.20 TIMEKEEPING RECORDS COMMANDING OFFICER'S RESPONSIBILITY.**

Each commanding officer or officer in charge shall ensure that all IOD entries on the Time Sheet, Form DSB 245, bear corresponding case numbers placed to the right of the concerned employees' names prior to forwarding to Fiscal Operations Division.



**Note:** When an employee goes off duty sick or IOD and the Medical Liaison Section has not confirmed the status of the employee by the time the Time Sheets are completed, the employee shall be carried as Sick. Upon confirmation of IOD status by the Medical Liaison Section, a Time Sheet, Form 2.30, shall be completed and forwarded to Fiscal Operations Division.

**718. SICK AND IOD INTERVIEWS.**

**718.10 SICK AND IOD INTERVIEWS-WHEN REQUIRED.** Commanding officers shall ensure that a supervisor conducts an initial interview when notified that an employee under the supervisor's command is unable to report for duty because of illness or injury. The interview shall be conducted as soon as practicable but, in any event, within twenty-four hours after notification.

An initial interview need not be conducted when an on-duty employee reports off because of illness or injury and a Non-Occupational Sick or Injury Report, Form 1.30, or an Employer's Report of Occupational Injury or Illness, State Form 5020, has been completed.

**718.15 SICK AND IOD INTERVIEWS GENERAL.** A supervisor causing an initial interview or follow-up interview to be conducted shall determine whether the interview is to be accomplished by telephone or in person.

An interview may be conducted by telephone when:

- \* The supervisor has prior knowledge of the illness or injury;
- \* The employee has been hospitalized;
- \* The employee has a communicable disease; The employee's personnel record and reputation indicate no necessity for a personal interview.

An interview shall be conducted in person when:

- \* Unauthorized use of sick time is suspected;
- \* There is any indication that the ill or injured employee needs assistance; or,
- \* Injured-on-duty status is claimed (Manual Section 3/711.21).

**Exception:** When an employee has a communicable disease.

An interview shall be conducted by a supervisory officer from the ill or injured employee's location of assignment. When unauthorized use of sick or IOD time is suspected, the interview shall be conducted by an officer superior in rank to the employee being interviewed.

**Exception:** When no supervisory officer from the ill or injured employee's location of assignment is available and there is strong reason to believe that a personal interview should be conducted without unnecessary delay, the watch commander of the geographic

Area in which, or nearest to which, the employee resides shall be requested to assign a supervisor to conduct the interview. The watch commander receiving the request shall:

- \* Cause a supervisory officer from his/her division to conduct a personal interview of the ill or injured employee.
- \* Cause teletype verification of the interview to be sent, without unnecessary delay, to the employee's location of assignment.
- \* Cause all copies of the sick report to be forwarded to the employee's location of assignment.

The supervisor interviewing a sick or injured-on-duty employee shall:

- \* Provide appropriate assistance to the employee, (e.g., obtaining information and advising on medical benefits, forwarding pay).
- \* Encourage and assist the employee to return to duty as soon as practicable.

**718.20 SICK AND IOD INTERVIEWS-ALL EMPLOYEES.** When a supervisor is notified that an employee is sick and/or injured, the supervisor shall not ask about the employee's specific medical condition or diagnosis. Supervisors shall only ask if the illness or injury is either a duty or non-duty related occurrence. A supervisor conducting an initial interview of an ill or injured employee shall:

**When the interview is by telephone:**

- \* Complete a Non-Occupational Sick or Injury Report, Form 1.30, or an Employer's Report of Occupational Injury or Illness, State Form 5020, whichever is appropriate.
- \* Sign the employee's name followed by his or her own signature, to this and one blank copy of the form.

**When the interview is in person:**

- \* Cause the ill or injured employee to complete the employee's portion of a Form 1.30 or State Form 5020 in ink.
- \* Obtain the employee's signature, in ink, on the handwritten copy and one blank copy of the form. When the employee is unable to write, the supervisor shall complete the report and sign the employee's name, followed by his/her own signature.

**Supervisor's Analysis for Illness or Injury Presumed to be Duty Incurred.** After interviewing the employee, the supervisor shall add his or her statement to the handwritten copy of the appropriate report (Manual Section 3/711.21).

The supervisor shall sign his or her name to the blank copy of the appropriate report, and cause the information contained in the handwritten copy to be type written on the signed blank copy and other necessary copies. The type written copies of the form shall be submitted to the employee's commanding officer and then distributed as required.

**Note:** The handwritten copy shall be forwarded to Medical Liaison Section, Personnel Division, to be included in the employee's medical folder.

**718.70 FOLLOW-UP SICK AND IOD INTERVIEWS.** When an employee is off-duty sick or IOD for other than a communicable disease, the employee's commanding officer shall ensure that a supervisor conducts a follow-up interview within seven days of the initial interview and another during each succeeding seven-day period. The supervisor conducting the follow-up interview shall complete a Non-Occupational Sick or Injury Report, Form 1.30, after each visit.

All employees claiming injured-on-duty status shall be interviewed in person (Manual Section 3/718.15).

**Exception:** When the commanding officer believes that an in-person interview every seven days is impractical, Medical Liaison Section, Personnel Division, shall be contacted for advice. If circumstances do not warrant the continuation of in-person interviews every seven days, the employee may be interviewed telephonically, providing that at least one interview each deployment period is conducted in person.

**718.90 CHECK FOR TRAFFIC CITATIONS.** A supervisor conducting an initial interview of an employee shall ascertain whether any completed traffic citations are in the employee's possession. If so, the supervisor shall cause such citations to be delivered, without delay, to his/her division of assignment.

**720. MEDICAL EXAMINATIONS OR TREATMENT.**

**720.10 MEDICAL TREATMENT FOR OFFICERS INJURED ON DUTY.** An officer shall immediately notify his or her watch commander or supervisor of any injury or illness incurred on-duty. In every case where medical treatment is given, or in which the officer may be required to be off duty, an Employer's Report of Occupational Injury or Illness, State Form 5020, shall be completed.

**Serious Injury.** When the injury is serious (Manual Section 3/275.10), the officer in charge at the scene of the injury shall have the responsibility of determining where the injured officer is to be treated. Emergency treatment may be rendered at any of the following locations:

- \* Central Receiving Clinic or a contract hospital.
- \* Any one of the Worker's Compensation list of hospitals.
- \* When it is not practicable to proceed to one of the above hospitals, emergency treatment may be rendered by any medical facility.

In all cases of serious injury, the Officer in

Charge, Medical Liaison Section, Personnel Division, shall immediately be notified of the circumstances of the incident (Manual Section 3/711.22).

**Minor Injury.** When a non-duty injury is of a minor nature and medical treatment is required, the officer shall:

- \* Report to the Central Receiving Clinic; OR
- \* Request the Worker's Compensation Officer to furnish the name of a doctor for treatment.

**Note:** In cases of minor injury, the Worker's Compensation Officer may be contacted only during normal business hours. When the injury occurs during other than normal business hours, the officer *shall* proceed to a contract hospital. If follow-up medical care is indicated, on the next regular working day, he may request the Worker's Compensation Officer to furnish the name of an alternate doctor.

**720.30 RE-TREATMENT AND RETURN TO DUTY FOR OFFICERS INJURED ON DUTY.** Prior to returning to duty, an officer who has been receiving medical treatment and/or therapy from a Worker's Compensation physician shall obtain a doctor's certificate from the treating physician, or another physician designated by the Worker's Compensation Division of the City Personnel Department. The doctor's certificate shall indicate:

- \* The nature of the injury or illness.
- \* A statement that the officer is qualified to return to regular or restricted duty.
- \* A description of any physical restriction, i.e., specific description of physical acts which the officer's medical condition precludes.

**Note:** An employee may be required to be examined by Medical Services Division, Personnel Department, prior to returning to duty.

Officers returning to duty shall submit a doctor's certificate to the officer's immediate supervisor. Restricted duty assignments will be made available, if necessary.

Upon receipt of a doctor's certificate, the officer's immediate supervisor shall:

- \* Complete a Duty Certificate, Form PDAS 43.
- \* Attach the doctor's certificate to the completed Form PDAS 43.
- \* Forward both forms to the concerned commanding officer.

The commanding officer shall cause Section D of the Form PDAS 43 to be completed and distribute the form in the following manner:

- \* The original and three copies to Medical Liaison Section, Personnel Division.
- \* The last copy (pink) shall be filed in the employee's divisional employee folder.

An officer being treated by a physician for an

IOD illness or injury shall ensure that a doctor's certificate or Duty Certificate, Form PDAS 43 is completed:

- \* On initial examination placing an officer off duty or continuing an officer on-duty.
- \* On subsequent visits, if an officer's duty status is changed.
- \* Each 30-day period, unless satisfactory proof of disability is currently on file with the Department.
- \* On return to regular or restricted duty.

**Note:** In these instances, the officer shall submit the completed doctor's certificate or Form PDAS 43 to a supervisor as soon as practicable after visiting a physician.

Officers injured-on-duty and applying for compensation benefits from Worker's Compensation Division, Personnel Department, must ensure that they:

- \* Have been examined by a physician at the time they become ill or injured.
- \* Have been certified for off duty status by a physician if the circumstances require being placed off duty.

**Note:** An officer may forfeit his/her right to Worker's Compensation benefits if the officer does not comply with these provisions.

When a supervisor receives information that an officer off duty, on IOD status, may be capable of returning to duty due to a change of his/her medical condition, the officer shall notify Medical Liaison Section, Personnel Division, of the information regarding the officer.

The Officer in Charge, Medical Liaison Section, Personnel Division, shall notify Worker's Compensation Division, Personnel Department, of the information, and request additional medical advice, if appropriate.

**720.35 MEDICAL EXAMINATIONS.** Officers are required to appear for medical examinations as directed by the Department, acting pursuant to a directive from Worker's Compensation Division, Personnel Department.

**Note:** Failure of an officer to appear for a scheduled medical examination may result in the suspension of Worker's Compensation benefits.

When officers are unable to keep, and wishes to be excused from, a medical examination appointment, they shall immediately advise their supervisor. An officer's request to be excused from a medical examination appointment may be approved by the officer's commanding officer after being advised by the Department Medical Officer, O.I.C., Medical Liaison Section.

The Department Medical Officer will schedule a new appointment date, if appropriate.

**720.36 TETANUS IMMUNIZATION.** All officers shall be immunized against tetanus

infection as directed by the Superintendent of the Receiving Clinic.

**720.40 RECEIVING CLINIC HOURS.** The hours for consultation, examination, and treatment of sworn personnel by receiving hospital staffs at police and fire clinics will be as follows:

**Central Receiving Clinic**

1401 West Sixth Street

- \* Emergencies and first treatments for sworn personnel.  
0730 to 1600 hours,  
Monday through Friday.
- \* Return to duty approval for minor illnesses not requiring examination by police surgeon.  
0730 to 1600 hours,  
Monday through Friday.
- \* Telephone and switchboard.  
0730 to 1600 hours,  
Monday through Friday.

**Police and Fire Clinic**

- \* Doctors, available for consultation and examinations and when return to duty requires police surgeon approval.  
0800 to 1600 hours, except  
Saturday, Sunday, and holidays.
- \* Nurses, available for treatments and re-treatments.  
0800 to 1600 hours, except  
Saturday, Sunday, and holidays.
- \* Police and Fire Medical Records Section.  
0730 to 1700 hours, except  
Saturday, Sunday, and holidays.
- \* Laboratory and X-rays.  
0800 to 1530 hours, except  
Saturday, Sunday, and holidays.  
Emergency X-rays may be arranged for at any time.
- \* Orthopedics-examination and consultation.  
By appointment.
- \* Cardiology-examination and consultation.  
As advised by the police surgeon.  
Tuesday, Wednesday, and  
Friday by appointment.

**720.45 CONTRACT HOSPITALS.** Certain hospitals are under contract to the City for first aid treatment and emergency cases only. They shall not be used for reporting off duty or to authorize return to duty.

Additionally, a contract hospital is defined as a hospital under contract with the City for pre/post booking examinations of arrestees, blood alcohol draws for evidentiary purposes, and evidentiary examinations of victims of certain crimes (e.g., rape, child abuse/molestation, or other physical abuse).

Evidentiary examinations for non-custodial individuals claiming injury as a result of a Department employee's actions can also be provided.

**Note:** A current list of hospitals under contract with the City can be obtained from Detective Support Division.

**720.50 COMPLAINTS REGARDING CONTRACT HOSPITALS/JAIL DIVISION DISPENSARIES.** When employees believe that the service rendered at a contract hospital or Jail Division Dispensary is unsatisfactory, they shall notify their watch commander without delay.

**Watch Commander's Responsibility.** When watch commanders are notified of a complaint, they shall assign a supervisor to conduct a prompt inquiry.

**Investigating Supervisor's Responsibility.** A supervisor assigned to review a complaint shall:

- \* Make an effort to resolve the problem which led to the complaint.
- \* When they determine that a further investigation into the complaint may be warranted, complete an Employee's Report, Form 15.7, containing all pertinent information concerning the incident, including:
  - \* Name of facility.
  - \* Name of medical personnel involved.
  - \* Name of patient.
  - \* Officers complaining.
  - \* Date and time occurred.
  - \* Nature of complaint.

The original and five copies of the Form 15.7 shall be delivered to the Hospital Unit Coordinator, Detective Support Division, no later than 1400 hours of the next administrative working day following the date of the reported incident.

**Hospital Unit Coordinator's Responsibility.** When the Hospital Unit Coordinators receive the report, they shall:

- \* Immediately review the report to ensure that it contains sufficient information.
- \* File one copy of the report at Detective Support Division.
- \* Deliver the original and four copies of the report to the Secretary of the General Manager, Personnel Department, prior to 1600 hours of the second administrative working day following the date of the incident.

When the Hospital Unit Coordinators receive a status report on a complaint submitted to the Personnel Department, they shall forward one copy to the commanding officer of the employee who initiated the complaint.

**724. REST PERIODS.** Rest periods may be granted to employees assigned to office or station duties when, in the opinion of the

concerned commanding officer, their duties are such that the granting of rest periods will promote efficiency and economy in the conduct of City business.

**724.30 NUMBER AND DURATION OF REST PERIODS.** Rest periods shall be limited to two during a normal tour of duty. No rest period shall exceed fifteen minutes in duration.

**724.60 SCHEDULING REST PERIODS.** Rest periods shall be scheduled near the middle of each half of the tour of duty. No rest period shall be taken during the first or last hour of an employee's working period. Civilian employees shall sign the Rest Period Register, General Form 74, for each rest period taken, and supervisors in charge of civilian employees shall review and initial the General Form 74 at the end of each watch.

**724.90 REST PERIOD TIME NOT TO BE ACCUMULATED.** Rest periods shall be taken at scheduled times and may not be accumulated, carried over, from one day to another, or compensated for in any form.

**726. VACATIONS.**

**726.04 EARNING VACATION TIME.** Employees of the Department shall be entitled to annual vacation time with full pay. On January 1 of each year, vacation time accrued during the previous year shall be credited to each sworn employee. Vacation time for each civilian employee shall be accrued and credited monthly, after completion of his or her qualifying year. Vacation time earned during one calendar year normally shall be taken during the next calendar year. (Exception-Manual Section 3/726.80)

**726.06 COMPUTING VACATION TIME.** War Emergency time and military leave with or without pay are included in computing total service for the purpose of vacation time. Time off without pay, except military leave, is not included in aggregate service for purposes of computing vacation time [Los Angeles City Administrative Code, Division 4, Chapter 6, Article 1, Section 4.247 (e)].

**Officers with Less than Nine Years Service.** Officers with less than nine years aggregate service shall earn vacation time at the rate of fifteen calendar days for each year worked or one and one-fourth (1-1/4) days for each month worked.

**Officers with More than Nine Years Service.** Officers who have completed nine years of service in the aggregate shall, from the ninth anniversary date there after, earn vacation time at the rate of twenty-two calendar days for each year worked or one and five-sixths (1-5/6) days for each month worked.

**Computing Vacation Time in Anniversary Year.** Vacation time shall be computed at the rate of one and one-fourth (1-1/4) days per month up to the ninth anniversary date. After

the ninth anniversary date, vacation time shall be computed at the rate of one and five-sixths (1-5/6) days per month for the remaining months in the calendar year.

**Civilian Employees.** Civilian employees are entitled to vacation periods in accordance with the relevant provisions of the current Memorandum of Understanding applicable to members of representation units.

**726.20 DIVISION OF YEAR INTO VACATION PERIODS.** For the purpose of assigning vacations, each deployment period shall be divided into four seven-day vacation periods, designated A, B, C, and D.

**726.30 ASSIGNMENT OF VACATION PERIODS.** Assignment of employees to vacation periods shall be made so as to maintain adequate deployment at all levels of rank.

An employee who is entitled to fifteen days or less vacation time must take the vacation time in adjacent periods.

An employee who is entitled to more than fifteen days vacation time may split the vacation time into two parts. One part shall consist of two adjacent vacation periods, and the other part shall be of seven days or less.

**Exception:** Any change to the above procedures requires the approval of the employee's commanding officer.

**726.40 SPECIAL GROUPINGS IN VACATION ASSIGNMENT.** Certain ranks and positions within the Department may be grouped together to ensure that no more than a minimum number of key employees are on vacation at a given time.

**Supervisors.** A bureau commanding officer may direct, by bureau order, that each commanding officer shall consider all officers of the rank of sergeant or above in the division or area as one group in the assignment of vacation periods.

**Area or Division Commanding Officers.** Vacation periods for area or division commanding officers shall be arranged with the concerned bureau commanding officer.

**726.50 SELECTION OF VACATION PERIODS.** Employees shall submit requests for the annual selection of vacation periods in writing. Vacation periods shall be selected first by rank and then by seniority within each rank. If circumstances require, this rule may be modified at the discretion of a commanding officer preparing a vacation schedule.

Employees entitled to more than fifteen days annual vacation time, who split their vacation, may apply their seniority preference to either part, but not both. The remaining part shall be assigned at the discretion of the officer's commanding officer.

**Seniority.** Questions referring to seniority may be referred to Personnel Division. In general,

seniority in rank or position shall be determined from the date of the employee's most recent civil **service** probationary appointment to the rank currently held.

**Exception:** For the ranks of Lieutenant and below, vacation periods shall be selected by rank. Once ranks are grouped, seniority will be based upon time as a sworn Department employee.

Seniority among persons having identical dates of appointment shall be determined from their relative positions on the eligibility list from which they were appointed. The date of a war emergency appointment shall apply if there is no break in the continuity of service during change from war emergency to permanent status. In addition, war-emergency-service time shall apply when any break in the continuity of service was due to resignation from war emergency status to await permanent appointment. Military leave of absence will not be deducted from the aggregate service in the particular rank; other forms of leave of absence without pay will be deducted from the aggregate service. The date of a war emergency appointment shall apply to war emergency police officers who resigned to enter military service and, upon release, returned to the Department and were re-employed on a permanent status.

**Note:** Seniority among civilian employees having identical dates of appointment shall be determined from their relative positions on the certification list from which they were appointed.

**726.60 DAYS OFF IN CONNECTION WITH VACATION.** Scheduling of regular days off, accumulated overtime, compensatory equivalent time off, days off in lieu of a holiday, and deferred vacation days with the annual vacation of an employee is permissible and may be granted at the discretion of the concerned commanding officer. A commanding officer shall obtain approval from the concerned bureau commanding officer before granting an employee a vacation exceeding thirty (30) days. The Department's interests shall be the primary factor in determining whether such additional time off shall be scheduled in connection with the annual vacation of the employee.

**726.70 CHANGE IN SCHEDULED VACATION PERIODS.** After vacation periods have been scheduled, changes in the schedule, may not be made without the approval of the concerned commanding officer.

Written notification of changes approved by commanding officers shall be made to the concerned bureau commanding officer.

**726.80 ACCUMULATION OF VACATION TIME.** Officers shall be permitted to defer all or part of their vacation for one year, there by accumulating unused vacation time to total not more than the number of days allowed in the current Memorandum of Understanding. Accumulation of more than the

allowed number of vacation days will result in their loss.

Cash payment will not be made in lieu of vacation days except when a termination occurs. (Manual Section 3/726.90) (For further provisions regarding accumulation of vacation time, refer to the City of Los Angeles, Administrative Code, Sections 4.172(b) for Sworn, and 4.254 for Civilian.

**726.85 VACATION PERIODS OF TRANSFERRED EMPLOYEE.** A notation concerning the original scheduled vacation periods, together with the number of days taken and due, shall be made on the Employee Transfer Data, Form 1.34, at the time of transfer of an employee. The retention of the assigned periods will be at the option of the employee's new commanding officer. Any change in scheduled vacation periods shall be reported as provided in Manual Section 3/726.70.

**726.90 VACATION PERIODS OF TERMINATED EMPLOYEE.** An employee who is terminated from the Department will normally have vacation time accrued from January 1 to the date of termination, plus time accrued from the previous year, if such vacation time has not already been taken. In such a case, the employee may be carried on the Time Sheet for the additional time; or following presentation of a letter from the Commanding Officer, Personnel Division, requesting such payment, the employee will be paid in full for the vacation time due.

**726.95 VACATION PERIODS.** Fiscal Operations Division maintains the master record of vacation time due all employees. Determination of the number of days due may be secured from Fiscal Operations Division.

**728. RESIGNATIONS.**

**728.10 RESIGNATION-GENERAL.** When employees signify the intention to resign their position, they shall be instructed to submit a properly completed Resignation Form 1.50, to their supervisor or superior. A commanding officer shall only accept a resignation conditionally. Resignations are final upon acceptance by the Chief of Police or acknowledged by the signature of the Commanding Officer, Personnel Division. No offer or guarantee of immunity from criminal prosecution shall be made as a consideration for a resignation.

**Note:** Subsequent to the effective date of an employee's resignation, and prior to acceptance by the Chief of Police, the employee's duty status shall be "Special Assignment-No Pay (SN)."

**728.20 RESIGNATION-DISCIPLINARY REASONS.** When an investigation of an employee prompts that employee's resignation, the employee's commanding officer shall forward the Resignation, Form 1.50, and all pertinent reports of the investigation to Internal Affairs Group. The acceptance of a resignation

by the Chief of Police in lieu of disciplinary action shall terminate the case in so far as it regards the resigning employee.

**728.27 ASSIGNMENT OF PROBATIONARY OFFICERS DURING TERMINATION PROCESS.** After determining that a probationary officer should be recommended for termination for disciplinary reasons, unsatisfactory duty performance, or failing to meet pre-employment job standards, the commanding officer shall prepare an Intradepartmental Correspondence, Form 15.2, requesting approval to place the officer on inactive duty. The 15.2 shall be forwarded via the chain of command to, and approved by, the Director, Office of Support Services prior to assigning the probationary officer to inactive duty.

Upon receiving the approval of the Director, Office of Support Services to assign a probationary officer to inactive duty, pending termination, the commanding officer shall:

- \* Ensure that the probationary officer is provided with a copy of the termination request which includes the basis for the termination recommendation and the reason(s) for assignment to inactive duty.
- \* Immediately cause an Intradepartmental Correspondence, Form 15.2, addressed to the probationary officer, to be prepared documenting that the commanding officer has:
  - \* Met with the probationary officer.

**Note:** If the probationary officer is on off-duty status at home due to illness or injury, the commanding officer shall insure prompt service of the Form 15.2 to the probationer.

- \* Discussed the reason(s) for assignment to inactive duty.
- \* Informed the probationary officer of the conditions of in active duty in accordance with Manual Section 3/840.20.
- \* Ensured that a copy of the 15.2 was received and signed by the probationary officer.

**Note:** The 15.2 shall be attached to the termination request and submitted through Department channels to the Director, Office of Support Services if the termination is based on a **non-disciplinary** matter, and to the Chief of Staff, Office of the Chief of Police, if the matter is of a **disciplinary** nature.

- \* Obtain **all** City-owned property in possession of the probationary officer for safekeeping.

**728.30 RESIGNATION OR TERMINATION OF AN ENTRY-LEVEL PROBATIONARY EMPLOYEE.**

**Commanding Officer's Responsibility.** When a commanding officer becomes aware of the

resignation of or intends to recommend termination of a probationary employee, trainee employee, exempt employee or emergency employees, for other than disciplinary reasons (Manual Section 3/728.20), an Intradepartmental Correspondence, Form 15.2, with supporting documentation shall be prepared. The 15.2 shall:

- \* Indicate the employee's date of employment in the current Civil Service classification and the date that the probationary period will end.
- \* Articulate the reasons for the termination or resignation.
- \* Indicate that the commanding officer has reviewed the documentation, and through the application of administrative insight, determined that the termination or resignation is justified.
- \* Contain a summary of the interview with the concerned employee indicating that the employee reviewed the documentation and what attempts were made to resolve any differences of opinion concerning the termination or resignation.

The 15.2 with all supporting documentation shall be forwarded within five administrative working days through the concerned Area and bureau commanding officers to the Director, Office of Support Services.

**Note:** In those instances involving termination of the employee, the Director, Office of Support Services must receive the 15.2 as soon as it is determined that the employee should be terminated and, when possible, no later than six weeks prior to the close of probation for sworn personnel and four weeks prior to the close of probation for civilian personnel.

**The Director, Office of Support Services - Responsibility.** The Director, Office of Support Services shall review any request for termination or resignation of a probationary employee and forward it to the Commanding Officer, Training Division for investigation.

Upon receipt of the results of Training Division's investigation, the Director, Office of Support Services, shall recommend approval or disapproval and forward the recommendation for resignation or termination along with the investigation by Training Division to the Chief of Police for final review. A copy of Training Division's investigation shall also be forwarded to the employee's commanding officer via the concerned bureau commanding officer.

**Training Division's Responsibility.** Upon notification of a resignation of, or the intent to terminate, an entry level probationary employee, Training Division personnel shall, within **five** administrative working days, interview the employee. Subsequent to the interview, the Commanding Officer, Training Division, shall submit a report to the Director, Office of Support Services. The report shall contain an independent review of the

employee's performance, reasons for termination, efforts made by Training Division to assist the employee, and an evaluation of the employee's potential to achieve a satisfactory level of performance.

**728.40 PRE-EXIT INTERVIEWS.**

**Commanding Officer's Responsibility.** When a resignation is submitted by an employee for other than disciplinary reasons (Manual Section 3/860.40), the employee's commanding officer shall:

- \* When practicable, interview the employee.
- \* Ensure that the office of the Commanding Officer, Personnel Division, is telephonically contacted for the scheduling of a pre-exit interview.

**Exception:** Police recruits and entry-level probationary employees shall be handled in accordance with Manual Section 3/728.30.

- \* Ensure that the employee is given written notice of the date, time, and location of the scheduled interview.
- \* Complete the appropriate section of the Resignation, Form 1.50.
- \* Forward the Resignation, a copy of the interview notice, and all related reports to Personnel Division, by messenger, prior to the scheduled pre-exit interview.

When notified by Personnel Division of the impending transfer of a civilian employee to another City department, the employee's commanding officer shall schedule a pre-exit interview with the Civilian Employment Section, Personnel Division.

**Commanding Officer, Personnel Division-Responsibility.** When the employee reports as directed, the Commanding Officer, Personnel Division, shall ensure that a pre-exit interview is conducted and all pertinent information is forwarded to the Office of the Chief of Police for final acceptance.

**729. RELEASE OF EMPLOYEE INFORMATION.**

**729.20 RELEASE OF EMPLOYEE INFORMATION BY AREA/DIVISION.** Commanding officers, watch commanders, and unit officers in charge may respond to written and telephonic requests for employment verification regarding an active Department employee with the following information:

- \* Dates of employment.
- \* Civil Service classification.
- \* Salary range for the Civil Service classification, including any step and/or bonus pay.

**Note:** Requests for specific salary information for an employee shall be referred to Personnel Division.

Requests for information other than that which is listed above shall be referred to Personnel Division. All requests regarding **separated**

employees shall be referred to Personnel Division.

**729.40 RELEASE OF INFORMATION BY PERSONNEL DIVISION.** Personnel Division shall respond to all requests for information regarding separated Department employees and to those requests for information on active employees that are received by Personnel Division. The Commanding Officer, Personnel Division, shall establish procedures to ensure the proper release of employee information by Personnel Division staff.

**730. LEAVES OF ABSENCE.**

**730.10 REQUESTS FOR LEAVES OF ABSENCE-GENERAL.**

**Employee's Responsibility.** When requesting a leave of absence, an employee shall:

- \* Complete a Request for Leave of Absence, Form 1.36, stating the reasons for the leave, accurate inclusive dates, and any substantiating documents.
- \* When an emergency leave of absence has been granted the subsequent request shall include an explanation for the delay in submission.
- \* No leave, except in emergency cases, shall extend beyond the specified dates without the approval of an additional formal request.
- \* When possible, the employee shall submit a request for a leave of absence to the employee's commanding officer 14 days in advance of the date for which the request is made.

**Note:** Leaves of absence for bereavement, family illness, 16 or more days, medical, military, or preventive medicine, shall be requested according to established Department procedures.

**Commanding Officer's Responsibility.** Upon receipt of a request for a leave of absence, each commanding officer shall:

- \* Review the request in accordance with Department policy and general guidelines.
- \* Approve or deny the employee's request and forward the request to the Commanding Officer, Personnel Division.

**Note:** A copy of each request for leave of absence for bereavement, family illness, or preventive medicine shall be forwarded to the Medical Liaison Section through Personnel Division for filing only.

**Commanding Officer, Personnel Division-Responsibility.** Upon receipt of a request for a leave of absence, the Commanding Officer, Personnel Division, shall:

- \* Review the request in accordance with Department policy and general guidelines.
- \* Forward all requests for leaves of absence exceeding 15 days to the General Manager, Personnel Department, for approval.

**Note:** Requests for leaves of absences for military leaves exceeding 180 days, disability caused by pregnancy or child birth exceeding 120 days, medical leaves for probationary employees, and leaves of a discretionary nature which exceed 60 days and have been approved by the Commanding Officer, Personnel Division, shall be forwarded to the Director, Office of Support Services, for review and approval prior to transmission to the General Manager, Personnel Department.

- \* Maintain a file of all approved and denied requests for leaves of absence.
- \* Ensure that the concerned employee is notified of the approval or denial of a request for leave of absence.

**The Director, Office of Support Services' Responsibility.** Upon receipt of a request for a leave of absence the Director, Office of Support Services shall:

- \* Review the request for adherence to Department policy and general guidelines, substantiating documents, and the recommendations of the concerned commanding officers.
- \* Return the request with recommendation to the Commanding Officer, Personnel Division.

**730.20 MILITARY LEAVE OF ABSENCE.** Employees entering active duty with the Armed Forces of the United States are entitled to a leave of absence under the provisions of the Los Angeles City Administrative Code, Division 4, Chapter 3, Article 6, Section 4.175 (a). In order to secure such leave of absence, an employee shall, upon the receipt of written orders to report for active duty within the Armed Forces of the United States, report this information to his or her commanding officer. The employee shall deliver three certified copies of his/her military orders to the Records Unit, Personnel Division, where application for the leave of absence will be completed. An employee on military leave shall be governed by Manual Section 3/607.30 regarding City-owned property.

**Note:** Only a regular or reserve commissioned officer of the United States Armed Forces may certify military orders.

In the event an employee remains in the Armed Forces in excess of one year, written application to the Personnel Department shall be made each succeeding year for extension of the leave of absence.

An employee shall notify his/her commanding officer, on an Employee's Report, Form 15.7, of the approximate or expected dates of military leave as soon as possible, even though written orders are not yet available.

**Probationary Police Officers.** The guidelines set forth in Manual Section 3/760.45 shall be adhered to when a probationary officer is placed on military leave.

**730.30 MATERNITY LEAVE OF ABSENCE.** A maternity leave of absence shall be granted upon written request of a pregnant employee for that period of time during which the employee has been certified by a physician as unable to work. Upon written request, a Maternity Leave of Absence may be granted to a probationary employee at the discretion of the Chief of Police.

**Request for Maternity Leave.** An employee shall submit to her commanding officer three copies of a Request for Leave of Absence, Form 1.36. This shall be accompanied by a private physician's written statement of the approximate delivery date. The request shall be submitted at least three and one-half months prior to the anticipated delivery date.

**Leave Date Less Than Three Months Before Delivery.** When a leave date of less than three months before anticipated delivery is requested, the private physician's statement submitted with the Form 1.36 shall include a written recommendation that the leave date is medically permissible.

**Return Date Less Than Three Months After Delivery.** Following childbirth, an employee requesting to return to duty on a date less than three months after delivery shall obtain a private physician's written statement. This statement, recommending that the return date is medically permissible, shall be submitted to the Commanding Officer, Personnel Division.

**Medical Recommendation From City Physician.** An employee requesting to leave or return to duty on a date less than three months from delivery may be required by the Commanding Officer, Personnel Division, to report to a City physician for medical recommendation.

**Extension of Leave.** An employee requesting an extension of a maternity leave beyond the approved expiration date shall submit three copies of a Request for Leave of Absence, Form 1.36, to the Medical Liaison Section, Personnel Division. The Form 1.36 shall be submitted at least three weeks prior to the originally approved date for expiration of the leave. The maximum length of a maternity leave shall not exceed one year.

**Approval and Timekeeping.** The Commanding Officer, Personnel Division, shall cause an employee to be notified of approval of a request for maternity leave. A maternity leave shall be recorded as a leave of absence (LW) in the Divisional Time Book and the Time Sheet.

**Probationary Police Officers.** In the event a probationary officer is absent in excess of seven calendar days **in the aggregate**, except for vacation or time off for overtime, that probationary officer's probationary period shall be extended by the entire period or periods missed. Additionally, the probationary period shall also be extended by the number of days the probationary officer is on **restricted duty**

because of pregnancy (See Manual Section 3/760.45).

**730.40 LEAVES OF ABSENCE FOR ILLNESS OR DEATH IN IMMEDIATE FAMILY.** To secure time off because of illness, injury, or death in an employee's immediate family, an employee shall complete a Request for Leave of Absence, Form 1.36. In the space provided for **Leave Requested**, check the box titled "With Pay." All copies of the request shall be forwarded to the employee's commanding officer for approval prior to distribution.

**Leaves of Absence-Illness in Family.** An employee may be allowed a leave of absence with full pay when the employee is required to be absent due to illness or injury in the employee's immediate family. The number of days of absence shall be deducted from the employee's accumulated sick leave. The definition of "immediate family" and the number of leave days allowed shall be administered in accordance with the relevant provisions of the current memorandum of understanding applicable to members of representation units.

**Leaves of Absence-Death in Family.** An employee may be allowed a leave of absence with full pay for each occurrence of a death in the employee's immediate family. Simultaneous, multiple family deaths shall be considered as one occurrence. The number of days of the absence shall **not be deducted** from an employee's accumulated sick leave. The definition of "immediate family" and the number of leave days allowed shall be administered in accordance with the relevant provisions of the current Memorandum of Understanding applicable to members of representation units.

Before approval, the commanding officer shall ensure that the application sets forth a reasonable necessity for absence of the employee and that the length of time requested is necessary.

If requested, some evidence of the illness, injury, or death shall be submitted. Such evidence may be in the form of a letter from an attending physician, a copy of a death certificate, or a telegram to the employee.

**730.50 ALLOWANCE FOR LEAVE FOR PREVENTIVE CARE.** Upon approval of the commanding officer, an employee may be allowed sick leave with full pay of not less than one hour at anyone time for the purpose of securing preventive medical, dental, optical, or other like treatment. This sick leave, when taken, shall be deducted from the allowance of sick leave at full pay.

**Note:** Refer to the applicable Memorandum of Understanding to determine the aggregate number of hours that may be taken for preventive medicine each calendar year.

To secure sick leave for preventive care, an employee shall complete a Request for Leave of Absence, Form 1.36.

**730.55 LEAVE OF ABSENCE FOR A CHILD'S SCHOOL ACTIVITIES.**

Employees are authorized to take time off, up to 40 hours per calendar year and no more than eight hours during a calendar month, for participating in school or licensed day care activities. The employee must be a parent, guardian, or grandparent having custody of one or more children in kindergarten or grades 1 to 12, inclusive, or attending a licensed child day care facility. The employee may utilize vacation time, compensatory time off, or leave without pay for this purpose.

**Employee's Responsibility.** An employee desiring a leave of absence involving his/her participation in their child's school activity shall:

- \* Complete as soon as practicable, a Request for Leave of Absence, Form 1.36, stating the reason for the leave, include the date, and the approximate hours taken for School Leave during the current calendar year; and,
- \* Submit the request to the employee's supervisor prior to the deployment period in which the event is to occur.

**Note:** The employee, if requested by the supervisor, shall provide documentation from the school or the licensed day care facility regarding the activity.

**Supervisor's Responsibility.** Upon receipt of a request for a leave of absence involving an employee's participation in their child's school activity, the supervisor shall:

- \* Review the Request for Leave of Absence for completeness and indicate the requesting employee's time preference (e.g., vacation day, compensatory time off, or leave without pay);
- \* When the request is made prior to the start of the forthcoming Deployment period, ensure the inclusive dates for the school leave are properly documented on the employee's Request for Days Off, Form 15.16; and,
- \* Forward the Request for Leave of Absence to the commanding officer for approval.

**Commanding Officer's Responsibility.** Upon receipt of a request for a leave of absence involving an employee's participation in their child's school activity, the commanding officer shall:

- \* Review the request for appropriateness and ensure it is in compliance with Department procedure;
- \* Ensure the amount of time requested for school leave has not exceeded more than eight hours for the current month or 40 hours for the calendar year;
- \* Approve or deny the employee's request and forward the request to the

Commanding Officer, Personnel Division; and,

- \* Ensure a system is in place with the Area/Divisional Timekeeper to track employee School Leave usage.

**Note:** An employee failing to give reasonable notice to the employer of the planned absence may be grounds to deny the request. However, in keeping with the spirit of the law, reasonable efforts will be made to accommodate the request after consideration of the deployment and safety needs of the operational entity.

**730.60 OFFICER'S LEAVE OF ABSENCE FOR PERSONAL ILLNESS.**

An officer desiring a leave of absence because of personal illness after having exhausted the paid sick benefits (Manual Section 3/710), shall submit a Request for Leave of Absence, Form 1.36, to the officer's division commanding officer for approval and shall then submit to Medical Liaison Section, Personnel Division. An officer who has been granted such a leave of absence shall not be returned to duty until the officer has been examined by a surgeon designated by the Medical Director of the Receiving Hospital and certified as medically fit to return to duty.

When a leave of absence is requested for a medical reason, the request shall include the attending physician's name, address, diagnosis of the illness, a statement, indicating the treatment for the illness, and the dates during which the leave is requested.

**Probationary Police Officers.** In the event a probationary officer is absent in excess of seven calendar days **in the aggregate**, except for vacation or time off for overtime, that probationary officer's probationary period shall be extended by the entire period or periods missed. Additionally, the probationary period shall also be extended by the number of days the probationary officer is on **restricted duty** because of pregnancy (See Manual Section 3/760.45).

**730.65 CIVILIAN EMPLOYEE'S LEAVE OF ABSENCE FOR PERSONAL ILLNESS.**

A civilian employee who has exhausted his/her paid sick benefits and who desires a leave of absence for personal illness shall submit a Request for Leave of Absence, Form 1.36, to the employee's commanding officer for approval and shall then submit to Medical Liaison Section, Personnel Division. Before returning to duty, such employee shall be examined and certified as medically fit to return to duty by the Preplacement Medical Examination Division of the Personnel Department.

When a leave of absence is requested for a medical reason, the request shall include the attending physician's name, address, diagnosis of the illness, a statement indicating the treatment for the illness, and the dates during which the leave is requested.

**730.80 LEAVES OF ABSENCE EXCEEDING 15 DAYS.**

An employee of the

Department desiring to make application for a leave of absence for a period of 16 days or more shall submit a Form General 38, together with a Request for Leave of Absence, Form 1.36, to the Commanding Officer, Personnel Division.

For leaves of absence exceeding 30 days, see Manual Section 3/607.30.

Leaves of absence in excess of 15 days, but not exceeding one year, may be granted with the approval of the General Manager of the Personnel Department.

**731. EXTENDED ABSENCES.**

**731.20 REINTEGRATING EMPLOYEES INTO THE WORKPLACE AFTER AN EXTENDED ABSENCE.**

When an employee returns to duty after an extended absence of 60 calendar days or greater, the employee's commanding officer shall meet with the employee and conduct a reintegration interview. From that interview, a reorientation program shall be developed for the individual employee, which takes into consideration the unique circumstances of the particular employee. For example, an officer returning from maternity leave may have been exempt from firearms qualification for approximately one year. In such cases, the officer's reintegration program should include firearms training/qualification prior to being assigned to the field.

**Employee's Responsibility.** When an employee who has been on an extended absence of 60 calendar days or longer plans to return to work, he/she shall:

- \* Request to meet with his/her commanding officer immediately upon returning to work;
- \* Assist his/her commanding officer in identifying his/her individual needs; and,
- \* Accomplish all reintegration tasks as directed by his/her commanding officer.

**Note:** This is in addition to any other duty, such as reporting to his/her commanding officer prior to the start of work to retrieve his/her identification card, badge, or other Department property (Manual Section 3/860.30).

**Commanding Officer's Responsibility.** The commanding officer of any employee returning to work after an absence of 60 days or longer shall initiate a comprehensive reintegration program for the employee. At a minimum, the program shall include the following components:

- \* Reintegration interview;
- \* Determine if the employee has received any restrictions during the absence that would impact his/her duty status;
- \* Ensure that the employee is in compliance with mandated training, (e.g., Peace Officer Standards and Training (POST) for sworn employees);

- \* Ensure that a sworn employee is in compliance with Department shooting qualification, as prescribed in Manual Section 3/258.08;

**Note:** A sworn employee who is absent more than 90 calendar days shall complete firearms qualification prior to assuming duties in the field.

- \* Determine if the employee requires remediation in critical areas (tactics, computer systems, report writing, etc.) to assist with a smooth reintegration into the workplace and ensure that remedial training provided is entered into employee's Training Evaluation and Management System record;
- \* Ensure that the employee meets with the Area/Divisional Training Coordinator, who shall provide the employee with Department publications issued during the employee's absence;
- \* As appropriate, ensure that the employee is made aware of, and given access to, employee assistance organizations both within and outside the Department;

**Note:** The Employee Assistance Unit can provide information on Department resources and/or referrals.

- \* Document the employee's reintegration program on an Intradepartmental Correspondence, Form 15.2, allowing the employee to review and respond within 30 days;
- \* Obtain a signature from the employee acknowledging receipt of the reintegration program and that the employee had the opportunity to review and respond to the Form 15.2; and,
- \* Ensure the Form 15.2 is maintained in the employee's divisional file.

**732. MILITARY LEAVES-COMPENSATION RULES.**

**732.20 EMPLOYEES ENTERING MILITARY SERVICE-LEAVE OF ABSENCE WITH PAY.** An employee who leaves the Department and enters active service in the Armed Forces of the United States is entitled to an amount equal to his or her base salary for thirty days during the fiscal year if:

- \* He/she has completed one year of continuous City service immediately prior to the date he/she leaves for military service.
- \* He/she is not under disciplinary suspension for a definite term at the time he/she enters the Armed Forces.

**732.40 EMPLOYEES ENTERING MILITARY SERVICE-CLAIMS FOR COMPENSATION.** An employee of the Department eligible for thirty calendar days compensation (Manual Section 3/732.20), may submit City Controller's Form 113, in quadruplicate, to Personnel Records Unit, Personnel Division, as claim for such compensation. The claim should be submitted

prior to the time the employee is sworn into active duty with the Armed Services.

**732.60 EMPLOYEES ON MILITARY LEAVE-COMPENSATION FOR VACATIONS.** An employee on military leave has a vested right in vacation time he/she may have earned prior to his/her call to active duty, in addition to such pay as is provided under Manual Section 3/732.20, and may be allowed pay for this time after the actual date of call to active duty. <sup>(1)</sup> Application for such pay for earned vacation time may be made at the Personnel Records Unit, Personnel Division.

**732.80 EMPLOYEES ON MILITARY LEAVE-COMPENSATION FOR DAYS OFF.** An employee on military leave may not be paid for regular days off or compensatory overtime accumulated prior to the date of call to active duty. <sup>(2)</sup> However, a commanding officer of an employee anticipating a call to military service may make arrangements permitting such employee to use accumulated regular and compensatory days off in advance of the actual date of call to active military service.

[<sup>(1)</sup> Opinion of the City Attorney, August 11, 1941.]

[<sup>(2)</sup> Opinion of the City Attorney, August 11, 1941.]

**733. RETIRED POLICE OFFICERS.**

**733.10 REHIRING OF RETIRED POLICE OFFICERS.** A qualified retired Los Angeles police officer may, with the approval of the Chief of Police, be returned to active duty or may, at the request of the Chief of Police, be recalled to active duty. A vacancy must exist in the rank to which the retired officer is being returned or recalled.

**Return to Active Duty.** To be eligible for return to active duty, a retired officer shall:

- \* Have retired on the basis of service rather than disability.
- \* Be less than fifty-five years of age.
- \* Have been retired for not longer than three years on the date of application for return to active duty.
- \* Have been a sergeant, detective, or police officer on the date of his/her retirement.
- \* Have passed a medical examination within thirty days prior to his/her retirement.
- \* Have made written application to the Chief of Police for return to active duty.
- \* Have certified that he/she has read and understands the applicable provisions of the City Charter.
- \* Have passed a medical examination subsequent to filing his application.

**Recall to Active Duty.** The Chief of Police may recall to active duty an eligible retired officer who voluntarily consents to such recall. To be eligible for recall, a retired officer shall:

- \* Have retired on the basis of service rather than disability.

- \* Have held a rank no higher than deputy chief on the date of retirement.
- \* Have certified that he/she has read and understands the applicable provisions of the City Charter.

**733.20 APPROVAL TO CARRY CONCEALED FIREARM.** Each retired officer shall receive a photo identification card indicating the Department's approval to carry a concealed firearm. The identification card will reflect a five-year expiration date. It is incumbent upon the retired officer to petition the Department for renewal of the privilege to carry a concealed weapon upon expiration of each five-year period (12027.1 P.C.).

**Exception:** Officers who retired prior to January 1, 1981, shall not be required to obtain an endorsement from the Department for the privilege of carrying a concealed weapon.

If a retired officer is denied the privilege to carry a concealed weapon, the Department will notify the affected retiree by certified mail of the decision. The retiree will then have 15 days from the date of receipt of the notice to inform the Commanding Officer, Personnel Division, in writing as to the intent to appeal the denial and request a hearing with the Carrying a Concealed Weapon Board (Manual Section 2/092.61).

Retired officers who receive a restricted identification card may petition the Department to review their current status every five years after the privilege to carry a concealed weapon has been revoked.

**733.30 COMPLAINTS AGAINST RETIRED POLICE OFFICERS WORKING AT MOTION PICTURE/TELEVISION FILMING LOCATIONS.** Retired officers working in uniform at a motion picture/television filming location are not employees of the Department and are not subject to the Department's regular disciplinary process. However, the Department's Motion Picture/Television Filming Work Permit, Form 01.47.01, requires them to be familiar with and adhere to the Department's standard of conduct and rules governing uniformed employment.

**Employee's Responsibility.** An employee who becomes aware of a complaint involving a retired Los Angeles Police Department (LAPD) officer working in uniform at a motion picture/television filming location, shall report it to a supervisor.

**Supervisor's Responsibility.** When such a complaint is received, the supervisor shall:

- \* Conduct a preliminary investigation and attempt to make initial contact with the complainant and any witnesses; and,
- \* Document the information on an Employee's Report, Form 15.7, and forward it to his/her commanding officer.

**Commanding Officer's Responsibility.** Upon reviewing the information, the commanding



officer shall forward the preliminary investigation to the Commanding Officer, Emergency Services Division (ESD), as soon as practicable.

**Exception:** When a complaint involves **both an active and a retired officer**, the investigation shall be handled according to Department protocol for active officers. Upon completion, the Area/division conducting the investigation shall forward a copy of the investigation to ESD for adjudication of the allegations relating only to the retired officer.

When a Complaint Form, Form 1.28, has been initiated and it is discovered that the only officer complained against is a retired LAPD police officer, the Complaint Form shall be adjudicated as "No-Department-Employee."

**734. RESERVE STATUS.**

**734.60 ARMED FORCES RESERVE STATUS.** An employee who becomes affiliated with the active or inactive reserve of any branch of the Armed Forces of the United States, or the State of California, or any employee who terminates such affiliation, shall report his or her status within forty-eight hours of the incident. The employee shall insert this information on the Employee Record Form, Form 1.38, located in the Division Employee Folder, Form 1.1, and forward an Address and Phone No. Record, Form 1.20, with the appropriate information, to Personnel Division.

**740. CONVENTION ATTENDANCE.** Employees may be authorized to attend conventions or sessions of certain organizations as duty assignments and without loss of pay.

**740.30 LEAGUE OF CALIFORNIA CITIES.** Attendance as a regular representative or delegate of the City shall constitute regular duty for an employee authorized to attend a general session or section of the following organizations: (1)

- \* The League of California Cities, or subordinate leagues.
- \* Organizations of public officials.
- \* Similar organizations.

[(1) Los Angeles City Administrative Code, Division 4, Chapter 5, Article 4, Section 4.242.2]

**740.90 CONVENTION REPORTS.**

Employees of the Department who attend a convention (Los Angeles City Administrative Code, Division 4, Chapter 5, Article 4, Section 4.242.2) and in so doing either incurs travel cost (total cost to City) in excess of \$100, or is absent for four or more working days while being shown for payroll purposes as being on regular duty, shall prepare and submit a Report on Convention Travel by City Representatives, Form General 155, within fifteen working days following their return to duty at their place of assignment.

The employee shall submit the Form General 155 in *triplicate*, with the original of the Personnel Expense Statement, Form General 16, through channels to Administrative and Technical Services Bureau, who shall forward the Form General 155 to the Chief of Police. The Chief of Police will submit an endorsement on the original and the file copy prepared by the employee indicating the Chief's evaluation of the suggestions or recommendations for actions made by the employee, and the Chief's assessments of the benefit of the travel to the City. The remaining copy of the Form General 155 shall be forwarded to the City Clerk's office for filing.

**Note:** If the employee initially preparing the Form General 155 is the Chief of Police, the report is submitted directly to the Police Commission.

**741. REPORTING EMPLOYEE CONFLICT OF INTEREST.**

**741.05 STATEMENT OF DISQUALIFICATION.** It shall be the responsibility of Department employees to immediately submit a statement of disqualification to the Chief of Police, through channels, if they believe that they are involved in a Department decision-making process in which they have a conflict of interest as covered by the Department's Conflict of Interest Code.

Command or staff officers shall forward an Intradepartmental Correspondence, Form 15.2, and all other Department employees shall forward an Employee's Report, Form 15.7, to notify the Chief of Police about their disqualification in a decision-making process. The person submitting the report will describe the nature of the decision affected by their conflict of interest.

**Note:** A conflict of interest does not necessarily exist when an employee's duties are solely ministerial, secretarial, or clerical.

**741.10 FINANCIAL DISCLOSURE STATEMENT.**

Command or staff officers who are required to complete a financial disclosure statement in accordance with the Department's Conflict of Interest Code, shall complete and forward the latest State of California disclosure form to the Secretary of the Police Commission in accordance with the following schedule:

- \* Within 30 days after their assignment to a Conflict of Interest designated position.
- \* By February 15 of each year thereafter; or,
- \* Within 60 days after leaving a designated position if the position is left prior to December 31, regardless of when the last statement was submitted.

**Note:** If an employee has submitted a completed financial disclosure statement to the Secretary between October 1 and December 31 of the preceding year, no statement needs to be submitted for the following calendar year.

**742. REPORTING POLITICAL ACTIVITIES.**

**742.10 REPORTING OF POLITICAL ACTIVITIES-EMPLOYEE'S RESPONSIBILITY.**

When an on-duty Department employee has contact with 1) an elected State official or candidate, or their representatives, or 2) an employee of the State regarding any legislation or any administrative action which could result in a change in administrative regulations, the Department employee shall notify Governmental Liaison Section to:

- \* Determine whether such contact is reportable under the provisions of the State Political Reform Act of 1974.
- \* If the contact is reportable, provide information for the Department report to the City's Chief Legislative Analyst.

**Note:** For reporting purposes, "contact" includes personal meetings, telephonic communications, and written correspondence.

**744. OUTSIDE EMPLOYMENT.**

**744.08 PRIMARY RESPONSIBILITY.** In all cases of outside employment, the primary duty, obligation and responsibility of an employee are, at all times, to the Department.

Employees engaged in outside employment shall conduct themselves in the same manner as if on duty, with particular emphasis on personal appearance, courtesy, attention to duty and the prevention of violations by their employers. Failure to do so may lead to disciplinary action and/or revocation of the Permit for Outside Employment, Form 1.47 or the Motion Picture/Television Filming Work Permit, Form 1.47.01.

Officers, while engaged in outside employment, if and when the occasion arises, shall at all times take proper action on any offense or condition of which they have or acquire knowledge, and which would normally require police attention, including arrests and making reports.

**Exception:** Off-duty officers employed by a filming company for the purpose of traffic control shall not issue citations for moving, non-moving or parking violations. An off-duty officer who believes enforcement action is appropriate at a filming location may proceed by Complaint Application, Form 5.15, or shall summon on-duty personnel who shall be responsible for the final determination regarding enforcement action.

**744.20 APPLICATION FOR PERMISSION FOR OUTSIDE EMPLOYMENT.**

Any employee wishing to engage in outside employment shall submit to their commanding officer four signed copies of a Permit for Outside Employment, Form 1.47.

**Note:** To apply for a Motion Picture/Television Filming Work Permit, Form 1.47.01, refer to the procedures outlined in Manual Section 4/292.

**744.24 INVESTIGATIONS OF OUTSIDE EMPLOYMENT PERMITS.** A commanding officer, prior to recommending approval of a request for a Permit for Outside Employment, Form 1.47, shall ascertain whether:

- \* The employment is of a prohibited type (Manual Section 1/270).
- \* The employee possesses the qualifications necessary to discharge the type of duty or work described in the request to engage in outside employment.
- \* The commanding officer of the uniformed division in which the place of employment is located (if in the City of Los Angeles) has been contacted and approves of the place of employment.

**744.32 APPROVAL OF PERMIT FOR OUTSIDE EMPLOYMENT.** Following the investigation of a request for a Permit for Outside Employment, Form 1.47 (Manual Section 3/744.24), the commanding officer shall:

- \* Recommend approval or disapproval.
- \* If disapproval is recommended, write in the reason.
- \* If approval is recommended, certify that the concerned employee is qualified to perform the duties listed on the requested permit.
- \* Sign all four copies.
- \* Forward all copies to the Director, Office of Support Services, for approval or disapproval.

**744.36 APPEAL PROCEDURE.** An employee may appeal the determination that outside employment is or is not compatible with Department employment by:

- \* Appealing the determination of their commanding officer and the Commanding Officer, Personnel Group, to the Chief of Police.
- \* Appealing the determination of the Chief of Police to the Board of Police Commissioners for administrative review.

**Note:** The appeal shall be submitted on an Administrative Appeal, Form 1.84 (Manual Section 5/1.84) and forwarded to the Employee Relations Administrator.

**744.40 EXPIRATION OF WORK PERMITS.** A Permit for Outside Employment, Form 1.47, shall be valid only on the specific days or dates indicated. No permit shall remain valid for more than one year from the date of approval.

**Exception:** Non-security related outside employment and security at motion picture/television film site locations (movie jobs) shall be renewed every two years.

**Note:** Non-security related employment is defined as outside employment which is not designed to protect persons or property from intrusions, i.e., teaching or sales.

**744.48 COMMANDING OFFICER TO REVIEW OUTSIDE EMPLOYMENT PERMITS.** Each commanding officer shall examine permit records each month and check to ensure that outside employment of employees is not impairing their performance of duty and that the efficiency of the Department is not being reduced by such employment. Impairment of the effectiveness or efficiency of an employee by reason of their outside employment shall be cause for immediate recommendation by their commanding officer to the Director, Office of Support Services, that the permit be revoked.

**744.80 EMERGENCY OUTSIDE EMPLOYMENT.** In the event that an emergency request for outside employment is received without sufficient time to forward the request to the Director, Office of Support Services, for approval, the applicant's commanding officer shall carry out the required investigation (Manual Section 3/744.24). Such investigation may be accomplished by the telephone. The applicant's commanding officer may then conditionally approve the employment.

Upon completion of the emergency employment, the authorizing commanding officer shall cause the necessary copies of the permit and a statement outlining the emergency to be forwarded to the Director, Office of Support Services.

**744.88 OUTSIDE EMPLOYMENT DURING SEASONAL EVENTS.** One Permit for Outside Employment, Form 1.47, covering several events may be submitted by an officer whose request is concerned with crowd control during seasonal events.

**Example:** An officer may be granted one permit covering crowd control work at the Coliseum during all of the "home" football games of the University of Southern California during one football season.

**744.96 COMPLETION OF REPORTS BY STORE SECURITY OFFICERS.** Off-duty officers employed in store security positions within the City of Los Angeles making shoplifting arrests shall complete the necessary crime and arrest reports prior to requesting on-duty personnel.

**745. GRIEVANCE PROCEDURES-EMPLOYEES COVERED BY MEMORANDUMS OF UNDERSTANDING.**

**745.05 GRIEVANCE-DEFINED.** For employees covered by Memorandums of Understanding, a grievance is any dispute concerning the interpretation or application of a written Memorandum of Understanding or of Departmental rules and regulations governing personnel practices or working conditions.

**Note:** Grievance procedures shall not be construed to apply to matters for which an administrative remedy is provided within the authority of the Civil Service Commission or

within the purview of Los Angeles City Charter, Volume II, Article X, Section 1070.

**745.10 GRIEVANCE PROCEDURE.** For Grievance Procedure, please refer to the current Memorandum of Understanding applicable to the class of the employee. ,

**745.50 ADMINISTRATIVE APPEAL.** For Administrative Appeals Procedure, please refer to the current Memorandum of Understanding applicable to the class of the employee.

**745.55 RESPONSIBILITY OF THE GRIEVANT'S REPRESENTATIVE AND THE REPRESENTATIVE UNIT-CIVILIAN PERSONNEL.**

- \* **Recognized Representative Units.** Grievance representation shall include any member of a recognized civilian employee unit to which the grievant belongs.

**Exception:** The Building Trades Unit is excluded from the grievance representation procedure applicable to all other recognized employee units.

- \* The Grievant's Representative Unit. A representative unit:
    - \* May designate a reasonable number of grievance representatives.
    - \* Shall provide the Employee Relations Administrator, Chief of Staff, with a list of the designated representatives.
  - \* **The Grievant's Representative.** A grievant's representative must be employed within a reasonable distance from the work location of the grievant. When a grievance representative must leave his/her work location to represent a grievant, he/she shall:
    - \* Obtain written permission from his/her supervisor, who **shall** grant permission, unless impracticable. If such permission cannot be granted promptly, the representative shall be informed when time will be made available for this purpose.
- Note:** Such time shall be within 48 hours, excluding scheduled days off and/or legal holidays, after the request. Denial of permission shall extend the time limit of the grievance equal to the amount of the delay.
- \* Call the grievant's supervisor to determine when the grievant can be available.
  - \* Upon arrival at the grievant's work location, report to the grievant's supervisor, who shall arrange the meeting.
  - \* **Time Off for Processing a Grievance.** When presenting a grievance during working hours, the grievant and/or his/her representative may have time off from their

regular duties to present the grievance, at each level of review. The grievant and the grievant's representative shall not be entitled to paid time off to investigate or prepare the grievance. A grievant and/or his/her representative shall not be compensated for any time spent outside of regular working hours when processing a grievance.

**746. GRIEVANCES-EMPLOYEES NOT COVERED BY MEMORANDUMS OF UNDERSTANDING.**

**746.10 GRIEVANCE DEFINED.** For employees not covered by Memorandums of Understanding, a grievance is a complaint by employees relating to any matter affecting their employment for which appeal is not provided by:

- \* City Charter, Volume II, Article X, Section 1070.
- \* Salary Standardization Ordinances.
- \* Civil Service Commission Rules.
- \* Other laws and regulations.

**746.20 PRESENTING A GRIEVANCE.** Employees desiring review of a grievance for which no other remedy is provided shall discuss the matter informally with their supervisor. The concerned supervisor or watch commander shall endeavor to resolve the grievance in the best interest of the Department and the employee.

For purposes of the informal level of review concerning a grievance, a "supervisor" shall be the grievant's immediate supervisor.

**Note:** Supervisors for sworn personnel shall be the rank of Sergeant I, Detective II, or higher.

**746.30 FORMAL REVIEW OF GRIEVANCE.** If the grievance is not resolved, the concerned watch commander, or officer in charge, shall advise the employees that they may complete an original and two copies of an Employee's Report, Form 15.7; retain one copy; forward one copy to the Employee Relations Administrator, Chief of Staff; and forward the original to their commanding officer for consideration. A grievance which is not resolved by the employee's commanding officer may be presented to the concerned bureau commanding officer and, if still unresolved, submitted to the Chief of Police via the Employee Relations Administrator.

**746.40 RESULTS OF REVIEW.** Within fifteen days of receipt of a written grievance, reviewing officers shall notify the employees of their recommendations on the Intradepartmental Correspondence, Form 15.2. One copy of the Form 15.2 shall be forwarded to the Employee Relations Administrator, Chief of Staff. The time period may be extended by mutual consent of the employee and the officer then considering the grievance.

Within five days of notification, employees shall inform the reviewing officer of their acceptance of the recommendations or

intention to proceed to the next level. If the employee's decision is to proceed, reviewing officers shall forward the written grievance and a copy of their recommendations to the next level.

**746.50 WITHDRAWAL OF GRIEVANCE.** Employees may withdraw their grievance by notifying the officer then considering the grievance. An Employee's Report, Form 15.7, shall then be forwarded to the concerned reviewing officer. It shall be attached to the employee's original written grievance.

**746.60 APPEAL OF RECOMMENDATIONS.** Employees may appeal to the Board of Police Commissioners within five days after receiving the recommendation of the Chief of Police. Employees shall submit an original and one copy of an Employee's Report, Form 15.7, to their commanding officer stating the grievance, the recommendations, and requesting consideration by the Board. If they desire, they may request an interview by the Board. The commanding officer shall forward the original Form 15.7 directly to the Secretary of the Police Commission and the copy to the Chief of Police.

**746.70 EMERGENCY REVIEW.** When employees feel that their grievance is of an emergency nature, they may have the matter submitted directly to the Board of Police Commissioners. They shall submit an original and one copy of an Employee's Report, Form 15.7, to their commanding officer stating the grievance and their reasons for requesting emergency review. Commanding officers shall attach their recommendations as to whether an emergency does in fact exist, and shall forward the original Form 15.7 directly to the Secretary of the Police Commission and the copy to the Chief of Police.

**746.80 REPRESENTATION.** Employees may appear in person at any level where their grievance is being considered, or they may be represented by an individual or an employee organization certified by the City Clerk.

**747. GRIEVANCES RELATING TO PAYGRADE ADVANCEMENT RULES AND PROCEDURES**

**747.10 APPEAL PROCEDURES.** An officer desiring review of the rules and procedures used to determine paygrade advancement shall follow the grievance procedures as described in Manual Section 3/746.

In addition, an officer who is dissatisfied with the recommendation of the Board of Police Commissioners (Manual Section 3/746.60) concerning the rules and procedures used to determine paygrade advancement may directly petition the Civil Service Commission to hear and determine the unresolved grievance.

**Exception:** An officer whose unresolved grievance concerns application of rules and procedures related to testing and scoring may

petition the Board of Police Commissioners to request an advisory opinion from the Board of Civil Service Commissioners on the grievance.

**748. DISCRIMINATION COMPLAINT PROCEDURE**

**748.05 DISCRIMINATION COMPLAINT-CRITERIA.** A Department employee may file a complaint with the Police Commission Discrimination Unit (PCDU) on any action, procedure, practice, or condition of employment which the employee believes to be discriminatory on the basis of:

- \* Race;
- \* Color;
- \* Religion;
- \* National origin;
- \* Gender, including sexual harassment;
- \* Age;
- \* Physical or mental disability;
- \* Marital status;
- \* Sexual orientation;
- \* Creed;
- \* Ancestry;
- \* Medical condition, (cancer);
- \* Having or perceived as having Human Immunodeficiency Virus (HIV);
- \* Having or perceived as having Acquired Immune Deficiency Syndrome (AIDS); or,
- \* Retaliation for having made or filed a prior discrimination complaint regardless of the agency with which the complaint was filed.

**748.10 DISCRIMINATION COMPLAINT-FILING OPTIONS OTHER THAN THE POLICE COMMISSION DISCRIMINATION UNIT (PCDU).**

**Filing Options Within the Department and City.** Department employees are encouraged to resolve discrimination complaints by utilizing this discrimination complaint procedure. However, other filing options available within the Department and City include the:

- \* Grievance procedure;

**Note:** The Grievance procedure is available for those matters concerning a dispute of the interpretation or application of a Memorandum of Understanding or Departmental rules and regulations governing personnel practices or working conditions.

- \* Administrative Appeal procedure.

**Note:** The Administrative Appeal procedure is available only to sworn personnel and is the only process for alleging that a transfer or assignment is discriminatory or retaliatory in nature.

- \* Civil Service Commission.

**Note:** The Department's discrimination complaint procedure is available to all Department employees except those who opted to use another City investigative review procedure for the same matter.

**Filing Options Outside the City.** Filing options outside the City include the:

- \* California Department of Fair Employment and Housing.
- \* U.S. Department of Justice, Equal Employment Opportunity Commission (EEOC).

**Advice Regarding the Use of the Discrimination Complaint Procedure.** Advice regarding the use of the discrimination procedure may be obtained from the Police Commission Discrimination Unit.

**748.15 FILING OF COMPLAINT.** A Department employee who believes that he/she has been discriminated against may file a complaint with the Police Commission Discrimination Unit (PCDU). The complaint should be filed as timely as possible to the action, procedure, or practice that is believed to be discriminatory, but must be filed within one year of the date of occurrence. The complaint shall be submitted on an Employee's Report, Form 15.7, and shall include the following information:

- \* The complainant's work hours, work phone number, and home phone number;
- \* A complete description of the complaint including the selection or employment action, practice, or procedure which is discriminatory and the basis on which it is discriminatory pursuant to Manual Section 3/748.05;
- \* The names and work assignments of any witnesses.
- \* The remedy the complainant is seeking.

The completed Employee's Report shall be submitted directly to the PCDU and shall **not** be submitted to nor approved by a Department supervisor.

**Note:** The PCDU will determine at an initial interview if the complaint is within its jurisdiction. Should a complaint not be within the PCDU jurisdiction, the PCDU Staff will direct the employee to the proper entity, and where possible provide any assistance the employee may require.

**Immediate corrective action.** Where the PCDU upon receipt of a complaint, determines that immediate corrective action is necessary and appropriate, then the PCDU shall notify the EEOC.

**Reporting of Misconduct.** Acts of discrimination violate the Department's anti-discrimination policy and may also constitute misconduct. Possible misconduct shall be reported to a supervisor or directly to Internal Affairs Group pursuant to Manual Section 3/815.05.

**Note:** Where the subject of a complaint is the complainant's immediate supervisor, the allegations may be reported to another supervisor, at the next level in the chain of command, or directly to Internal Affairs Group.

**Responsibility for Investigation of Complaints.** Upon receipt of the complaint, the PCDU shall notify the Department's EEOC of the complaint:

- \* When the complaint does not allege misconduct, the PCDU shall investigate the matter.
- \* When a complaint contains allegations of both discrimination and misconduct, the PCDU Officer in Charge (OIC), Commanding Officer, Internal Affairs Group (IAG), and the EEOC shall confer to determine how the investigation will be conducted. Generally, PCDU will investigate the discrimination allegation(s) and the Department will investigate the misconduct allegation(s). Such investigations are usually conducted simultaneously. Where possible, joint investigations should be conducted by PCDU and Department personnel in order to reduce multiple occurrences of victims and/or witness interviews. The final report for each investigation must reference the other investigation.

**Note:** The Commanding Officer, IAG, shall ensure that personnel trained in discrimination laws and processes are available to assist the PCDU in the investigation of discrimination complaints.

- \* If the complaint alleges misconduct only, it shall be forwarded to the Commanding Officer, IAG, for investigation and timely completion pursuant to current Department procedure.

**Note:** The PCDU shall be advised of any discrimination related complaints not filed with it, and shall be notified by the Department regarding the investigation and dispositions of such complaints.

**Investigations by and Recommendations of the PCDU.** The PCDU shall conduct a thorough investigation of all complaints for which it is responsible. The PCDU shall attempt to complete its investigation within 60 calendar days of the date of receipt. Upon completion of the investigation, the PCDU shall prepare a report that contains:

- \* A statement of facts surrounding the complaint;
- \* The specific remedy sought by the complainant.
- \* The findings and recommendations of the PCDU.

The PCDU shall forward copies of the complaint, PCDU's complete investigation, and PCDU's final report to the EEOC via the Chief of Police.

**Note:** The recommendations of the PCDU, which are supported by the investigative findings, shall carry considerable weight in determining the final disposition of the complaint.

**748.20. REVIEW AND RESOLUTION OF DISCRIMINATION COMPLAINT INVESTIGATIONS.**

**Resolution of Complaint.** A Complaint is considered resolved when a remedy is agreed upon by the complainant and the Chief of Police, and the agreed upon remedy is implemented. Such remedy shall be consistent with applicable laws, Department procedures, and current Memorandum of Understanding (MOU).

**Equal Employment Opportunity Coordinator Review.** Upon receipt of a discrimination complaint investigation, the Department's Equal Employment Opportunity Coordinator (EEOC) shall review the investigation. If the investigation is received with an agreed upon remedy, or if the EEOC can reach an agreed upon remedy, the EEOC shall forward a report, via the Chief of Police, to the Board of Police Commissioners, via the Police Commission Discrimination Unit (PCDU), describing the complaint and its resolution.

A complaint investigation without an agreed upon remedy shall be forwarded by the EEOC to the Chief of Police with a report containing:

- \* Documentation of the efforts made by the EEOC to resolve the complaint investigation;
- \* Recommendations of the EEOC.
- \* Management insight into any underlying issues which may have led to the complaint including any systemic problems such as deficient training or personnel practices.

The EEOC shall notify the PCDU that the complaint has been forwarded to the Chief of Police.

**Chief of Police Review.** Upon receipt of a complaint investigation without an agreed upon remedy, the Chief of Police or his/her designee, will attempt to resolve it.

If the complaint is resolved, the Chief of Police shall forward pertinent information to the PCDU and EEOC for filing.

If the Chief of Police is unable to resolve the complaint, the Chief shall inform the complainant and the Board of Police Commissioners via the PCDU, in writing of his/her findings and recommendations.

Additionally, the Chief will take action to correct any underlying issues which may have led to the complaint to ensure they do not lead to a reoccurrence.

**Board of Police Commissioners Review.** Upon receipt of the report from the Chief of Police of an unresolved complaint, the Board of Police Commissioners will inform the complainant in writing of its decision as to whether or not it will review the complaint. A decision not to review the complaint shall be deemed a final disposition of the discrimination complaint.

After rendering a decision to review the complaint, the Board of Police Commissioners will inform the complainant, in writing, of the final determination regarding the complaint. Additionally, the Board of Police Commissioners shall notify the PCPU, the Chief of Police, and the EEOC of the final disposition.

**Administrative Closure of Complaint.** The Officer in Charge of the PCPU may administratively close a complaint when:

- \* There is no evidence that the basis for the complaint is discriminatory;
- \* There is no nexus between the alleged act(s) and a discriminatory basis for such act(s);
- \* The complainant has opted to use another City procedure or another such procedure is initiated subsequent to the filing of a complaint with a State or Federal agency for the same or a similar matter;
- \* Inability to reach the complainant because his/her location is unknown **and** there is no independent evidence to support the complaint;
- \* Failure of the complainant to cooperate with the investigation **and** there is no independent evidence to support the complaint; or,
- \* The complainant fails to respond within 15 calendar days to a recommendation for resolution offered at any point subsequent to a completed investigation or during the review process.

The PCPU, shall provide written notification to the complainant, Board of Police Commissioners, and the EEOC via the Office of the Chief of Police of a decision to administratively close a complaint.

**Note:** Although the investigation of a complaint may be closed, the Department must take remedial action when appropriate.

**Appeal of Administrative Closure.** The complainant may appeal the administrative closure to the Board of Police Commissioners by submitting a written appeal to the Board's Executive Director. A police commissioner will be assigned to review the matter and determine if the closure was appropriate or if the matter should remain open. The Executive Director will notify the complainant, PCPU and the EEOC via the Office of the Chief of Police of the Commissioner's determination.

**Extension of Time Limits.** The reporting deadlines may be extended with the mutual consent of the complainant and reviewer.

**749. EQUAL EMPLOYMENT OPPORTUNITY REPRESENTATIVES.**

**Commanding Officer's Responsibility.** Commanding officers shall designate one supervisor as the Equal Employment Opportunity Representative for each:

- \* Area/division.
- \* Group or bureau office.

- \* Section not within a division.

**Equal Employment Opportunity Representatives-Responsibility.** An Equal Employment Opportunity Representative shall:

- \* Assist the commanding officer to ensure that personnel practices are consistent with the Department's Affirmative Action Plan.
- \* Conduct training regarding Affirmative Action and Equal Employment Opportunity, and distribute training materials provided by Training Division.
- \* Assist Consent Decree Bureau personnel in investigating and resolving discrimination complaints.
- \* Ensure that the Career Opportunity Binder is properly maintained.

**750. EMPLOYEE SUGGESTION AWARD PROGRAM**

**750.10 ELIGIBILITY REQUIREMENTS FOR AWARDS.** All employees are eligible to submit suggestions. The following employees shall **not** be eligible to receive *monetary* awards resulting from suggestions, but shall be eligible for a commendation:

- \* Chief of Police, group and bureau commanding officers, commanders, and Area or division commanding officers.
- \* Employees administering the Department Employee Suggestion Award Program.
- \* Employees who submit suggestions which are determined by the Commanding Officer, Personnel Group, to be within the scope of their duties, as set forth in the civil service specifications for their respective class.

**750.20 PROCEDURE FOR SUBMITTING SUGGESTIONS.** Employees shall submit their suggestion on the City Employee Suggestion Form, Form General 150, to the Commanding Officer, Personnel Group.

**Note:** The Employee's Report, Form 15.7, may be used as page two and attached to the City Employee Suggestion Form when a second page is required.

**750.25 SUGGESTIONS CONCERNING THIS DEPARTMENT.** When an employee's suggestion affects only the Los Angeles Police Department, the Commanding Officer, Personnel Group, shall forward the City Employee Suggestion Form, Form General 150, to the commanding officer of the concerned organizational entity affected by the suggestion. The concerned commanding officer shall review the suggestion and within 30 days, complete an Intradepartmental Correspondence, Form 15.2, evaluating the suggestion and making a recommendation as to whether or not to adopt the suggestion. The Form 15.2 shall be forwarded to the Commanding Officer, Personnel Group.

**Note:** The suggester will remain anonymous until after the suggestion has been implemented.

The Commanding Officer, Personnel Group, shall ensure that the employee who proposed the suggestion is notified as to whether or not the suggestion was recommended for adoption.

**Suggestions Concerning Other City Departments.** When an employee's suggestion concerns another City department, the Commanding Officer, Personnel Group, shall forward the City Employee Suggestion Form to the concerned City department Suggestion Program Coordinator for evaluation and recommendation.

When notification as to whether or not the suggestion was recommended for adoption is received, the Commanding Officer, Personnel Group, shall cause the employee who proposed the suggestion to be notified.

**Note:** The suggester will remain anonymous until after the suggestion has been implemented.

**750.30 EMPLOYEE SUGGESTION AWARD COMMITTEE - RESPONSIBILITY.**

The Commanding Officer, Personnel Group, shall serve as Chairperson of the Employee Suggestion Award Committee. The Employee Suggestion Award Committee consists of a commander from a geographical bureau appointed by the Director, Office of Operations, and a commander under the direct line of supervision of the Chief of Staff, appointed by the Chief of Staff. The Employee Suggestion Award Committee shall review suggestions which have been recommended for adoption and recommend the appropriate award as set forth by Los Angeles Administrative Code Section 4.300, Monetary Awards. The City Council has established a standard percentage to be applied to the first year's net savings as the award for suggestions that result in a first year net savings of \$100.00 or more. The Employee Suggestion Award Committee shall recommend a monetary award for eligible suggestions based on this formula, in conjunction with the concerned commanding officer's detailed evaluation of the suggestion's first year net savings, less the cost of implementation.

The City Council has established a standard monetary award for significant, but monetarily immeasurable suggestions. This award, when deemed appropriate shall be recommended by the Employee Suggestion Award Committee.

When an adopted suggestion is not eligible for a cash reward, but is deemed worthy of recognition, the Employee Suggestion Award Committee shall cause a Certificate of Appreciation to be completed and presented by the concerned commanding officer to the employee who proposed the suggestion.

**755. EMPLOYEE SERVICE PINS.** Service Pin Awards shall be presented to employees who have completed prescribed increments of service. The Service Pin Awards shall be presented as follows:

<i>Years of Service</i>	<i>Presented By</i>
10 Years	Employee's commanding officer
15 Years	Group/Bureau commanding officer
20 Years	Assistant Chief
25 Years	Chief of Police
30 Years	A representative of the Board of Police Commissioners

When a representative of the Board of Police Commissioners or the Chief of Police presents a Service Pin Award, the concerned commanding officer, the assistant bureau commanding officer, and bureau commanding officer, or their designees, shall attend the presentation.

**756. COMMENDATIONS.** The Department will award appropriate commendations to employees and on-duty reserve officers who perform service or acts deserving official recognition. A commendation may be awarded posthumously.

**Minor Commendations.** A minor commendatory act (e.g., an employee's superior handling of a difficult situation, or alertness resulting in the apprehension of a suspect) may be recognized through the completion of a Minor Commendation Report, Form 1.27, or an Employee's Report, Form 15.7.

**Group/Bureau Commendation.** The Group/Bureau Commendation may be conferred upon employees or organizational units which perform outstanding service or valor similar to, but to a lesser degree than required for either a Police Star, Police Meritorious Service Medal, or Police Meritorious Unit Citation. The Group/Bureau Commendation consists of a Commendation Report, Form 1.18, signed by the concerned group/bureau commanding officer. It is awarded by the employee's bureau commanding officer in the name of the Department at an appropriate presentation.

**Major Commendations.** Outstanding performance of duty or an act involving commendatory bravery shall be recognized through a major commendation, which includes the conferring of a Departmental medal or unit citation.

**756.05 INDIVIDUAL AWARDS FOR BRAVERY.** The conferring of an award for bravery shall be in recognition of a *single* action performed by a Department employee. Several commendatory incidents of bravery, each being worthy of an award, will not qualify the employee for a higher award.

**Medal of Valor.** The Medal of Valor is the Department's highest award and may be awarded to officers who distinguish themselves by conspicuous bravery or heroism above and beyond the normal demands of police service.

To be awarded the Medal of Valor, an officer shall have performed an act displaying extreme courage while consciously facing imminent peril.

It is awarded by the Board of Police Commissioners and is presented by the Chief

of Police in the name of the Department at the annual Medal of Valor awards ceremony. The award consists of a medal, ribbon, lapel pin, and citation.

**Police Medal.** The Police Medal may be awarded to employees who distinguish themselves by bravery or heroism above and beyond the normal demands of duty, but to a lesser degree than required for the Medal of Valor. It is awarded by the Chief of Police in the name of the Department and presented by the Chief, or the Chief's designee, at an appropriate ceremony. The award consists of a medal, lapel pin, and ribbon.

**Police Star.** The Police Star may be awarded to:

- \* Employees who distinguish themselves by bravery or heroism above and beyond the normal demands of duty, but to a lesser degree than required for the Police Medal.
- \* Employees who distinguish themselves by performing in stressful situations with exceptional tactics and/or judgement.

It is awarded by the Commendations Board in the name of the Department and presented by the Chief of Police at an appropriate ceremony. The award consists of a medal, lapel pin, and ribbon.

**Lifesaving Medal.** The Lifesaving Medal is awarded to recognize the actions of Department personnel that result in the saving or preservation of human life that otherwise would have been lost without the employee's direct involvement. An employee can receive only one lifesaving award per incident, regardless of how many victims were involved. The award consists of a medal, lapel pin, and ribbon.

**756.10 INDIVIDUAL AWARDS FOR SERVICE.** Individual awards for service are based on exceptional performance of duty, clearly above that normally expected, which has contributed materially to the success of a major project or field operation. Long and faithful service is not considered for purposes of such an award.

**Police Distinguished Service Medal.** The Police Distinguished Service Medal is the Department's highest award for service and may be awarded to **employees** who distinguish themselves by performing exceptional service in a duty of great responsibility or of critical importance to law enforcement.

The Police Distinguished Service Medal is awarded by the Board of Police Commissioners in the name of the Department and presented by the President of the Board, or the President's designee, at an appropriate ceremony. The award consists of a medal, ribbon, lapel pin, and citation.

**Police Meritorious Service Medal.** The Police Meritorious Service Medal may be awarded to employees who perform meritorious service

similar to, but to a lesser degree than required for the Police Distinguished Service Medal.

It is awarded by the Chief of Police in the name of the Department and presented by the Chief, or the Chief's designee, at an appropriate ceremony. The award consists of a medal, lapel pin, and ribbon.

**Police Meritorious Achievement Medal.** The Police Meritorious Achievement Medal is primarily designed for the recognition of civilian employees. The medal is awarded for either sustained, long-term, noteworthy achievement or a single significant, noteworthy achievement in the execution of administrative, clerical, or craft-type duties. These achievements are of a lesser nature than those required for the Police Meritorious Service Medal, but greater than those for a bureau commendation. The award consists of a medal, lapel pin, and ribbon.

**Police Commission Distinguished Service Medal.** The Police Commission Distinguished Service Medal may be awarded to citizens and employees of other City departments who distinguish themselves by performing exceptional service to this Department or by performing in a stressful emergency situation with good judgement and bravery. Department employees who distinguish themselves by performing exceptional service to this Department may be awarded this medal.

The Commission Distinguished Service Award is awarded by the Board of Police Commissioners in the name of the Department and represented by the President of the Board, or the President's designee, at an appropriate ceremony. The award consists of a medal, ribbon, lapel pin, and citation.

**Note:** This award is **not** to be awarded to Department employees for acts of valor or bravery since there are existing medals and awards which apply to these circumstances.

**Police Commission Integrity Medal.** The Police Commission Integrity Medal was established to formally recognize deserving employees who display an act of exemplary integrity, especially when that act requires exceptional character, fortitude, and moral courage in the face of substantial obstacles. The medal can be awarded by the Board of Police Commissioners directly, or at the recommendation of the Chief of Police. The award consists of a medal, lapel pin, and ribbon.

**Community Policing Medal.** The Community Policing Medal is awarded to Department personnel who have solved a significant community problem, included the community in the problem solving process, and/or shown a commitment to the Department's Community Policing philosophy. The award is presented by the Chief of Police. The Community Policing Medal may be awarded to an individual or to an organizational entity within the Department.

Recommendations for the Community Policing Medal may come from a variety of sources including community, peer, or supervisory recognition. The award consists of a medal, lapel pin, and ribbon.

**Human Relations Medal.** The Human Relations Medal was established to appropriately recognize and award Department employees who have in their day-to-day activities shown great compassion and have gone above and beyond the call of duty in their response to fellow human beings. The award is presented by the Chief of Police and is primarily intended for on-duty actions.

**Reserve Officer Service Ribbon.** The Reserve Officer Service Ribbon is awarded to recognize the commitment of line and technical reserve officers who have worked 500 or more shifts. An oak leaf cluster is awarded for each additional increment of 250 shifts.

**756.15 UNIT CITATIONS.** A unit citation for outstanding performance may be conferred upon an organizational unit of the Department. The commendatory accomplishment must be the result of a combined effort by members of the unit.

**Note:** The awarding of a unit citation does not preclude the conferring of individual awards to members of the unit for individual accomplishments during the unit's activity.

**Police Commission Unit Citation.** The Police Commission Unit Citation is the Department's highest unit award and may be awarded to an organizational unit of the Department for bravery or outstanding service by its members functioning as a team.

It is awarded by the Board of Police Commissioners in the name of the Department and presented by the President of the Board, or the President's designee, at an appropriate ceremony. The award is given to each employee assigned to the unit at the time the commendatory act was performed. It consists of a medal, ribbon, and a copy of the citation.

**Police Meritorious Unit Citation.** The Police Meritorious Unit Citation may be awarded to an organizational unit of the Department for action similar to, but to a lesser degree than required for the Police Commission Unit Citation.

It is awarded by the Chief of Police in the name of the Department and presented by the Chief, or the Chief's designee, at an appropriate ceremony. The award is given to each employee assigned to the unit at the time the commendatory act was performed. It consists of a medal, ribbon, and a copy of the citation.

**756.20 SPECIAL CATEGORY-THE PARKER CITATION.** The Parker Citation is awarded in memory of sworn personnel who die from injuries sustained in the line of duty.

The award, consisting of a citation and the officer's badge mounted in a "shadow box" is presented by the Chief of Police, or the Chief's

designee, to a member of the officer's family at an appropriate ceremony.

**Note:** The presentation of the Parker Citation does not preclude the awarding of another award posthumously to a deserving officer.

**756.25 SPECIAL CATEGORY-THE LIBERTY AWARD.** The Liberty Award is awarded to a police service dog (K9) that has been killed or seriously injured while engaged in police duties.

The incident shall be recorded on a Commendation Report, Form 1.18, with the canine's name and serial number placed in the "name" box. At the bottom of the Commendation Report, the words "request for Liberty Award" shall be printed or typed. The report shall be submitted according to established procedures for individual awards. The award, consisting of a medal mounted in a "shadow box," shall be displayed at the canine's division of assignment.

**756.30 REPORTING COMMENDATIONS.**

**Duty to Report.** An employee of supervisory rank shall report to his/her immediate superior:

- \* Acts worthy of commendation which he/she may observe involving persons under his/her supervision.
- \* Acts worthy of commendation reported to him/her which involve employees of the Department.

**How to Report.** A written commendation may be made by any Department supervisor regarding another employee of the Department if the reporting supervisor is superior in rank or paygrade to, or is the officer in charge of, the employee reported upon.

A Department supervisor may also make a written recommendation for a unit commendation regarding any organizational unit of the Department if the reporting supervisor is superior in rank or paygrade to the officer in charge of the unit reported upon.

- \* **Minor Commendation.** A Minor Commendation Report, Form 1.27, is used to record a minor commendation. If there is not sufficient space to make the report on a Minor Commendation Report, an Employee's Report, Form 15.7, shall be used.

**Note:** The commanding officer of an employee receiving four (4) minor commendations within a 12-month period is encouraged to acknowledge this accomplishment on a Commendation Report, Form 1.18. A brief synopsis of each commendation shall be included in the report with copies of the four completed commendations attached as addenda. Copies of the correspondence shall be placed in the employee's personnel file at Personnel Division, and Division Employee Folder, Form 1.1.

- \* **Major/Bureau Commendations.** A Commendation Report, Form 1.18, shall be

used to recommend a major or bureau commendation. A detailed report shall be made for each involved employee or unit.

Supervisors reporting a commendable incident on a Commendation Report, Form 1.18, shall submit the form to the concerned commanding officer as soon as practicable, preferably **within three days** of the incident.

**Note:** Charts, diagrams, and photographs may be used.

**756.35 ROUTING COMMENDATION REPORTS.**

**Commanding Officer Review.** Commendation reports shall be forwarded to the commanding officer of the commended employee or unit for review. A minor commendation, after approval by the commanding officer, shall be read and initialed by the commended employee and filed in the employee's Division Employee Folder, Form 1.1.

A commanding officer receiving a Commendation Report, Form 1.18, regarding an employee under his command shall review the report and, if approved, forward the signed Form 1.18 to the concerned group or bureau commanding officer **within two days** after receipt of the form.

**Group or Bureau Commanding Officer Review.** Group or bureau commanding officers receiving an approved Commendation Report shall review the report and, if approved, forward the signed Form 1.18 to the Chairperson of the Commendations Board **within five days** after receipt of the form. Others shall be returned to the division of origin and, if appropriate, may be reclassified as minor commendations.

**Note:** Upon reviewing a Commendation Report, group or bureau commanding officers may confer the Group/Bureau Commendation without forwarding the Form 1.18 to the Commendations Board.

**Commendations Board.** The reviewing responsibilities of the Commendations Board are set forth in Manual Section 2/092.20.

**Awards and Decorations Board.** The reviewing responsibilities of the Awards and Decorations Board are set forth in Manual Section 2/092.30.

**756.50 APPROVING COMMENDATIONS.**

**Commendation Reports Approved by the Director, Office of Support Services.** Commendation Reports, Form 1.18, recommending either the Police Medal, the Police Meritorious Service Medal, or the Police Meritorious Unit Citation received from the Commendations Board, and approved by the Director, Office of Support Services shall be submitted to the Chief of Police for final review.

**Commendation Reports Approved by the Chief of Police.** Commendation Reports, Form 1.18, recommending either the Medal of Valor, the Police Distinguished Service Medal, or the Police Commission Unit Citation received from the Awards and Decorations Board and approved by the Chief of Police, will be submitted to the Board of Police Commissioners for final review.

Commendation Reports, Form 1.18, recommending the Police Commission Distinguished Service Award or the Police Commission Integrity Medal received from the Commendations Board and approved by the Chief of Police will be submitted to the Board of Police Commissioners for final review.

**Note:** The Office of the Chief of Police shall notify Community Relations Section when:

- \* Police Medal, Police Meritorious Service Medal, or Police Meritorious Unit Citation Commendation Reports received from the Director, Office of Support Services have been reviewed and approved by the Chief.
- \* Medal of Valor, Police Distinguished Service Medal, or Police Commission Unit Citation Commendation Reports received from the Awards and Decorations Board have been approved by the Chief and forwarded to the Board of Police Commissioners for final review.
- \* Police Commission Distinguished Service Award received from the Commendations Board has been approved by the Chief and forwarded to the Board of Police Commissioners for final review.

Following approval and final review by the Board of Police Commissioners, Community Relations Section shall schedule an appropriate ceremony for the presentation of the award except in the case of the Medal of Valor which will be presented at the annual Medal of Valor ceremony.

**756.60 RECOGNITION OF EMPLOYEE.**

**Individual Awards.** A copy of an individual award citation if any and a copy of the approved Commendation Report, Form 1.18, shall be placed in the commended employee's Division Employee Folder, Form 1.1, and the Personnel Division personnel file with the appropriate remarks entered on the Personal Summary, Form 1.2.

**Unit Commendations.** The original citation shall be displayed at the recipient unit's duty location. Copies of the citation shall be placed in the Division Employee Folder, Form 1.1, and the Personnel Division personnel file of each employee assigned to the unit at the time the commendatory acts were performed. The appropriate remarks shall be entered on each recipient's Personal Summary, Form 1.2.

**Publication of Awards.** Medal of Valor, Police Distinguished Service Medal, and Police Commission Unit Citation Awards shall be, and all other major or unit awards may be,

acknowledged in an official publication of the Department or as otherwise directed by the Director, Office of Support Services.

**756.80 COMMENDATIONS FROM OUTSIDE SOURCES.** A written commendation originating from outside the Department shall be reviewed by the commended officer's commanding officer. The report shall be handled as follows:

**Minor Commendations.** A commendation received from an outside source which appears to fall within the minor commendation category shall be filed in the employee's Division Employee Folder, Form 1.1, after being read and initialed by the commended employee.

**Major Commendations.** A commendation received from an outside source which appears to fall within the major commendation category shall be the basis for a Commendation Report, Form 1.18, prepared at the direction of the employee's commanding officer.

**756.90 COMMENDATION OF PRIVATE PERSONS BY DEPARTMENT.** Recommendations for commendation of a private person may be initiated by any member of the Department who becomes aware of an act of assistance to the Department which is believed to be exceptional. Such recommendation shall be recorded on an Employee's Report, Form 15.7, and forwarded through channels to the concerned commanding officer.

**756.91 COMMANDING OFFICER'S RESPONSIBILITY-COMMENDATIONS FOR PRIVATE PERSONS.** When commanding officers become aware of an act of exceptional assistance by a private person or receive a proposed commendation for such an act, they shall ensure that all facts of the incident are verified, the merit of their commendation is established, and ascertain the relative fitness of the prospective recipient of the award.

**Note:** Accessing the Federal or State Automated Criminal History Systems (ACHS) or Wanted Persons Systems (WPS) via the California Law Enforcement Telecommunications System (CLETS) is prohibited when ascertaining the relative fitness of the recipient.

**Commendations at Divisional Level.** When a recommendation for a commendation is the result of a high degree of assistance or service to a divisional or Area level of the Department, the concerned commanding officer shall cause the following to be awarded:

- \* Certificate of Acknowledgement, Form 1.86.2.

**Commendations at Department Level.** When a recommendation for a commendation is the result of a high degree of assistance or service to the Department or the law enforcement profession, the concerned commanding officer

shall include all pertinent information on an Intradepartmental Correspondence, Form 15.2, which shall be transmitted, along with pertinent documentation, to the concerned group/bureau commanding officer. After review and concurrence with the recommendation, the concerned group/bureau shall forward the recommendation, via the chain of command, to the Chief of Staff.

**756.92 RESPONSIBILITY OF THE CHIEF OF STAFF.** Upon receipt of a proposed commendation, the Chief of Staff, shall:

- \* Review the recommendation and supporting documentation and determine whether the presentation of the award will be in the best interest of the Department.
- \* If appropriate, forward the commendation to Community Relations Section to cause appropriate publicity and the proper setting to be arranged for presentation of the award. Community Relations Section shall notify the concerned commanding officer of the action taken by the commanding officer.

**756.93 CRITERIA FOR COMMENDATIONS FOR PRIVATE PERSONS.**

- \* **Police Commission Citation.** A Police Commission Citation may be awarded for an act of heroism which involves great risk of personal injury or death.
- \* **Department Certificate of Appreciation.** A Certificate of Appreciation may be awarded for an exemplary contribution or an outstanding act of service which assists the Department or the law enforcement profession in fulfilling its objectives.
- \* **Certificate of Recognition.** A Certificate of Recognition may be awarded for a high degree of service or assistance to the Department, an area, or a division in accomplishing its objectives.
- \* **Certificate of Acknowledgement.** A Certificate of Acknowledgement, Form 1.86.2, may be awarded for service or assistance to the Department at the divisional or area level when no other certificate is appropriate. The certificate is completed and signed by the concerned commanding officer.

**756.94 COMMENDATIONS FOR PRIVATE PERSONS SIGNED BY THE CHIEF OF POLICE.** When a recommendation for a Police Commission Citation or a Certificate of Appreciation is approved by the Chief of Staff, the appropriate document shall be prepared by the Community Relations Section, and forwarded through channels to the Chief of Police for signature. The document shall then be forwarded to the Police Commission. Upon the signing of the document by the members of the Board of Police Commissioners, the Community Relations Section shall be notified to arrange an appropriate presentation at a Police



Commission meeting.

When the Chief of Staff, has approved the awarding of a Certificate of Recognition, the approved recommendation shall be forwarded to the Community Relations Section, for preparation of the award. The appropriate document shall then be forwarded through proper channels to the Chief of Police for signature. The certificate shall be returned to the Community Relations Section for presentation as determined by the Officer in Charge, Community Relations Section.

**757. EMPLOYEE COMMENDATION.**

**757.05 EMPLOYEE COMMENDATION FORM.** This form is used solely by members of the public to commend Department employees. It shall be maintained in areas accessible to the public within police facilities.

**757.10 RESPONSIBILITY FOR MAKING FORMS AVAILABLE TO THE PUBLIC.**

The following entities have the responsibility of ensuring that a supply of Employee Commendation forms and preaddressed business reply envelopes marked "Attn: Personnel Division" are maintained in areas accessible to the public:

- \* Area commanding officers shall provide forms to all City Council field offices within their Areas, and ensure forms are available in the portions of their Area stations that are accessible to the public.
- \* The Commanding Officer, Jail Division, shall ensure forms are made available to the Parker Center desk.
- \* The Office of the Secretary, Police Commission, will ensure forms available at the Police Commission.
- \* All bureau and group commanding officers whose command is accessible to the public shall ensure forms are made available to the public.
- \* The Council Liaison Officer, Governmental Liaison Section, shall provide forms to all City Hall offices of the City Council and to the Mayor's Office.

Whenever a form is received from a Department entity that was unable to determine the employee's current assignment, Personnel Division shall determine the employee's assignment and forward the commendation form to the employee's commanding officer.

**757.15 RESPONSIBILITY OF DEPARTMENT PERSONNEL WHEN AN EMPLOYEE COMMENDATION FORM, FORM 1.18.1 IS RECEIVED.**

**Employee's Responsibility.** Any employee who receives an Employee Commendation Form, Form 1.18.1, shall ensure that it is forwarded to the concerned commanding officer.

**Note:** Department personnel shall not solicit completion of the Employee Commendation Form.

**Commanding Officer's Responsibility.**

Commanding officers shall ensure that the Employee Commendation Form is served upon the commended employee and that a copy is filed in the employee's divisional employee folder. The original of the served Employee Commendation form shall be forwarded to Personnel Division for filing in the employee's Department personnel package. If multiple employees are commended, the original and sufficient copies of the served Employee Commendation Form shall be forwarded to Personnel Division for filing.

Upon determination that the Employee Commendation Form is for an employee assigned to another command, the commanding officer shall ensure that the form is forwarded to the employee's commanding officer. If the commanding officer is unable to determine where the employee is assigned, the commendation form shall be forwarded to Personnel Division.

**Personnel Division's Responsibility.** Upon receiving an Employee Commendation Form from the public, Personnel Division shall route the form through appropriate channels to the commended employee's commanding officer to ensure proper source. Upon receiving an Employee Commendation Form that has been served to and initialed by the commended employee, Personnel Division shall ensure that the form is placed in the employee's Department personnel file.

Whenever a form is received from a Department entity that was unable to determine the employee's current assignment, Personnel Division shall determine the employee's assignment and forward the commendation form to the employee's commanding officer.

**757.20 RESPONSIBILITY FOR COMMUNITY COMPLAINT AND COMMENDATION POSTERS.**

The following entities have the responsibility of ensuring that Community Complaint and Commendation Posters, Form 1.81.28, are placed conspicuously throughout the Department and City Council field offices:

- \* Area commanding officers shall provide posters to all City Council field offices within their Areas, and ensure posters are displayed at their stations where they are visible to the public.
- \* The Commanding Officer, Jail Division, shall ensure posters are made available to the Parker Center front desk.
- \* The Office of the Secretary, Board of Police Commissioners, will ensure the posters are available at the offices of the Board of Police Commissioners and the Inspector General.
- \* All bureau and group commanding officers whose commands are accessible to the public shall ensure posters are displayed.
- \* The Commanding Officer, Internal Affairs Group, shall provide posters to all City Hall offices of the City Council and to the Mayor's Office.

**758. MOTION PICTURE REQUESTS.**

Requests for the production of Department-made motion pictures, based on prepared scripts or scenarios, shall be submitted by Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Scientific Investigation Division. All requests shall include:

- \* An outline of the purpose and the justification for the proposed motion picture.
- \* An estimate of the running time and whether the film is to be sound or silent, in color or black and white.

The Commanding Officer, Scientific Investigation Division, shall see that all necessary information is included in the request before forwarding it to the Motion Picture Approval Board for consideration.

**758.40 MOTION PICTURE SYNOPSIS AND TECHNICAL ADVICE.**

After a request for a motion picture has been approved by the Motion Picture Approval Board, the commanding officer who originated the request shall provide:

- \* Competent personnel to write a detailed synopsis of the proposed motion picture.
- \* Competent personnel to act as technical advisors for the actual production of the motion picture.
- \* Additional personnel for necessary casting purposes, when requested by the Commanding Officer, Scientific Investigation Division.

**758.80 SHOOTING SCRIPTS.** The commanding officer requesting production of a motion picture shall assign qualified personnel to prepare the shooting script.

**758.82 MOTION PICTURE PRODUCTION.**

The Commanding Officer, Scientific Investigation Division, shall supervise the production and processing of approved motion pictures and shall assure conformance to established Department procedures.

**758.85 MOTION PICTURE STOCK SHOTS.**

Approval for stock shots for possible use in motion pictures approved by the Motion Picture Approval Board (Manual Section 3/758.40) shall be obtained from the Commanding Officer, Scientific Investigation Division.

**758.90 CRIME SCENE REENACTMENTS.**

Approval for on-the-scene motion pictures or crime scene reenactments shall be obtained from the office of the concerned bureau commanding officer or Chief of Staff.

**759. PHOTOGRAPHIC EQUIPMENT, SUPPLIES, PERSONNEL.**

The use of Department personnel, photographic equipment, and supplies shall be authorized only for the following:

- \* Official Department photographs.

- \* Official photographs requested by other agencies of the City.
- \* Public information.
- \* Press releases.
- \* Employee relations.
- \* Approved motion pictures.
- \* Motion picture stock shots.
- \* Crime scene reenactments and on-the-scene motion pictures.
- \* Recruitment. Approved by the Commanding Officer, Personnel Group.
- \* Training. Approved by the Commanding Officer, Training Division.

All requests for Department-made photographs or motion pictures shall be approved as outlined in Manual Sections 3/758 and 3/759.

**Exception:** Concerned group or bureau commanding officers may approve intradepartment requests for still photographs if, in their opinion, the requests made are according to Department policy and routine procedure would cause undue delay.

**759.16 OFFICIAL DEPARTMENT PHOTOGRAPHS.** Official Department photographs shall include those taken in relation to:

- \* Crime scenes or evidence.
- \* Dead bodies.
- \* Search warrant locations.
- \* Traffic collisions.
- \* Arrestees or victims.
- \* Department employees.
- \* Department publications.
- \* Possible dangerous or defective City property which may have been the cause of an injury.
- \* Department-produced motion picture films.

Requests for still photographs shall be submitted to Scientific Investigation Division, except when they are taken in conjunction with duties of:

- \* Geographic detective division.
- \* Accident investigation officers.
- \* Jail personnel.

**759.32 OFFICIAL PHOTOGRAPHS-OTHER GOVERNMENT AGENCIES OF THE CITY.** Other governmental agencies of the City of Los Angeles desiring photographic services from the Department shall be directed to submit their requests to the Executive Officer, Office of the Chief of Police.

**759.35 POLICE MULTIMEDIA INSTRUCTIONAL MATERIALS.** Training Division shall be responsible for the following duties relating to police multimedia instructional materials:

- \* Storing master copies.
- \* Processing requests for sale or rental.

**Note:** Prior to processing a film request, Training Division shall ensure the sufficiency of funds in Scientific Investigation Division's Motion Picture Fund to cover the cost of

reproduction.

- \* Packaging and shipping.

**Notification to Police Accountant.** When police multimedia materials are sold or rented, the Police Accountant shall be notified of the date of shipment or mailing, the cost of reproduction, the amount charged for sale or rental, and the agency or organization to whom shipped.

**759.48 PUBLIC INFORMATION.** Public information photographs shall include those of persons, situations, or police activities of unusual interest which may be desirable for publication in various newspapers or magazines. These shall be approved by the Commanding Officer, Public Information Office.

Photographs of traffic situations to be used for public education or for publication in various newspapers or magazines shall be approved by the Officer in Charge, Traffic Coordination Section.

**759.64 PRESS RELEASES.** Press release photographs shall be made upon approval of the Commanding Officer, Public Information Office.

**759.80 EMPLOYEE RELATIONS.** Photographs pertaining to employee relations or morale shall include, but not be limited to, those taken in recognition of service, such as retirement dinners or Medal of Valor awards. Requests for photographs of this nature shall be submitted in writing to the Commanding Officer, Scientific Investigation Division, by concerned commanding officers. Sufficient notice shall be given to allow for assignment of required photographers.

Requests for photographs for possible publication in "The Beat" shall be submitted to the Public Information Office for approval.

**760. SERVICE RATINGS.** Systematic, periodic, written evaluations of the performance of employees in their daily work shall be made, utilizing uniform procedure and standards.

Each employee rated shall have an interview with the rater or an appropriate supervisor delegated by the rater to discuss the rating with the employee.

Reports containing an unsatisfactory evaluation in any category or as an overall evaluation shall be discussed with the employee by the concerned commanding officer and shall then be reviewed and initialed by the concerned group or bureau commanding officer.

Personnel performance evaluation reports for sworn or civilian supervisors, command or staff officers shall include, when applicable, an evaluation of the individual's success in carrying out the affirmative action and equal opportunity responsibility of their position. The evaluation shall be documented in the appropriate portion of the service rating report.

Personnel performance evaluation reports for all sworn personnel shall include, when applicable, a narrative evaluation of the individual's success in meeting the community relations responsibilities of their positions.

The employee rated shall be provided with a copy of the completed performance evaluation report along with his/her Training Evaluation And Management System (TEAMS) report.

**Note:** All performance evaluation reports shall be written in ink or type written and shall be signed in ink by the reporting supervisor.

**760.10 SERVICE RATINGS CONSIDERED PRIVATE COMMUNICATIONS.** Completed performance evaluations shall be considered as private (official) communications between the Chief of Police; seniors in the chain of command; the Director, Office of Support Services; the reporting senior; the employee reported on; and such other persons as the Chief of Police may direct.

**760.12 SPECIAL USES OF SERVICE RATINGS.** Completed performance evaluation reports may be inspected by members of boards meeting to determine qualifications of employees participating in promotional examinations, boards of inquiry, and such other persons as the Chief of Police may direct.

**760.13 EMPLOYEE COMMENT FILES.** Written documentation of an incident or counseling is not a requirement for initiation of administrative action against an employee. The absence of written documentation does not preclude administrative action at a later date. However, written records assist supervisors in completing employee evaluations, assessing training needs, processing administrative reports, and ensuring that proper recognition is given.

**Supervisor's Responsibility.** While documenting every incident or counseling session is not always required or practical, supervisors shall document significant substandard performance and related counseling. In those instances where a supervisor elects not to document an incident or minor substandard performance, the supervisor shall be prepared to attest to the incident or performance if necessary at a later date.

**Note:** A supervisor's failure to comply with procedures for documenting substandard performance does not necessarily invalidate the supervisor's statements about any incident or counseling in any administrative action.

When documenting positive and negative duty performance, training needs, and accomplishments of employees, supervisors shall:

- \* Use the Employee Comment Sheet, Form 1.77.

- \* Review each employee comment entry with the concerned employee as soon as possible after the entry is made.
- \* Have the employee initial the entry.

**Note:** If the employee refuses to initial the entry, write the employee's name and the word "refused" in the space where the employee was asked to initial, and have another supervisor witness the refusal and date and initial the refusal entry.

- \* Tell the employee that he or she may use an Employee's Report, Form 15.7, to make a written response to the employee comment entry within 30 days after the review.

**Note:** The supervisor making a comment entry shall ensure that any employee response received is attached to the Employee Comment Sheet.

- \* Submit the Comment Sheet to the watch commander or commanding officer, as appropriate, for review.

**Commanding Officer's Responsibility.** Commanding officers shall ensure that:

- \* Employee comment files are properly maintained and audited.
- \* Employee comment files are indexed by the employee's surname.
- \* Employee comment files are secured within the concerned division or unit administrative office and made available for review by authorized employees during their regularly scheduled watch.
- \* Employee comment files are retained in the division or unit for two years, then forwarded to the City Records Center in accordance with existing records retention requirements.

**Note:** If an employee transfers to a new assignment, all employee comment files not stored at the City Records Center shall be transferred to the new assignment with the employee.

If a computer comment file system is used in addition to the procedures outlined in this Section, commanding officers shall ensure that a hard copy back-up file is maintained to prevent loss of records in the event of computer failure.

**760.15 SERVICE RATING REPORTS-CAPTAINS AND ABOVE.** The following procedures shall be utilized for the completion of a service rating for an officer of the rank of Captain and above:

**Rating Periods and Special Ratings.** A Performance Evaluation Report – Captains and Above, Form 1.33, shall be completed for each officer of the rank of Captain and above:

- \* Annually, at the close of the calendar year;
- \* Upon his/her transfer, provided no rating report has been completed for the officer within four months;

- \* Every three months during his/her probationary period; and,
- \* At any time the officer's performance or standard of service indicates the need for a revised rating report.

**Note:** The *Evaluation Within Rank* portion of the Form 1.33 shall be completed by the Performance Evaluation Review Board **prior** to review with the rated employee.

**Performance Evaluation Report Preparation-Distribution.**

Performance Evaluation Reports for staff and command officers shall be prepared by an officer at least one *paygrade* above the officer being rated. Captains III or II may prepare the *recommended* ratings for captains of a lower paygrade under their command. Assistant chiefs shall prepare the recommended ratings for deputy chiefs under their command. The Chief of Police shall determine the final ratings for deputy chiefs.

**Note:** Performance Evaluation Reports for each captain, commander, and deputy chief shall be initially prepared and submitted as *recommended* ratings. The final ratings shall be determined by the appropriate Performance Evaluation Review Board or, in the case of deputy chief, by the Chief of Police.

The original and four copies of the report, unsigned by the rated officer, shall be forwarded, through channels, to the Director, Office of Support Services by January 15.

Upon receipt of all Forms 1.33, the Director, Office of Support Services shall cause the reports to be distributed as follows:

- \* Performance Evaluation Reports for captains shall be forwarded to the Director, Office of Support Services, for evaluation by a board comprised of the Director, Office of Support Services, as Chairperson; the Director, Office of Operations; and the Executive Officer, Office of Support Services, as members.
- \* Performance Evaluation Reports for officers of the rank of commander shall be evaluated by a board comprised of two deputy chiefs and the Chief of Staff. The Director, Office of Support Services shall be the Chairperson of the Board.
- \* Performance Evaluation Reports for officers of the rank of deputy chief shall be reviewed by the Chief of Police.

**Performance Evaluation Report-Distribution.**

Performance Evaluation Review Boards shall convene and review the reports within thirty days of receipt and return them to the Director, Office of Support Services. The reports shall then be forwarded to the concerned *rating officers*, who shall review the reports with the officers being rated and cause them to be distributed as soon as practicable. A rating officer who disagrees with the findings of the review board may request further review by submitting an Intradepartmental Correspondence, Form 15.2, to the Director,

Office of Support Services **prior to reviewing the report with the rated officer.**

**760.20 SERVICE PERFORMANCE EVALUATION REPORTS-LIEUTENANTS AND BELOW.**

A Performance Evaluation Report – Lieutenants and Below, Form 1.78, shall be used to evaluate sworn employees at the rank of lieutenant and below as follows:

- \* The reports shall be completed on an annual basis, (Annual), or (Regular);
- \* Upon transfer to another Area, group, or bureau, to the same class position, when no other evaluation has been completed within 90 days prior to the transfer, (Transfer); or,
- \* During each month of a probationary period following promotion to the rank of lieutenant (Probationary) and sergeant or detective, (Probation/Promotion); or,
- \* At any time the officer's performance or standard of service indicates the need for a revised evaluation, (Special); or,
- \* For any officer who was assigned to any function other than his or her normal duties for any period exceeding 90 days (Special).

A Training Evaluation And Management System (TEAMS) report shall be provided to each employee in conjunction with the service of the employee's annual (post-probationary) performance evaluation report.

**Note:** The Annual or Regular evaluation need not be completed when a Special or Transfer evaluation has been completed within 60 days prior to the regularly scheduled Annual or Regular evaluation.

Annual Performance Evaluation Reports shall be completed for each class during the following months:

Employee Class	Evaluation Period Ends Last Day Of	Evaluation Reports Completed During
Police Officer	August	September
Sergeant	December	January
Detective	October	November
Lieutenant	September	October

**760.25 EMPLOYEE'S COMMENTS-PERFORMANCE EVALUATION REPORTS.**

The Performance Evaluation Report – Lieutenants and Below, Form 1.78, includes space for the comments of the employee rated. This portion of the form may be completed entirely at the option of the employee rated. An employee's comments may include, but are not limited to:

- \* Observations regarding the accuracy of the report.
- \* Observations on the objectivity of the rating supervisor.
- \* A commitment to improve.
- \* Reasons for his/her level of performance.

When employees wish to record comments on their evaluation report, they may do so when the report is presented to them for their signature. Comments shall be hand written by the employee and recorded on each copy of the report.

**760.30 SERVICE RATING REPORTS-RESPONSIBILITY FOR COMPLETION.** Appropriate service rating reports, Form 1.78 or Form 1.33 (Manual Section 3/760.20), shall be submitted as follows:

Reporting	Reporting Upon
Police Commission	Chief of Police Commanding Officer.
Chief of Police	Commission Investigation Division Deputy Chiefs I and II All staff officers assigned to the Office of the Chief of Police

Commanding officers of bureaus; assistant bureau commanding officers; group, Area, and division commanding officers; and officers in charge of a section or unit shall be responsible for completing recommended rating reports for assigned personnel including those who are in the same rank but a lesser paygrade or subordinate position. The Performance Evaluation Report – Lieutenants and Below, Form 1.78, or the Performance Evaluation Report – Captains and Above, Form 1.33, shall be approved by the commanding officer most immediate to the employee who has been rated.

**760.40 PROBATIONARY SERVICE RATING REPORTS.** Probationary service rating reports shall be completed as follows:

**Captains and Above.** A Performance Evaluation Report – Captains and Above, Form 1.33, shall be completed for each officer in the rank of Captain and above every three months during his/her probationary period.

**Lieutenants and Below.** A Performance Evaluation Report – Lieutenants and Below, Form 1.78, shall be completed each month during the probationary period of all each lieutenants, sergeants, and detectives.

**Entry-level Probationary Officers.** A Probationary Police Officer Evaluation Report, Form 1.78.1, shall be completed for each entry-level probationary police officer who has completed the recruit phase of training.

During Phase II of the probationary period, each probationary police officer shall be rated bi-weekly on the Form 1.78.1. During Phase III of the probationary period, the Form 1.78.1 shall be completed at the conclusion of each **deployment period** for the remainder of the officer's probationary period.

**Note:** When the commanding officer of a probationary officer determines to extend the Phase II training, probationary ratings shall be continued on a bi-weekly basis until the probationer is passed to Phase III.

Only *actual observed performance* shall be evaluated. Field training officers and supervisors are not obligated to rate every function delineated on the Probationary Police Officer Evaluation Report, Form 1.78.1. The Form 1.78.11 **shall** be completed to explain the "below standard" ratings given for each function rated.

**Exceptions:** A Performance Evaluation Report, Form 1.78, shall be completed in lieu of the Form 1.78.1 when:

- \* The officer's probationary term is successfully completed during the deployment period covered, OR
- \* The officer fulfilled a function or primary duty assignment other than patrol or traffic during the major portion of the deployment period covered.

**Civilian Employees.** A Probationary Civilian Evaluation Report, Form 1.78.3, shall be completed for entry-level civilian employees and for newly promoted civilian employees during each month of their respective probationary periods.

**760.45 ADJUSTMENTS OF PROBATIONARY PERIOD-POLICE OFFICERS.** In the event a probationary officer is absent in excess of seven calendar days **in the aggregate**, except for vacation or time off for overtime, that probationary officer's probationary period shall be extended by the entire period or periods missed. Additionally, the probationary period shall also be extended by the number of days the probationary officer is on **restricted duty** because of an on-duty injury or illness, or pregnancy. Absences such as military leave, family illness leave, or bereavement leave shall be included as time off that will be considered an extension of probation (Civil Service Commission Rule 5.26).

**Note:** Holiday and regular days off, falling within the period of absence or restricted duty **shall** be calculated as an absence, provided they do not fall at the beginning or end of the period.

**Example:** A probationary officer working a Monday through Friday schedule is absent due to illness on Friday and Monday and returns to work on Tuesday. Four days (Friday, Saturday, Sunday, and Monday) shall be counted toward the probationary period extension. Had the probationer returned on Monday, only one day (Friday) would have counted toward the extension.

**Example:** Probationary Officer John Jones will be off probation on May 31, 20--. This date reflects an **eight-day** extension of the probationary period for the following restrictions/absences:

January 20, 21, 22, and 23, 20--: restricted duty.

March 1, 2, 3, and 4, 20--: sick time used.

(The eight calendar days of absence required to extend a probationary period need **not** be consecutive. This example clarifies "in the aggregate.")

**Note:** A commanding officer, without prior approval, is authorized to extend the probationary period.

**Concerned Employee's Commanding Officer-Responsibility.** The concerned employee's commanding officer shall:

- \* When it has been determined that a probationary period is to be extended, immediately cause an Intradepartmental Correspondence, Form 15.2, addressed to the Commanding Officer, Personnel Division, to be prepared detailing the dates of the absences and stating the reasons for the extension of the probationary period;
- \* Promptly notify the probationary officer of the adjustment to the probationary period and review the Form 15.2 with the probationer:

**Note:** If the probationary officer is on off-duty status at home due to illness or injury, the commanding officer shall insure prompt service of the Form 15.2 to the probationer.

- \* Direct the probationary officer to sign and date the Form 15.2, and provide him or her with a copy;
- \* Attach a copy of the Form 1.78.10, indicating the dates of restricted duty status to the Form 15.2;
- \* Indicate the new end of probation date in the Form 15.2, and inform the probationary officer that additional absences or periods of restricted duty status will result in further adjustments of the probationary period;
- \* Advise the probationary officer that he or she is **automatically** advanced to Police Officer II after one and one-half years of service; however, a probationary officer is still required to successfully complete (18) full months of probation prior to attaining permanent status with the Department:

**Note:** Police Officer II status does **not** signify tenure with the Department.

- \* Ensure that the Probationary Officer Restricted Duty/Absences Log, Form 1.78.10, is reviewed, and if appropriate, updated with each rating report by the probationary officer's field training program coordinator to reflect any restricted duty assignments and/or absences and to amend the end of probation date;
- \* Place a copy of the **signed** Form 15.2 and any attachments in the probationary officer's divisional personnel package.
- \* Forward the Form 15.2 and any attachments to Personnel Records Section, Personnel Division, within five calendar days of the date it was served.

**760.50 UNSATISFACTORY PERFORMANCE OF AN ENTRY-LEVEL PROBATIONARY EMPLOYEE.**

**Commanding Officer's Responsibility.** When commanding officers become aware that a probationary employee, trainee employee, exempt employee or emergency employee under their command is performing in a manner that would warrant an "unsatisfactory" rating, they shall telephonically notify the

Commanding Officers, Training Division and Personnel Division. The commanding officer shall ensure that a copy of the unsatisfactory Evaluation Report is forwarded to Personnel Division within **five** administrative working days of service on the employee, and:

- \* Assign a supervisor, other than the field training sergeant to monitor the training of the probationer.
- \* Ensure that the monitoring continues and the probationer's performance is properly documented until the progress is either at a satisfactory level or the termination proceedings are begun if the performance continues to be unsatisfactory.

**Supervisor's Responsibility.** A supervisor assigned to monitor the training of a probationary employee who is not progressing at a satisfactory level shall:

- \* Review the training, observation reports, and remedial training given to the probationer;
- \* Identify the training needs of the probationer and ensure that the necessary training is provided;
- \* Monitor the training and accurately document the probationer's performance and progress.
- \* Coordinate with the supervisors assigned by Training Division and Personnel Division to monitor the probationer's progress.

**Note:** The employee's commanding officer has the primary responsibility to guide the employee in correcting deficiencies, and the involvement of Training Division and Personnel Division shall be in addition to those efforts.

**Training Division-Responsibility.** When notified that a probationary employee, trainee employee, exempt employee or emergency employee is performing unsatisfactorily, the Commanding Officer, Training Division, shall ensure that a member of his or her command:

- \* Interviews the employee;
- \* Attempts to ascertain the problems underlying the employee's unsatisfactory performance; and,
- \* Provides remedial training when appropriate. The probationary employee's participation in any such program shall be on a voluntary, off-duty basis.

**760.60 TEMPORARY-EMERGENCY EMPLOYEES-SERVICE RATING REPORTS.** A Performance Evaluation Report – Lieutenants and Below, Form 1.78, shall be **completed** each month for each temporary-emergency employee. Personnel Division shall forward the report to the employee's commanding officer, who shall complete the report in duplicate and return the original report in a sealed envelope to the Commanding Officer, Personnel Division, on or before the due date indicated on the report. The duplicate shall be given to the concerned

employee.

**760.70 SERVICE RATING REPORTS-CIVILIAN EMPLOYEES.** Service ratings shall be made annually on all civilian employees on an Employee Evaluation Report, Form PDAS 28. (The forms are forwarded to the employee's commanding officer by Personnel Division approximately three months before completion is due). A Training Evaluation and Management System (TEAMS) report shall be provided to each employee in conjunction with the service of the employee's annual (post-probationary) performance evaluation report.

The Employee Evaluation Report shall be completed at the close of the calendar year for each civilian commanding officer and the Director, Behavioral Science Services.

The service rating shall be made by the employee's immediate supervisor and reviewed by the commanding officer.

**Note:** A service rating is not required if the employee has been in a position less than three months prior to the end of the rating period.

Following review by the employee's commanding officer, distribution of the completed Employee Evaluation Report shall be:

- 1 - Original, Personnel Division
- 1 - Rated employee
- 1 - Rated employee's Division Employee Folder
- 3 - TOTAL

**Note:** Any relevant provisions of a Memorandum of Understanding shall apply to members of representation units.

**760.75 NOTICE TO CORRECT DEFICIENCIES.** The Notice to Correct Deficiencies, Form General 78, shall be used to document deficient performances or censurable incidents, **not amounting to misconduct**, involving Department employees, including members of the Police Reserve Corps.

The concerned employee shall receive the original (white) copy of the form and the blue copy shall be placed in his/her Division Employee Folder, Form 1.1; the pink and yellow copies shall be destroyed.

Procedures for retention of Notice to Correct Deficiencies are contained in the applicable Memorandum of Understanding.

**760.80 TERMINATION RECORDS.** The Termination Record, Form 1.8, shall be prepared by the commanding officer of each employee whose employment with the Department is terminated. The report is not made when employees retire or go on sick leave or military leave.

**760.90 DEPARTMENT PERSONNEL RECORDS.**

**Review and Security.** Employees may review their **divisional** personnel records only under the supervision of their commanding officer or the commanding officer's designee. Employees may review their **Department** personnel records, maintained by the Records and Medical Liaison Sections, Personnel Division, only under the supervision of the Commanding Officer, Personnel Division, or the commanding officer's designee. Personnel records include:

- \* Division Personnel records;
- \* Personnel Package.
- \* Medical Records.

Personnel records shall not be removed from Department premises without the approval of the commanding officer responsible for the security of such records.

Employees shall not review any other employee's personnel records except when such review is in the performance of their official duties and approved by the commanding officer responsible for the security of such records.

**Note:** The Commanding Officer, Personnel Division, shall make the final decision whenever a dispute arises regarding the authorization of an employee to review another employee's Department personnel records. Division commanding officers shall make the final decision whenever such a dispute arises over the review of divisional personnel records.

Commanding officers shall establish a system within their commands to ensure that personnel records are secure and safe from access by unauthorized persons. This system shall include a provision for locating personnel records whenever they have been removed from the storage location for any purpose.

**Note:** When commanding officers forward divisional personnel records to the organizational unit to which an employee is transferring, they shall ensure that:

- \* The divisional records are placed in a serviceable envelope and the ends secured with tape;
- \* The envelope containing the records is marked "Confidential" and addressed to the concerned commanding officer.
- \* The records are forwarded via Departmental mail.

**Division Personnel Records.** Commanding officers shall establish and maintain a Division Employee Folder, Form 1.1, for each employee under their command. The contents shall be limited to that information regarding the employee's:

- \* Conduct.
- \* Performance.
- \* Attitude.

- \* Capabilities.
- \* Disabilities.

The contents of the Division Employee Folder, Personal and Work History Summary shall be reviewed by the concerned employee and designated supervisor at least once every twenty-four months.

When an employee is transferred, the employee's new commanding officer shall cause the employee to be interviewed, as soon as practicable, to review the Division Employee Folder and Personal and Work History Summary.

**760.92 APPEAL PROCESS WHEN ADVERSE INFORMATION IS TO BE PLACED IN A FORMER SWORN EMPLOYEE'S PERSONNEL FILE.**

**Sustained Personnel Complaints.** When a sustained personnel complaint is to be placed in a former sworn Department employee's personnel file, the Commanding Officer, Internal Affairs Group, shall notify the former employee via registered mail. When the former employee sends a written appeal requesting the personnel complaint not be placed in his/her personnel file, the Commanding Officer, Internal Affairs Group, shall:

- \* Review the appeal and the information to be included in the personnel file;
- \* Approve or deny the appeal;
- \* Notify the former employee of the determination of his/her appeal; and,
- \* Forward the report to the Commanding Officer, Personnel Division, for filing.

**Note:** The decision of the Commanding Officer is final. When no response is received within 30 days following the notification to the former employee, the investigation is to be marked "No Response," and forwarded to Personnel Division and placed in the personnel file.

**Adverse Comments.** When adverse comments not amounting to a personnel complaint are to be placed in a former sworn Department employee's personnel file, the Commanding Officer, Personnel Division, shall notify the former employee via registered mail. When the former employee sends a written appeal requesting the comments not be placed in his/her personnel file, the Commanding Officer, Personnel Division, shall:

- \* Review the appeal and the information to be placed in the personnel file;
- \* Approve or deny the appeal;
- \* Notify the former employee of the determination of his/her appeal; and,
- \* File the report in the appropriate file.

**Note:** The decision of the Commanding Officer, Personnel Division, is final. When no response is received within 30 days following notification of the former employee, the information shall be marked "No Response," and placed in the personnel file.

**760.95 DEPARTMENT PERSONNEL COMMITTEE-CIVILIAN EMPLOYEES.**

**Committee Membership.** The Department Personnel Committee consists of:

- \* One member appointed by the Civil Service Commission as chairperson;
- \* One member appointed by the Chief of Police; and,
- \* One member elected by the employee group of the appealing employee.

**Employee Groups.** For the purpose of Committee representation, civilian employees are grouped organizationally as follows:

- \* Each bureau; and,
- \* All employees not assigned within a bureau.

**Exception:** Employees assigned to divisions within the Use of Force Review Division, Employee Relations Group, Public Information Office, Administrative Section, Governmental Liaison and Community Relations Section shall be included in the representation group of the Chief of Staff.

**Elections.**

- \* The civilian employees of each group shall elect one employee as the group's Committee member and one employee as an alternate member.

Bureau commanding officers shall ensure that elections are conducted as needed, in accordance with rules developed by Office of Support Services. The Commanding Officer, Personnel Division, shall ensure that elections are held for employees not assigned within a bureau.

- \* The term of elected Committee members is three years, unless disqualified by:
  - \* Promotion.
  - \* Transfer to an assignment within a different employee group.
  - \* Termination of employment.

When an elected member is unavailable or disqualified, the alternate shall serve. If both are disqualified, an election shall be held.

**Appeals to the Personnel Committee.**

- \* When a civilian employee receives a service rating which he/she believes to be unfair and wishes to appeal, he/she shall discuss the rating with his/her commanding officer prior to filing an appeal.
- \* After discussion with the commanding officer, an employee who still believes the rating to be unfair may request a hearing before the Personnel Committee. **Within 15 calendar days** of the date he/she received the rating, a written request must be submitted to: Chairperson, Police Personnel Committee, Personnel Department.
- \* An employee may have a representative present at the Committee hearing.

**Note:** Upon receipt of a request for a hearing, the Chairperson will convene the Personnel Committee to consider all pertinent information, including that provided by witnesses, and render a decision to either sustain or adjust the rating. Copies of the decision, and the amended rating if any, will be forwarded to the employee, the Chief of Police, and the Civil Service Commission.

**Appeals to the Civil Service Commission.** Within **5 calendar days** after being notified of the Personnel Committee's decision, an employee may file an appeal with the Board of Civil Service Commissioners.

**762. TRANSFERS.** The assignment of employees to divisions and other units within the Department is made by the Chief of Police.

**762.20 TRANSFERS REQUESTED BY EMPLOYEES.** When an employee requests a transfer (other than an administrative transfer), to another division of assignment or change in paygrade, he/she shall submit a Request for Transfer and/or Change in Paygrade, Form 1.40, to his/her commanding officer for approval. The employee's commanding officer shall:

- \* When the Form 1.40 is approved, forward the form to the commanding officer of the division requested by the officer. When the commanding officer of the requested division approves, he/she shall forward the form to the Commanding Officer, Personnel Division.

**Note:** When a transfer request involves the advancement of an officer to a higher paygrade position, his/her commanding officer may disapprove the transfer only when it has been verified that the concerned officer is ineligible for the advancement. The requesting officer shall be notified by his/her commanding officer when his/her request is denied for ineligibility.

- \* When the Form 1.40 is disapproved and the request does not involve an advancement in paygrade, the form shall be immediately forwarded to the Commanding Officer, Personnel Division, with an explanation for the disapproval. Personnel Division shall be responsible for notifying the officer of the disapproval.

**762.30 TRANSFERS REQUESTED BY COMMANDING OFFICERS.** When a commanding officer requests that an employee be transferred into (or from) his/her command, (except in cases of an administrative transfer), the commanding officer shall complete a Form 1.40 and forward it to the concerned commanding officer, who, upon approval, shall forward it to the Commanding Officer, Personnel Division.

**Note:** A commanding officer who receives a transfer request shall indicate his/her recommendation and forward the request without unnecessary delay.

**Exception:** A request for the intra office transfer of an officer in the paygrade of Lieutenant II or above shall be approved by the concerned bureau commanding officer *prior* to being forwarded to the Commanding Officer, Personnel Division.

When a commanding officer has, or anticipates, a vacancy within his/her command, he/she shall be responsible for notifying Personnel Division in the following instances:

- \* When he/she is unable to fill the vacancy from personnel within his command; and,
- \* When he/she has not submitted or authorized a transfer request for an eligible officer outside his command.

The notification shall indicate the number of vacancies to be filled, the rank and paygrade position required to fill each vacancy, the duties of the position, and any special qualifications necessary to meet the requirements of the position.

### 762.35 ADMINISTRATIVE TRANSFERS.

**Employee Requesting.** When an employee requests an administrative transfer, the employee shall meet with his/her commanding officer, discuss the reason for the request and complete an Employee's Report, Form 15.7. The Form 15.7 shall include the employee's reason for the request and the specific relief the employee is requesting. If the employee's commanding officer disapproves the request and the employee still believes it is necessary, the employee may forward a copy of the 15.7 with a statement documenting the date of the commanding officer's disapproval to Employee Relations Group (ERG) for consideration.

**Commanding Officer Requesting a Transfer of an Employee.** When a commanding officer determines that an administrative transfer is appropriate, the commanding officer shall complete an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Personnel Division, requesting the transfer. The request shall include approval signature blocks for the employee's chain of command up to the bureau commanding officer or equivalent.

**Note:** Employee Relations Group shall be listed on the Official Correspondence Review, Form 15.75.0, that accompanies the Form 15.2. However, ERG shall only make a recommendation for approval or disapproval of the request. When a disapproval is recommended, ERG shall attach a Form 15.2 stating the reasons for the disapproval recommendation and forward the request through the remaining review process.

If the request involves reassignment to a lower paygrade or deselection from a bonus position, a signature block for the Director, Office of Support Services (OSS), shall be included before the Commanding Officer, Personnel Division. All requests for administrative

transfers for the purpose of refreshing or enhancing employee performance, resolving a conflict within a command, reduction in paygrade, or deselection from a bonus position, shall have copies attached of the most recent Performance Evaluation Reports covering a two-year period. Requests for administrative transfers that fall within the below listed categories shall also include a copy of the indicated documentation.

**Employee request.** Form 15.7 completed by the employee stating the reason(s) for the request and the relief being requested.

**Medical restrictions.** Specific restrictions and/or the need for accommodations, (i.e., handrails in bathrooms, etc.), shall be attached to facilitate determination of an assignment in which the person can be accommodated. Documents containing a medical diagnosis are confidential and **should not** be included.

**Duty restrictions.** Any duty restriction placed on the employee, (i.e., not to drive a city vehicle, restricted to administrative duties, no wearing of a uniform, no public contact, limited or no possession of a weapon, no contact with drugs or narcotics, no contact with prisoners, etc.) If these restrictions are known but have not been served on the employee, the restrictions shall be articulated in the Form 15.2.

**Reduction in paygrade, deselection from a bonus position, or unsatisfactory performance of duties.** Documents specified in Department Manual Sections 3/763.60, 3/764.30, or 3/764.50 in support of the request.

**Demotion of a sworn employee.** The Decision of the Board of Rights and Execution of the Order, Form 1.73, or in its absence, a copy of the Complaint and Relief from Duty, Suspension or Demotion, Form 1.61. The effective date of a demotion and the rank/paygrade to which a person is reduced is specified in Sections 272.60 and 272.65 of the Board of Rights Manual.

**All other requests.** Any pertinent documentation used in justifying the need for the administrative transfer, or as requested by ERG or other entity.

Generally, the commanding officer shall consult with ERG **prior** to discussing an administrative transfer request with an employee and **prior to** signing a request. Employee Relations Group will review the content of the request and advise the commanding officer of the request's appropriateness.

After a commanding officer has consulted with ERG, he/she should meet with the employee, discuss the reason(s) for the transfer request, determine if the employee agrees or disagrees with the transfer, and obtain the employee's choice of assignments in order of preference. The option of selecting an assignment shall apply only to employees below the rank of lieutenant. The choice of assignments should

include the names of three Areas in at least two different bureaus that the employee would like the Chief of Police (COP) to consider.

**Exception:** An employee being reassigned from a specialized division may include a specialized division as one of their choices; however, the other two choices must be Areas in two different bureaus.

Whether the employee agrees or disagrees with the transfer, his/her choice of assignment, in order of preference, needs to be included in the Form 15.2; however, they are not binding on the COP. Copies of all the appropriate documentation shall be attached to the Form 15.2. Additionally, a Request For Transfer and/or Change in Paygrade, Form 1.40, shall be completed, **except for** the division of assignment, position, and effective date, which are to be left blank, and forwarded with the Form 15.2.

**Exception:** When the COP or a bureau commanding officer has already designated a specific division and position an employee is to be transferred to, it should be included in the Forms 15.2 and 1.40. In such a case, it is not necessary to include the three choices of assignment the employee may prefer.

**Note:** Bureau commanding officers shall only designate an employee's transfer to Areas or commands within their bureau.

**Reviewing Requests.** The Commanding Officer, ERG, shall review all requests for administrative transfers after approval by the chain of command and before being forwarded to Personnel Division or the Director, Office of Support Services. The Commanding Officer, ERG, shall ensure there is sufficient justification and that all criteria required for the transfer are met. After review and a recommendation by ERG, the request shall be forwarded to Personnel Division or to OSS if the request involves reassignment to a lower paygrade or deselection from a bonus position. When a request is disapproved after routing through the complete review process, ERG will complete an Intradepartmental Correspondence, Form 15.2, documenting specifically why the request was disapproved and provide information about any possible alternate resolutions for the request. A disapproved request shall be returned to the requestor via the chain of command. Employee Relations Group shall maintain a file of all administrative transfer requests.

**Approved Transfer.** When ERG is notified by Personnel Division of an administrative transfer approved by the COP, ERG shall notify the commanding officer of the command to which the employee is being transferred. The commanding officer shall contact the employee's current commanding officer to discuss the transfer. The discussion will provide the new commanding officer with information to assist the employee in adjusting to the new assignment. Generally, the new commanding officer should meet with the

employee to facilitate the employee's assimilation into the new command and make provisions for any special needs, including medical or duty restrictions.

**Disapproved Transfer.** When a commanding officer is notified by ERG that the COP has disapproved an administrative transfer of an employee in their command, the commanding officer shall notify the employee of the disapproval. The decision to transfer an employee is solely that of the COP pursuant to the City Charter and no inference should be drawn or reason stated for the approval or disapproval of an administrative transfer.

**Personnel Division's Responsibility.** Personnel Division shall present a request for administrative transfer to the COP. If the COP approves a request, he/she may designate the command to which the employee is to be transferred, or select a bureau and defer that decision to the designated bureau commanding officer. When a request for an administrative transfer is approved by the COP, Personnel Division shall notify ERG and provide the name of the command to which the employee is to be transferred. When the request is disapproved by the COP, ERG shall be notified. In all cases, the original Forms 15.7 and 15.2 requesting the administrative transfer shall be returned to ERG for the purpose of notifications and record retention. Additional copies shall be attached to the Form 1.40 and retained by Personnel Division.

**Ombuds Officer's Responsibility.** The Ombuds Officer will generally work through an employee's commanding officer. However, the Ombuds Officer may initiate a request for an administrative transfer and follow the same procedure outlined for a commanding officer.

**Limitations On Administrative Transfers.** An employee administratively transferred from a command may not be transferred back to that command for a minimum of 26 deployment periods without the approval of the COP.

**Exception:** An employee administratively transferred at his or her request solely to relieve a hardship may transfer back to that command prior to 26 months following the transfer, using the established procedures for routine transfers.

**762.40 TRANSFER ORIGINATING FROM PERSONNEL DIVISION.** The Commanding Officer, Personnel Division, shall complete a Request for Transfer and/or Change in Paygrade, Form 1.40, for inclusion in the employee's personnel file, when the transfer of an employee is initiated by Personnel Division.

**762.60 TRANSFER LISTS.** A list of employees transferred to new assignments within the Department will normally be issued each deployment period and become effective as indicated; different effective dates will be indicated in the body of the Transfer Order.

**Special Transfers.** A transfer order may be issued on any day of the month, other than the

regular transfer days, if necessary, to meet a particular operating condition.

**762.80 COMMANDING OFFICER'S DUTIES-TRANSFERS.** Commanding officers, or employees acting in their stead, shall read the transfer list. They shall cause those employees of their command whose names appear on the transfer list to be promptly advised of their transfer.

Commanding officers, or employees acting in their stead, shall determine the proper assignment of duties for employees transferred to their command, including the particular duties to be performed by the employees and the time they are to report to the new assignment.

When an officer transfers or is loaned into a new command, the commanding officer shall ensure that the watch commander or officer in charge reviews the officer's TEAMS report within ten working days from publication of the transfer order or notification of the loan. Probationary police officers transferring from Training Division (Academy) are exempt from this requirement.

Note: In order to meet the time requirement, commanding officers may need to contact the officer's current Area or division of assignment to obtain a copy of the officer's TEAMS report.

The intent of the review is to ensure supervisors are aware of an officer's history to provide appropriate supervision and oversight.

File Maintenance. Each commanding officer shall maintain an Area/divisional TEAMS Evaluation Report file of all TEAMS Evaluation Report forms completed for transfers and loans. The file shall contain the original TEAMS Evaluation Reports for incoming transfers and loans attached to the officer's TEAMS report.

Note: The TEAMS Evaluation Report Form shall not be filed in the officer's Department or divisional personnel package. The TEAMS Evaluation Report is considered confidential and the information contained therein shall only be made available on a "right to know/need to know" basis (Manual Section 3/408.16). A sworn employee may review his or her own TEAMS report at any time.

**762.90 TRANSFERRED EMPLOYEE'S DUTIES.** An employee who has been transferred to a new assignment shall:

- \* Contact the unit to which the employee has been newly assigned for the purpose of determining his/her duty assignment and the time he/she is to report to the new assignment.
- \* Contact the commanding officer, or employee acting in his/her stead, of the unit to which the employee was formerly assigned.

The contact shall be for the purpose of turning in citation books, and such other equipment as

is necessary, or receiving any special instructions regarding the transfer.

**762.91 TRAINING ASSIGNMENTS - EMPLOYEES.**

**Training Order.** The Training Order, Form 15.2, is used by Training Division and is sent to Area and bureau commanding officers to notify employees of training assignments.

**Completion - General.** A Training Order shall be issued by Training Division to each employee assigned to training.

**Distribution.**

- 1 - Original, retained at Training Division.
- 1 - Copy, Bureau Training Coordinator.
- 1 - Copy, Area/division Training Coordinator.
- 1 - Copy, Area/division subpoena control officer.
- 1 - Copy, retained by the concerned employee.

**5 - TOTAL**

**Notification of a Training Assignment.** Upon receipt of the Training Order, the concerned commanding officer shall ensure that the Training Order is served to each named employee. Employees listed on a Training Order shall be carried "Loaned to Training Division" on all assigned dates. The training assignment is a primary duty assignment (with the exception of court and pre-scheduled vacations) for all personnel and any scheduling conflicts are to be resolved in favor of the training assignment.

**Note:** For timekeeping purposes, employees assigned to training shall be shown as "L/P" (leave with pay) on all timekeeping documents.

Training Orders shall be controlled by the subpoena control officer and shall be distributed for service in the same manner as subpoenas.

**Subpoena Control Officer's Responsibility.** The subpoena control officer shall:

- \* Upon receipt of the Training Order, cause an entry of the training information to be made in the Employee Subpoena Record, Form 15.29;
- \* Forward two copies of the Training Order, and the Employee Subpoena Record to the concerned employee's watch commander for service.
- \* Forward all initialed Training Orders to the training coordinator.

**Note:** The subpoena control officer shall maintain the Training Orders for Department entities that do not have a training coordinator.

Training Orders that cannot be served shall have a reason for non-service documented on the Order and shall be signed by a supervisor. The Training Order shall then be immediately returned to the In-Service Training Unit, Training Division.



The subpoena control officer should keep a copy of all Training Orders for his/her files.

**Supervisor's Responsibility.** Supervisors serving a Training Order shall:

- \* Issue a copy of the Training Order to the concerned employee and ensure that the employee **initials** both **copies** of the order; and,
- \* Cause the concerned employee to initial the corresponding entry in the Employee Subpoena Record, Form 15.29.

**Note:** Supervisors shall initial the appropriate entry in the Employee Subpoena Record, Form 15.29, documenting service of the Training Order.

Training Orders that cannot be served shall have a reason for non-service documented on the Order and shall be signed by a supervisor.

**Training Coordinator's Responsibility.** Training coordinators shall ensure that served Training Orders are filed alphabetically in a three-ring binder until it is verified through the Training Evaluation and Management System (TEAMS) that the employee has completed the course. Once verified through TEAMS, the Training Order with the employee's initials shall be pulled from the three-ring binder and retained in accordance with applicable records retention requirements.

**Note:** The subpoena control officer shall assume the training coordinator duties for Department entities that are not allocated, or do not require, a full-time training coordinator.

**762.92 TEMPORARY ASSIGNMENTS- POLICE OFFICERS.**

**Interdivisional.** A temporary loan of an officer to a division other than his/her regular division of assignment may be made by mutual agreement of the concerned bureau commanding officers or the concerned Area or division commanding officers within the same bureau. A temporary loan normally shall not exceed one deployment period. A commanding officer may request the extension of a temporary loan of an officer from another division for one additional deployment period by completing an Intradepartmental Correspondence, Form 15.2. The Form 15.2 shall be forwarded through channels to the Director, Office of Support Services, to arrive by the third calendar day of the new deployment period. When it is anticipated that a temporary loan assignment may exceed two deployment periods, the requesting commanding officer shall:

- \* Initiate a Request for Transfer and/or Change in Paygrade, Form 1.40, and forward it to the Commanding Officer, Personnel Division; or;
- \* Initiate a request for substitute authority for the position being filled.

When no vacancy exists at the appropriate paygrade level and substitute authority is

denied, the officer shall be returned to his/her regular division of assignment.

**Exception:** The Director, Office of Support Services, may approve a temporary loan in excess of two deployment periods when the loan involves an intrabureau assignment.

**Intradivisional.** When an officer is temporarily assigned within his/her division to a position outside of his/her regular job classification for a period in excess of one deployment period, the concerned commanding officer shall notify the Sworn Personnel Services Section, Personnel Division. This notification shall be made on an Intradepartmental Correspondence, Form 15.2, and shall be submitted by the third calendar day of the deployment period. The commanding officer shall indicate that the assignment is temporary and shall estimate the proposed duration of the assignment.

**Outside of Paygrade.** An officer from a lower paygrade position who is assigned to perform the duties of an officer in an advanced paygrade position for a period of time not to exceed 56 consecutive calendar days shall continue to receive compensation at the salary level held prior to the temporary assignment. At the conclusion of the 56-day time period, the officer shall be removed from the position for a minimum of two deployment periods.

**Note:** If the officer has been selected and advanced to the paygrade designated for the position, nothing shall preclude permanent assignment of the officer to the position prior to the expiration of the two-deployment period time limit.

**Emergency Assistance.** These provisions shall not restrict any officer from assisting, defending, or protecting other officers who need help of an emergency nature while in the performance of their duties.

**762.93 ASSIGNMENT OF PREGNANT EMPLOYEES.** When an employee experiences symptoms of pregnancy, she shall consult her physician. Upon confirmation that she is pregnant, she shall submit to her commanding officer a written statement from her physician, which shall include the following information:

- \* Verification of the employee's pregnant condition.
- \* The physician's recommendation as to the proper duty assignment for the employee which should include one of the following:
  - \* Immediate assignment to sedentary duties.
  - \* Continued assignment in present duties until the employee's condition necessitates assignment to sedentary duties.
  - \* Immediate assignment to off-duty status.

**Note:** The employee may elect to take a maternity leave of absence (Manual Section 3/730.30) or use accumulated sick

leave benefits, including 100 percent, 75 percent, and 50 percent paid sick leave time, for that period of time during which she is certified by a physician as unable to work. Accumulated vacation time may be used in conjunction with, or in lieu of, sick time. Sick leave will not be granted, however, after an employee has elected to take a maternity leave of absence and has begun such leave.

The concerned commanding officer shall comply with the recommendation of the physician and, when appropriate, reassign the employee.

**Note:** If a commanding officer desires verification of the recommendation, he or she shall assign the employee to sedentary duties and forward to the Commanding Officer, Personnel Division, an Intradepartmental Correspondence, Form 15.2, requesting that the employee be examined by a City physician. The employee shall submit to such examination. The City physician's recommendation will then be forwarded to the Commanding Officer, Personnel Division, who shall forward it to the concerned commanding officer. The concerned commanding officer shall evaluate the recommendation and then determine the appropriate assignment of the employee.

When the wearing of a uniform is no longer practical, the concerned employee shall be reassigned to non-uniformed duty and permitted to dress in appropriate civilian attire.

**762.94 CIVILIAN EMPLOYEES PERFORMING DUTIES OF A POLICE NATURE.** A civilian employee, shall not be assigned to duties of a police nature.

If an urgent condition exists and a female officer is not immediately available, a female civilian employee may:

- \* Temporarily act as an observer during the care or detention of a female.
- \* Act as a witness during the photographing of a female crime victim.

**763. ASSIGNMENT OF SWORN PERSONNEL TO ADVANCED PAYGRADES.**

**763.05 PAYGRADE ELIGIBILITY REQUIREMENTS.** The requirements necessary to qualify for advanced paygrade assignments are indicated below following each paygrade classification. All requirements, including any specified minimum period of service, must be met at the time of application to an advanced paygrade assignment.

**Police Officer II.** A Police Officer I who completes one and one-half years of service shall be **automatically** advanced. Police Officer II is not considered an advanced paygrade position.

**Note:** Police Officer II status does **not** signify tenure with the Department.

**Police Officer III.** Department personnel of the rank of Police Officer II are eligible for advancement to the rank and paygrade of Police Officer III (PO III), if they have successfully completed the probationary period for the rank of Police Officer or Police Specialist and achieved a passing score on the PO III Written Examination.

**Note:** Police Specialists are ineligible for advancement to the rank and paygrade of PO III until they receive a Los Angeles City Charter, Volume II, Article X, Civil Service, Section 1014 transfer to the class of Police Officer and meet the existing eligibility requirements for PO III.

**Definition:** The term "*Continuous Service*" means service in the classified civil service (rank) since the original regular appointment, excluding all time before a break in service and all periods of absence without seniority credit. The definition of "*Continuous Service*" is set forth in the Los Angeles City Administrative Code, Division 4, Chapter 2, Section 4.42 (t).

**Exception:** A Police Officer who has returned to the Los Angeles Police Department by restoration (generally within three years of resigning), for this purpose only, shall be considered to have continuous service. However, the concerned officer must have completed the probationary period following restoration. This excludes all time not employed by the Los Angeles Police Department.

**Note:** In addition to the above requirements, to be eligible for advancement to Police Officer III-I, an officer must have two years of service.

**Police Sergeant II.**

- \* A Sergeant with dual-assignment status;
- \* One year of experience as a Sergeant I; or,
- \* A post probationary Detective who has a minimum of one-year experience in the class of Sergeant.

**Police Detective II.**

- \* A Sergeant with dual-assignment status;
- \* One-year of experience as a Detective I; or
- \* A post probationary Sergeant who has a minimum of one year experience in the class of Detective.

A non dual-assignment Sergeant selected for a Detective II position must concurrently revert to the class of Detective and be upgraded to Detective II. Therefore, the Sergeant must complete a Request For Transfer Voluntary Reversion Or Class Change Under Charter Section 108, Form General 16B, and a Request For Transfer and/or Change in PayGrade, Form 1.40. Both forms must be submitted together, through channels, to Personnel Division.

**Note:** Commanding officers are reminded that additional time will be required to obtain approval of the General Manager, Personnel Department, for the reversion.

**DUAL-ASSIGNMENT SERGEANTS:**

Officers appointed to the rank of sergeant prior to February 24, 1972, have **dual-assignment status**. Dual-assignment sergeants who satisfy eligibility and qualification requirements may be assigned to either Sergeant or Detective positions.

The following dual-assignment sergeants have Detective II Outstanding Pool status and are eligible for assignment subject to the same terms and conditions as any other officer in an advancement pool:

- \* A dual-assignment sergeant assigned to a Detective II position at any time from January 1, 1971, through April 30, 1972.
- \* A dual-assignment sergeant assigned to a Detective III position on January 1, 1971, from a position which was reclassified as a detective position.

**Police Detective III.** The following officers are eligible for consideration for advancement to Detective III:

- \* A sergeant with dual assignment status, who has one year of investigative experience as a detective (time assigned as a divisional vice supervisor or Internal Affairs investigating officer may be substituted);
- \* Sworn employees who have one year of experience at the Detective II level; or,
- \* Sworn employees who have a minimum of one year experience in the class of detective and one year experience as a sergeant.

**Lieutenant II.** A lieutenant with one year in rank is eligible for consideration for advancement to Lieutenant II.

- \* Recommendation by the concerned commanding officer; AND concurrence of the concerned bureau commanding officer.

**Captain II and Captain III.** A police captain with one year in rank is eligible for consideration for advancement to either Police Captain II or Police Captain III.

- \* An evaluation of the individual's qualifications by the concerned deputy chief or the bureau equivalent; AND approval by the Chief of Police.

**Note:** Advanced Paygrades are not approved until the respective Transfer Order has been signed by the Chief of Police.

**Deputy Chief II.** A police deputy chief may be advanced to a Police Deputy Chief II position upon assignment by the Chief of Police.

**763.07 ELIGIBILITY REQUIREMENTS FOR ADVANCEMENT TO DETECTIVE SUPERVISOR.** In addition to existing requirements, the following training requirements must be met to qualify for advanced paygrade assignments within the rank of detective.

- \* **Detective II.** Department personnel shall not be eligible for advancement to Detective II until they have successfully completed the Department's Basic Detective Course or a Department approved substitute.
- \* **Detective III.** Department personnel shall not be eligible for advancement to Detective III until they have successfully completed a minimum 80-hour Commission on Peace Officer Standards and Training (POST) certified supervisory course (the Department's Basic Supervisory School or Detective Supervisory Course) and the Department's Basic Detective Course or its approved substitute course(s).

**Supervisory Training Requirements for Detective Supervisors.** Detective II and Detective III positions are supervisory level assignments. Accordingly, personnel assigned to detective supervisor positions shall not perform any supervisory functions until they have successfully completed a minimum 80-hour POST certified supervisor course (Basic Supervisory School or Detective Supervisory Course).

**Note:** Supervisory functions include, but are not limited to, directing, guiding, training subordinates, evaluating the work of subordinates, conducting administrative investigations (e.g., personnel complaints, uses of force, pursuits, etc.), providing booking advice, approving reports, and coordinating the service of a search warrant.

**Commanding Officer's Responsibility.**

- \* **Eligibility Requirements for Advancement to Detective Supervisor.** Each commanding officer shall ensure that newly appointed Detectives I are nominated to attend the Department's Basic Detective Course or a Department approved substitute within the first year of promotion. Any exceptions to this one-year requirement must be approved by the Director, Office of Support Services.

**Note:** Commanding officer of current detectives who have not completed the Department's Basic Detective Course or an approved substitute, shall ensure that those detectives are scheduled as soon as possible.

- \* **Supervisory Training Requirements for Detective Supervisors.** Each commanding officer shall ensure that all detective supervisors within his/her command receive the appropriate training. When detective personnel are scheduled for training by Training Division, any scheduling conflicts shall be resolved in favor of the training assignment. Detective personnel shall not be removed from scheduled training except on the authority of the Commanding Officer, Training Division.

**Note:** When nominating detectives for required training, commanding officers shall take into

consideration any anticipated extensive court appearances by the detective. However, a detective's response to a subpoena during training is not considered a withdrawal from such training, unless his/her attendance falls below the minimum required hours.

**763.10 EXAMINATION AND EVALUATION RESPONSIBILITIES-PERSONNEL DIVISION.** Personnel Division shall be responsible for the administration of the advanced paygrade evaluation procedures in accordance with present and anticipated Department needs.

**763.15 POLICE OFFICER III WRITTEN EXAMINATION REVIEW BOARD.**

- \* Following each qualifying *written* examination for Police Officer III, the Director, Office of Support Services, shall assign personnel to form an Examination Review Board to evaluate each question on the basis of correctness, manner of presentation, and relevancy.
- \* The chairperson shall forward the Board's recommendations to the Director, Office of Support Services, for approval.

**763.25 ADVANCED PAYGRADE ASSIGNMENT PROCEDURES.** Advanced paygrade assignment procedures shall apply to personnel who are eligible for assignment to a higher paygrade position within their respective civil service classes.

Police Officers II shall be required to pass a qualifying written examination every two years in order to be considered for a Police Officer III position.

**763.40 ADVANCEMENT AND TRANSFER OPPORTUNITIES.** The "Sworn Paygrade Advancement and Transfer Opportunities" bulletin is published by Personnel Division to inform eligible officers within the ranks of Lieutenant II and below of vacancies in advanced paygrade or coveted positions.

Commanding officers who have, or anticipate, either an advanced paygrade or coveted position vacancy within the rank of Lieutenant II and below under their command shall notify Personnel Division as soon as they become aware of the vacancy by forwarding a Request for Advertisement of Vacant Sworn Position, Form 15.89, through the chain of command to Sworn Personnel Services Section, Personnel Division. This notification shall indicate the number of vacancies to be filled, the rank and/or paygrade position required to fill the vacancies, the duties of the position, and any special qualifications necessary.

The Commanding Officer, Personnel Division, shall ensure that all Request for Advertisement of Vacant Sworn Position forms are properly reviewed and approved by the Officer in Charge, Sworn Personnel Services Section, prior to publication on a subsequent "Sworn Paygrade Advancement and Transfer Opportunities" bulletin.

**Note:** Anticipated vacancies should be based on transfers, retirements, or resignations that are reasonably certain to occur within 60 days from the date of the advertisement.

To ensure that all officers are aware of vacancies in advanced paygrade or coveted positions, commanding officers shall cause the "Sworn Paygrade Advancement and Transfer Opportunities" bulletin to be read at all roll calls for three successive days, and then cause the bulletin to be posted in a **designated, conspicuous location** on the Area/divisional bulletin board for a one-week period.

**763.45 ADVANCEMENT TO HIGHER PAYGRADE POSITION.** An officer below the rank of lieutenant may be reassigned to a higher paygrade position when the following procedure is followed:

- \* The commanding officer requesting the assignment of an officer to a higher paygrade position shall cause verification of the officer's current eligibility for advancement and cause the Request for Transfer and/or Change in Paygrade, Form 1.40, to be forwarded through channels to the concerned bureau commanding officer or Chief of Staff for approval.

**Exception:** When a Police Officer II is recommended for a higher paygrade position, the Form 1.40 shall be forwarded through channels to the concerned group or bureau commanding officer.

- \* Upon approval of the recommendation, the Form 1.40 shall be forwarded to the Commanding Officer, Personnel Division.

**763.47 DETECTIVE SUPERVISORY TRAINING REQUIREMENTS.** All Detective II and Detective III positions require the successful completion of a minimum 80-hour Commission on Peace Officer Standards and Training (POST) certified supervisory course. (Basic Supervisory School or Detective Supervisory Course.)

- \* Commanding officers shall ensure that such personnel do not perform any supervisory duties by conducting an audit every deployment period until training is complete.
- \* The Detective Supervisory Training Acknowledgement, Form 1.55.0 shall used by commanding officers to identify any Detective II or Detective III, who has not successfully completed the requisite training.

**763.50 TRANSFER OF PERSONNEL WITHIN THE SAME PAYGRADE.**

Transfers of personnel within the same advanced paygrade, below the rank of lieutenant, shall be coordinated by the concerned commanding officers.

**763.55 REASSIGNMENT TO A LOWER PAYGRADE POSITION.** An officer below the rank of lieutenant in an advanced paygrade position may be reassigned to a lower paygrade

position within his/her classification when one of the following conditions exists:

- \* An officer requests reassignment; or,
- \* An officer completes a fixed tour of duty in a position; or,
- \* A position is eliminated; or,
- \* When an officer clearly demonstrates his/her failure or inability to satisfactorily perform the duties of the position.

**763.60 REASSIGNMENT TO A LOWER PAYGRADE OR DESELECTION FROM A BONUS POSITION FOR FAILURE OR INABILITY TO SATISFACTORILY PERFORM THE DUTIES OF AN ADVANCED PAYGRADE OR BONUS POSITION.** When an officer's immediate supervisor becomes aware that the officer is not satisfactorily performing the duties of his or her advanced paygrade position, the supervisor shall, without delay, counsel the officer regarding deficiencies; complete a Notice to Correct Deficiencies, Form General 78; and cause the form to be approved and distributed. When the officer continues to demonstrate a failure to satisfactorily perform the duties of the position, the officer's commanding officer shall:

- \* Cause the completion of a Performance Evaluation Report – Lieutenants and Below, Form 1.78;
- \* Complete a Request for Transfer and/or Change in Paygrade, Form 1.40;

**Note:** When an administrative transfer is determined appropriate for an employee as a result of reassignment to a lower paygrade or deselection from a bonus position, the commanding officer shall refer to Manual Section 3/762.35 regarding administrative transfers.

- \* Complete an Intradepartmental Correspondence, Form 15.2, citing the reasons for recommending reassignment to a lower paygrade or deselection from a bonus position and include a statement that the officer was advised of the right to provide a written response to the proposed personnel action within 30 days of the date of Notice;
- \* Provide the employee copies of the documents;
- \* Maintain original documentation until the officer's response is received or 30 days have passed; and,
- \* After receiving a written response (or 30 days have passed, without a response), attach the original written response to the 15.2 and forward all documentation through channels to the Director, Office of Support Services. A copy of the officer's response shall be attached to the officer's Performance Evaluation Report, which shall be filed in the officer's personnel files.

**Exception:** When an officer clearly demonstrated failure or inability to satisfactorily perform the duties of his or her

advanced paygrade position, indicate the need for an immediate reassignment in the best interests of the Department, the commanding officer shall temporarily place the officer in a lower paygrade assignment and shall, without delay, forward a Form 15.2, and a Form 1.40 through channels to the Director, Office of Support Services. The officer shall receive the same paygrade salary pending the concurrence of the Director, Office of Support Services, in the recommendation that the officer be reassigned to a lower paygrade.

**Note:** When the actions which demonstrate the officer's failure or inability to satisfactorily perform the duties of his or her position also result in the initiation of a complaint, the reassignment to a lower paygrade position normally shall be accomplished prior to the adjudication and disposition of the complaint. When an officer in an advanced paygrade position is to be reassigned for failure or inability to satisfactorily perform the duties of the position, such reassignment may be accomplished by voluntary acceptance of a lower paygrade position.

**Loss and Reinstatement of Eligibility Status.** An officer involuntarily reassigned to a lower paygrade position as a result of his or her unsatisfactory performance of duty shall lose current qualification for paygrade advancement and shall be required to reestablish qualification for paygrade advancement by passing a subsequent paygrade advancement evaluation.

**763.65 EXCEPTIONAL PAYGRADE ASSIGNMENTS.**

**Temporary Assignment.** Officers from a lower paygrade position may be temporarily assigned to a position normally assigned to officers in an advanced paygrade for a period of time not to exceed 56 consecutive calendar days. The officers so assigned shall continue to receive compensation at the salary level held prior to their temporary assignment. At the conclusion of the 56-day period, the officer shall be removed from the position for a minimum of two deployment periods.

**Officer Absent from Duty.** Officers who are authorized to be temporarily absent from their duties, with pay, may continue to receive compensation at the salary level corresponding to their advanced paygrade position.

**763.67 LIMITED TOUR ASSIGNMENTS.** Limited tour assignments are considered to be training or management development positions. Officers assigned to these positions shall be strongly encouraged to take the appropriate promotional examination at the next scheduled date.

**Adjutant/Aide Positions.** Officers assigned to adjutant/aide positions shall be assigned for a period *not* to exceed two years.

**Note:** Time in the assignment may be extended beyond the two year period in special situations only with the written approval of:

- \* The Chief of Staff or group/bureau commanding officer for a commander's aide; or
- \* Chief of Police for an adjutant to a group/bureau commanding officer.

**Area Vice Positions.** Officers assigned to Area vice units shall be assigned for a period *not* to exceed 26 deployment periods. Officers shall *not* be reassigned to an Area vice unit until 26 deployment periods have elapsed since their previous vice assignment.

**Note:** Time in the assignment may be extended beyond the 26 deployment periods in special situations with the written approval of the concerned bureau commanding officer.

**Detective Trainee-Defined.** A Detective Trainee is a Police Officer III who performs in all areas of investigation such as burglary, robbery, and forgery under the close direction of an experienced detective for the purpose of exposing the officer to investigative techniques used in the field; performs preliminary and follow-up investigations, gathers evidence, prepares reports, obtains complaints, makes arrests and testifies in court; and performs related duties.

**Detective Trainees-Securing Another Assignment.** Officers assigned to detective trainee positions will be given the opportunity to take two detective examinations during their tour of duty as a detective trainee. Detective trainees who do not receive a passing score on the second examination, or who have passed the second examination but are not within the portion of the first Detective Promotional List published by Office of Support Services (OSS), shall be given two deployment periods to secure another assignment after publication of the promotional list by OSS.

**Transfer From One Detective Trainee Assignment To Another-Period of Eligibility.** Detective trainees who transfer to another detective trainee position prior to the completion of the tour of duty in the original detective trainee assignment shall have their time of eligibility continue to run. For purposes of continued eligibility as a detective trainee, it shall be as though they had not transferred.

**Detective Trainees-Retention of Advanced Paygrade.** Officers who were assigned Police Officer III positions prior to selection as a detective trainee shall not be downgraded. In the event that such officers are unable to secure Police Officer III positions on their own, they will be reassigned to a Police Officer III position within the Department. The assignment will be at the discretion of the Chief of Police.

**Re-Application For Detective Trainee Assignment-Waiting Period.** Officers removed from a detective trainee position will be required to wait a minimum of two years after their previous detective trainee tour of duty before being eligible to apply for another detective trainee position.

**Note:** Time in the assignment may be extended in special situations in individual cases with the written approval of the concerned bureau commanding officer.

**Internal Affairs Group Positions.** Officers assigned to one of the following functions within Internal Affairs Group shall be assigned for a period *not* to exceed **three** years:

- \* Administrative Investigation Division;
- \* Criminal Investigation Division;
- \* Advocate Section;
- \* Support Section;
- \* Administrative Records Section; and,
- \* Special Operations Division.

A two-year extension of such an assignment may be granted by the Commanding Officer, Internal Affairs Group, for a total of five years in any one assignment. Employees transferring to a new assignment would begin a new three-year term.

An employee who has had a three-year tour of duty extended in any one assignment shall be restricted to one additional assignment within Internal Affairs Group. A two-year extension may also be granted by the Commanding Officer, Internal Affairs Group, for the second assignment.

**Note:** The maximum length of assignment to Internal Affairs Group is ten years, regardless of individual assignments worked. Any deviation from the two-assignment limitation or the ten-year limitation must be based on an overwhelming need and with the specific approval of the Chief of Police.

A new three-year tour of duty shall apply when an employee is upgraded to Detective III while assigned to Internal Affairs Group or returns to the division after being selected for a Detective III or Lieutenant II position.

**Commanding Officer's Responsibility.** Commanding officers of sworn personnel assigned to limited tour assignment positions within their command shall:

- \* Ensure that a Request for Transfer and/or Change in Paygrade, Form 1.40, is completed on each affected employee and forwarded through the chain of command to Personnel Division whenever there is a personnel change in a limited tour assignment; and,
- \* Monitor limited tour assignment positions to ensure that assigned personnel do not exceed the maximum allowable time in the positions.

**Bureau Commanding Officer's Responsibility.** Limited tour assignments may be extended with written approval of the Commanding Officer, Internal Affairs Group, the concerned bureau commanding officer, the Chief of Staff, or bureau equivalent, as appropriate. When a limited tour assignment has been extended, a copy of the written approval shall be forwarded to Office of Support Services.

**Personnel Division-Responsibility.** Personnel Division shall monitor limited tour assignments and notify the officer's commanding officer and the concerned bureau commanding officer or, whenever an officer approaches or exceeds the expiration date of a limited tour assignment.

**763.68 SELECTION FOR LOANS TO INTERNAL AFFAIRS GROUP.**

**Loan Assignments.** Currently, a limited tour assignment to Internal Affairs Group (IAG) as a Sergeant II or Detective II is contingent on an employee's successful completion of a two-month loan to IAG. This loan process enables IAG to select from a pool of qualified candidates when filling regular assignments. A detective/sergeant with at least one year in grade is eligible for loan to IAG, and candidates must possess outstanding leadership, supervisory, and administrative skills. Investigative experience is desirable, but not required for an investigator position. The selection of candidates who lack investigative experience shall be justified in writing on a Training Evaluation and Management System (TEAMS) Evaluation Report, Form 1.78.04.

Applicants may seek assignment as a loanee in several ways, most commonly by:

- \* Employee Request; or,
- \* Referral by any current IAG staff or a commanding officer.

Prior to consideration, all loanee applicants shall submit the following:

- \* Transfer Applicant Data Sheet, Form 15.88;
- \* Performance Evaluation Report – Lieutenants and Below, Form 1.78.0 (two most recent); and,
- \* Current TEAMS report (promotion/paygrade advancement version only).

**Assessment of Eligibility for Loan.** A Loan/Transfer package shall be prepared to assess the eligibility of all selected candidates. As part of this package, a TEAMS Evaluation Report shall be completed to indicate that the following documents were reviewed as part of a comprehensive background check:

- \* Current TEAMS report (promotion/paygrade advancement TEAMS report only);
- \* Transfer Applicant Data Sheet, Form 15.88;
- \* Performance Evaluation Report – Lieutenants and Below, Form 1.78.0 (two most recent);
- \* Complaint Index, Form 1.80;
- \* Any pending or sustained complaint investigations, via a Complaint Information Tracking System (CITS) report;
- \* Any other investigations being conducted by IAG; and,
- \* Adverse judicial findings.

**Note:** The Legal Unit, Risk Management

Group, shall be contacted for information on adverse judicial findings.

The intent of reviewing a selected candidate's work history is to assist in the evaluation of that candidate's appropriateness for IAG duties and responsibilities.

**763.69 SELECTION FOR LIMITED TOUR ASSIGNMENT TO INTERNAL AFFAIRS GROUP.** All lieutenants and below seeking selection to IAG shall submit a Transfer Applicant Data Sheet, their two most recent Performance Evaluation Reports, and a TEAMS report (promotion/paygrade advancement TEAMS report only).

**Assessment of Eligibility for Assignment.** Managers shall utilize existing Departmental databases, information and documents to assess eligibility for a limited tour assignment to IAG. A Loan/Transfer package, including a TEAMS Evaluation Report, shall be prepared for all selected candidates indicating that the following documents were reviewed as part of a comprehensive background check:

- \* Interview Evaluation/Questions;
- \* IAG Loan Rating;
- \* TEAMS report (promotion/paygrade advancement only);
- \* Any pending or sustained complaint investigations, via a CITS report;
- \* Complaint Index; and,
- \* Adverse judicial findings.

**Note:** If a loanee is selected for permanent assignment to IAG within 90 days of completing the loan, a new eligibility assessment is not required. However, a loanee's Interview Evaluation/Questions and IAG Loan Rating shall still be reviewed and considered.

**Disqualification – Loan and Limited Tour Assignment.** In most cases, sworn employees who have a sustained complaint in any of the following categories shall be disqualified from consideration for an IAG position:

- \* Excessive use of force;
- \* False arrest or charge;
- \* Improper search or seizure;
- \* Sexual harassment;
- \* Discrimination; or,
- \* Dishonesty.

The Commanding Officer, IAG, may decide to select or retain a sworn employee with a sustained complaint in one or more of these categories. However, that decision must be justified on a TEAMS Evaluation Report and retained in the interview/selection package. Additionally, the consideration of any adverse judicial finding or discipline against a sworn employee for any of the above categories shall also be documented in the TEAMS Evaluation Report form.

**Deselection.** Sworn personnel selected and assigned to IAG may be deselected for acts or behaviors that would have disqualified them from selection to IAG. Deselection shall be

consistent with the Department's downgrade and/or administrative transfer procedures (Manual Sections 3/762.35 and 3/763.60).

Deselection shall be considered if it involves any of the sustained allegations listed above. The Letter of Transmittal for the involved complaint shall include either a recommendation to deselect or justification for retention.

**Evaluation of Performance - Tour Extension.** Assignment to IAG is a limited tour assignment (Manual Section 3/763.67). A sworn employee **may** have his/her tour extended or begin a new tour in a different section only if:

- \* He/she has performed in a competent manner, including adherence to the policies and procedures for conducting and reviewing complaint investigations; and,
- \* Upon completion of an eligibility assessment, it is determined by the Commanding Officer, IAG, that such an extension would be in the best interests of the Department and IAG.

**763.70 SELECTION TO AND/OR LOANS TO FORCE INVESTIGATION DIVISION.**

**Qualifications and Requirements.** Candidates must possess the requisite experience, as well as outstanding leadership, supervisory, and administrative skills. Sworn personnel seeking selection to FID shall submit a Transfer Applicant Data Sheet, Form 15.88, their two most recent Performance Evaluation Reports, Form 1.78.0, and a current copy of their Training Evaluation and Management System (TEAMS) report (promotion/paygrade advancement TEAMS report only).

Unless they have already attended, selected employees shall attend and successfully complete the first available Police Officer Standards and Training (POST) certified Homicide School following selection. In the event a selected candidate has not attended Supervisory School, managers and supervisors shall ensure the candidate is scheduled as soon as practicable.

**Assessment of Eligibility.** In addition to reviewing the submitted documentation, supervisors and managers shall utilize existing Departmental databases, information and other documents to assess eligibility for assignment to FID, to include:

- \* Complaint Index, Form 1.80;
- \* Any pending or sustained complaint investigations, via a Complaint Information Tracking System (CITS) report; and,
- \* Any adverse judicial findings.

**Note:** The Legal Unit, Risk Management Group, shall be contacted for information on adverse judicial findings.

The intent of the review of an officer's work history is to assist in the evaluation of a

candidate's appropriateness for FID duties and responsibilities.

Evaluation of Findings. Supervisors and managers shall be required to document their consideration of any sustained complaint, adverse judicial finding, or discipline against an officer on a TEAMS Evaluation Report, Form 1.78.04, for each of the following:

- \* Excessive use of force;
- \* False arrest or charge;
- \* Improper search or seizure;
- \* Sexual harassment;
- \* Discrimination; or,
- \* Dishonesty.

The Commanding Officer, FID, may decide to select or retain an officer with a sustained complaint or adverse judicial finding in one or more of these categories. However, that decision must be justified in writing on a TEAMS Evaluation Report, Form 1.78.04, and retained in the selection package.

Deselection of FID Personnel. Sworn personnel assigned to FID may be deselected for acts or behaviors that would have disqualified them from selection to FID. Deselection shall be consistent with the Department's downgrade and/or administrative transfer procedures (Manual Sections 3/762.35 and 3/763.60). Deselection shall be considered if it involves a sustained allegation listed in this section under "Evaluation of Findings." If deselection is appropriate, the Letter of Transmittal for the involved complaint shall include either a recommendation to deselect or justification for retention.

**763.71 SUPERVISORY CROSS-TRAINING PROGRAM.** The Supervisory Cross-Training Program (SCTP) has been developed to provide sergeants and detectives with the opportunity to enhance their promotability through broadening their experience and knowledge of Department operations. The SCTP is open to persons assigned to the rank and paygrade of Detective II (D-II) and Detective III (D-III), and to non-probationary Sergeants. In selecting persons for participation in the SCTP, commanding officers (C/O) shall consider each applicant's future ability to promote, based upon the applicant's past work performance, as well as goals enumerated in the Hunter-La Ley Consent Decree.

The SCTP is designed to operate within a geographic Area or traffic division. All other bureaus, Groups, and divisions are considered specialized divisions for purposes of these guidelines. If an applicant is unable to participate at his/her Area/division of assignment, the commanding officer shall submit a copy of the application and an Intradepartmental Correspondence, Form 15.2, to the bureau commanding officer explaining why the loan cannot be arranged. The bureau commanding officer will then arrange a loan between the Areas/divisions within his/her bureau.

**Note:** All original SCTP applications shall be retained according to current records retention requirements.

**Program Guidelines.** Prior to selecting persons for participation in the SCTP, commanding officer's shall consider the following:

- \* Loans will be for a period of thirteen deployment periods (DPs);
- \* The Department's deployment needs, as well as its commitment to Affirmative Action goals, must be considered in all cross-training assignments;
- \* The number of employees allowed to participate at any given time should be limited to an equal number of sergeants and detectives;

**Exception:** Personnel assigned to specialized divisions who participate in the SCTP will not be replaced in their assignment with a recipient participant.

- \* Loans are on a voluntary basis. Participants are allowed to revert back to their regular assignment before expiration of the loan if the deployment needs of the Department permit;

**Note:** Participants are reminded that should they revert back to their regular assignment prior to the loan expiration, the person who is loaned to their assignment may also be forced to prematurely return to their regular assignment at the discretion of the commanding officer.

- \* Cross-training assignments shall not be used to fill vacant positions;
- \* Sergeants shall not be placed in D-III positions, nor shall detectives be placed in Sergeant II positions;
- \* Sergeants I and II must work in an Area/division detective assignment. They shall not work in specialized detective divisions under the provisions of the SCTP;
- \* Participation in any training course shall be at the discretion of the recipient Area/division's commanding officer; and,
- \* If an applicant is the subject of a pending personnel complaint, participation in the SCTP will be at the discretion of both the participant's regularly assigned commanding officer and the recipient's commanding officer.

**Selection Criteria.** Employees of the rank of D-II, D-III, Sergeant II, and non-probationary Sergeant I are eligible to participate in the SCTP.

**Note:** A Sergeant I is eligible to participate in the SCTP upon successful completion of probation and after having been transferred from the probationary division of assignment.

**Detective Applicants.** Detectives II and III with at least one year in their current paygrade and with no prior supervisory experience in patrol will have priority in the selection process.

Detectives II and III who have prior supervisory experience in patrol may also be selected; however, they will have a lower priority in the selection process.

**Note:** According to the 2003-2006 MOU, detectives are not eligible to receive the Uniform Field Assignment Incentive pay. Participation in the SCTP does not affect a participant's basic pay.

**Sergeant Applicants.** Sergeants I and II with at least one year in their current paygrade and with no prior detective experience will have priority in the selection process.

Sergeants I and II who have prior detective experience may also be selected; however, they will have a lower priority in the selection process.

**Note:** According to the 2003-2006 MOU, eligible field personnel will be paid their Uniform Field Assignment Incentive pay for two DPs following commencement of their loan. Thereafter, they shall not receive the incentive until they resume the duties covered by the incentive. Participation in the SCTP does not affect a participant's basic pay.

**Selection of Employees.** Participants in the SCTP will be selected by the Area/division commanding officer based on priority ranking.

**Note:** If the loan will be outside of a participant's Area/division of assignment, the bureau commanding officer will coordinate the loan.

When an applicant is notified that he/she is to participate in the SCTP, he/she may decline the assignment; however, the applicant will be placed at the end of the existing priority list. The applicant will be allowed to decline two assignments. Declining a third assignment will result in removal from the list.

**Note:** An employee may reapply to the SCTP after a six-month period.

When an employee receives a loan assignment, his/her specific duties and work hours will be determined by the recipient commanding officer.

An applicant who transfers to a new Area/division after being included on the applicant list in the previous Area/division must notify the new commanding officer and request to be placed on the list for the new Area/division. The new commanding officer will decide what priority the applicant will have on the list.

**Geographic Area and Traffic Divisions - Participation Procedures.**

**Applicant Responsibility.** An employee wishing to participate in the SCTP must apply by completing a Supervisory Cross-Training Program Application form and submitting it to his/her commanding officer.

**Commanding Officer - Responsibility.** Upon receipt of an SCTP application, a commanding officer shall:

- \* Prioritize the applicants according to the guidelines in Section I;
- \* Accommodate as many applicants as possible based on deployment needs;
- \* Notify concerned employees as they are selected for SCTP participation and complete the appropriate section on the SCTP application;
- \* Maintain a tracking system in order to notify participants when the end of their loan is approaching;
- \* If unable to accommodate an applicant, submit a copy of the applicant's SCTP application, along with an Intradepartmental Correspondence, Form 15.2, to the bureau commanding officer:
- \* Explain why an applicant is not able to participate within his/her own Area/division.
- \* Request that the bureau commanding officer coordinate a loan with another Area/division within the bureau.
- \* When necessary, obtain advice from Training Division (TD) regarding the SCTP;
- \* Ensure that personnel no longer eligible for the Uniform Field Assignment Incentive pay are identified on the roster provided by Fiscal Operations Division.

**Note:** According to the 2003-2006 MOU, eligible field personnel shall be paid their Uniform Field Assignment Incentive pay for two DPs following commencement of their loan. Thereafter, they shall not receive the incentive until they resume the duties covered by the incentive. Personnel of detective rank are not eligible for the incentive. Participation in the SCTP does not affect a participant's basic pay.

- \* At the end of each fiscal year, each concerned commanding officer shall prepare and submit to TD via the bureau commanding officer, a written report containing the following information:
- \* The sex, race, rank, and paygrade of the SCTP participants who are regularly assigned to the commanding officer's Area/division;
- \* The number of participants who completed the loan;
- \* If applicable, a brief summary of the reason(s) program participation was not completed;
- \* How the SCTP functioned; and,
- \* Commendations or recommendations pertaining to the operation of the SCTP.

**Specialized Divisions - Participation Procedures.** For purpose of this Section, all bureaus, Groups, or divisions, other than geographic Areas and traffic divisions, are considered specialized divisions. Detectives and sergeants in specialized divisions may

participate in the SCTP. However, commanding officers must be aware that a recipient participant will not be allowed to replace the detective/sergeant in his/her regular work assignment. The intent and purpose of the SCTP is to provide overall detective/sergeant training to a participant who has never worked in, or had limited exposure to, his/her counterpart's role. This cannot be effectively accomplished by placing an individual in a specialized division.

**Applicant's Responsibility.** An employee wishing to participate in the SCTP must apply by completing a Supervisory Cross-Training Program Application and submitting it to his/her commanding officer.

**Commanding Officer's Responsibility.** Upon receipt of a SCTP application, a commanding officer shall:

- \* Prioritize applicants according to the Guidelines as noted in Section I;
- \* Determine, based on deployment needs, if it is possible for the applicant(s) to participate in the SCTP;
- \* If it is possible, submit a copy of the SCTP application along with a Form 15.2, requesting participation to each of the entities selected by the applicant;

**Note:** Every effort should be made to place the applicant in the Area/division of his/her first choice.

- \* Notify concerned employees when they are selected and complete the appropriate section on the SCTP application;
- \* Coordinate with the recipient commanding officer the date the loan will commence;
- \* Advise the bureau commanding officer of an employee's participation in the SCTP;
- \* Maintain a tracking system in order to notify a participant(s) when the end of the loan is approaching;
- \* At the end of each fiscal year, each concerned commanding officer shall prepare and submit to TD, via the bureau commanding officer, a written report containing the following information:
- \* The sex, race, rank and paygrade of the SCTP participants who are regularly assigned to the commanding officer's Area/division;
- \* The number of participants who completed the loan;
- \* If applicable, a brief summary of the reasons(s) program participation was not completed;
- \* How the SCTP functioned; and,
- \* Commendations or recommendations pertaining to the operation of the SCTP.

- \* If it is not possible to permit an applicant to participate in the in SCTP;
- \* Advise the applicant of the reason(s);
- \* Advise the applicant if participation is possible at a later date;

- \* Document on the SCTP application the reason(s) for denial; and,
- \* Submit a copy of the application with denial reason(s) to the commanding officer, TD for inclusion into TD's annual report to the federal court.

**Note:** If there were no participants in the SCTP, a commanding officer is not required to complete a year-end report. If applicable, submission of the denied application(s) to TD is all that is required.

**Bureau Commanding Officer's Responsibility.** A bureau commanding officer shall be responsible for:

- \* Coordinating all SCTP loans between Area/divisions within the bureau.
- \* Forwarding the reports submitted by the Areas/divisions regarding the SCTP to TD.

**Training Criteria - Sergeant to Detective.** Detective commanding officers are encouraged to implement a detective detail rotation in order to provide each participant with as much experience as possible.

Until adequate training has been received, the participant shall be assigned to an experienced detective. This would also apply to any new internal assignment resulting from detail rotation.

**Training Criteria - Detective to Sergeant.** An Area/division commanding officer shall ensure that a detective is fully equipped for assignment as a field sergeant. This can be accomplished by using the Individual Uniform and Equipment Division Inspection Record, Form 1.41.

For training purposes, the participant shall be assigned to ride along with a senior sergeant on the watch. When the watch commander determines that the participant has received adequate training, the participant will no longer be required to ride along with a senior sergeant and, at that time, he/she will be assigned all regular supervisory duties.

Personnel complaints and projects may be assigned to detectives loaned to patrol assignments in the same manner as they are assigned to regularly assigned sergeants.

**Completion of the SCTP.** Participation in the SCTP for thirteen DPs constitutes successful completion of the cross-training assignment. Completion of this assignment shall be recorded on the participant's Training Evaluation and Management System record.

**Employee Ratings.** A Special Rating, Performance Evaluation Report – Lieutenants and Below, Form 1.78, shall be prepared by the entity to which the participant was loaned. The rating shall be completed at the end of the loan period.

**Loan Extensions.** A loan beyond thirteen DPs will not be permitted unless exigent circumstances exist. The need for an extension must be evaluated on a case-by-case basis.

Final extension approval will rest with the participant's regularly assigned commanding officer.

**Return to Regular Assignment Prior to Program Completion.**

**Employee's Request.** Although the established duration of the SCTP is thirteen DPs, a participant may revert back to his/her regular assignment at any time, as Department deployment needs permit. Participants wishing to return to their regular assignment prior to completion of the loan period must prepare an Employee's Report, Form 15.7, and submit it to the commanding officer of the loaned assignment.

**Note:** Participants are reminded that should they prematurely revert back to their regular assignment, the person who is loaned to their assignment may also be forced to return to their regular assignment at the discretion of the commanding officer.

**Commanding Officer's Request.** A commanding officer may end a loan and return the participant back to his/her regular assignment due to unsatisfactory performance. Documentation of the participant's unsatisfactory performance shall be noted on a Special Rating report.

**Note:** If a participant request termination of the loan due to personal reasons or hardship, a Special Rating report is not necessary.

If a participant is returned to his/her regular assignment due to unsatisfactory performance, the commanding officer may or may not require the participant's counterpart to revert back to his/her regular assignment.

**Deferment of Participation.** If an applicant wishes to defer program participation after being placed on a prioritized participation list, the applicant shall submit a Form 15.7, to the commanding officer to request deferment. The Form 15.7 shall include the date the deferment will expire or indicate it is indefinite. If the applicant becomes available for SCTP participation prior to the date previously submitted, he/she shall notify the commanding officer via a Form 15.7. When a deferment is of an indefinite time period, a Form 15.7 shall be submitted to the commanding officer when the applicant is available to participate.

**Withdrawal of Application.** If an applicant wishes to withdraw his/her SCTP application, the applicant shall complete a Form 15.7 requesting the application be withdrawn. The Form 15.7 shall be retained with the application.

**Training Division's Responsibility.** Training Division shall be responsible for:

- \* Providing direction and advice regarding the SCTP based on the goals and intent of the Consent Decree.
- \* Submitting an annual report to the federal court regarding the SCTP and its adherence to the Consent Decree.

**763.72 REASSIGNMENT OF LIEUTENANTS AND ABOVE.** The Chief of Police is authorized to advance or reassign officers in the paygrade positions of Lieutenant I through Deputy Chief II within their respective classes, based upon the immediate needs and the best interests of the Department. When the needs or best interests of the Department dictate the reassignment to a lower paygrade of an officer holding one of these advanced paygrade positions, the officer shall be given ten days notice prior to such reassignment.

**Exception:** When captains are reassigned to a lower paygrade position, they shall be given a 15-day notice or one day for every year of completed service, whichever is greater, up to a maximum of 30 days notice.

**763.75 GANG ENFORCEMENT DETAIL - QUALIFICATION AND SELECTION REQUIREMENTS.**

**Basic Eligibility Requirements - Officers.** Prior to applying for a GED position, officers shall have:

- \* Completed probation and have acquired three years as a police officer with the Department, two years (26 deployment periods) of which must have been service performed in a geographic field (patrol), Transit Bus/Rail patrol, and/or traffic assignment; and,
- \* Demonstrated a history and/or proficiency in a variety of law enforcement activities (i.e., interpersonal skills, administrative skills, cultural and community sensitivity, and a commitment to police integrity and professional conduct) as documented in an applicant's Performance Evaluation Reports, Form 1.78.0.

**Basic Eligibility Requirements - Supervisors.** Prior to applying for a GED position, supervisors shall have:

- \* A minimum of one year as a patrol supervisor;
- \* Completed and wheeled from a probationary Area of supervisory assignment; and,
- \* Demonstrated outstanding leadership, supervisory, and administrative skills, as documented in an applicant's Performance Evaluation Reports, Form 1.78.0.

**Application Requirements for a GED Position.** In addition to participating in a formal documented oral interview, sworn personnel applying for assignment to a GED shall submit the following:

- \* Transfer Applicant Data Sheet, Form 15.88;
- \* Performance Evaluation Reports, Form 1.78.0, (two most recent); and,
- \* Training, Evaluation and Management Systems (TEAMS) report (promotion/paygrade advancement TEAMS report only).

**Transfer/Loan Requirements.** A transfer/loan of a supervisor or officer(s) into a GED assignment may be made to meet operational needs (e.g., a need for language/supervisory expertise, to address a dramatic increase in violent crime, or fill unexpected vacancies, etc.) by mutual agreement of the concerned bureau commanding officers. In such cases:

**Note:** If the employee being transferred/loaned has objections or expresses concerns about being assigned to this assignment, the employee's concerns should be addressed and considered by the concerned bureau commanding officer.

- \* The application requirements listed in this section shall still be met except for submission of a Transfer Applicant Data Sheet and the formal documented oral interview. However, a supervisor from the gaining command must still have a meeting with the proposed employee being transferred/loaned. The date of this meeting shall be documented; and,
- \* Transfers/loans to GED based on operational needs shall be justified in writing on an Intradepartmental Correspondence, Form 15.2, and submitted along with the transferred/loaned employee's TEAMS Evaluation Report interview/selection package via the chain of command to the Commanding Officer, Special Operations Bureau, for informational purposes and review, as appropriate. The approved Form 15.2 shall be maintained in the transferred/loaned employee's interview/selection package.

**763.76 SELECTION PROCESS FOR GANG ENFORCEMENT DETAILS.**

**Selection Process.** To be selected for a GED/CLEAR assignment, candidates must participate in either the advanced paygrade process or a Suitability Interview, as determined below:

**Police Officer II**

- \* A Police Officer II (PO-2) on a Police Officer III (PO-3) eligibility list competing for a PO-3 GED vacancy (advanced paygrade process); or,
- \* A PO-2 applying for any PO-2 GED vacancy within or outside his/her assigned Area (Suitability Interview);

**Police Officer III**

- \* A PO-3 from outside the Area transferring into a PO-3 GED vacancy (advanced paygrade process); or,
- \* A PO-3 selected from within the Area to fill a PO-3 vacancy (Suitability Interview).

**Advanced Paygrade Selections.** The process and documentation requirements established for filling advanced paygrade positions have not changed, including the requirement that the position be advertised.



**Note:** Changing divisional assignments at the same rank (e.g., moving a PO-3 from patrol to a GED within the same division) does not necessitate that the position be advertised or subject to the advanced paygrade hiring process.

For selectees chosen via the advanced paygrade process, an Intradepartmental Correspondence, Form 15.2, justifying the selection is required (Human Resources Bureau Notice, dated March 29, 2001).

**Suitability Interview.** In addition to meeting all application requirements established in Manual Section 3/763.75, these applicants shall participate in an oral interview with the commanding officer and/or his/her designee. The Suitability Interview is not intended to mirror the oral interview process for advanced paygrade assignments. It is a vehicle used to confirm a selectee's suitability for assignment to a GED.

The commanding officer and/or his/her designee conducting the Suitability Interview shall ensure that the following information is documented on a TEAMS Evaluation Report, Form 1.78.04, after the interview:

- \* Name of interviewer;
- \* Date of interview; and,
- \* Summary of discussion detailing suitability for GED assignment, emphasizing traits that indicate the selectee has demonstrated proficiency in a variety of law enforcement activities, necessary interpersonal and administrative skills, cultural and community sensitivity, and a commitment to police integrity.

**Documentation Requirements for All GED Selectees.** Commanding officers shall be responsible for documenting on a TEAMS Evaluation Report, a brief, positive evaluation of all GED/CLEAR selectees, incorporating reasons for that employee's selection. For applicants selected via the Suitability Interview, one TEAMS Evaluation Report may be used to document both the positive evaluation and the Suitability Interview.

Additionally, commands shall complete a Request for Transfer/Change in Paygrade, Form 1.40, for all GED/CLEAR selections and submit it to Sworn Personnel Services Section (formerly Position Control Section), Personnel Division (Human Resources Bureau Notice, dated March 29, 2001).

**763.77 REVIEW OF SELECTED CANDIDATE'S WORK HISTORY AND EVALUATION OF FINDINGS.** An interview/selection package shall be prepared for each GED applicant or "operational need" transfer/loan as part of an eligibility review and assessment. Until such time as TEAMS II is available, supervisors and managers shall, in addition to reviewing documentation listed in Manual Section 3/763.75, utilize existing Departmental databases, information, and other

documents to conduct this eligibility review and assessment, to include:

- \* The applicant's Divisional Employee Folder, Form 01.01.0, and Department personnel package; and,
- \* Adverse judicial findings.

**Note:** The Legal Unit, Risk Management Group, shall be contacted for information on adverse judicial findings.

The intent of reviewing an officer's work history is to assist in the evaluation of a candidate's appropriateness for GED duties and responsibilities.

**Documentation of Findings.** Supervisors shall document in writing on a TEAMS Evaluation Report, Form 1.78.04, their consideration of any sustained complaint, adverse judicial finding, or discipline against an officer for each of the following:

- \* Excessive force;
- \* False arrest or charge;
- \* Improper search/seizure;
- \* Sexual harassment;
- \* Discrimination; or,
- \* Dishonesty.

Supervisors and managers may decide to select or retain (i.e., extension of assignment) an officer with a sustained complaint or adverse judicial finding in one or more of these categories. However, that decision must be justified in writing on a TEAMS Evaluation Report and retained in the interview/selection package.

**Selection.** The interview/selection package for the selected candidate shall be submitted to the Area commanding officer for review. If approved, the commanding officer shall sign the TEAMS Evaluation Report. Interview/selection packages shall be securely maintained within the administrative offices of the Area commanding officer.

**Deselection.** Sworn personnel assigned to a GED may be deselected if they commit an act or behavior that would have disqualified them from selection to GED. Deselection shall be considered if it involves any of the sustained allegations or adverse judicial findings resulting in a determination of misconduct in the categories listed in Manual Section 3/763.77. The Letter of Transmittal for the involved complaint shall include either a recommendation to deselect or justification for retention.

**763.78 GANG ENFORCEMENT DETAIL AS A LIMITED TOUR ASSIGNMENT.** The Gang Enforcement Detail is a limited tour assignment. Officers and supervisors are limited to 39 deployment periods in a GED assignment. A GED officer shall not work in a GED assignment beyond the tour limit of 39 Deployment Periods until his/her extension request has been approved by the appropriate entity (i.e., the Bureau commanding officer or the Chief of Police, as

determined by the duration of the extension requested) and placed in the officer's interview/selection package. To facilitate this, original extension requests (as submitted via a TEAMS Evaluation Report) and related attachments shall, upon approval, be returned directly to the originating Area. Approving entities shall forward informational copies of approved extensions to the Commanding Officer, Special Operations Bureau.

Additionally, officers and supervisors, at the end of their GED tours, are not eligible for another GED assignment until 13 deployment periods have elapsed since completion of their most recent GED assignment, without prior written approval from the Chief of Police.

**Note:** A lapse period shall not apply to personnel currently assigned and transitioning from a Specialized Enforcement Unit (SEU) to a GED. A limited tour assignment is cumulative to include time spent in both an SEU and a GED.

Commanding officers must anticipate the culmination of these limited tours of duty and prepare for the transition of officers and supervisors assigned to a GED.

**Extension of Assignment.** An extension of up to three deployment periods in a GED may be granted upon written approval by a bureau commanding officer. Any longer extension shall require written approval from the Chief of Police. The Chief of Police will consider extensions of up to 26 additional deployment periods.

**Extension Review.** Sworn personnel may be considered for an extended GED tour if:

- \* They have performed in a competent manner, including adherence to the policies and procedures; and,
- \* Upon completion of an eligibility review and assessment, it is determined that such an extension would be in the best interests of the Department and the involved GED.

**Process for Extending a GED Assignment.** Prior to the end of an employee's GED tour, a GED supervisor interested in extending an employee's assignment shall conduct another eligibility review and assessment on the employee as outlined in this section. This assessment, i.e., the TEAMS Evaluation Report, Form 1.78.04, a current TEAMS report (promotion/paygrade advancement TEAMS printout only), and all available attachments shall be submitted via the employee's chain of command for consideration and approval by the appropriate entity (as determined by the duration of the requested extension), and a copy placed in the employee's interview/selection package. Additionally, another eligibility review and assessment shall be conducted for employees after completion of 13 deployment periods in their extended capacity.

**763.85. FIELD TRAINING OFFICER SELECTION.**

**763.86 ASSIGNMENT OF POSITION.**

Sworn personnel working in a non-FTO position can be assigned to an FTO position in several ways, most commonly as:

- \* A current Police Officer III in a non-FTO position (e.g., coming from an in-house vice assignment and competing for an FTO position);
- \* A Police Officer II on a Police Officer III eligibility list competing for an FTO position via the advanced paygrade selection process; or,
- \* A Police Officer III (an existing FTO or non-FTO) laterally transferring into an FTO position (Memorandum No. 4, 1980).

Sworn personnel competing for an FTO assignment shall submit a Transfer Applicant Data Sheet, Form 15.88, their two most recent Performance Evaluation Reports, Form 1.78.0, and a current copy of their Training Evaluation and Management System (TEAMS) report (promotional/paygrade advancement TEAMS report only).

**Review of Selected Candidate's Work History and Evaluation of Findings.**

In addition to reviewing documentation listed above, managers shall utilize existing Departmental databases, information and other documents to assess a selected FTO candidate's work history, to include:

- \* A Complaint Index, Form 1.80; and,
- \* Adverse Judicial findings.

**Note:** The Legal Unit, Risk Management Group, shall be contacted for information on adverse judicial findings.

The intent of reviewing a selected candidate's work history is to assist in the evaluation of that candidate's appropriateness for FTO duties and responsibilities.

Supervisors and managers shall document their consideration of any sustained complaint, adverse judicial finding, or discipline against a selected candidate on a TEAMS Evaluation Report, Form 1.78.04, for each of the following:

- \* Excessive use of force;
- \* False arrest or charge;
- \* Improper search or seizure;
- \* Sexual harassment;
- \* Discrimination; or,
- \* Dishonesty.

Supervisors and managers may decide to select or retain an employee with a sustained complaint or adverse judicial finding in one or more of these categories. However, that decision must be justified in writing on a TEAMS Evaluation Report and retained in the interview/selection package.

**Review of Candidate's Work History and Evaluation of Findings – Lateral Transfers.**

Sworn employees seeking to laterally transfer into an FTO position shall submit the following for review and approval by both the current commanding officer and the commanding officer of the gaining Area/division:

- \* Current TEAMS report (promotional/paygrade advancement TEAMS report only);
- \* Performance Evaluation Reports (two most recent), Form 1.78.0; and,
- \* Request for Transfer and/or Change in Paygrade, Form 1.40.0.

When approved, the documents shall be forwarded to and maintained at Personnel Division. Upon actual transfer of a sworn employee, the gaining commanding officer shall conduct another work history review and assessment as outlined in Manual Section 3/763.77. The review shall be placed in a divisional file maintained for all original completed TEAMS Evaluation Reports, Form 1.78.04.

**Tasks and Competencies.** Field Training Officers must be skilled, knowledgeable, and able to provide training to probationary officers in the areas of:

- \* Observing and evaluating performance;
- \* Providing training and feedback;
- \* Preparing documentation as specified in the FTO Manual;
- \* Oral communications;
- \* Interpersonal relations;
- \* Written communications;
- \* Coaching and evaluating;
- \* Department policies, programs, procedures and technical skills;
- \* Police and civil rights integrity issues;
- \* Problem solving;
- \* Analysis; and,
- \* Sensitivity to cultural and community diversity.

It remains the responsibility of each FTO to maintain proficiency in the performance of his/her assignment. The FTO must also remain in compliance with current requirements, including the successful completion of the Peace Officer Standards and Training mandated FTO School and any required FTO recertification course(s). It is incumbent upon commanding officers to continually monitor the performance of their command's FTOs and their compliance with FTO training standards.

The Department shall ensure that FTOs receive adequate training, including training to be an instructor, and training in Department policies and procedures to enable them to carry out their duties.

**Conditional Assignment Pending Training.**

Every employee selected for or assigned to an FTO position shall have successfully completed FTO School prior to working with Phase I (i.e., ride-a-long from the police academy) or II probationary officers. A sworn employee assigned as an FTO who has prior

FTO experience but has not worked in that capacity for a period of two or more years, shall also attend and successfully complete either the FTO School or an FTO refresher course prior to working with a Phase I or II probationary officer.

An officer's FTO assignment is **conditional** upon successful completion of the requisite school. If the officer is unable to successfully complete the requisite school, a Notice to Correct Deficiencies (NTC), Form General 78, will be served to the officer, who will then have **90 days** to complete remedial training.

Absent exigent circumstances such as extended illness or injury, the FTO candidate will be downgraded or transferred to a non-FTO position if he/she fails to successfully complete remedial training, pursuant to Manual Sections 3/763.60 and 3/762.35. In the case of a downgrade and/or transfer of an employee during this conditional assignment phase, the employee may seek an administrative appeal via Employee Relations Group.

**Note:** The current Memorandum of Understanding (MOU #24) outlines the administrative appeal process and filing requirements.

Additionally, an officer who is deselected and downgraded from an FTO position may not seek a Police Officer III position until such time as he/she again passes the Police Officer III written examination.

An FTO's commanding officer shall have final authority for removing an FTO from the responsibility of training a Phase II probationer.

**763.87 FIELD TRAINING OFFICER DESELECTION.**

Sworn employees assigned as FTOs may be deselected for acts or behaviors that would have disqualified them from selection as an FTO. Deselection of an FTO shall be consistent with the Department's downgrade and/or administrative transfer procedures (Department Manual Sections 3/762.35 and 3/763.60). Deselection shall be considered if it involves a sustained allegation in the categories listed in Manual Section 3/763.77. The Letter of Transmittal for that complaint shall include either a recommendation to deselect or justification for retention.

**763.88 ACKNOWLEDGMENT RECEIPT.**

All sworn employees seeking assignment to an FTO position shall complete an Acknowledgment Receipt (Acknowledgement). The Acknowledgment provides notice to employees that assignment to an FTO position is conditional pending successful completion of the requisite training, and that failure to complete the training will generally result in an employee's reassignment to a lower pay grade.

Sworn employees shall submit a signed Acknowledgment along with the Transfer Applicant Data Sheet and other required

documentation as required to apply for an FTO position. Upon selection as an FTO, the Acknowledgment shall be filed in the employee's divisional personnel package. In the case of a lateral transfer from one FTO position to another, signing a new Acknowledgment shall not be necessary. If an employee leaves an FTO position for another paygrade advancement position, then wishes to return to an FTO position at a later time, a new Acknowledgment shall be signed.

**763.89 COMMANDING OFFICER'S RESPONSIBILITY.** Commanding officers shall, either prior to the oral interview for an FTO position or prior to approving a lateral transfer, ensure that each employee who may be conditionally assigned as an FTO reads and signs an Acknowledgment Receipt. For employees selected, the original Acknowledgment shall be placed in their divisional personnel package, and a copy shall be placed in their interview/selection package. For employees not selected, the original Acknowledgment shall be retained in their interview/selection package.

Commanding officers shall ensure that FTOs who fail to meet minimum FTO training requirements, or who otherwise display weakness in the FTO tasks and competencies, are provided appropriate remedial training. Commanding officers are also responsible for initiating a request for reassignment to a lower paygrade position when an FTO fails to successfully complete an FTO certification or recertification course, or otherwise demonstrates an inability or unwillingness to perform the essential duties of an FTO. The commanding officer shall report FTO deselections (limited to those resulting from poor performance or misconduct that would have precluded their initial selections as FTOs) within seven days of the action via an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Training Division. The Form 15.2 shall include the date of the action, the employee's name and serial number, and reason for the deselection.

In limited circumstances where it may be appropriate to initiate an administrative transfer without a reduction in paygrade, the commanding officer shall submit a request for an exception to the Chief of Police via the commanding officer's chain of command and Employee Relations Group. If that request is approved, the employee shall either be reassigned to a non-FTO position or administratively transferred pursuant to the provisions of Manual Section 3/762.35.

**Commanding Officer, Training Division, Responsibility.** The Commanding Officer, Training Division, shall ensure that all employees completing FTO School have been evaluated on their skills, knowledge, and ability to provide training in the tasks and competencies listed in Manual Section 3/763.86. Each officer shall be evaluated on these requirements. A checklist of these tasks

and competencies shall be prepared for each employee successfully completing the training and forwarded to that employee's assigned Area/division upon completion of training. The tasks and competencies checklist shall be maintained in the employee's divisional personnel package.

In the event an FTO fails to successfully complete FTO School or other required FTO recertification or refresher course, the Commanding Officer, Training Division, shall schedule the employee for remedial training as soon as practicable and shall, without delay, assign a supervisor to counsel the employee and complete a Notice to Correct Deficiencies (NTCD), Form General 78. In the event an employee fails to successfully complete FTO school and remedial training, the employee's commanding officer shall be notified both verbally and via an Intradepartmental Correspondence.

**764. ASSIGNMENT OF CIVILIAN EMPLOYEES TO ADVANCED PAYGRADES.**

**764.10 EVALUATION RESPONSIBILITY-OFFICE OF SUPPORT SERVICES.** Office of Support Services shall be responsible for the following duties relative to advanced paygrade evaluation procedures for civilian employees:

- \* Administration of advanced paygrade evaluation procedures in accordance with present and anticipated Departmental needs;
- \* Establishment of eligibility requirements for applicants to each advanced paygrade assignment in compliance with the provisions of Chief Administrative Officer (CAO) Rule 12;
- \* Determination and verification of individual eligibility for advanced paygrade assignments; and,
- \* Advertisement of advanced paygrade positions in the Civilian Paygrade Advancement and Transfer Opportunities for ten (10) days.

**764.20 ADVANCED PAYGRADE ASSIGNMENT PROCEDURES.**

**Reporting Vacancies.** Commanding officers who have, or anticipate a civilian advanced paygrade vacancy within their command shall notify Civilian Personnel Services Section, Personnel Division, as soon as they become aware of such a vacancy. To ensure that all employees are aware of vacancies in advanced paygrade positions, commanding officers shall cause the notice of Civilian Paygrade Advancement and Transfer Opportunities to be posted in a designated, conspicuous location on the divisional bulletin board for a one-week period.

The commanding officer may also elect to advertise Citywide. If, after advertising Citywide there are no qualified candidates who meet the minimum standards for that position,

a request for certification of the eligible list may be made.

**Note:** Available Department and/or Citywide candidates who have applied and were not appointed to advanced paygrade vacancies shall be notified prior to any certification of the eligible list.

**Application/Selection of Civilian Employees to Advanced Paygrades.**

**Employee's Responsibility.** Civilian employees interested in applying for an advertised position shall forward the following forms to the concerned commanding officer:

- \* A completed Departmental Application for Employment Form.
- \* Copies of their last two annual Employee Evaluation Reports, Form PDAS-28.

**Commanding Officer's Responsibility.** When a commanding officer has six candidates or less, all of the candidates shall be interviewed. If there are more than six candidates, the commanding officer may screen the candidates to reduce the number to the six best qualified. The screening process shall include the following considerations:

- \* The relevancy and recency of the candidate's experience and education as indicated on the Departmental Application for Employment Form;
- \* The candidate's last two Employee Evaluation Reports, Form PDAS-28; and,
- \* Other written job-related criteria and minimum acceptable standards as established by the concerned commanding officer and the Commanding Officer, Personnel Division.

Selection shall be made by the concerned commanding officer based upon the criteria outlined above and approved by the concerned bureau commanding officer. Upon approval of the recommendation, the concerned commanding officer shall:

- \* Forward a completed Request for Transfer and/or Change in Paygrade, Form 1.40, to the Civilian Personnel Services Section, Personnel Division, for the candidate selected;
- \* List on the back of the original copy of the Form 1.40 submitted for the successful candidate the name, serial number, gender, ethnicity, and City department (for candidates from other than the Police Department) of those candidates who have applied for the advanced paygrade position and were not selected; and,
- \* Retain any documentation generated in the selection process, including the Departmental Application for Employment Form, and the Employee Evaluation Report, Form PDAS 28, for the advanced paygrade assignment in the concerned Area/division in accordance with the Los Angeles City Administrative Code, Section 12.3, Records Retention Schedule. The documentation shall be retained for a

period of ten years, three years in the concerned Area/division and seven years at the City Records Center.

**764.30 REASSIGNMENT TO LOWER PAYGRADE-PROCEDURES.** A civilian employee may be reassigned to a lower paygrade position within his/her classification when one of the following conditions exists:

- \* The position is terminated;
- \* The employee requests the assignment;
- \* The employee has unsatisfactorily performed his duties; or,
- \* The best interests of the Department will be served.

The Form 1.40 shall be initiated by the employee's commanding officer when an employee is to be reassigned to a lower paygrade position.

**Exception:** When the assignment to a lower paygrade is requested by the employee, the employee shall initiate the Form 1.40.

The following procedures shall apply to civilians reassigned to lower paygrades:

- \* The concerned commanding officer shall cause the Form 1.40 to be forwarded, through channels, to the concerned bureau commanding officer;
- \* Upon concurrence, the concerned bureau commanding officer shall cause the Form 1.40 to be forwarded to the Commanding Officer, Personnel Division; and,
- \* The Commanding Officer, Personnel Division, shall:
  - \* Cause a review of the reassignment action to ensure adherence to proper personnel practices;
  - \* Cause the effective date of the reassignment to be entered on the Form 1.40; and,
  - \* Cause the appropriate changes to be made in the employee's payroll records.

**764.40 CIVILIAN ADVANCEMENT TO HIGHER PAYGRADE POSITION.** The commanding officer requesting the advancement in paygrade of a civilian employee under his command shall cause verification of the employee's current eligibility. The requesting commanding officer shall cause the Form 1.40 to be forwarded, through channels, to the concerned group or bureau commanding officer for approval. Upon approval of the recommendation, the concerned group or bureau commanding officer shall cause the Form 1.40 to be forwarded to the Commanding Officer, Personnel Division.

The Director, Office of Support Services, shall:

- \* Also cause verification of the employee's eligibility for advancement and cause the effective date of the advancement to be entered on the Form 1.40; and,
- \* Be responsible for the initiation of procedures to cause appropriate changes to

be made in the employee's payroll records. The Form 1.40 shall be filed in the employee's personnel folder.

**764.50 REASSIGNMENT FOR UNSATISFACTORY PERFORMANCE OF DUTIES.** When an employee fails to satisfactorily perform the duties of the paygrade position to which he/she is assigned, the following procedures shall apply:

- \* The employee's immediate supervisor shall counsel the employee regarding the performance deficiencies and shall complete a Notice to Correct Deficiencies, Form General 78, and cause distribution of the form.
- \* Should the employee's performance remain unsatisfactory, the commanding officer shall:
  - \* Complete an Intradepartmental Correspondence, Form 15.2, recommending the reassignment of the employee to a lower paygrade position and citing the reasons for the recommendation;
  - \* Complete a Request for Transfer and/or Change in Paygrade, Form 1.40, on the employee;
  - \* Cause the completion of a Performance Evaluation Report – Lieutenants and Below, Form 1.78, on the employee;
  - \* Forward the Forms 15.2, 1.78, and 1.40 through channels to the Director, Office of Support Services; and,

**Exception:** When the concerned group or bureau commanding officer, or Chief of Staff does not concur in the recommendation, the Forms 15.2, 1.78, 1.40, and a Form 15.2 explaining the reasons for non-concurrence shall be returned to the employee's commanding officer.

- \* Inform the employee of the recommendation and provide him/her with a copy of the Forms 15.2 and 1.78.

**764.60 ADMINISTRATIVE APPEAL HEARING PROCESS FOR REASSIGNMENT OF CAPTAINS TO POSITIONS OF LOWER PAYGRADE.**

**Matters Subject to Paygrade Reduction Administrative Appeal Hearing.** A non-probationary Captain may administratively appeal a reassignment resulting in a reduction in paygrade.

**Administrative Appeal Hearing Request.** A Captain electing to administratively appeal a reassignment to a lower paygrade position shall submit an Administrative Appeal, Form 1.84, to the Employee Relations Administrator, within 20 calendar days of having been served a written notice of the Department's intent to reassign the Captain to a lower paygrade.

**Administrative Appeal Hearing Purpose.** The purpose of an administrative appeal hearing for a reassignment from an advanced

paygrade position is to provide the affected Captain the opportunity to present evidence and argument in an effort to convince the Department that he or she should not be reassigned to a lower pay grade.

At the outset of the hearing, the Department shall present an explanation of the basis of the Chief's decision to reassign the affected Captain pursuant to the authority provided in the Department Manual. During the hearing, both the Department and the employee shall have the right to present witnesses, exhibits, and arguments to the hearing officer, to which the other party shall be entitled to respond.

**Calculation of Time Periods.** All time periods shall be calculated in calendar days. When the last calendar day falls on a weekend or City holiday, the time period shall extend to the next business day.

**Representation.** A Captain has the right to an administrative appeal representative from the rank of Captain or Commander, or legal counsel, or both. Legal counsel is at the employee's expense.

**Selection of a Hearing Officer.** The hearing officer shall be a member of the Department from the ranks of Deputy Chief-I and Police Administrator-III, who shall be selected within seven days of the date the Captain requests a hearing. In selecting a hearing officer, the employee shall draw three names of eligible members. The Department representative and the employee shall each strike one of the three names selected. The Department representative shall strike the first name and the employee shall strike the second name. The remaining member shall serve as the hearing officer.

The hearing shall be a primary duty assignment for the hearing officer. The hearing officer shall resolve any initial scheduling conflicts, except scheduled Boards of Rights, in favor of an administrative appeal hearing.

Deputy Chiefs-I and Police Administrators-III are ineligible to act as a hearing officer in cases where they are or were in the employee's chain-of-command from the time of the incident through the date the hearing begins; when they are prejudiced through actual contact with the matter; when disqualified by reason of being a material witness to the matter; or where a conflict of interests exists. Disputes regarding the exclusion of a hearing officer for any of the above reasons shall be resolved by the Employee Relations Administrator whose decision shall be final.

**Hearing Officer's Responsibilities.** The hearing officer shall convene the hearing in no less than 15 days nor more than 30 days from the date of his or her selection. The hearing officer may examine witnesses testifying for the Department or employee, if any are presented. However, the hearing officer shall not consider issues or matters that were not originally stated at the time the administrative appeal was filed or matters which are beyond

the scope of the administrative appeal hearing purpose.

The formal rules of evidence do not apply, although the hearing officer shall have discretion to exclude evidence that is irrelevant or the presentation of which will otherwise consume undue time.

The decision, findings, and recommendations of the hearing officer shall be based solely on the evidence presented at the hearing.

**Discovery.** Discovery shall consist of copies of all reports and materials, if any, the Department's representative intends to present to the hearing officer to substantiate the Department's position. Discovery shall be provided as soon as practicable after selection of a hearing officer, but no later than fourteen days prior to the date the hearing commences.

**Subpoenas.** Subpoenas shall be issued pursuant to the authority provided by the Los Angeles City Charter. Subpoenas may be quashed by written motion to the hearing officer, who will decide the issue.

**Witnesses.** The Department and the employee have the right to call and cross-examine witnesses, whose testimony shall be given under oath. A complete list of witnesses to be called shall be delivered to the other party no later than seven days before the hearing, except rebuttal witnesses. Department employees called as witnesses shall be served with a Notice of Hearing, and witnesses other than Department employees shall be served by subpoena. The Department representative shall be responsible for obtaining all subpoenas. Each party is responsible to serve their own subpoenas.

**Record Of Hearings.** All testimony shall be given under oath and reported by a stenographer for possible transcription. Upon the employee's prepayment of a preparation fee, the employee shall be entitled to a certified copy of the transcript. However, the employee will be given a free copy of the transcript if the Department has all or a portion of the record transcribed within 60 days of the end of the hearing and the employee requests a copy of the transcript within 90 days of the end of the hearing.

**Findings and Recommendations of the Hearing Officer.** At the conclusion of the hearing, the hearing officer shall prepare and transmit a report to the Chief of Police with a recommendation to either restore the Captain's paygrade or leave standing the paygrade reduction. The report shall consider the appellant's evidence and arguments, and evaluate the Department's compliance with the relevant provisions of the Department Manual. The hearing officer shall articulate in the report the basis for the findings.

The hearing officer shall also complete the decision portion of a Decision of the Hearing Officer Administrative Appeal Hearing and Order of the Chief of Police, Form 1.73.1, and

forward this with the Hearing Officer's Report to the Chief of Police within 30 days of the conclusion of the hearing.

**Decision of the Chief of Police.** The Chief of Police shall make a final decision on the matter within 30 days of receiving the Hearing Officer's Report and shall complete the Order of the Chief of Police portion of Form 1.73.1. The Chief of Police may adopt or reject, in whole or in part, the proposed findings of the Hearing Officer, as appropriate under the circumstances. The decision of the Chief of Police shall be final.

The Form 1.73.1 and Hearing Officer's report shall be returned to the Employee Relations Administrator, who shall cause it to be served on the employee and distributed to appropriate entities within ten calendar days.

**Chief of Police Rejection of Hearing Officer's Recommendation to Restore Employee.** If the hearing officer recommends to the Chief of Police that the employee's advanced paygrade position be restored and the Chief of Police rejects that recommendation, the Chief of Police shall, in writing, articulate the reason(s) for rejecting the Hearing Officer's recommendation, and shall attach that report to the Form 1.73 and hearing officer's report for appropriate distribution.

**765. MERIT PAY PROCEDURES.**

**765.05 MERIT PAY-ELIGIBILITY REQUIREMENTS.** Merit pay is awarded to officers of all ranks upon completion of a specified length of service at the appropriate pay step and the certification of the required standard of service.

**Ranks of Police Officer through Lieutenant.** For the ranks of police officer through lieutenant, merit pay (Pay Step 5) is awarded after the completion of one year of service at the fourth pay step and certification of a satisfactory standard of service.

**Ranks of Captain through Deputy Chief.** To be eligible for each merit step, an officer must maintain a standard of service based on the following criteria:

Performance Rating	Minimum Service at Preceding Step		
	(Pay Step 5)	(Pay Step 6)	(Pay Step 7)
Satisfactory	2 Years	---	---
Excellent	1 Year	2 Years	---
Outstanding	1 Year	1 Year	2 Years

**Note:** The minimum standard of service specified must have been maintained during the entire period required for qualification.

Officers of all ranks must maintain the following minimum level of performance to continue to receive each applicable merit step:

Step 5	Step 6	Step 7
Satisfactory	Excellent	Outstanding

When the standard of service of an officer falls below the minimum level required for the merit step which he/she is currently receiving, action shall be initiated to reduce the officer's

salary to a level appropriate to his/her standard of service.

**765.10 APPROVAL OF ELIGIBILITY FOR MERIT PAY.**

**Lieutenants and Below.** The Commanding Officer, Fiscal Operations Division, shall cause the upper portion of the Certification of Standard of Service, Form 1.37, to be completed and forwarded to the commanding officer of the concerned officer at least 30 days prior to the officer's completion of one year of service at the fourth pay step. When the officer's standard of service is at the required level, the commanding officer shall sign the Form 1.37 and forward it to Fiscal Operations Division.

**Captains and Above.** The Commanding Officer, Personnel Division, shall cause the eligibility status of officers of the ranks of captain and commander to be verified through the administrative office of Office of Support Services and the eligibility status of an officer in the rank of deputy chief to be verified through the Office of the Chief of Police, at least 30 days prior to a staff or command officer's completion of the required period of service for merit-pay advancement. If the concerned staff or command officer is eligible for merit-pay advancement, the Commanding Officer, Personnel Division, shall cause the upper portion of the Form 1.37.1 to be completed and forwarded to the concerned Office, Chief of Staff, or bureau commanding officer. The Form 1.37.1, upon approval, shall be returned to the Commanding Officer, Personnel Division.

**765.15 WITHHOLDING, REMOVAL, OR REDUCTION OF MERIT PAY.**

**Ranks of Commander and Below.** When a commanding officer receives a Form 1.37 and it is determined that the concerned officer's standard of service does not meet the minimum criteria necessary for merit-pay advancement, the commanding officer shall immediately complete an Intradepartmental Correspondence, Form 15.2, stating the reasons for recommending that the merit-pay advancement be denied. A copy of the latest service rating report, the Form 15.2, and the Form 1.37 shall be forwarded, through channels, to the Director, Office of Support Services.

When a commanding officer determines that an officer's standard of service is such that his/her existing merit pay is in jeopardy, the commanding officer shall cause the officer to be advised of the deficiency and shall cause a Notice to Correct Deficiencies, Form General 78, to be completed and distributed. The commanding officer shall retain one copy. When the deficiency is not corrected within a reasonable time, the commanding officer shall complete the appropriate service rating report and a Form 15.2 containing a comprehensive report of the officer's deficiency and failure to take corrective action. The rating report, the

Form 15.2, and the commanding officer's copy of the Form General 78 shall be forwarded, through channels, to the Director, Office of Support Services.

**Exception:** When a bureau commanding officer is notified that the Performance Evaluation Review Board has reclassified the recommended rating of a captain or commander, and such reclassification requires a change in the officer's merit pay step, the concerned bureau commanding officer or Chief of Staff shall immediately forward a Form 15.2 and a copy of the related Performance Evaluation Report – Captains and Above, Form 1.33, to the Director, Office of Support Services.

**Rank of Deputy Chief.** Determination for the advancement, withholding, removal, or reduction of merit pay for officers of the rank of deputy chief shall be made by the Chief of Police. The concerned deputy chief shall be given written notice relative to merit-pay determination and may request a hearing with the Chief of Police to discuss the merit-pay evaluation. An appeal of the determination of the Chief of Police relative to merit-pay changes for officers of the rank of deputy chief may be made to the Board of Police Commissioners within five administrative working days.

**765.20 MERIT PAY REVIEW BOARD.**

**Responsibility of the Director, Office of Support Services.** The Director, Office of Support Services, shall:

- \* Notify the members of the Board and the concerned officer of the date, time, and location of the hearing.

**Responsibility of the Director, Office of Support Services.** The Director, Office of Support Services shall:

- \* Convene the Board as needed.
- \* Serve as the chairperson.

**Membership.** The Board shall be comprised of:

- \* The Director, Office of Support Services, as Chair.
- \* The Chief of Staff.
- \* The Director, Office of Operations.

**Responsibilities of Chairperson of the Board.** The chairperson of the Board shall:

- \* Ensure that the concerned officer is advised of the right to counsel, to confront witnesses, and to present evidence in his/her own behalf;
- \* Ensure that the officer is provided with a copy of the service rating report and his/her commanding officer's recommendation concerning the withholding, reduction, or removal of merit pay;
- \* Ensure that a summary of evidence presented is prepared;

- \* Cause an Intradepartmental Correspondence, Form 15.2, to be prepared and forwarded to the Chief of Staff, for review and submission to the Chief of Police. The Form 15.2 shall include the composition of the Board, the summary of evidence presented, and the recommendation of the Board. The service rating and commanding officer's Form 15.2 shall accompany the chairperson's Form 15.2; and,
- \* Forward all evidence and documents presented to the Board, and any transcripts or tape recordings of the proceedings, to the Chief of Staff, Office of the Chief of Police.

**Reviewing Officer.** The Chief of Police is the Reviewing Officer on all matters within the jurisdiction of the Merit Pay Review Board.

**765.25 CERTIFICATION AND APPEAL OF MERIT PAY REVIEW BOARD FINDINGS.**

**Certification.** The Chief of Police may certify that the standard of service for the concerned officer is satisfactory (or higher) even though the Board has found otherwise. However, the Chief of Police may not certify, without the concurrence of the Merit Pay Review Board, that the standard of service of the concerned officer of the rank of Police Officer through Commander is below the minimum established for the merit step which the officer is receiving.

**Notifications.** The reports of the Chairperson of the Board, with the final decision of the Chief of Police, shall be forwarded to the Commanding Officer, Personnel Division, who shall be responsible for:

- \* Notifying the concerned officer of the final decision of the Chief of Police;
- \* Completing the Payroll/Personnel Change Document, Form General 41, when a change in merit-pay status is necessary;

**Note:** A completed Payroll/Personnel Change Document, Form General 41, which authorizes the withholding, removal or reduction of merit pay, shall be processed only after the merit pay appeals process has been completed and, if appropriate, a final decision has been rendered by the Board of Police Commissioners.

- \* Filing of appropriate reports in the officer's personnel packages; and,
- \* Forwarding copies of all reports and a copy of the Chief's final decision to the Chief of Staff, Office of the Chief of Police.

**Appeal.** Upon receipt of the notification that the Chief of Police has authorized the withholding, removal, or reduction of merit pay, the concerned officer may file, within five administrative working days, a written appeal with the Secretary of the Board of Police Commissioners. The Board of Police Commissioners shall hear the appeal and render the final decision.

**Ranks of Police Officer through Lieutenant.** When an officer disqualified to receive merit pay achieves the required standard of service, the officer's commanding officer shall, without delay, complete the appropriate rating report and a Form 15.2, requesting initiation of recertification procedures. The bureau commanding officer shall add his/her recommendations and forward the rating report and Form 15.2, through channels, to the Chief of Police for final determination. The Chief of Police may make the final determination or may cause the Merit Pay Review Board to be activated.

**Ranks of Captain through Deputy Chief.** An officer who has been reduced to a lower merit step or a nonmerit step may be eligible for recertification of merit pay by the Chief of Police, based upon performance evaluations covering one-half the period of time required for initial certification. This reduced-time requirement shall continue until the officer has attained the merit step from which he/she reverted. The following criteria shall apply to the recertification of merit pay.

Performance Rating	Minimum Service at (Pay Step 5)	Preceding Step (Pay Step 6)	(Pay Step 7)
Satisfactory	1 Year	---	---
Excellent	6 Mos.	1 Year	---
Outstanding	6 Mos.	6 Mos.	1 Year

**766. LONGEVITY PAY PROCEDURES-SWORN PERSONNEL.**

**766.10 DISQUALIFICATION.** When a commanding officer determines that an officer receiving longevity pay has an unsatisfactory standard of service, he shall:

- \* Cause a Notice to Correct Deficiencies, Form General 78, to be completed and distributed. The Notice shall contain a statement that the officer's longevity pay is in jeopardy; and,
- \* Six months after issuing the Notice, if the officer's standard of service has not improved to a satisfactory level, complete a rating report and an Intradepartmental Correspondence, Form 15.2, comprehensively recording the officer's deficiencies. The Form 15.2, along with a copy of the rating report and Notice, shall be forwarded through channels to the Director, Office of Support Services.

**766.20 REINSTATEMENT.** When a commanding officer determines that an officer previously disqualified from receiving longevity pay has improved his/her standard of service to a satisfactory level, the commanding officer shall complete a rating report and a Form 15.2, recording the improvement, and forward them through channels to the Director, Office of Support Services.

**766.30 REVIEW AND APPROVAL.** Upon receipt of a recommendation to withhold or reinstate longevity pay, the Director, Office of Support Services, shall ensure that the information is complete and forward it through channels to the Chief of Police. Upon approval of the Chief of Police, Personnel Division shall

forward a Payroll/Personnel Change Document, Form General 41, to Fiscal Operations Division.

**767. CAREER OPPORTUNITY INFORMATION.**

**767.10 CAREER OPPORTUNITY NOTICES-BINDER.** Copies of career opportunity information shall be maintained in the "Career Opportunity Notice" binder until no longer current. Career opportunity information includes the following:

- \* Department Paygrade Advancement and Transfer Opportunity Notices;
- \* Department Paygrade Advancement Examination announcements;
- \* The Quarterly Affirmative Action Newsletter;
- \* Office of Support Services Notices relating to training or educational opportunities;
- \* Personnel Department Newsletter;
- \* Weekly Summary of City Job Opportunities;
- \* Weekly Summary of City Promotional Examinations; and,
- \* Citywide Civil Service open and promotional examination bulletins.

Career Development Section, Training Division shall be responsible for:

- \* Maintaining a copy of all career opportunity notices issued;
- \* Distributing "Career Opportunity Notice" binders to all Department commands; and,
- \* Maintaining a list of the locations of all binders.

**767.30 COMMANDING OFFICERS' RESPONSIBILITY.** All Department commanding officers shall ensure that:

- \* "Career Opportunity Notice" binders are maintained in a conspicuous and readily accessible location;
- \* Each binder contains a current copy of all pertinent publications, and that any missing notices are immediately obtained from the Career Development Section, Training Division; and,
- \* All employees under his/her command are made aware of the "Career Opportunity Notice" binder and are encouraged to review its contents frequently.

**768. INTEGRITY OF CIVIL SERVICE EXAMINATIONS.**

**Rules Prohibiting Communications With, or By, Examination Board Members.** Except during communications among members of a board discussing a candidate's qualifications, and presentations by candidates during interviews:

- \* Communication shall not be made to any member of an examination board in an attempt to influence that member's appraisal of a candidate, and,

- \* An examination board member shall not communicate with any other person regarding a candidate to be interviewed.

**Examination Board Members-Instructions.** Department employees selected as examination board members for entry-level, promotional, and advanced-paygrade interviews for sworn and civilian personnel shall acquaint themselves with, and adhere to, the principles and objectives outlined in the **JOB INTERVIEW HANDBOOK FOR EXAMINATION BOARD MEMBERS**, which is maintained by Personnel Division.

Personnel Division shall ensure that board members are afforded the opportunity to familiarize themselves with the contents of the handbook prior to serving on such boards.

**Violation of Rules.** A violation of these rules by a Department employee shall be considered serious, unethical misconduct.

**768.05 EMPLOYEES SELECTED TO ASSIST THE PERSONNEL DEPARTMENT WITH CIVIL SERVICE EXAMINATIONS-RESPONSIBILITY.**

Employees selected to participate in either developing, reviewing, grading, or interviewing candidates for civil service examinations shall not:

- \* Tell anyone, except their immediate supervisor, that they will be serving; or,
- \* Discuss or divulge any information concerning the content of an examination.

**Note:** Employees eligible as a member of the candidate group shall not participate in any aspect of developing, reviewing, or grading of the civil service examination.

**Examination Documentation and Test Preparation.** An employee selected as a subject matter expert to develop written or interview questions for any civil service examination will be required to sign an agreement with the Civil Service Commission to become a Special Examining Assistant. The employee shall comply with the conditions detailed in the agreement provided by the Civil Service Commission.

**Examination Interviewer.** An employee selected to be an interviewer on any civil service examination shall **not** discuss **specific** rating factors, candidates, or scores outside the interview room.

**Note:** An employee selected as an interviewer will not be prohibited from assisting with promotion seminars, participating in promotion motivated career counseling sessions, or from teaching in-service training which provides for the enhancement of another employee's promotability, as long as the disseminated information is of a general nature.

**Examination Grader and Protest Reviewer.** An employee selected to grade civil service examinations or review civil service examination protests shall work on the test material in a secure area where exposure of the

material to others is impossible. When the material is not being reviewed it shall be locked in a location accessible only to the grader.

**768.10 CANDIDATES PARTICIPATION IN CIVIL SERVICE EXAMINATIONS-RESPONSIBILITY.** Candidates who participate in a civil service examination process shall not:

- \* Contact any member of the oral examination board before or after their interview to discuss the interview or grades given; or,
- \* Discuss the content of their oral interview with other candidates prior to the completion of the examination process.

**769. ASSIGNMENT AS CLASS INSTRUCTOR IN TRAINING DIVISION.**

An officer who is assigned as an instructor for a training class conducted by Training Division shall consider such assignment as his/her primary duty during the period for which the class is scheduled. Notification to an officer that he/she will instruct a training class shall be considered as a direct order from his/her immediate commanding officer to be present at the scheduled time and place.

**Absence from Scheduled Class.** An officer who is unable to conduct his/her scheduled training class shall secure permission from the Commanding Officer, Training Division, to absent himself/herself from the class. Permission shall be requested in time to permit substitute instruction to be arranged.

**769.40 PREPARATION OF TRANSPARENCIES AND TRAINING AIDS.** Photographic transparencies and other training aids shall be prepared at Department expense following the approval of the Commanding Officer, Training Division.

**769.60 CUSTODY OF TRANSPARENCIES AND TRAINING AIDS.** Photographic transparencies and other training aids shall be in the custody of the Commanding Officer, Training Division. Written permission from the Commanding Officer, Training Division, shall be obtained before such material is removed from the premises.

**770. PHYSICAL FITNESS AND PHYSICAL FITNESS TESTS.**

**770.05 PHYSICAL FITNESS TESTS.** The following tests are designed to measure the ability of the body to respond to work and stress by measuring cardio-vascular tolerance, muscular strength, endurance, and flexibility. The subject shall be advised not to smoke, eat, drink, or engage in strenuous physical activity for one hour prior to taking the test. During the tests, the subject should do his/her best without over-extending himself/herself.

**Kasch Pulse Recovery Test.** This test is designed to broadly determine, through the application of cardio-vascular stress, an

individual's exercise tolerance. The test consists of stepping up and down on a 12-inch step bench at the rate of 24 cycles per minute for three minutes. The pulse rate shall be recorded immediately before and after administration of the test. The post-exercise pulse rate reflects the individual's exercise tolerance.

**Note:** This test shall be the first administered, as its satisfactory completion is a prerequisite to taking the other tests.

**Muscular Strength and Endurance Tests.** These tests are designed to measure abdominal and upper-body strength. They consist of doing as many bent-knee sit-ups, with hands clasped behind the head, as possible in two minutes, and as many uninterrupted push-ups as possible.

**Flexibility Tests.** These tests are designed to measure the body's forward and backward flexibility. The *trunk extension* consists of lying face down with hands clasped behind the head, and raising the upper torso as high as possible for 20 repetitions. The *toe touch* consists of standing straight, slowly bending over at the waist, and extending the fingers toward the toes one time.

**770.08 MANDATORY PHYSICAL FITNESS TESTING.** The physical fitness test shall be administered to **all** sworn personnel with the exception of the following individuals:

- \* Those with prohibitive medical restrictions, on record with the Medical Liaison Section, Personnel Division;
- \* Those who exceed, by 15 percent or more, the maximum weight for their height; and,

**Note:** These individuals shall be subject to the provisions of the Weight Control Program as delineated in Manual Section 3/771.20.

- \* Those who, prior to or during administration of the test, complain of sickness or temporary physical impairment.

**Note:** When an officer is unable to take or complete the physical fitness test because of sickness or temporary physical impairment, he/she shall be instructed to obtain medical attention. In the absence of a medical restriction, the officer shall be rescheduled to take the test within 30 days.

**770.10 COMMANDING OFFICER'S RESPONSIBILITY.** Each commanding officer shall:

- \* Set a personal example of physical fitness;
- \* Designate a qualified physical fitness coordinator of any rank who, in addition to his/her regular duties, shall coordinate the physical fitness program;
- \* Ensure that any physical fitness program recommended by the division physical fitness coordinator is reviewed by the Commanding Officer, Training Division;
- \* Ensure that officers under his/her command are tested twice a year;

**Note:** These tests shall be scheduled at least five months apart to provide a sufficient time span to measure an officer's progress toward, or maintenance of, a satisfactory physical condition.

- \* Ensure that the test results achieved by each officer under his/her command are entered on the Physical Fitness Evaluation, Form 1.31; and,
- \* Ensure that, in addition to completing the physical fitness check box on the employee's periodic rating report, a statement is included in the narrative portion, summarizing the results achieved by each officer on his/her most recent physical fitness test, and any additional related information which is deemed appropriate.

**770.20 TRAINING DIVISION-COMMANDING OFFICER'S RESPONSIBILITY.** The Commanding Officer, Training Division, shall:

- \* Provide information and assistance relevant to divisional physical fitness programs;
- \* Provide information regarding a minimal, low-stress physical fitness test that may be used by physical fitness coordinators;
- \* Monitor divisional programs to assure compliance with program objectives;
- \* Implement a Department-wide system to record the progress of officers participating in the physical fitness program; and,
- \* Ensure that certification of employees in the use of Department-approved weight equipment is accomplished by an accredited physical fitness coordinator and that the name of the certified officer is entered into the Training Management System File.

**770.30 PHYSICAL FITNESS COORDINATOR-RESPONSIBILITY.** Divisional physical fitness coordinators shall:

- \* Ensure that each officer does not have a medical restriction and *feels* physically fit to take the test;

**Note:** Medical restrictions may be verified telephonically with the Medical Liaison Section, Personnel Division.

- \* Encourage participating officers to perform each portion of the test to the best of their ability without over-extending themselves;
- \* Coordinate the physical fitness program established by the commanding officer;
- \* Administer the physical fitness tests at a police facility;

**Note:** The physical fitness test shall be immediately terminated when the officer experiences any unusual physical symptoms during the performance of the test. In addition, the physical fitness coordinator shall ensure that the officer receives medical attention. In the absence of a medical restriction, the officer shall be rescheduled to take the test within 30 days.

- \* Record the progress of officers participating in the physical fitness program; and,
- \* Encourage **all** officers, particularly those who are not physically fit, to participate in a voluntary physical fitness and health maintenance program, including annual medical examinations with their private physicians, and provide them with physical fitness information.

Physical fitness coordinators certified by Training Division to train employees in the use of Department-approved weight training equipment shall:

- \* Certify Department personnel in the use of approved weight machines and related equipment;
- \* Review all reports relating to weight machine injuries within their assigned Area/division to ensure the involved officer was properly trained and the equipment was not defective; and,
- \* Forward the names of employees certified in the use of Department-approved weight equipment to the Physical Fitness Unit, Training Division.

**Inspection of Weight Equipment.** Physical fitness coordinators assigned to geographic Areas shall conduct semi-weekly inspections of Department-approved Area weight equipment for safety hazards and advise the watch commander of the inspection for recordation on the Watch Commander's Daily Report, Form 15.80. If an unsafe condition is discovered, the physical fitness coordinator shall:

- \* Place a sign in a conspicuous location on the machine advising concerned personnel of the hazard;
- \* Telephonically contact the Department Athletic Director, Training Division, and be guided by the Director's advice; and,
- \* Follow the procedures outlined in Manual Section 3/275.30.

**Note:** The commanding officers of the following locations shall assign their physical fitness coordinator to inspect Department-approved weight training equipment as indicated:

- \* Training Division-Police Academy;
- \* Central Area-Central Facilities Building;
- \* Metropolitan Jail Section-Parker Center; and,
- \* Van Nuys Area-Valley Headquarters Building

**771. WEIGHT CONTROL PROGRAM.**

**771.20 CONCERNED COMMANDING OFFICER'S RESPONSIBILITY.** The commanding officer of an officer who, based on a physical examination at Central Receiving Clinic, is overweight shall:

- \* Counsel the officer;



- \* Ensure periodic divisional weight checks and maintain a record of each weighing;
- \* Report the officer's progress, or lack of progress, on the appropriate rating report;
- \* Notify the Medical Liaison Section, Personnel Division, when an officer attains the recommended weight; and,
- \* Advise any officer who, due to aggravated circumstances, is in need of a **medically supervised** weight-reduction program to telephonically contact the Medical Liaison Section for possible assignment to the Overweight Clinic.

**Note:** A commanding officer who feels an officer's physical condition is adversely affecting the officer's duty performance may order an officer to appear at Central Receiving Clinic for a physical examination and evaluation. The Officer's examination shall be scheduled through the Medical Liaison Section, Personnel Division.

**772. DEPARTMENT ATHLETIC ACTIVITY.** Injury resulting from athletic activity will be considered as injured on-duty, providing:

- \* It was sustained while participating in an approved activity at an approved location;
- \* The injured employee had signed an athletic activity report prior to actual participation;
- \* The employee complied with all conditions established by the Commanding Officer, Training Division; and,
- \* The injured employee was examined by a contract hospital doctor or a Central Receiving Clinic doctor.

**Employee's Responsibility.** All Department employees using Department athletic sites and equipment or participating in Department athletic activities are required to be on full unrestricted duty status. Unrestricted duty status is defined as having no physical or medical restrictions.

**Exception:** Employees who have received documentary approval from Medical Liaison Section. Employees can receive documentary approval by submitting medical documentation to their commanding officer that:

- \* The off-duty use of Department athletic sites or equipment is part of an injury recovery program; and,
- \* The Department athletic activity will not hinder the recovery or aggravate the employee's condition.

**Note:** Medical documentation may be subject to review by a physician designated by the Department. Officers on restricted duty shall not engage in Department athletic activity unless documentary approval has been granted.

**Commanding Officer's Responsibility.** Upon receipt of medical documentation, commanding officers shall forward documentation to Medical Liaison Section for review and approval.

**Medical Liaison Section-Special Duties.** Medical Liaison Section shall approve medical documentation for restricted duty employees who wish to use Department athletic sites and equipment or participate in Department athletic activities. Medical Liaison Section shall also arrange to have medical documentation reviewed by a City physician at their discretion. The concerned commanding officer shall be notified of the results of Medical Liaison's findings.

**772.05 APPROVED ATHLETIC ACTIVITIES.** The following athletic activities are classified as approved for purposes of determining injured-on-duty status (IOD) if performed at an approved location:

- \* Athletic events approved annually for Police Olympics participation by approved team members under the supervision of a Police Olympics coach; and,
- \* Athletic events requested for approval by the Los Angeles Police Revolver and Athletic Club/Los Angeles Police Department Athletic Director, recommended for approval by the Commanding Officer, Training Division, and approved by the Director, Office of Support Services.

**Note:** Recreational athletic events held during Department social activities are **NOT** authorized for IOD status in accordance with California Labor Code Section 3600(a) (9).

- \* Basketball, intradepartmental teams under the supervision of an athletic coach, appointed and approved by the LAPD Athletic Director, or basketball at the Police Academy Gymnasium;
- \* Handball, when wearing eye protectors and padded safety gloves;
- \* Racquetball, when wearing eye protectors;
- \* Running, jogging, bicycling, or walking on courses which start and terminate at a Department facility;

**Note:** Bicyclists must wear a safety helmet and padded gloves.

- \* Self-defense training under the supervision of a Department approved instructor;
- \* Slow pitch softball (intradepartmental teams only) under the supervision of an athletic coach appointed and approved by the LAPD Athletic Director;
- \* Swimming;
- \* Tennis;
- \* Volleyball;
- \* Wrestling; and,
- \* Weight training at a Department facility, after receiving the Department's Weight Training Certification.

**772.10 APPROVED ATHLETIC ACTIVITIES-CIVILIAN EMPLOYEES.** Detention Officers assigned to jail duties are authorized to use Department weight machines and related equipment (free weights and barbells) after they have received a weight training certificate from a physical fitness

coordinator certified by Training Division.

An injury incurred during the use of approved weight machines or related equipment will be considered as injured-on-duty providing:

- \* The employee has been Department certified in the use of approved weight machines and related equipment; and,
- \* The employee has met all other required provisions (Manual Section 3/772.).

**772.30 APPROVED ATHLETIC ACTIVITY LOCATIONS.** Approved locations are defined as Department facilities, Training Division, and any other location recommended for approval by the Commanding Officer, Training Division, and approved by the Director, Office of Support Services.

**Note:** The commanding officer of the "home" team shall be responsible for supervising such athletic activities.

**772.45 REGISTRATION OF ATHLETIC ACTIVITY PARTICIPATION.** An Athletic Activity Register, Form 13.14, is maintained in the Police Academy locker room and swimming pool office and by each team manager. Prior to participation in an approved athletic activity, employees shall place their names on the register (Manual Section 3/772.60).

**772.60 DUTIES OF ATHLETIC TEAM MANAGER.** An employee appointed as a team manager of a Department or intradepartment athletic activity team shall:

- \* Submit to the commanding officer a current roster of team members. This roster shall also include those team members whose units of assignment are other than those represented. The commanding officer shall forward copies of the roster directly to the Commanding Officer, Training Division; the Officer in Charge, Medical Liaison Section, Personnel Division. the commanding officer of each of those team members from a different organizational unit;

**Note:** Employees shall not participate in any Department or intradepartment team athletic activity unless their names appear on the roster submitted by the commanding officer of the team represented. Additions or deletions to the team roster shall be forwarded in the same manner as the original roster.

- \* Determine that, prior to athletic activity participation, all team players have entered their names on an Athletic Activity Register, Form 13.14;
- \* Forward completed Athletic Activity Registers to the Commanding Officer, Training Division, within twenty-four hours after completion of a team event; and,
- \* If a team member is injured during athletic activity participation, forward an Employee's Report, Form 15.7, to the

Medical Liaison Section, Personnel Division, stating how the employee was injured.

**772.75 REPORT ON ATHLETIC ACTIVITY INJURY.** An employee who is injured while participating in an approved athletic activity at an approved location shall:

- \* Be examined by a physician at a medical facility as soon as practicable; and,
- \* Promptly report the injury to a supervisor, ensuring the supervisor is apprised of the circumstances.

**Supervisor's Responsibility.** When notified that a participant in an approved athletic activity at an approved location has been injured, the supervisor shall:

- \* Ensure that the injured employee has received proper medical treatment;
- \* Promptly initiate a thorough investigation of the circumstances pertinent to the injury;

- \* Complete an Employer's Report of Occupational Injury or Illness, State Form 5020; and,

**Exception:** A Sick or Injury Report, Form 1.30, shall be completed when reporting an injury incurred during the use of approved weight machines or related equipment of a non-certified employee. Training Division maintains a roster of employees who have been certified for weight training.

- \* Ensure the State Form 5020 or Form 1.30 is forwarded to the injured employee's Area/division of assignment for review and distribution.

**772.80 TRAINING DIVISION COMMANDING OFFICER'S REPORT.**

When notified that a participant in an approved athletic activity at an approved location has been injured, the Commanding Officer, Training Division, shall forward a report to the Officer in Charge, Medical Liaison Section, Personnel Division, stating whether the injured employee's name was entered on an Athletic Activity Roster, Form 13.14, prior to participation in the event.

**772.90 ATHLETIC ACTIVITY PHYSICAL EXAMINATION.**

The Commanding Officer, Personnel Division, may direct an employee who is a member of a team engaging in approved athletic activities to take a physical examination. The Officer in Charge, Medical Liaison Section, Personnel Division, shall notify the Commanding Officer, Personnel Division, when such examinations are considered necessary.

**776. LOYALTY OATH.** Every employee of the Department shall take the Loyalty Oath required by State law and municipal ordinance. No compensation may be paid to any employee who does not conform with the provisions of the Loyalty Oath Law.

**776.20 RESPONSIBILITY FOR ADMINISTERING LOYALTY OATH.** The Commanding Officer, Personnel Division, shall administer, or cause to be administered, to all personnel employed by the Department subsequent to October 3, 1950, the Loyalty Oath required by State law. If necessary to assist in discharging this responsibility, the Commanding Officer, Personnel Division, may direct certain other employees of the Department to appear before the City Clerk for deputization in connection with the administration of the Loyalty Oath. Employees so deputized may be directed by the Commanding Officer, Personnel Division, to administer the Loyalty Oath.

**776.30 DEPUTIZATION-LOYALTY OATH.** The Commanding Officer, Personnel Division, and other employees designated by him/her to administer the Loyalty Oath, shall appear before the City Clerk of Los Angeles for the purpose of deputization to administer the Loyalty Oath. The deputization shall be in effect until the termination of the employee or until the Chief of Police informs the City Clerk that the employee is no longer to administer such oath.

**776.40 PROCEDURE FOR ADMINISTERING LOYALTY OATH.** The Loyalty Oath shall be taken, executed, and signed before a person authorized by law to administer oaths. The actual procedure is at the discretion of the person administering the oath. He or she may administer the oath to an individual employee or to a group of employees in a formal manner.

The employee shall affix his/her signature to the oath in the presence of the person administering the oath, and the date that the employee takes and subscribes to the oath shall then be entered on the oath.

**776.50 REFUSAL TO TAKE LOYALTY OATH.** If an employee refuses to take the oath or to execute the affidavit, the Commanding Officer, Personnel Division, and the Commanding Officer, Internal Affairs Group, shall be notified of this fact by the person administering the oath.

**778. PUBLIC APPEARANCES BY EMPLOYEES.** Prior to appearing as a representative of the Department for the purpose of making a speech, participating in a panel discussion, or other similar function, an employee shall obtain permission for the appearance from his/her commanding officer. The commanding officer shall determine if the content of the message conforms with existing Department policy and whether the speaker is competent to properly represent the Department.

**Exception:** Permission need not be obtained if such appearance is part of the employee's assigned duties.

Officers intending to make any drug prevention/education presentation, to either a

student or parent group, at any school within the City of Los Angeles shall:

- \* Notify the Commanding Officer, Juvenile Division, at least one week prior to the scheduled appearance;
- \* Provide the name and address of the school;
- \* Indicate the date and time of the presentation; and,
- \* Indicate the subject matter of the presentation.

**778.20 ON-DUTY SPEECHES GIVEN OUTSIDE THE CITY.** Public-speaking appearances by **on-duty** personnel outside the City shall not be approved except when compelling circumstances indicate that such an appearance will be of direct benefit to the citizens of Los Angeles.

**778.25 ON-DUTY SPEECHES GIVEN OUTSIDE THE CITY-EMPLOYEE REQUESTS.**

- \* An employee desiring to make an on-duty public-speaking appearance outside the City shall submit a request on an Employee's Report, Form 15.7, to his/her commanding officer.
- \* The request shall include the location, date, name of the organization, the purpose for the appearance, and the topic of discussion.
- \* The employee's commanding officer shall be responsible for the approval or denial of such requests.

**778.30 ON-DUTY SPEECHES GIVEN OUTSIDE THE CITY-CITIZEN REQUESTS.** An employee who receives a citizen's request for an on-duty public-speaking appearance outside the City shall:

- \* When the appearance will contribute to the operation of a Department-sponsored program, instruct the citizen to direct his/her request to the concerned commanding officer, who shall be responsible for the approval or denial of such requests;
- \* When the request is for a speaker on a specialized or controversial topic, or is a general request for any police officer to make an appearance, instruct the citizen to direct a written request to Community Affairs Section which shall be responsible for the approval or denial of such requests; and,
- \* Advise the citizen to submit, at least two weeks prior to the date of appearance:
  - \* The name of the requesting organization.
  - \* Date, time, location, and subject of the speech.
  - \* Length of time allotted and the anticipated attendance.
  - \* The name, address, and telephone number of the requesting person.

**778.50 TELEVISION AND RADIO APPEARANCES.** Officers shall refer invitations to appear on television or radio

programs to the Officer in Charge, Media Relations Section, Public Information Office, for approval. Prior approval is not required for news-media interviews.

**779. WRITING AND SUPPLYING INFORMATION FOR PUBLICATION BY DEPARTMENT EMPLOYEES.**

**Employee's Responsibility.** Prior to preparing an article, the author shall contact the Officer in Charge, Evaluation Unit (EU), Planning and Research Division (PRD), to discuss the topic and ensure that it is appropriate and desirable for the intended periodical. If the topic of the article is deemed appropriate, the employee shall:

- \* Complete the article (double-spaced) using Microsoft Word and Times New Roman, 12 font;
- \* Ensure any appropriate illustrations and/or photographs are included with the original article;
- \* Ensure a 3.5" floppy disc and/or CD-RW disc containing a copy of the article is included with the original article;

**Note:** Photographs should be submitted as 5"x7" (preferred) or 4"x6" prints, color slides or digital images of 300 Dots Per Inch (DPI) minimum. Color photocopies and Polaroid photographs will not be accepted. Photographs should be labeled or clearly addressed as to their content in the article since many periodicals will not accept an article unless photographs are also submitted.

- \* Enclose a biographical summary of the author(s); and,

**Note:** The author of the article shall be the person or persons most responsible for creating the actual text of the article. Articles will no longer be co-authored by a commanding officer or the Chief of Police unless they had a direct hand in formulating the article.

- \* Forward the article, through the officer's chain of command, to the Executive Officer, Office of Support Services, with an Intradepartmental Correspondence, Form 15.2, requesting the article be reviewed for publication.

If the author intends for the article to be published in a specific periodical, he/she should check that periodical's editorial guidelines to determine the size limitations on the article.

**Note:** Any employee who wishes to submit their own article to a specific publication without seeking Department approval may do so as long as they do not represent themselves as Department employees or convey official Department policies, procedures, philosophies or opinions.

Department employees shall not publish or cause to be published any writing, paper, treatise, or article which would disclose any procedure, case, investigation, or other matter which is confidential. For the purpose of this

section, confidential matters include, but are not limited to, the following:

- \* Records that are exempted from disclosure under the California Public Records Act, Section 6254 of the Government Code;
- \* Events, details, persons or circumstances of any investigation conducted by the Department, the disclosure of which would impair that investigation, future investigations, pending litigation, or the law enforcement activities of the Department; and,
- \* Procedures, techniques, tactics, and methods used by the Department in the performance of its duties, the disclosure of which would impair the law enforcement activities of the Department.

**Planning and Research Division's Responsibility.** Planning and Research Division shall be responsible for:

- \* Reviewing each submitted article to ensure it is appropriate for publishing and properly completed;
- \* Editing and ensuring the submitted article reflects the journalistic style of the Office of the Chief of Police (OCOP); and,
- \* Routing the reviewed article to the Executive Officer, Office of Support Services, and the OCOP.

**Note:** Articles that require substantive revision will be returned to the originator for corrective action.

When a commanding officer determines that further administrative review is necessary, the findings shall be documented on an Intradepartmental Correspondence, Form 15.2, within five calendar days. Two copies of the Form 15.2 and two copies of the Form 15.7 shall then be attached to the material and forwarded through channels to the Executive Officer, Office of Support Services. The material will be reviewed and, if appropriate, revisions will be suggested during its flow through the chain of command to ensure a quality product. The employee originating the material for publication shall be notified at the conclusion of the administrative review when any suggested revision may alter or change the original direction or content of the materials.

**The Executive Officer, Office of Support Services' Responsibility.** The Executive Officer, Office of Support Services, shall be responsible for coordinating the Department Publishing Program (DPP).

The Executive Officer, Office of Support Services, shall review the material for its suitability and appropriateness and to determine if review by the Chief of Police is necessary. When review by the Chief is not necessary, the requesting employee shall be notified of the Commanding Officer's findings within 30 calendar days. When further review is necessary, the Commanding Officer shall forward the materials to the Chief of Police.

When a commanding officer determines that further administrative review is not necessary, the material shall be returned to the employee for publication. The commanding officer shall make a notation on the Employee's Report, Form 15.7, indicating approval for publication.

**779.50. OUTSIDE TRAINING.** The Department regularly sends employees to training courses and seminars that are sponsored by other organizations. Occasionally, techniques and/or procedures that are taught in outside training courses conflict with existing Department policies and procedures. While this conflict does not invalidate the training, existing Department policies and procedures take precedence over what is taught by the outside training institution.

An employee who receives training from an outside training course or seminar that conflicts with existing Department policies or procedures shall not train other employees on the conflicting procedures, or practice them, without obtaining Department approval. To obtain Department approval, an employee shall submit a request through the employee's chain of command to the Office of Support Services. Only after the technique, policy, or procedure has been approved by the Chief of Police may the employee train others to use it in the course of his or her duties.

**780. CIVIL SUBPOENA.**

**780.40 CIVIL SUBPOENAS FOR TESTIMONY OR DEPOSITION.** Upon receiving a civil subpoena to appear as a witness or to give a deposition in a matter to which the City is a party, the employee, if **not** listed as a defendant, shall:

- \* Telephonically notify the Civil Investigation Section, Risk Management Group, as soon as practicable after the receipt of the subpoena; and,
- \* When any City employee, other than the subpoenaed employee or the City of Los Angeles, is listed as a defendant, complete and forward an Employee's Report, Form 15.7, to the Civil Investigation Section, Risk Management Group. The Employee's Report shall contain the following items:

- \* A detailed account of the incident, including the names and addresses of all parties and possible witnesses;
- \* Name, watch, and assignment of investigating officers;
- \* Name of defendant;
- \* Name of plaintiff;
- \* Court number;
- \* Case number;
- \* Date and time of required appearance; and,
- \* Location where hearing is to be held.

The words "**Confidential-This report is for the confidential use of the City Attorney in the performance of his duty as Attorney for the City of Los Angeles**" shall be typed

conspicuously on the face of each page. No copies of this report shall be made.

**Note:** This report *shall not* be approved by a Department supervisor. If the subpoena is served on an employee's supervisor or watch commander, it shall be accepted as if service were made personally on the employee.

The applicable information shall be entered on the Officer Subpoena Record, Form 15.29. The requesting attorney's name shall be entered in *red* in the *Defendant* column of this form.

**Exception:** A summons and complaint shall normally be accepted by the employee named on it (Manual Section 3/782.10).

A supervisor accepting a civil subpoena shall determine the duty status of the subpoenaed employee. If the employee, at time of service, is sick, on vacation, or otherwise unavailable for service and cannot be served before the appearance date of the subpoena, the person serving the subpoena shall be so informed. After accepting the subpoena, the supervisor shall notify the concerned employee.

**780.50 WITNESS FEE CIVIL SUBPOENA-EMPLOYEE**

**RESPONSIBILITY.** When an employee receives a civil subpoena, he/she shall check the subpoena to determine if the required witness fee has been paid. If the fee has been paid, the subpoena should bear an endorsement by the clerk of the court or tribunal. If the subpoena does not bear this endorsement, the employee shall determine from the clerk of the court or tribunal if the fee has been paid. When the fee has not been paid, the employee shall request the clerk to notify the judge or members of the tribunal.

The court, upon good cause shown, may relieve a party of the duty to make any deposit or payment, or portion thereof, Pursuant to Section 68097.55 of the California Government Code (CGC).

Regardless of whether the witness fee has been paid, an employee is required to appear in court pursuant to a civil subpoena, or at the discretion of the court for subsequent days.

Following participation in a civil proceeding, an employee shall complete an original and two copies of the Declaration of Receipt/Expenditure of Funds, Form 15.24 (as outlined in Manual Section 3/380.10), from the information available on the subpoena. This procedure shall be repeated for each day of scheduled attendance. The employee shall indicate whether he/she actually attended. When an employee determines that the witness fee has been waived by the court, he/she shall so indicate on the Form 15.24.

**Note:** This form shall be completed whenever an employee has been subpoenaed, regardless of cancellation of the proceeding or nonattendance for any reason. The court number shall be included in court cases. If the

subpoena relates to other types of proceedings, the location shall be given.

The original shall be forwarded with the civil subpoena to the Police Accountant. One copy shall remain in the employee's Area/division of assignment.

**780.60 TRANSPORTATION TO CIVIL PROCEEDING.** Employees may use City transportation or shall be permitted to use their personal vehicles for transportation when subpoenaed as a witness in a civil case under the authority of Sections 68097.1 or 68097.6 of the California Government Code.

Employees may go directly to the proceeding from their home.

**Note:** Off-duty employees responding to a civil subpoena pursuant to Section 68097.1 of the California Government Code shall receive overtime compensation for travel time to and from the proceeding, and the time required to remain at the proceeding.

**780.80 MILEAGE COMPENSATION-CIVIL CASES.** Employees using a private vehicle for transportation in response to a civil subpoena under the authority of Sections 68097.1 or 68097.6 of the California Government Code shall be entitled to mileage compensation to and from the hearing and parking costs. Compensation shall be requested by completing the applicable part of the Declaration of Receipt/Expenditure of Funds, Form 15.24. The form shall be completed by the requesting employee and submitted to the employee's immediate supervisor.

**782. CIVIL SUITS.**

**782.10 ACCEPTANCE OF SUMMONS AND COMPLAINT.**

**Officer's Responsibility.** Area and division desk officers or Department employees who are contacted by a process server, an attorney, a marshal, or any person serving a Summons and Complaint to a Department employee, or who receive a Summons and Complaint via mail for a Department employee, shall immediately notify a supervisor.

**Supervisor's Responsibility.** When notified that a process server is present at a Department facility for the purpose of serving a Summons and Complaint to a Department employee, the supervisor shall meet with the process server and verify that the employee is currently assigned to the Area, division, section or unit.

**Note:** When the employee to be served is not assigned to the Command, the process server shall be advised where the employee is currently assigned. If requested, the server shall be provided the address and telephone number of the employee's current work location and directed to serve the employee at the location. In cases when an employee's work location cannot be determined, or the process server leaves a Summons and Complaint for an employee not assigned to the Area, the supervisor shall immediately forward

an Employee's Report, Form 15.7 documenting the circumstances of the service and the document to the Civil Investigation Section, Risk Management Group (RMG).

**Employee On-Duty.** When an employee to be served is on duty, the supervisor shall:

- \* Ensure that the employee accepts the Summons and Complaint with minimal delay;
- \* Record the Summons and Complaint on the officer Subpoena Record, Form 15.29; and,
- \* When the Summons and Complaint is a result of activities occurring during the employee's course and scope of City employment, direct the served employee to comply with Department Manual Sections 3/782.30, 3/784.40 and complete a Form 15.7. The supervisor shall advise the employee to hand carry the 15.7 and Summons and Complaint to the Civil Investigation Section, RMG within two business days.

**Employee Off-Duty.** If the employee is off-duty, the supervisor shall inform the process server when and where the off-duty employee will be available to accept the Summons and Complaint. The process server shall only be told the expected date of return of the employee and shall not be informed of his/her current employment status or the circumstances regarding the employee's absence, or unavailability. **Under no circumstances shall an employee's home address or other personal information be given to the process server.**

When a process server insists on leaving the Summons and Complaint, the supervisor shall accept the documents. The supervisor may sign or initial a document that only acknowledges receipt. In those instances, they shall make a copy of the signed receipt and attach it to the Summons and Complaint.

**Note:** Acceptance of a Summons and Complaint by anyone other than the named employee is not considered "service" to an employee. The supervisor shall inform the process server that they are not the designated agent of the employee to accept service and shall not sign or initial any document stating they are the designated agent to accept service.

A supervisor accepting a Summons and Complaint by mail or by other means for an off-duty employee shall:

- \* Request that the process server leave a complete Summons and Complaint for each employee for whom the person is attempting service and ensure that the process server has marked, highlighted or otherwise identified the individual employee on each Summons and Complaint;
- \* Record it on the Officer Subpoena Record, Form 15.29;
- \* Deliver the Summons and Complaint to the named employee as soon as practicable;

- \* When the employee will not be available for acceptance of the Summons and Complaint within 10 days, and the lawsuit is a result of the employee's official duties, the supervisor shall complete an Employee's Report, Form 15.7, document the date, time received, and the circumstances explaining the employee's absence as well as the circumstances of the attempted service. The 15.7 shall be hand delivered to the Civil Investigation Section, RMG; and,

**Note:** If the Summons and Complaint was received via mail, the envelope in which it was received, shall be forwarded with the 15.7 to the officer in charge, Civil Investigation Section, RMG.

- \* When the employee will not be available for acceptance of the Summons and Complaint within 10 days and the process resulted from a personal matter involving the employee, the supervisor shall:
- \* Immediately notify the serving attorney of the employee's absence and estimated time of return to duty; and,
- \* Document the receipt of the Summons and Complaint in the Sergeant's Daily Report, Form 15.48, and immediately forward the document to the employee's residence via certified United States mail. **Department employees shall not release any personal information, including an employee's home address or telephone number, to any process server without the employee's consent.**

**782.25 NOTIFICATION OF PENDING CIVIL TRIALS.** Upon notification from the Civil Division, Office of the City Attorney, of a civil trial date of an employee, the commanding officer shall meet with the involved employee to provide support, as necessary.

**Note:** This applies only to those summons and complaints in which a Department employee is named due to circumstances arising from duty performance as a City employee.

**782.30 PROCEDURE WHEN SUED.** When an employee is served with a Summons and Complaint resulting from activities within the course and scope of City employment, the employee shall within two (2) business days of service complete a Form 15.7 (Manual Section 3/782.40). The completed Form 15.7 and the Summons and Complaint shall be hand-carried to the Civil Investigation Section, Risk Management Group.

**Note:** The form 15.7 is **in addition** to any previously completed reports regarding the incident. No copies of this report shall be made, and the report shall not be approved by a Department supervisor.

**782.40 COMPLETING REQUIRED REPORTS.** All reports shall have the words "*Confidential-This report is for the*

*confidential use of the City Attorney in the performance of his duty as attorney for the City of Los Angeles*" typed conspicuously on the face of each page.

The Form 15.7 completed by the employee shall be addressed to the City Attorney and contain:

- \* A statement requesting that the City Attorney represent him in the matter;
- \* The date, time, exact address, and the city where summons and complaint was served upon the employee;
- \* The identity and occupation of the person who served the complaint;
- \* A detailed account of the incident, including the complete names and addresses of all parties and possible witnesses;
- \* Name, watch, and location of assignment of investigating officers;
- \* Name of plaintiff(s); and,
- \* Case number.

**Note:** No copies of this report shall be made, and the report shall not be approved by a Department supervisor.

**782.50. CIVIL SUITS ORIGINATED BY EMPLOYEES.** Employees instituting a civil suit as a result of an incident which occurred while performing their official duties or which occurred while on-duty shall notify the Civil Investigation Section, Risk Management Group, of their intent to do so by an Employee's Report, Form 15.7.

If the action results from the operation of a City-owned or operated vehicle or other vehicle being used in the performance of City business, they shall consult the deputy city attorney assigned to the Civil Liability Section.

If the action arises from an injury received by employees for which they receive the services of City-owned medical facilities, or which necessitated the employee's absence from duty on an injured-on-duty status, they shall consult with the Worker's Compensation Office, Personnel Department.

**783. WEAPONS IN THE COURTROOM.** When an officer appears in any California State, County or Municipal Court, not in Los Angeles County, as a party to any civil or criminal action, he/she shall secure his/her weapon(s) **prior** to entering the **courtroom**. In any **Los Angeles** County or Superior Court, when appearing as a party to an action or when present but not conducting official business, the officer shall secure his/her weapon **prior** to entering the **facility**.

**Note:** A court facility shall be defined as, but not necessarily limited to, any designated court building, trailer, annex, lobby and administrative office of the Superior or Municipal Courts of the County of Los Angeles (includes all criminal, civil, traffic, juvenile, family law, reconciliation and small claims courts).

Weapons may be secured in Metropolitan Jail Section, 77th Jail Section, Valley Jail Section, or Operations Section Jail gun lockers, officers' residences, Sheriff's gun lockers within court facilities (depending on availability and with the permission of the concerned Sheriff's Department personnel), or other appropriate locations.

Weapons include any firearm, TASER, chemical irritant spray (Oleoresin Capsicum spray), sap and knife with a blade longer than four inches.

Officers who are conducting official business and who are not a party to any action pending before the court shall, upon entering any courtroom or court office, immediately identify themselves to the concerned bailiff or clerk, indicate they are carrying a weapon(s) and state the purpose for their visit.

**784. JURY DUTY.**

**784.05 RECEIPT OF JURY DUTY AFFIDAVIT.**

**Juror Affidavits.** When an officer receives a Juror Affidavit questionnaire, he/she shall complete the affidavit, indicating that he/she is a peace officer and follow all applicable instructions. If available, the officer shall utilize the appropriate check box(es) for law enforcement personnel, requesting to be excused. If no check box is available, officers shall write the following statement in the explanation section of the affidavit:

"I am a sworn officer of the Los Angeles Police Department and I request to be excused, per California Code of Civil Procedure Section 219(b)(1)."

Upon completion of the appropriate sections of the affidavit, officers shall return it to the jury commissioner as directed.

**784.20 JURY DUTY SUMMONSES-CIVILIAN EMPLOYEE'S RESPONSIBILITY.** When an employee receives a **summons** for jury duty, he/she shall, as soon as practicable, submit a copy of the summons to his commanding officer.

**Note:** An employee need not present a jury duty questionnaire or affidavit of jury qualification to his/her commanding officer.

If the concerned commanding officer determines that an excuse or deferment is not necessary, he/she shall so inform the employee.

**784.24 REQUEST TO BE EXCUSED-COMMANDING OFFICER'S RESPONSIBILITY.** If the concerned commanding officer determines that a **summoned** employee's absence would seriously affect Department operations, the commanding officer shall, as soon as practicable, prepare a letter to the concerned jury commissioner, requesting that the employee be excused or have his/her service deferred. The letter shall describe the

employee's specific duties and indicate the effect his absence would have on Department operations. It shall also include a request for a reply to the concerned commanding officer. The letter, along with the employee's signed request to be excused (on the summons or other court-supplied form), shall be mailed to the concerned jury commissioner.

**784.29 DENIED REQUESTS OR NO RESPONSE.**

**Commanding Officer's Responsibility.** If a reply from the jury commissioner is not received prior to the employee's first scheduled day of attendance, the commanding officer shall telephonically contact the office of the jury commissioner to ascertain whether the employee has been excused.

**Employee's Responsibility.** Unless otherwise notified, the employee shall report for jury service as indicated on the summons.

If, upon reporting for jury service, the employee does not obtain an excuse or deferment, he/she shall immediately notify his/her commanding officer.

**784.30 CIVILIAN EMPLOYEES' DUTY STATUS.** Employees attending jury duty are also "on-duty" working for the Department, and shall conduct themselves accordingly. Therefore, when an employee does not have to attend jury duty on a regularly scheduled court day or any part of the day, the employee shall notify his/her supervisor as soon as practicable to receive a duty assignment. If deployment needs permit, and the employee so desires, he/she may be scheduled to use any time off to which he/she is entitled.

**784.32 NOTIFICATION TO POLICE ACCOUNTANT.** Upon establishing that an employee will not be excused from jury duty, the concerned commanding officer shall prepare an Intradepartmental Correspondence, Form 15.2, indicating the period that the employee will be on jury duty and forward it to the Police Accountant.

**784.36 TIMEKEEPING PROCEDURES.** An employee on jury duty is considered "on-duty," working day watch. The timebook shall be marked "JD" (Jury Duty) for each day or partial day of attendance. When an employee attends jury duty for a partial day and then reports for regular duty or is granted time off for the remainder of the day, the time book shall reflect the number of hours of jury duty on that day.

**Example:** When an employee attends jury duty for four hours and works four hours, "JD4" shall be entered in the timebook. When an employee attends jury duty for four hours and is granted accumulated overtime off for the remainder of the day, "J4/TO4" shall be entered in the timebook.

**784.40 CRIMINAL SUBPOENAS DURING JURY DUTY.** A civilian employee who is subpoenaed for a criminal matter which

will require his or her attendance while serving on jury duty shall notify the jury coordinator and attempt to be excused from jury duty on the day indicated on the criminal subpoena. When the employee is actually serving on a jury or is not excused by the jury coordinator, follow established procedures (Manual Section 3/210.30).

**Note:** Subpoenas received prior to the beginning of jury duty which will necessitate the employee's presence during jury duty shall be brought to the attention of the jury coordinator as soon as practicable.

**784.42 JURY DUTY COMPENSATION.** Jurors receive mileage compensation and a daily attendance fee. Employees receiving such compensation shall, within ten working days of receiving compensation, cash the check and forward to Fiscal Operations Division a personal check, money order, or personally deliver cash in the amount of the compensation. Fiscal Operations Division will then issue a receipt to the reporting employee.

**Note:** Mileage fees will be retained by the employee if the employee used his or her personal vehicle.

Upon completion of the jury service period, the employee shall obtain a copy of his/her jury attendance record from the jury coordinator. The employee shall present the attendance record to his/her supervisor within five days. The supervisor shall compare the entries in the divisional time book with the attendance record and indicate in the space provided for notes in the divisional time book that the attendance has been verified. The supervisor shall then sign the attendance record in a conspicuous place and forward it to the Police Accountant, Fiscal Operations Division.

**785. CORONER'S INQUEST.** Officers called to testify at a Coroner's Inquest regarding a death which resulted from action taken by them in performance of their official duties shall consult with a deputy city attorney of the Public Liability Division, City Attorney's Office, as soon as the date and time of the Inquest is known.

**788. COMPUTER TERMINALS.**

**788.20 PROCEDURES GOVERNING THE USE OF COMPUTER TERMINALS.** Procedures governing the use of computer terminals include, but are not limited to, the following:

- \* Only personnel who have been trained and assigned an individual operator identification number and password shall be allowed to operate a Department terminal;

**Note:** This includes officers from outside agencies.

- \* Permission to operate a Department terminal may be given at the discretion of the concerned commanding officer;

- \* Verification of authorization to use terminals may be obtained through Information Technology Division. During off-hours, this verification may be obtained through the Watch Commander, Records and Identification Division;

**Note:** Volunteer employees are not authorized to access Department computer systems.

- \* The operator identification number and password shall be considered confidential and shall be used only by the assigned operator;
- \* An operator shall not operate a terminal without first inputting the operator's number into the terminal; and,
- \* Automated systems, and information obtained through them, shall be used for official purposes only.

**788.22 USE OF DEPARTMENT TERMINALS BY OUTSIDE AGENCIES.**

Personnel from outside agencies who have been trained and have a verification of authorization on file may be allowed to operate Department terminals at the concerned commanding officer's discretion.

Requests to use Department terminals from agencies for which there is no verification of authorization on file must be in writing.

**788.25 MDT/ACC ADMINISTRATIVE "TO" MESSAGES.**

All personnel are reminded that it is inappropriate to transmit "TO" messages which violate State or Federal law and/or City or Department policy. Inappropriate comments include, but are not limited to sexist comments, sexual comments, racial comments, religious comments, profanity or any other non-business related functions. All personnel shall not send any message of a personal nature and shall not engage in an exchange of non-business related messages. Personnel transmitting unofficial, non-business related MDT/ACC messages are considered to be engaged in misconduct and face disciplinary action.

"TO" messages which are appropriate include:

- \* Inquiries necessary to update a unit's current status;
- \* Radio call information;
- \* Cordial messages at the beginning of watch (e.g., good morning);
- \* Messages involving tactical situations; and,
- \* Messages that provide information to assist in the accomplishment of official police business.

A commanding officer who receives a written request from an outside agency seeking permission to use Department terminals shall forward the request with a recommendation to his or her bureau commanding officer. Bureau commanding officers shall review the request, make a recommendation, and forward both recommendations and the written request to the Commanding Officer, Information and Communications Services Bureau, for approval.

**Note:** This procedure applies only to requests from outside agencies **not** already authorized to use Department terminals.

**788.30 PROVISIONS FOR THE USE OF PERSONAL COMPUTERS.** The Personal Computer Guidelines and Standards contains provisions for the use of personal computers within the Department. This includes computers that are donated, loaned, or purchased by the Department, as well as employee-owned personal computers to the extent that they are used in Department activities. Copies of the guidelines shall be maintained by Information Technology Division.

**Employee's Responsibility.** Department employees wishing to use employee-owned computers for Department business, at a Department facility, shall submit their request on an Employee's Report, Form 15.7 (two copies), to their commanding officer. The Form 15.7 shall describe the functions to be performed by the computer and the objectives to be achieved. Upon approval of the request by the employee's commanding officer, the employee shall:

- \* Adhere to the provisions of the Personal Computer Guidelines and Standards; and,
- \* Adhere to the provisions of Manual Section 3/405 relating to the confidentiality of Department records, reports, and information when using computers. These provisions apply to the use of computers that are donated, loaned, or purchased by the Department, as well as to employee-owned personal computers used for Department business.

**Note:** Additional care shall be exercised concerning Department-sensitive data. Department-sensitive data is that data which is not routinely available to the public. Under no condition is Department-sensitive data to be created, stored, processed, or duplicated by employees outside of official Department facilities, without specific **written** permission by the concerned employee's commanding officer. The commanding officer granting such permission shall also ensure that the Department business performed on other than Department-owned personal computers is continuously monitored to ensure compliance with the Personal Computer Guidelines and Standards.

**Commanding Officer's Responsibility.** Commanding officers shall be responsible for:

- \* Reviewing requests to use personal computers for Department business within their command;
- \* Approving or disapproving requests based upon the functions to be performed and the Department objectives to be achieved, within the following general parameters:
  - \* No Department-sensitive data is to be created, stored, processed, or duplicated by users outside of official Department

facilities without specific written permission of the concerned commanding officer;

- \* All software used must be legally acquired and installed;
- \* If Department sensitive data is stored within a Department entity, access shall be limited to Department employees on a right-to-know, need-to-know basis; and,
- \* Attention must be directed towards the avoidance of duplication of Department developed and supported systems.
- \* Forwarding a copy of the approved request to the Department Personal Computer Coordinator;
- \* Maintaining a copy of the Personal Computer Guidelines and Standards accessible to employees using personal computers; and,
- \* Ensuring that the Department business performed on such personal computers is continuously monitored and is in compliance with the Personal Computer Guidelines and Standards.

**788.40 INTERNET USAGE**

**GUIDELINES.** The use of the Internet or e-mail on a Department computer shall be restricted to "official Department business." Personal use of, or time spent for personal gain is prohibited. Violation of any of these guidelines may be considered misconduct and may result in disciplinary action.

These guidelines are applicable to all City or Department-owned or controlled computers, (LAN, Personal Computers and Laptops) and telephone lines. This includes access to computers at sites and facilities that are owned, leased, rented, or utilized by Department employees. Department employees utilizing the Internet or e-mail **shall** cooperate with any investigation regarding the use of computer equipment.

Department employees **shall not**:

- \* Gain access to or transmit California Law Enforcement Telecommunications System (CLETS) information through the Internet, including secondary dissemination of Criminal History Record information through a communications media such as Internet e-mail facilities and remote access file transfer;
- \* Conduct an unauthorized attempt or entry into any other computer, known as hacking, which is a violation of the Federal Electronic Communications Privacy Act (FECPA) 18 United States Code 2510;
- \* Copy or transfer electronic files without permission from the copyright owner;
- \* Send, post, or provide access to any confidential Department materials or information;
- \* Send private or confidential e-mail as delineated in Manual Section 4/105.15;
- \* Transmit chain letters;

- \* Send threatening, slanderous, offensive, racially and/or sexually harassing messages; and,
- \* Represent oneself as someone else, real or fictional, or send messages anonymously.

**Note:** Use of the Internet for certain investigations may require a deviation from the Internet guidelines. This could include the use of offensive language, impersonation, or use of an alias, and the accessing or downloading of offensive or explicit material. When conducting a Department authorized investigation that requires these tactics for investigative purposes, they are not considered misconduct.

In addition to these general guidelines, employees utilizing the Internet are advised that the Department has the right to access all e-mail files created, received, or stored on Department systems, and such files can be accessed without prior notification.

**789. AREA/DIVISION SAFETY COMMITTEES.**

**789.05 COMMANDING OFFICER'S RESPONSIBILITY.**

- \* Each Area commanding officer shall establish an Area Safety Committee composed of a lieutenant, as chairperson, and two employees; and,
- \* The commanding officer of each specialized division shall establish a Division Safety Committee composed of three employees, including a supervisory employee designated as chairperson by the commanding officer.

**Note:** Safety Committees shall include at least one non-supervisory employee.

**789.10 SAFETY COMMITTEE'S RESPONSIBILITY.** The responsibilities of Safety Committees shall include:

- \* Ensuring dissemination of information contained in CAL-OSHA notices;
- \* Developing a safety program in the Area/division to identify and correct hazards and to scrutinize Department procedures which may be related to occupational injuries;
- \* Conducting monthly safety inspections of facilities within their purview;
- \* Coordinating safety activities with the Safety Unit, Personnel Division; and,
- \* Reviewing and analyzing "Employer's Reports of Occupational Injury or Illness," State Form 5020, and supervisors' investigation reports, to determine whether the injuries were preventable, and submitting findings and recommendations to the commanding officer.

**Note:** The commanding officer shall submit a report on each preventable injury to the bureau commanding officer and Medical Liaison Section outlining the injury, the Safety Committee's findings, action taken, and

recommendations.

**790. REPORTING CHANGES OR ADDITIONS TO EMPLOYEE INFORMATION RECORD.** Employees shall use the Address and Phone No. Record, Form 1.20, to notify Personnel Division of any of the following changes or additions:

- \* A temporary or permanent change of address and/or telephone number.;
- \* A change of persons to be notified in case of emergency;
- \* A change of marital status;
- \* The birth or adoption of a child;
- \* The death of a spouse or child;
- \* A change of religious or fraternal organizations to be notified in event of death;
- \* Membership or change of status in an Armed Forces reserve;
- \* A change in Selective Service status; and,
- \* Any personal information of administrative value to the Department.

See Manual Section 5/1.38 for report completion information.

**Note:** The employee shall insert any of the above changes or additions on the Divisional copy of the Employee Record Form, Form 1.38. Personnel Division shall provide the employee with the Family Protection Checklist, Form 1.38.1, whenever the Form 1.38 is revised by the employee.

**791. TRAINING EVALUATION AND MANAGEMENT SYSTEM (TEAMS).**

**791.05 EMPLOYEE REVIEW OF OWN TEAMS REPORT.**

**Employee's Responsibility.** Each employee is responsible for reviewing his/her TEAMS report to ensure that the information is accurate and complete. Any discrepancies shall be brought to the attention of the appropriate entity responsible for the data entry/maintenance (Manual Section 3/791.10).

**Performance Evaluation.** Commanding officers shall ensure that supervisory personnel provide a TEAMS report to each employee in conjunction with the service of the employee's annual (post-probationary) performance evaluation report.

**791.10 RESPONSIBILITY FOR MAINTAINING TEAMS.** The Department entities responsible for the data entry/maintenance of the specific categories are as follows:

<b><u>CATEGORY</u></b>	<b><u>RESPONSIBLE ENTITY</u></b>
Commendations-Major	Personnel Group
Commendations-Minor	Employee's Command
Discipline	Internal Affairs Group
Use of Force (Categorical and Non-Categorical)	Chief of Staff
Civil Litigation	Risk Management Group
Work Permit	Personnel Group
Pursuits	Risk Management Group
Traffic Collision	Special Operations Support

	<b><u>Division</u></b>
Sick/IOD	Personnel Division
Attendance	Fiscal Operations Division
Rank/Assignment	Personnel Division
In-Service Training	Training Division

**Entering Data.** The Department entity responsible for maintaining information available for access through TEAMS shall ensure that data is entered into the appropriate management information system within **30 days of receiving the information.**

**Correcting Data.** After receiving a request to correct inaccurate or incomplete information, the commanding officer of the entity responsible for entering the information into TEAMS shall:

- \* Investigate the disputed information;
- \* Ensure that a resolution is obtained within **30 days of the request;**
- \* Correct the disputed information, if appropriate; and,
- \* Notify the employee's commanding officer of the resolution in an Intradepartmental Correspondence, Form 15.2.

**791.12 PROCEDURE TO DISPUTE INFORMATION CONTAINED IN TEAMS.** An employee who disputes any information in his/her TEAMS report shall complete an Employee's Report, Form 15.7, include a thorough description of the disputed information, attach any supporting documentation, and submit it to his/her commanding officer.

The employee's commanding officer shall conduct a preliminary investigation of the disputed information, and submit an Intradepartmental Correspondence, Form 15.2, to the commanding officer of the entity responsible for entering the information into TEAMS recommending that the information be corrected, if appropriate.

**791.14 INFORMATION TECHNOLOGY DIVISION'S RESPONSIBILITY.** The Commanding Officer, Information Technology Division, shall:

- \* Process TEAMS authorization requests and expirations;
- \* Provide training and system support to Department authorized TEAMS users;
- \* Generate an annual report of all Department authorized users and alternate users for review by commanding officers;
- \* Provide customized TEAMS reports when approved by the Commanding Officer, Risk Management Group (RMG);
- \* Assist commanding officers with audits of TEAMS transactions; and,
- \* Upon approval of the Commanding Officer, RMG, provide a report on personnel who have accessed a certain employee's TEAMS report.

**791.20 RISK MANAGEMENT GROUP'S RESPONSIBILITY.** The Commanding Officer, Risk Management Group (RMG), shall have functional responsibility over TEAMS.

**All disputes and/or issues surrounding TEAMS shall be resolved by the Commanding Officer, RMG.**

**793. ADJUDICATING A NON-CATEGORICAL USE OF FORCE INCIDENT.**

**793.05 COMMANDING OFFICER'S RESPONSIBILITY.** Upon receipt of a Non-Categorical use of force investigation, the commanding officer shall:

- \* Utilize the Area/division Training Coordinator to evaluate the incident;
- \* Contact subject matter experts (e.g., Training Division) to obtain additional information, as needed;
- \* Review all reports and make a recommendation on the disposition;
- \* Sign the Use of Force Internal Process Report, Form 1.67.4; and,
- \* Notify the employee of Training Group's final disposition as soon as practicable.

Non-Categorical use of force investigations shall be reviewed by Area/division commanding officers or the acting commanding officer within 14 calendar days of the incident. Investigations not reviewed within the 14-day time frame require a written explanation on the Non-Categorical Use of Force Internal Process Report (IPR). Upon Area/division commanding officer approval, the IPR shall be forwarded to the bureau immediately.

**793.10 BUREAU COMMANDING OFFICER'S RESPONSIBILITY.** Upon receipt of a Non-Categorical use of force investigation, the bureau commanding officer shall:

- \* Cross-staff with Internal Affairs Group (IAG) to determine if a related complaint investigation has been initiated regarding the use of force incident and, if so, take that information into consideration;
- \* Review all reports and make a recommendation on the disposition;
- \* Sign the IPR;
- \* Forward the IPR, with all related reports attached, to the Commanding Officer, Risk Management Group, within seven calendar days of receipt; and,
- \* Upon receipt of the disposition from Training Group, notify the employee's commanding officer of that disposition.

**793.15 COMMANDING OFFICER, TRAINING GROUP, RESPONSIBILITY.** The Chief of Staff, is the Department's review authority for the administrative review of all use of force incidents. For Non-Categorical uses of force, that authority is generally exercised through the Commanding Officer, Training Group, who shall:

- \* Review the Non-Categorical use of force investigation and all related reports to ensure compliance with Department policy and procedure;



- \* Approve or disapprove the recommended disposition and provide a written rationale for any finding that differs from that of the bureau commanding officer;
- \* Retain the original Non-Categorical Use of Force Internal Process Report and copies of all related reports; and,
- \* Forward a copy of the completed Internal Process Report to the bureau commanding officer.

If the Commanding Officer, Training Group, requires further information prior to adjudication, such a request shall be submitted to the employee's bureau commanding officer.

**793.20 INCIDENTS INVOLVING MULTIPLE COMMANDS, MULTIPLE USES OF FORCE, MULTIPLE ADMINISTRATIVE INVESTIGATIONS OR TRAINING.**

**793.25 MULTIPLE COMMANDS INVOLVED.** If officers from different commands (e.g., Narcotics Division and Hollenbeck Area) are involved in a single Non-Categorical use of force, only one commanding officer shall adjudicate the incident. Generally, an operational command should complete the use of force investigation and that same command should assume adjudicating responsibility. The commanding officer adjudicating the incident should discuss the adjudication with the other commanding officer(s). The next level of review shall be the adjudicating command's chain of command.

**793.30 MULTIPLE USES OF FORCE.** When multiple uses of force occur during a single incident, each use of force must be identified and evaluated separately. In such cases, there may be varying dispositions for each use of force (e.g., the baton strike was in policy, but the front kick was out of policy). In these instances, each level of review shall complete an attached narrative identifying and classifying each separate use of force. The most serious classification (e.g., Administrative Disapproval), shall be indicated on the face sheet of the Internal Process Report.

**793.35. USE OF FORCE INVOLVING A PURSUIT OR TRAFFIC COLLISION.** On occasion, a use of force will occur in conjunction with a pursuit or employee-involved traffic collision, each of which requires an on-scene administrative investigation by a supervisor. In such cases, the same uninvolved supervisor may conduct each of the administrative investigations and prepare the required administrative reports.

When a use of force, pursuit and/or traffic collision are involved, they shall be reviewed together through the process for reviewing Non-Categorical uses of force. The Commanding Officer, RMG, shall coordinate his/her determination with the staff officer responsible for final determination of the related administrative investigation(s). This

includes providing sufficient information to facilitate their record-keeping responsibilities.

**793.40 RECORDATION OF TRAINING.** In cases where formal training is directed as the result of a use of force review (i.e., any training provided by Training Group), Training Division shall enter all completed training into the Training Evaluation and Management System (TEAMS). All other forms of directed training (e.g., divisional training) shall be entered into TEAMS by the employee's Area/division. In all cases, the corresponding administrative file number (usually the DR number) shall be included in the TEAMS entry.

**793.45 RECORDING SUPPLEMENTAL INFORMATION.** When additional information is discovered prior to completion of the use of force investigation, that information shall be incorporated into the report with the date, time and circumstances under which the supplemental information was received. However, on occasion, supplemental information is obtained after the use of force investigation has been completed. When that occurs, the following procedure shall apply:

**Prior to Adjudicating the Use of Force.** When supplemental information is obtained prior to adjudicating the use of force, that information shall be added to the use of force investigation via an Employee's Report, Form 15.7 and considered in conjunction with the original report.

**After a Complaint Has Been Initiated.** When a complaint has been initiated, supplemental information shall be reported in writing to the assigned investigator(s) via Intradepartmental Correspondence, Form 15.2.

**After Adjudicating a Use of Force, No Complaint Initiated.** When a use of force has been adjudicated and no complaint was initiated, the supplemental information shall be included on a Form 15.2 and considered by the chain of command reviewing the original use of force.

The document containing the supplemental information shall be attached to and retained with the initial use of force investigation (e.g., original retained by RMG, copies retained by the involved employee's bureau and Area/specialized division commanding officer).

(See also Initiating a Complaint Investigation Involving a Use of Force Manual Section 3/830).

**794. INVESTIGATIVE RESPONSIBILITY OF OFFICER INVOLVED SHOOTINGS, CUSTODIAL AND LAW ENFORCEMENT ACTIVITY-RELATED DEATHS, AND USE OF FORCE INCIDENTS RESULTING IN INJURY.**

**794.01 SERIOUS INJURY DEFINED.** For the purpose of this section, an injury shall be

considered **serious** when there is a substantial possibility that a person will die as a result of the injury.

**794.02 SIGNIFICANT INJURY DEFINED.** For the purpose of this section, a **significant** injury is defined as an injury, other than a traffic collision-related injury, which requires the individual to be admitted to a hospital for treatment or observation.

**794.10 FORCE INVESTIGATION DIVISION (FID), PROFESSIONAL STANDARDS BUREAU.** The FID is responsible for conducting the administrative investigation of the following law enforcement-related incidents:

- \* The use of deadly force (e.g., discharge of a firearm) by a Department employee;
- \* All uses of an upper body control hold by a Department employee, including the use of a modified carotid, full carotid or locked carotid hold;
- \* All deaths while the arrestee or detainee is in the custodial care of the Department (also known as an In-Custody Death or ICD);
- \* A use of force incident resulting in death (also known as a Law Enforcement Activity-Related Death or LEARD);
- \* A use of force incident resulting in an injury requiring hospitalization (also known as a Law Enforcement Activity-Related Injury or LERI);
- \* All head strikes with an impact weapon (e.g., baton, flashlight, etc.);
- \* An incident in which a member of the public is bitten by a Department canine and hospitalization is required. (Under Department policy, a canine bite is not a use of force but has been included in this category to satisfy the provisions of the Consent Decree);
- \* Accidental discharge of a firearm;
- \* Animal shootings; and,
- \* Incidents where the Department has agreed to conduct similar critical incident investigations for a non-Department entity, such as a Los Angeles Fire Department Arson Unit tactical officer-involved shooting incident.

**794.14 RESPONSIBILITY FOR CRIMINAL INVESTIGATIONS.** Though FID is in charge of the scene, FID is **not** responsible for investigating any crime(s) associated with an incident for which they have administrative investigative responsibility. Many incidents investigated by FID are strictly administrative and do not require an on-scene criminal investigation. However, when an on-scene criminal investigation is required for an incident being investigated by FID, Robbery-Homicide Division (RHD) shall assume criminal investigative responsibility for the following incidents:

- \* The use of deadly force (e.g., discharge of a firearm) by a Department employee;

- \* The use of an upper body control hold by a Department employee;
- \* An incident involving a death;
- \* An incident in which a department employee is the victim of a crime directly related to the incident being investigated by FID, (e.g., Assault with a Deadly Weapon or Battery on a Police Officer); and,
- \* When the Chief of Police or his designee determines the RHD should handle the criminal investigation.

All other crimes shall be investigated at the Area/divisional level except for incidents that are assigned to Internal Affairs Group (IAG), in which case IAG shall assume responsibility for both the administrative and criminal investigations.

**794.20 ADMINISTRATIVE INVESTIGATION RESPONSIBILITY.** All incidents that do not meet the criteria for being investigated by Force Investigation Division (FID) shall continue to be reported and investigated at the Area/divisional level. The commanding officer of the involved employee(s) shall be responsible for the administrative investigation of all employee-involved and employee-influenced injuries which are not the responsibility of FID. A supervisor from the involved employee's command shall respond to the scene and:

- \* Investigate the incident to ensure that Department policies and procedures were followed;
- \* Take appropriate action if training, personnel, or other administrative issues arise; and,
- \* Ensure that the incident is documented in the appropriate Department report(s) (e.g., crime, arrest, use of force, and/or pursuit reports.)

**794.25 CRIMINAL INVESTIGATIVE RESPONSIBILITY.** The geographic detectives in the Area where the crime occurred shall be responsible for the criminal investigation related to all employee-involved and employee-influenced injuries which are not the responsibility of a specialized command. The Area or specialized division commanding officer shall ensure that appropriate investigative personnel are assigned to the criminal investigation of these incidents.

**794.26 STATEMENTS FOR OFFICER INVOLVED-SHOOTINGS, CUSTODIAL AND LAW ENFORCEMENT ACTIVITY-RELATED DEATHS, AND USE OF FORCE INCIDENTS RESULTING IN SIGNIFICANT INJURY.** The statements of involved officers and civilian witnesses who actually witnessed the incident shall be recorded.

**794.30 INVESTIGATIONS INVOLVING MISCONDUCT.** Whenever a FID investigation involves an allegation(s) of serious misconduct or the investigation reveals

serious misconduct, the Commanding Officer, FID, or senior officer in charge of the FID investigation shall notify the Chief of Police or his designee and the Commanding Officer, Internal Affairs Group (IAG), immediately.

**794.32 FORCE INVESTIGATION DIVISION - INVESTIGATION INVOLVING SERIOUS MISCONDUCT.** When a Force Investigation Division (FID) investigation involves an allegation(s) of serious misconduct or the investigation reveals serious misconduct, the Commanding Officer, FID, or the senior officer in charge of the FID investigation shall immediately notify the Chief of Police or his designee; the Commanding Officer, IAG; and, the Inspector General (IG). When it is determined that an officer is involved in serious misconduct, IAG shall assume responsibility for the criminal and administrative investigations, though the Chief may assign the criminal investigation to any entity other than FID. The Chief will notify the Board of Police Commissioners (Police Commission) in writing, with a copy to the IG, that the investigation has been transferred to IAG (or another entity) and include the new investigative control number as well as the old FID control number (e.g., OIS number) if one was issued.

When IAG completes its investigation, the Chief shall forward a summary of the investigation to the Police Commission for its review with a copy to the IG. If that investigation is not completed at least 60 days before the running of any disciplinary (administrative) statute of limitations, the Chief will provide a status report of the investigation to the Police Commission, with a copy to the IG. The status report will identify the reason(s) the investigation is not completed, a description of investigative steps yet to be completed and a schedule for completing the investigation.

**Note:** Any element of the Department necessary to complete the investigation shall be at the disposal of the Commanding Officer, Internal Affairs Group.

**794.35 WATCH COMMANDER/ DEPARTMENT COMMAND POST NOTIFICATION RESPONSIBILITY.** The watch commander or officer in charge who receives initial notification of an incident for which FID has investigative responsibility shall immediately notify the Department Command Post (DCP), Communications Division. The DCP shall make the appropriate notifications which shall include:

- \* Force Investigation Division (or the designated on-call FID team during non-business hours);
- \* Office of the Chief of Police;
- \* Office of the Inspector General (OIG) on behalf of the Board of Police Commissioners;
- \* Office of Operations;
- \* Risk Management Group; and,

- \* Los Angeles District Attorney's Office for those cases identified in the roll out protocol governing such notifications.

**794.36 ADDITIONAL NOTIFICATION REQUIREMENTS.** When informed that a Department employee has been involved in a shooting or serious injury or death resulting from police action other than a traffic collision, or that an employee has received a serious injury or has been killed, the Department Command Post, in addition to other required notifications, shall notify:

- \* Robbery-Homicide Division or Force Investigation Division depending on the circumstances;
- \* The operations support division investigating officers if the incident occurred within the City;
- \* The involved officer's commanding officer; and,
- \* Internal Affairs Group or, when closed, the assigned duty officer of that division.

**Note:** When FID is notified, refer to Manual Section 3/794.35 for further notifications.

When informed of any incident involving a reportable discharge of a firearm by a Department employee (Manual Section 4/244), FID shall issue the reporting officer a FID control number.

**794.37 FORCE INVESTIGATION DIVISION - INVESTIGATIONS.**

**Response and Crime Scene Responsibilities.** Force Investigation Division shall be available to respond 24-hours a day to incidents for which it has investigative responsibility. Upon receiving notification of an incident, a FID investigator shall respond to the scene promptly. When multiple investigating entities are present, the senior FID member present shall have overall command of the crime scene and the on-scene investigation. This does not preclude the Chief of Police, the Chief of Staff, the Department Commander or the Chief's Operations Duty Officer from assuming command when there is a specific need to do so.

**Force Investigation Division Responsibilities.** Force Investigation Division investigators shall follow established Department procedure for investigating all incidents for which it has investigative responsibility. Additionally, FID investigators shall:

- \* Record their interviews of all involved officers and witnesses;
- \* Interview witnesses at locations and times convenient to them, whenever it is practical and appropriate;
- \* Prohibit group interviews;
- \* Interview all involved supervisors regarding their conduct at the scene during the incident;
- \* Coordinate the collection and preservation of all appropriate evidence, including

canvassing the scene to locate possible witnesses if appropriate; and,

- \* Identify and document all inconsistencies in officer and witness interview statements.

**Watch Commander/Incident Commander's Responsibilities.**

After all public safety concerns have been addressed, the watch commander, Area of occurrence, or incident commander shall ensure that involved officers and witness officers are transported from the scene, physically separated unless logistical problems (e.g., the number of involved officers and/or supervisors) preclude individual separation, and monitored to eliminate the possibility of contaminating their statements prior to their interview by FID personnel. During that time, the watch commander/incident commander shall ensure that the welfare of the involved officer(s) is addressed.

**Duty to Assess Supervisorial Response.**

Within seven calendar days of a Categorical Use of Force incident, the commanding officer of a supervisor who responds to a Categorical Use of Force, in consultation with Force Investigation Division (FID), shall:

- \* Analyze the circumstances surrounding the presence or absence of a supervisor at a Categorical Use of Force incident;

**Note:** "Supervisor" is defined as the first responding supervisor to a Categorical Use of Force incident, not a supervisor who was a witness or an involved party. The analysis shall also address the response of any subsequent supervisor(s) who assumes command of the incident.

- \* Determine if a supervisor's response to, and actions at, the incident were appropriate (i.e., ensuring medical treatment was provided, facilitating the search for outstanding suspects and/or weapons, establishing a perimeter, protecting the crime scene, canvassing for witnesses, ensuring separation of officers, bringing appropriate resources to the scene, promptly notifying the Department Command Post, etc.);
- \* Identify training issues, if any;
- \* Document the analysis on an Employee Comment Sheet, Form 1.77, as outlined in Manual Section 3/760.13. The documented analysis shall reflect specificity and individuality;
- \* Discuss the commanding officer's analysis with the involved supervisor(s);
- \* Take appropriate administrative action as necessary; and,
- \* File the Employee Comment Sheet in the divisional Comment Sheet file, and ensure the information is taken into account in the supervisor's next performance evaluation.

**Note:** Lieutenants in charge of Area detective divisions as commanding officers shall not conduct this assessment.

The involved employee's commanding officer shall prepare and forward an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, FID, no later than seven calendar days following the incident confirming that an assessment was conducted. The 15.2 shall contain the following:

- \* FID case number;
- \* Date of occurrence;
- \* Name and serial number of the supervisor(s) assessed; and,
- \* Date the analysis was conducted.

The original Form 15.2 shall be retained by FID with its investigation, and a copy shall be maintained at the Area/divisional level. Appropriate supervision for these incidents shall also be addressed by the Use of Force Review Board and any action with respect to supervision generally should flow from that process.

**794.38 NOTIFICATION TO THE DISTRICT ATTORNEY AND INSPECTOR GENERAL.**

The FID officer in charge of an incident shall ensure that the Los Angeles County District Attorney's Office has been notified promptly on those cases identified in the roll out protocol, and that the OIG is notified on all FID cases. Currently, the roll out protocol requires such notification in the event of an in-custody death, or any death of an individual in the control of the Department or any member of the Department; when a use of force may be the proximate cause of death; or when a sworn Department employee, on- or off-duty, shoots and injures a member of the public during the course and scope of the officer's employment.

**Liaison with the District Attorney and Inspector General.** The assigned FID investigator or his supervisor shall liaise with the assigned deputy district attorney and Inspector General to ensure that both are briefed and allowed to observe the investigation.

**794.39 DISTRIBUTION OF REPORT.**

The original and all copies of the final FID administrative report shall be marked "CONFIDENTIAL." The Commanding Officer, FID, shall retain the original and distribute copies to the Office of the Inspector General (for the Board of Police Commissioners), Risk Management Group, and the Department's Use of Force Review Board.

**794.40 RETURN TO FIELD DUTY OF EMPLOYEES INVOLVED IN AN OFFICER-INVOLVED SHOOTING RESULTING IN INJURY OR A CATEGORICAL USE OF FORCE RESULTING IN DEATH OR THE SUBSTANTIAL POSSIBILITY OF DEATH.**

**Commanding Officer's Responsibility - Initial Response and Preliminary Procedures.** Upon notification of an on- or

off-duty employee(s) under his or her command who is involved in an officer-involved shooting resulting in an injury to any person or a Categorical use of force resulting in death or the substantial possibility of death, the commanding officer shall:

- \* Immediately remove the involved employee(s) from field duty;
- \* Meet with the involved employee(s) to discuss the process that will occur (e.g., Force Investigation Division (FID) interviews, Behavioral Science Services (BSS) referral, Use of Force Review Board, etc.);

**Note:** Supervisors and commanding officers shall not discuss an assessment of the incident.

- \* Ensure that the initial needs of the involved employee(s) are met (e.g., notification to family/friends, involved employee(s) and personal vehicle transported to residence at conclusion of interviews, etc.); and,
- \* Review the Training, Evaluation, and Management System (TEAMS) Report of the involved employee(s) to examine the areas of discipline information, use of force information and pursuits. Obtain the details in any of the areas of concern (e.g., contacting Professional Standards Bureau for details on a pending complaint(s), Intradepartmental Correspondence, Form 15.2, to the Police Commission for the details on a prior shooting or a Categorical use of force, discussions with the involved employee's immediate supervisor or officer in charge to examine if a pattern in uses of force or discipline exists, etc.).

**Directed Referral to Behavioral Science Services.**

The commanding officer of an on- or off-duty employee(s) who is involved in an officer-involved shooting resulting in an injury to any person or a Categorical use of force resulting in death or the substantial possibility of death shall:

- \* Notify BSS within two administrative working days of the incident;
- \* Schedule an appointment for the employee(s) with BSS for a psychological evaluation by a licensed mental health professional;
- \* Notify the involved employee of the appointment; and,

**Note:** An employee's attendance at a BSS session resulting from a directed referral is mandatory and shall be conducted on an on-duty basis.

- \* Consult with BSS after the involved employee's mandated appointment to obtain their recommendation of whether or not to return the employee(s) to field duty. Other than the recommendation of BSS, matters discussed during the BSS evaluation shall be strictly confidential.

**Return to Field Duty.** Prior to returning an employee to field duty, approval is required from the Chief of Police. After obtaining the

recommendation from BSS to return an involved employee to field duty (if applicable), the involved employee's commanding officer shall:

- \* Interview the employee(s) to assess the employee's readiness and suitability to return to field duty;
- \* Obtain concurrence from the bureau commanding officer, who will then obtain approval from the assistant chief within their chain of command and the Chief of Police regarding the involved employee's readiness to return to field duty;
- \* Notify the involved employee(s) of the determination to return or not return the employee to field duty status; and,
- \* Continue to assess and monitor the involved employee(s) upon their return to field duty to ensure the welfare of the involved employee considering liability factors, work products, subsequent interviews, and complaint or work history.

**Notification to Use of Force Review Board.**  
Within 30 calendar days of the incident, the commanding officer of the employee who is involved in an officer-involved shooting resulting in an injury to any person or a Categorical use of force resulting in death or the substantial possibility of death shall submit a Form 15.2 via the chain of command to the Chair of the Use of Force Review Board confirming compliance with these guidelines. The Form 15.2 shall include:

- \* The date of the incident;
- \* The date of the officer's BSS visit (if applicable);
- \* The date of the commanding officer's consultation with BSS (if applicable);
- \* The recommendation of BSS regarding the duty status of the involved employee (if applicable);
- \* The rationale for the commanding officer's decision to return or not return the employee to field duty status;
- \* The dates that approval was obtained from the bureau commanding officer, assistant chief and Chief of Police to return the employee to field duty;
- \* The date the officer(s) was returned to field duty, if such a determination was made;
- \* The specific assignment(s) of the involved employee on each of the dates prior to the officer being returned to field duty; and,

**Note:** If the involved employee has not returned to field duty within 30 calendar days of the incident due to the recommendation of BSS or non-approval by the Chief of Police, an additional Form 15.2 shall be submitted every 30 days thereafter indicating specific assignment(s) of the involved employee pending his/her return to field duty until approved for return to full duty.

- \* Any duty restrictions attached to the return to field duty determination.

**Note:** Nothing in this section prevents a commanding officer from referring an officer

to BSS under less serious circumstances (Manual Section 3/799).

**Bureau Commanding Officer's Responsibility.** Upon notification by the involved employee's commanding officer of BSS's recommendation to return the employee who was involved in an officer-involved shooting resulting in an injury to any person or a Categorical use of force resulting in death or the substantial possibility of death to field duty, the bureau commanding officer shall:

- \* Discuss the involved employee's readiness and suitability to return to field duty with the involved employee's commanding officer and consider his/her recommendation for approval or disapproval;
- \* Consult with the assistant chief within the employee's chain of command and the Chief of Police or his/her designee, within seven days of the BSS recommendation (if applicable) to obtain approval for the employee to return to field duty; and,

**Note:** It is the responsibility of the involved employee's bureau commanding officer to ensure concurrence is obtained from the Chief of Police or designee through his/her chain of command in a timely manner. This may be accomplished telephonically, if necessary.

- \* Advise the involved employee's commanding officer of the decision by the Chief of Police.

**795. OBTAINING A PUBLIC SAFETY STATEMENT – CATEGORICAL USE OF FORCE.** A supervisor in charge of a Categorical use of force scene shall obtain sufficient information to conduct his/her duties at the scene (e.g., establishing a perimeter, protecting the crime scene, locating witnesses/evidence, managing the response of additional resources, etc.). A public safety statement shall be obtained from as many employees as necessary for the supervisor to immediately determine:

- \* Type of force used;
- \* Direction and approximate number of any shots fired by the involved employee(s) and/or suspects, if applicable;
- \* Location of injured persons, including those in need of medical attention, if any;
- \* Description of outstanding suspect(s) and his/her direction(s) of travel, time elapsed since the suspect was last seen, and any suspect weapon(s);
- \* Description and location of any known victims or witnesses;
- \* Description and location of any known evidence; and,
- \* Other information as necessary to ensure officer and public safety and assist in the apprehension of outstanding suspect(s).

After obtaining sufficient information, the supervisor shall immediately cause the individual separation of involved/witness employees and order them not to discuss the

incident with anyone other than the assigned investigators and the employee's representative(s).

**Note:** Supervisors involved in the separation, transportation, and monitoring of an involved/witness employee following a Categorical use of force incident shall not discuss tactics with that employee.

**795.10 DOCUMENTING THE SEPARATION, TRANSPORTATION, AND MONITORING OF EMPLOYEES.** The actions of each Department employee involved in the separation, transportation and monitoring of employees will be critically evaluated at every Use of Force Review Board.

**Incident Commander's Responsibility.** After a public safety statement has been obtained and all public safety concerns have been addressed (e.g., establishing a perimeter, protecting the crime scene, locating witnesses/evidence, managing the response of additional resources, etc.), the incident commander shall:

- \* Ensure that supervisors transport previously separated involved/witness employees individually to the location of interview as soon as practicable (If the incident occurs outside the city, an outside law enforcement agency's facility may be used). Separation shall remain in effect until the employee is interviewed by Force Investigation Division (FID);

**Exception:** An involved/witness employee may remain at the scene to identify possible suspects. If this occurs, a supervisor shall accompany the employee at all times.

- \* Utilize all supervisory resources available as necessary (e.g., from Vice, Gang Enforcement Details, detectives, supervisors from adjacent Areas) to transport and monitor involved/witness employees individually to eliminate the possibility of contaminating their statements prior to their interview by FID; and,
- \* Ensure that the welfare of each involved/witness employee is addressed.

If logistical problems preclude individual separation of employees (e.g., the number of involved/witness employees exceeds the number of available supervisors), the incident commander shall determine the necessity for deviation from Department procedures. Any deviation shall be documented and justified in the incident commander's daily log (i.e., the Watch Commander's Daily Report, Form 15.80, or the Supervisor's Daily Report, Form 15.48.0, as applicable).

**Supervisor's Responsibility.** Any supervisor involved in the separation, transportation, and monitoring of involved/witness employees following a Categorical use of force incident shall advise the incident commander of his/her actions and document them on a Sergeant's Daily Report. Such documentation shall include:

- \* Date, time, and location the supervisor transported and/or monitored the employee;
- \* Verification that separation of the employee was maintained before, during, and after he/she was transported to the location of the interview; and,
- \* Specific setting where the employee was monitored (prior to interview) at the location of interview.

Each involved supervisor shall provide the watch commander with a copy of his/her Supervisor's Daily Report as soon practicable.

**Watch Commander's Responsibility.** In the event that the on-duty watch commander is not acting as the incident commander, the watch commander shall maintain overall accountability for documenting details of the separation, transportation, and monitoring of each involved/witness employee. This information shall be recorded on the Watch Commander's Daily Report as follows:

- \* Date and time each involved/witness employee was transported for interview and by whom;
- \* Name of all supervisor(s) involved in the monitoring of involved/witness employee(s);
- \* Deviations from Department procedure, if any; and,
- \* Any other information of potential interest to FID investigators (e.g., employee was transported to a non-Department facility, a change in personnel monitoring an involved/witness employee due to change of watch, etc.).

Any deviation from procedures shall be addressed in the Watch Commander's Daily Report.

**Note:** A copy of the Watch Commander's Daily Report and all applicable Sergeant's Daily Reports shall be provided to FID as soon as practicable.

**796. OFFICER-INVOLVED SHOOTINGS/SERIOUS INJURY OR DEATH RESULTING FROM POLICE ACTION-SPECIAL DUTIES.**

**796.01 UPPER BODY CONTROL HOLDS, USE OF FORCE INCIDENTS.** Force Investigation Division shall be responsible for the administrative investigation of all upper body control hold use of force incidents. Supervisors shall adhere to Department procedures regarding lethal use of force incidents upon being made aware of an upper body control hold incident.

**796.05 INVESTIGATING OFFICER'S RESPONSIBILITY-CRITICAL INCIDENT INVESTIGATION DIVISION CONTROL NUMBER.** The officer responsible for conducting the administrative investigation of a FID incident shall:

- \* Obtain a Force Investigation Division (FID) control number from Administrative Section, FID.
- \* Place the FID control number on all related administrative reports.

**Note:** The FID control number shall not appear on the reports related to the criminal investigation.

- \* Prepare and forward a news release to Media Relations Section, Public Information Office, Office of Operations, and the Use of Force Review Board Coordinator, Chief of Staff;
- \* In all cases where an individual sustains a gunshot wound, and in other FID cases as appropriate; and,
- \* As directed by the involved officer's commanding officer when no person sustains a gunshot wound.

**796.08 LOS ANGELES FIRE DEPARTMENT (LAFD) ARSON INVESTIGATOR-INVOLVED SHOOTING INVESTIGATIONS.** Los Angeles Fire Department personnel will investigate all arson investigator-involved accidental discharges not resulting in injury, and all LAFD arson investigator animal shootings.

All other LAFD arson investigator-involved shootings will be investigated by the Los Angeles Police Department. The LAFD will notify the Department Command Post. The Department Command Post will then notify the Force Investigation Division.

**Investigative Responsibility.** When a LAFD arson investigator-involved shooting falls outside the LAFD investigative purview, the Force Investigation Division shall:

- \* Conduct an administrative investigation of the incident in accordance with established Department procedures.
- \* Submit a report of the investigation **directly** to the Chief Engineer, LAFD, within 60 days of the date of occurrence. When it is impracticable to submit the report within 60 days, the Commanding Officer, Force Investigation Division, shall notify the Chief Engineer, LAFD, of the delay.

**796.10 USE OF FORCE INTERNAL PROCESS REPORT, FORM 1.67.4-COMMANDING OFFICER'S RESPONSIBILITY.**

**Probationary Employee Involved.** When any probationary employee is the subject of a personnel complaint, or discipline is recommended as a result of a use of force or traffic collision, the following shall be included in the commanding officer's portion of the report (i.e., letter of transmittal, narrative, etc.):

- \* Date probationary employee was hired; and,
- \* Current end of probation date, including explanations for any extensions.

**Note:** Civil Service Commission Rule 5.26 states that in the event a probationary officer is absent in excess of seven calendar days in the aggregate, except for vacation or time off for overtime, that probationary officer's probationary period shall be extended by the entire period or periods missed. Additionally, the probationary period shall also be extended by the number of days the probationary officer is on **restricted duty** because of an on-duty injury or illness, non-duty related injury or illness, or pregnancy.

**Example:** Probationary Officer John Jones will be off probation on May 31, 20--. This date reflects an **eight-day** extension of the probationary period for the following restrictions/absences:

January 20, 21, 22, and 23, 20--: restricted duty  
 March 1, 2, 3, and 4, 20--: sick time used

(The eight calendar days of absence required to extend a probationary period need not be consecutive. This example clarifies "in the aggregate.")

**796.15 DUTIES OF INTERNAL AFFAIRS GROUP.** The Commanding Officer, Internal Affairs Group, upon receipt of a Use of Force Internal Process Report, Form 1.67.1, shall, within two (2) administrative working days:

- \* Notify the commanding officer when a divisional admonishment or a warning has been approved.
- \* Prepare formal charges and forward them to the employee's commanding officer for execution when the approved disciplinary action is an admonishment, a warning or a penalty not exceeding relinquishment of four regular days off.
- \* Forward the complaint to the employee's commanding officer for service when the Chief of Police orders relief from duty or when the approved penalty is suspension.

The Commanding Officer, Internal Affairs Group shall, upon notification that disciplinary action has been administered, return the Use of Force Internal Process Report, Form 1.67.1, and related reports to the Chairperson, Use of Force Review Board for filing.

Appropriate reports shall be forwarded to the Commanding Officer, Personnel Division, for filing in the concerned officer's personnel package.

**796.20 RESPONSIBILITY OF INTERNAL AFFAIRS GROUP.** When an off-duty officer has discharged a firearm outside the City and no gunshot wound is inflicted on any person, Internal Affairs Group investigating officers shall, at the discretion of the Commanding Officer, Internal Affairs Group, respond to the scene and complete any reports necessary for this Department.

**796.25 DUTIES OF THE INVOLVED EMPLOYEE'S COMMANDING OFFICER.**

Upon notification from the Use of Force Review Board, the commanding officer of the involved employee shall:

- \* Attend the Use of Force Review Board Hearing in a non-member capacity to testify regarding personal knowledge of any facts which may be relevant to the incident under review.

Upon receiving a Use of Force Internal Process Report, Form 1.67.1, from the Office of the Chief of Police, the involved employee's commanding officer shall:

- \* Consider the classification of the incident and complete the appropriate portion of the Use of Force Internal Process Report, Form 1.67.1, with the commanding officer's recommendations, consistent with the classification and the recommendations of the Use of Force Review Board.
- \* Return the completed report to the Office of the Chief of Police within five administrative working days for final review and adjudication.
- \* Administer discipline in cases where the approved penalty is a warning or an admonishment.

The involved employee's commanding officer shall notify the employee every 30 days of the status of the review.

**796.35 PROCEDURES FOR COORDINATING DIRECTED TRAINING.**

**Employee's Commanding Officer Responsibility.**

**Divisional/Area Training.** When an administrative review of an employee's performance results in a recommendation of Divisional/Area training, the employee's commanding officer shall ensure that:

- \* A member(s) of his/her command is designated to provide the recommended training.
- \* The command's Training Coordinator records the training in the employee's Training Evaluation and Management System (TEAMS).

**Formalized Training.** When an administrative review of an employee's performance results in a recommendation of formalized training, the employee's commanding officer shall ensure that:

- \* Training Division is advised of the specific training needs of the employee as identified through the administrative review;
- \* The employee receives the recommended training; and,
- \* The command's Training Coordinator records the recommended training in the employee's TEAMS.

**Training Evaluation and Management**

**System.** All directed training entries in TEAMS shall include the name, serial number, and assignment of the employee who provided the training, the Shots Fired by Officer Control (OIS) number or, if not applicable, the file number associated with the administrative review. If no administrative control number applies, the Division of Record (DR) number shall be entered.

**797. DEATHS OF DEPARTMENT EMPLOYEES.**

**797.10 DEATHS OF DEPARTMENT EMPLOYEES-SUPERVISOR'S DUTIES.**

The first supervisory officer to be informed of the death of a Department employee shall forward such information to the Employee Assistance Unit, Behavioral Science Services. During the hours that the Employee Assistance Unit is closed, notification shall be made to the Department Command Post.

**Note:** When the death is that of a civilian employee, immediate notification shall be made by telephone to the Worker's Compensation Office, Personnel Department. When this office is closed, the City Hall switchboard operator shall be requested to transfer the call to the home of the on-call employee assigned to this office.

**797.20 DEATHS OF EMPLOYEES-EMPLOYEE ASSISTANCE UNIT NOTIFICATION.**

A notification to the Employee Assistance Unit, Behavioral Science Services, or to the Department Command Post, concerning the death of a Department employee may be made by teletype, telephone, or in person. The following information shall be transmitted in such notification:

- \* Name and serial number of the deceased.
- \* Civil service title of the deceased.
- \* Date and time of death. The time of death shall be reported as accurately as possible particularly if death occurred near midnight.
- \* Location and a brief statement of the circumstances of the death.
- \* Relative to be notified of the death.

**797.30 RELEASE OF IDENTIFICATION OF A DEAD OR CRITICALLY INJURED OFFICER.**

When an officer is killed or critically injured as a result of his/her official duties, the officer's identification shall not be released to any person outside of the Department. All inquiries from the news media or other interested parties shall be referred to the officer's commanding officer. The concerned commanding officer shall be responsible for determining, subsequent to notification of the officer's next of kin, when the officer's identification shall be released.

**797.40 DEATH OF DEPARTMENT EMPLOYEE-NOTIFICATION TO NEXT OF KIN.**

A death notification shall be made to the deceased employee's specified next of kin and all persons on the employee's Address and

Phone Number Record, Form 1.20, and Employee Record Form, Form 1.38.

**Responsibility of Notification.** The commanding officer of the deceased employee shall cause the necessary notification to be made to the next of kin. Department personnel specified on the employee's Address and Phone Number Record, Form 1.20 (backside), shall be requested to assist with the notification(s).

**Note:** The Employee Assistance Unit (EAU), Behavioral Science Services (BSS), is a Department resource that is available to provide advice and/or assistance with notifications which follow the death of a Department employee.

**Notification to be Made in Person.** A death notification by an employee of the Department shall be made in person unless physical conditions make it impracticable.

**Within Other Area.** If necessary, death notification information may be transmitted by telephone or teletype to the uniformed division in the Area nearest the residence of the person to be notified; a supervisor of that division shall then arrange for personal notification to be made.

**797.60 ANNOUNCEMENT OF DEATH OF EMPLOYEE TO DEPARTMENT.**

A Death and Funeral Notice concerning the death of a Department employee shall be made except when there has been a considerable lapse of time between the death and the notification to the Department. The Death and Funeral Notice shall be prepared by the Officer in Charge, Employee Assistance Unit, Behavioral Science Services. The Death and Funeral Notice shall contain such information as the commanding officer believes to be appropriate.

**Death of Officer in Line of Duty.** When an officer is killed in the line of duty, or dies as the direct result of injuries incurred while in the performance of his or her official duties, the teletype broadcasts shall notify concerned personnel that the National Flag and all other flags flown at Department facilities shall be flown at half-staff (Manual Section 3/234.90).

**797.70 NOTIFICATION OF DEATH OF EMPLOYEE BY EMPLOYEE ASSISTANCE UNIT.**

The following offices shall be notified of the death of a Department employee by the Employee Assistance Unit, Behavioral Science Services, or by the Department Command Post during those hours when the Employee Assistance Unit is closed:

- \* Office of the Chief of Police.
- \* Department of Pensions or, if the deceased was a civilian employee, the All City Employees' Association.
- \* Accountant's Office Fiscal Operations Division (FOD).
- \* Personnel Records Unit, Personnel Division.

**797.80 DEATH OF OFFICER-POLICE MEMORIAL INSCRIPTION.** When an officer dies as the direct result of injuries incurred while in the performance of an activity directly related to fulfilling the primary objectives of the Department, the Employee Assistance Unit shall review the circumstances of the death to determine whether or not the officer was killed in the line of duty. The Employee Assistance Unit shall then forward an original and one copy of an Intradepartmental Correspondence, Form 15.2, through the Chief Police Psychologist, Behavioral Science Services, and the Director, Office of Support Services and the Chief of Staff, reporting the circumstances of the death and recommending the appropriateness of placing an inscription on the Police Memorial.

Upon receipt of a Form 15.2 from the Employee Assistance Unit regarding the circumstances relating to the death of an officer, the Director, Office of Support Services shall determine whether or not the officer was killed in the line of duty. When the Director, Office of Support Services determines that an officer's name should appear on the Police Memorial, he/she shall ensure that the appropriate correspondence is forwarded to the Bureau of Public Buildings, Department of Public Works, requesting that an inscription be made.

**797.90 CORONER'S INQUEST-DEATH OF DEPARTMENT EMPLOYEE.** In cases where a Coroner's inquest into the circumstances of the death of a Department employee is to be held, the investigating officer shall notify the City Attorney's Office of the date and the time set for the inquest and of the name and the detail of the investigating officer.

**798. FUNERALS OF DEPARTMENT EMPLOYEES.** The Officer in Charge, Employee Assistance Unit, Behavioral Science Services (Manual Section 2/390.25), is responsible for assisting the family of a deceased employee at the time of the funeral.

**798.30 COMMANDING OFFICER'S PARTICIPATION IN FUNERALS.** If a Department employee was in active service at the time of his/her death, his/her commanding officer shall attend the funeral services and the interment. If the employee was assigned to a uniformed division at the time of death, officers shall be encouraged to attend the services in uniform.

**798.90 EMPLOYEES DETAILED TO PARTICIPATE IN FUNERALS.** Employees detailed to attend the funeral of another Department employee shall be considered as being on-duty while so engaged.

**798.95 POLICE OFFICER FUNERALS-OUTSIDE AGENCIES.** When an officer of another California law enforcement agency is killed in the line of duty, the Employee Assistance Unit, Behavioral Science Services, shall:

- \* Ascertain the date, time, and location of the funeral and interment services.
- \* Notify the Wellness Coordinator, Office of the Chief of Police of the date, time, and location of the deceased officer's funeral and interment services.

The Wellness Coordinator shall notify the Chief of Police of all law enforcement agency funeral and interment services. When attendance by Department personnel at a funeral or interment service will require overnight travel, the Wellness Coordinator shall obtain approval from the Chief of Police and notify the Employee Assistance Unit of the Chief of Police's decision.

**Note:** Approval to select personnel from throughout the Department, if necessary, will be obtained at the time approval to send representatives is granted.

**Local Funeral Services.** When the funeral and interment services are within the local area, the Director, Office of Support Services, shall determine if the Department will send representatives to the services and how many representatives will be sent. Office of Support Services may select personnel from throughout the Department, as needed. When representatives are to be sent, the Employee Assistance Unit shall arrange for personnel to attend the services in Class A uniform.

**Note:** "Local area" includes any service that can be attended within one eight-hour tour of duty, including commuting time.

**Funeral Services Requiring Overnight Travel.** Department representation at funerals that will require overnight travel accommodations shall be approved by the Chief of Police on a case-by-case basis prior to selection of personnel to attend. The Employee Assistance Unit shall arrange for personnel to attend services requiring overnight travel. The number of personnel to attend shall be approved by the Chief of Police.

Personnel assigned to attend services shall submit the appropriate expense reports upon completion of the trip (Manual Section 3/390.73).

**On-Duty Attendance at Local Funeral Services by Non-Assigned Personnel.** Personnel not assigned to attend local funeral and interment services as part of the funeral detail or Police Honor Guard may attend services on duty at the discretion of their commanding officer.

**Note:** Off-duty personnel may attend local funeral and interment services or services requiring overnight travel in uniform at their own expense. Department vehicles shall not be used for transportation when attendance is in an off-duty status. Time off to attend services is at the discretion of the concerned commanding officer.

**799. REFERRALS TO BEHAVIORAL SCIENCE SERVICES.** When an employee's

commanding officer or supervisor becomes aware that the employee is exhibiting behavior that may be interpreted as interfering with the individual's job performance and/or may pose a threat to the safety or well-being of the employee or others, a BSS psychologist shall be contacted to obtain their professional advice. Generally, the commanding officer shall contact BSS. However, under emergency circumstances, a supervisor may contact BSS.

**Note:** During off-hours, the commanding officer or supervisor should contact the on-call BSS psychologist via the Department Command Post, Communications Division.

The commanding officer or supervisor shall explain in detail the facts regarding the employee's behavior which have led to the belief that the employee may require the assistance of BSS. Behavioral Science Services will evaluate the request and advise the commanding officer or supervisor whether or not a directed or recommended referral to BSS is appropriate. Documentation is not required by the commanding officer or supervisor. However, if initiated it should **only** indicate that the employee was either referred or directed to BSS and a copy of the documentation shall be provided to the employee.

**799.10 DIRECTED REFERRAL.** When a directed referral is recommended by BSS, the commanding officer shall meet with the employee. When an emergency exists and there may be an unacceptable delay in the commanding officer's arrival, a supervisor may meet with the employee.

When meeting with the employee, the commanding officer or supervisor shall discuss the rationale for the directed referral. The commanding officer or supervisor shall inform the employee that the directed referral is not disciplinary or punitive in nature, but is designed to assist the employee in resolving the relevant issues.

The commanding officer or supervisor shall schedule the appointment(s) with BSS and notify the employee of the date and time of the appointment(s).

An employee's attendance at BSS sessions resulting from a directed referral is mandatory and shall be conducted on an on-duty basis. Following the session(s), BSS will contact the commanding officer to verify the employee's attendance and to provide appropriate information. Appropriate information is that information regarding the employee's temporary functional limitations for the purpose of determining temporary suitability of assignment. This does not prohibit BSS from releasing other information when disclosure is specifically authorized by the employee or required by law.

**799.20 RECOMMENDED REFERRAL.** When a commanding officer or supervisor contacts BSS for advice and a recommended referral is deemed to be appropriate, the

commanding officer and/or supervisor shall meet with the employee to discuss the rationale for the recommended referral.

The commanding officer or supervisor shall inform the employee that the recommended referral is not disciplinary or punitive in nature; that the employee's attendance is voluntary; and the referral is completely confidential. Generally, the employee is the only person allowed to schedule a voluntary referral. However, at the employee's request, the commanding officer or supervisor may assist the employee in scheduling the appointment(s) with BSS.

An employee's attendance at a BSS session(s) resulting from a recommended referral, or self-initiated, shall be on an off-duty basis. This session(s) remains confidential and no information will be provided to a referring commanding officer or supervisor unless an appropriate release has been signed by the employee or when disclosure is specifically authorized and/or required by law.

**DISCIPLINARY PROCEDURES**

**805. DISCIPLINARY PROCEDURES-GENERAL PROVISIONS.**

**805.10 CAUSE FOR DISCIPLINARY ACTION.** Employees shall be subject to disciplinary action for acts of misconduct.

**805.25 MISCONDUCT-DEFINED.**

- \* Commission of a criminal offense.
- \* Neglect of duty.
- \* Violation of Department policies, rules, or procedures.
- \* Conduct which may tend to reflect unfavorably upon the employee or the Department.

**810. COMPLAINTS.**

**810.01 COMPLAINT-DEFINED.** The definition of a complaint includes any public complaint, anonymous or third person, regarding Department service, policy or procedure, claims for damages, or employee misconduct, regardless of whether the complaint alleges misconduct as defined by Manual Section 3/805.25, and any complaint of misconduct initiated by a Department employee.

**810.05 COMPLAINTS-CONDITIONS OF ACCEPTANCE.** Complaints shall be accepted from any source: written, verbal, in person or telephonic (or TTY), by mail, facsimile transmission, or electronic means, or anonymously; at Parker Center; any bureau, Area station or substation; at the offices of the Board of Police Commissioners and the Office of the Inspector General; or any other police facility accessible to the public.

**Exception:** A complaint shall not be initiated when the sole reason consists of one or more of the following issues, unless the initial conversation with the complainant identifies attributable misconduct:

- \* Disputed traffic citation;
- \* Delay in service;

**Note:** The delayed response of a patrol unit or a detective failing to conduct a follow up interview due to workload, is not considered a complaint, but rather a delay in providing service and no Complaint Form, Form 1.28.0, is required. If the preliminary investigation discloses there was negligence rather than a delay in providing service due to workload (e.g., call lost when passed from one unit to another at change of watch), a Complaint Form shall be completed.

- \* Low-flying airship; or,
- \* Complaint by an inmate regarding accommodations, cell assignment, quantity/quality of food, etc.

**Traffic Citations.** Supervisors shall conduct a preliminary investigation of the violator's complaint about the issuance of the traffic citation. If no error was identified in the issuance of the citation, the complainant should be directed to the appropriate court for resolution, and no Complaint Form is required. However, if misconduct was alleged or discovered during the interview, then a Complaint Form is required.

**Vehicle Impound Complaints.** Supervisors shall interview the complainant regarding the incident that resulted in the vehicle being impounded. If no other allegation(s) is made regarding the vehicle impound itself, no Complaint Form is required and the complainant may be referred to the Vehicle Impound Hearing process as delineated in Manual Section 4/266.05. If the interview discloses an allegation(s), a Complaint Form shall be initiated regarding the allegation(s) outside of the vehicle impound, and the referral of the Complainant to the Vehicle Impound Hearing process documented on the Complaint Form.

**811. ACCEPTING COMPLAINTS.** A supervisor receiving a complaint in person, by telephone or in any written form, shall:

- \* Conduct a preliminary investigation, as established in *Complaint Investigations: A Guide for Supervisors* and as outlined in Manual Section 3/815.01;

**Exception:** Supervisors who find themselves the subject of alleged misconduct shall report the incident to an uninvolved supervisor who shall conduct the preliminary investigation.

- \* Complete a Complaint Form, summarizing the complaint and the complainant's statements under the Summary portion;
- \* Tape-record all interviews. If not practical, supervisors shall include a written

justification under the Summary portion of the Complaint Form;

**Note:** If a non-employee complainant or witness refuses to be recorded, an attempt shall be made to record the refusal on tape or on a signed statement of refusal.

- \* Provide the complainant with the bottom copy of the Complaint Form, and advise the complainant that another copy will be mailed out with an assigned case number. If the complaint was made by telephone, leave the triplicate form intact and advise the complainant that a copy will be mailed out by IAG once a case number has been assigned;
- \* Advise the complainant of the provisions of California Penal Code Section 148.6 and complete the Complainant Advisory, Form 1.28.10, in accordance with Manual Section 3/814;
- \* Attempt to resolve the matter to the satisfaction of the complainant and take appropriate action to prevent aggravation of the incident;
- \* Determine the complainant's willingness to participate in the Alternative Complaint Resolution (ACR) process, if appropriate; and,

**Note:** Regardless of whether a consensual resolution of the complaint is achieved by a supervisor through ACR or otherwise, all complaints shall still be recorded, investigated, and classified.

- \* Submit the Complaint Form and preliminary investigation to the watch commander, Section officer in charge (OIC), or civilian equivalent, for review.

**Note:** If, during the course of a complaint investigation, the investigating supervisor has reason to believe that additional misconduct may have occurred, other than that alleged by the complainant, the investigating supervisor shall either record the additional misconduct as a separate allegation on the original complaint or initiate a new complaint as appropriate.

**811.05 WATCH COMMANDER/OFFICER IN CHARGE**

**RESPONSIBILITY.** A watch commander, section officer in charge (OIC) or civilian equivalent who becomes aware of a complaint shall ensure that a Complaint Form is prepared without unnecessary delay. Upon receipt of a Complaint Form submitted by a supervisor, the watch commander, section OIC or civilian equivalent, shall:

- \* Review the form for completeness and accuracy, ensuring that a thorough preliminary investigation was conducted;
- \* Using the *Preliminary Case Screening* box on the Complaint Form, determine whether the complaint should be classified as Disciplinary or Non-Disciplinary (Refer to Manual Section 3/817 for classification guidelines);



- \* When appropriate, facilitate the Alternative Complaint Resolution process;
- \* Ensure that a Complainant Advisory Form 1.28.10, has been completed, and that the check box on the Complaint Form, used to indicate receipt of a completed Complainant Advisory, has been checked by the investigating supervisor; and,
- \* Sign and date the Complaint Form and submit the complaint investigation and attachments as soon as practicable to the commanding officer for approval.

**811.15 COMMANDING OFFICER'S RESPONSIBILITY.** The primary responsibility for investigating complaint allegations rests with the employee's commanding officer. A commanding officer, upon becoming aware of a complaint, shall ensure that the original Complaint Form is forwarded to the Commanding Officer, Internal Affairs Group (IAG), within two calendar days of the complaint initiation (or in the event of a weekend, the following business day).

**Note:** Complaints received directly by IAG shall be handled in accordance with guidelines established in Manual Section 3/811.25. Upon receipt of a Complaint Form from IAG with a complaint form (CF) number already issued, commanding officers shall ensure that a supervisor promptly investigates the complaint.

**811.20 COMMUNITY REPORTING OF A COMPLAINT OR EMPLOYEE MISCONDUCT.** When a member of the community wishes to report misconduct and/or make a complaint, the employee shall immediately notify a supervisor.

**Use of Employee Misconduct Form.** Any employee assigned to areas accessible to the public, such as the front desks of Area stations, Parker Center, or other police facilities, shall first refer the complainant to a supervisor. If the community member is unwilling or unable to meet with a supervisor, the employee shall provide the individual with a Complaint of Employee Misconduct form appropriate for the language spoken; a preaddressed business reply envelope marked "ATTN: Internal Affairs Group," and a Personnel Complaint Information pamphlet appropriate for the language spoken.

Any employee who receives a completed Complaint of Employee Misconduct form shall immediately notify a supervisor. Upon the return of a Complaint of Employee Misconduct form to an Area station, Parker Center, the Police Commission, or any other police facility, the employee receiving the form shall ask the complainant to wait until a supervisor has reviewed the form. If the complainant is unable to wait for a supervisor, the employee shall ensure that the complainant receives the bottom copy of the form, and that a supervisor receives the original.

**Note:** During normal business hours, an employee receiving a complaint form at Parker Center shall notify Internal Affairs Group,

When a complaint form is received at Parker Center after normal business hours or on weekends, the employee receiving the form shall contact the Department Command Post. The employee shall not forward the form, nor refer the individual submitting the complaint, to the division of occurrence.

**Supervisor's Responsibility.** When possible, a supervisor shall review the Complaint of Employee Misconduct form with the complainant to ensure that all necessary information has been obtained. If a supervisor determines that immediate action is required after the review, such action shall be taken. The supervisor shall ensure the appropriate distribution of Complaint of Employee Misconduct forms.

**Commanding Officer's Responsibility.** Commanding officers shall ensure that a supply of Complaint of Employee Misconduct forms (Forms 1.81.6, 1.81.7, 1.81.8, 1.81.9, 1.81.13, 1.81.14 and 1.81.15) with postage-paid, preaddressed business reply envelopes marked "ATTN: Internal Affairs Group," and Personnel Complaint Information pamphlets, Forms 1.81.3, 1.81.10, 1.81.17, 1.81.18, and 1.81.19, are maintained at a location accessible to the public 24 hours per day at all Area Stations, Parker Center, and any other police facility accessible to the public. In addition, commanding officers shall ensure that:

- \* Forms required to file a complaint are available, upon request, to community groups, community centers, and public and private service centers; and,
- \* All complaint forms received are reviewed for possible employee misconduct, and shall indicate on the form what action(s) were taken to address the matter. The author of the Complaint of Employee Misconduct form shall be notified of such action.

**811.25 COMPLAINTS MADE OTHER THAN IN-PERSON.** Letters of complaint from the public against Department employees may be comprised of any written material, including formal letters, notes, facsimiles, electronic mail correspondence, or completed Complaint of Employee Misconduct forms.

**Employee's Responsibility.** An employee who receives a letter of complaint from the public shall, without delay, deliver the letter to his/her watch commander or supervisor.

**Supervisor's Responsibility.** When a division or Area receives a complaint other than in-person, (i.e., written, telephonic, electronic) a watch commander or supervisor shall:

- \* Complete a Complaint Form and attach the related correspondence, documents and statements; and,
- \* In cases involving an anonymous complaint, make a reasonable effort to identify the complainant. (Identification of the anonymous complainant is desirable in order to complete a thorough investigation

and to report back to the complainant the results of the investigation.)

**Commanding Officer's Responsibility.** Commanding officers shall:

- \* Ensure that the Complaint Form is forwarded to Internal Affairs Group (IAG) within two calendar days of complaint initiation or, in the event of a weekend, the following business day. The original copy of the complainant's letter shall be included as an addendum in the complaint; and,
- \* If a letter of complaint involves an employee from another command, the commanding officer shall ensure that his own command completes and forwards a Complaint Form to IAG along with the original copy of the complaint letter. Commanding officers shall ensure that a copy of the complaint letter is forwarded to the commanding officer of the concerned command, along with transmittal correspondence confirming that a Complaint Form was already completed and forwarded to IAG along with the original complaint letter.

**Internal Affairs Group's Responsibility.** When Internal Affairs Group receives any complaint from the public, IAG shall:

- \* Complete a Complaint Form, documenting the preliminary information only and attach the related correspondence, documents, and statements;
- \* Issue a Complaint Form (CF) number;
- \* Assign and forward the Complaint Form to the appropriate division/Area for appropriate action; and,
- \* Mail an acknowledgment of the complaint to the complainant with the CF number referenced (second copy of Complaint Form).

**811.30 PERSONS COMPLAINING TO THE POLICE COMMISSION.** When a complaint is made to the Board of Police Commissioners or a member of the Commission staff, the Executive Director shall cause an evaluation of the complaint to be made.

The Executive Director shall bring the complaint to the attention of the Board when, in the Director's judgment, the Board should be informed, and in any of the following cases:

- \* There is reason to believe that established disciplinary procedures have not been followed;
- \* The nature or magnitude of the complaint, if true and made known, would be likely to cause great public concern; or,
- \* The complaint appears reasonable and there is evidence that repeated efforts by the complainant have not provided relief.

Normally, complaints made to the Commission staff shall be handled in the following manner:

- \* Complaints against a member of the Department or about Department policy or procedure, shall be referred to Internal Affairs Group and processed in accordance with Manual Section 3/822.05.

**Exception:** When a complaining person expresses a desire not to be interviewed by a sworn member of the Department, a non-sworn member of the Commission staff shall conduct the interview, complete the Complainant Advisory, Form 1.28.10, and any additional reports required by established procedures. Investigations shall be processed in accordance with Manual Section 3/815.

**812. COMMUNITY COMPLAINT AND COMMENDATION POSTER.** The following entities have responsibility for ensuring that Community Complaint and Commendation Posters, Form 1.81.28, are on display to the public throughout the Department and City Council field offices:

- \* Area commanding officers shall ensure posters are displayed at their facilities where they are visible to the public and provide posters to all City Council field offices within their Areas.
- \* The Commanding Officer, Jail Division, shall ensure the poster is made available at the Parker Center front desk.
- \* The Office of the Secretary, Board of Police Commissioners, shall ensure the poster is available at the offices of the Board of Police Commissioners and the Office of the Inspector General.
- \* All bureau and group commanding officers whose commands are accessible to the public shall ensure that the posters are displayed.
- \* The Commanding Officer, Internal Affairs Group, shall provide posters to all City Hall offices of the City Council and to the Mayor's Office.

**813. INITIAL ACTION – COMPLAINTS AND COMPLAINTS OF MISCONDUCT.**

**813.05 EMPLOYEE'S RESPONSIBILITY.** When an employee becomes aware of possible misconduct by another Department employee, the employee shall immediately report the incident to a supervisor and/or directly to Internal Affairs Group (IAG). This requirement applies to all employees, including supervisory personnel and managers (the rank of captain or above), who learn of possible misconduct through the review of an employee's work. Generally, the supervisor accepting the complaint shall initiate the Complaint Form. Only supervisors shall initiate Complaint Forms.

**813.10 EMPLOYEE FAILURE TO PROPERLY ACCEPT A COMPLAINT.** A Complaint Form, Form 1.28.0, shall be used to document all complaints when a Department employee allegedly:

- \* Fails to inform any member of the public who indicates a desire to file a complaint, of the means by which a complaint may be filed;
- \* Attempts to dissuade a member of the public from filing a complaint; or,
- \* Refuses to accept a complaint.

**813.20 NOTIFICATION REQUIREMENTS.** When immediate action is necessary or the complaint is such that it may subject the employee or the Department to severe criticism or liability, the concerned supervisor shall ensure that the following notifications are made without delay to:

- \* The employee's watch commander/officer in charge (OIC), or civilian equivalent, who shall notify the employee's commanding officer; and,
- \* Internal Affairs Group.

**Note:** When the employee's commanding officer is not available or when Internal Affairs Group is closed, the notification shall be made to the Department Command Post.

**Complaints Regarding Employees Assigned Outside the Area/Division.** A watch commander shall, when a complaint concerns an employee from another division or Area, complete a Complaint Form and notify the on-duty watch commander or OIC at the employee's Area/division of assignment. If immediate action by that employee's commanding officer is necessary, the on-duty watch commander or OIC at the employee's Area/division of assignment shall be responsible for making such notification(s).

When the alleged complaint is of a nature that the integrity of the investigation might be jeopardized by reducing the allegations to writing, the supervisor shall verbally report to the employee's commanding officer, who shall verbally report to the Commanding Officer, Internal Affairs Group.

**814. COMPLAINANT ADVISORY.**

**Supervisor's Responsibility.** When conducting a preliminary investigation of alleged misconduct, the interviewing supervisor shall:

- \* Obtain a preliminary statement of the alleged misconduct from the complainant;
- \* Require the complainant to read, in the appropriate language, the Complainant Advisory (Forms 1.28.10, 1.28.15, 1.28.16, 1.28.17, 1.28.18, 1.28.19 or 1.28.20);
- \* Ensure that the complainant understands the elements of California Penal Code (CPC) Section 148.6;
- \* If the complainant is unable to read the Complainant Advisory, it shall be read to him/her verbatim;
- \* Ensure that the complainant understands his/her rights and obligations in the Complainant Advisory;

**Note:** This advisory shall not be presented in a way meant to dissuade any citizen from

making or retracting a complaint. Employees are reminded to maintain a professional demeanor at all times. Supervisors are encouraged to tape-record the advisement when feasible.

- \* Request that the complainant sign the Complainant Advisory on the "Complainant (Signature)" line indicating that the complainant understands his/her rights and obligations under the law;
- \* If the complainant refuses to sign the form, write "refused" on the "Complainant (Signature)" line;
- \* Sign the form; and,
- \* Complete a Complaint Form, Form 1.28.0, and submit both forms to the watch commander.

**Note:** A Complainant Advisory is not required when the complaint is Department- initiated (i.e., Failure to Appear, Failure to Qualify, Preventable Traffic Collision). However, if the complainant is a Department employee, a Complainant Advisory form is required.

**Completion of Advisory for Complaints Not Received in Person.** When a complaint is received by other means (i.e., letter, E-mail, etc.) a Complainant Advisory shall be completed upon the initial preliminary interview. When the complaint is received telephonically, the interviewing supervisor shall:

- \* Conduct the interview with the complainant telephonically;
- \* Read the Complainant Advisory verbatim to the complainant and explain to him/her the provisions of CPC Section 148.6;

**Note:** Supervisors are encouraged to tape-record the advisement when feasible.

- \* Sign the Complainant Advisory form;
- \* Print the complainant's name, if known, or "Anonymous" if unknown, on the "Complainant (Print Name)" line;
- \* Write "Telephonic" in place of the complainant's signature on the "Complainant (Signature)" line; and,
- \* Mail a copy of the completed Complainant Advisory to the complainant if their address is known.

**Watch Commander/Officer in Charge Responsibility.** In addition to ensuring that all allegation(s) of misconduct are thoroughly investigated, the watch commander/officer in charge shall:

- \* Review the Complaint Form and ensure that a Complainant Advisory has been given and is attached; and,
- \* Ensure that the checkbox (on Complaint Form) used to indicate receipt of a completed Complainant Advisory form has been checked by the investigating supervisor.

**Internal Affairs Group's Responsibility.** The Commanding Officer, Internal Affairs Group (IAG), shall determine when a misdemeanor

criminal filing for violation of CPC Section 148.6 will be sought. If so determined, IAG shall complete and forward a copy of the crime report along with a copy of any appropriate documentation, to Detective Support Division (DSD).

**Exception:** Internal Affairs Group is responsible for conducting the criminal investigation when the complainant is a Department employee and is suspected of violating CPC Section 148.6.

**Detective Support Division's Responsibility.** Upon receipt of the crime report and documentation from IAG, the Commanding Officer, DSD, shall:

- \* Ensure that an independent investigation of the alleged CPC Section 148.6 violation is conducted;
- \* If appropriate, ensure that the investigation is presented to the Office of the City Attorney for criminal filing;
- \* Notify IAG of a City Attorney filing or reject; and,
- \* If a filing is obtained, notify IAG of the disposition once the case is adjudicated.

**815. INVESTIGATING AND REPORTING COMPLAINTS – AREA/DIVISIONS.**

**815.01 GENERAL INVESTIGATION GUIDELINES.** In addition to existing procedures set forth in both the Department Manual and the Internal Affairs Group (IAG) functional manual, *Complaint Investigations: A Guide for Supervisors*, the following procedures shall apply to complaint investigations:

- \* Identifying all involved employees;
- \* Obtaining names, addresses, and telephone numbers of all witnesses, and a summary of their statements. (Indicate the times, locations, and business and residence phone numbers where witnesses will be available for re-interview.);
- \* The interviews of all complainants, involved Department employees, and witnesses shall be conducted individually (no group interviews) and shall be recorded. Should a non-employee complainant or witness refuse to be recorded, an attempt shall be made to record the refusal on tape or on a signed statement of refusal;

**Exception:** Recording interviews is not mandatory for Department-initiated complaints alleging minor misconduct, such as Failure to Qualify, Failure to Appear, preventable traffic collisions and minor neglect of duty complaints. However, depending on the circumstances of the case, the commanding officer may direct that all interviews be recorded. Whenever practicable and appropriate, complainants and witnesses shall be interviewed at sites and times convenient to them, including private residences or places of business;

- \* Interview all involved supervisors regarding their conduct at the scene during the incident;
- \* The entity responsible for the preliminary complaint investigation shall notify, without delay, the involved Department employee and his or her respective supervisor of a pending investigation(s), excluding those investigations deemed confidential under the law (as determined by the Department);
- \* Inconsistencies between statements made by Department employees and witnesses shall be identified and documented;
- \* The entity responsible for the investigation shall coordinate the collection and preservation of all appropriate evidence, including canvassing the scene to locate possible witnesses if appropriate;

**Note:** The burden for locating and interviewing all potential witnesses rests with the Department.

- \* Visual examination for trauma, medical treatment for actual or alleged injury;
- \* Photographs (utilize color film when appropriate);
- \* Inspection of the object alleged to have caused injury (objects should be photographed and, when practicable, retained); and,
- \* Administer appropriate sobriety tests required for the preliminary investigation of the offense (3/836).

The withdrawal of a complaint, the unavailability of a complainant to make a statement, or the fact that the complaint was filed anonymously or by a third party, shall not be reasons to adjudicate a complaint without further attempts to investigate. Commanding officers shall ensure reasonable efforts are made to get to the truth of the matter.

**816. REPORTING A COMPLAINT.**

**816.01 SUPERVISOR'S RESPONSIBILITY.** When a supervisor becomes aware of a public complaint, or a complaint of misconduct initiated by Department personnel, the supervisor shall accept the complaint and:

- \* Conduct a preliminary investigation, as established in *Complaint Investigations: A Guide for Supervisors* and as outlined in Manual Section 3/810.70;

**Exception:** Supervisors who find themselves the subject of alleged misconduct shall report the incident to an uninvolved supervisor who shall conduct a preliminary investigation and, if necessary, complete a Complaint Form, Form 1.28.

- \* Complete a Complaint Form, summarizing the complaint and the complainant's statements under the Summary portion;
- \* Tape-record all interviews. If not practical, supervisors shall include a written

justification under the Summary portion of the Complaint Form;

**Note:** If a non-employee complainant or witness refuses to be recorded, an attempt shall be made to record the refusal on tape or on a signed statement of refusal.

- \* Provide the complainant with the bottom copy of the Complaint Form, and advise the complainant that another copy will be mailed out with an assigned case number. If the complaint was made by telephone, leave the triplicate form intact and advise the complainant that a copy will be mailed out by IAG once a case number has been assigned;
- \* Advise the complainant of the provisions of California Penal Code Section 148.6 and complete the Complainant Advisory, Form 1.28.10, in accordance with Manual Section 3/814;
- \* Attempt to resolve the matter to the satisfaction of the complainant and take appropriate action to prevent aggravation of the incident;
- \* Determine the complainant's willingness to participate in the Alternative Complaint Resolution (ACR) process, if appropriate; and,

**Note:** Regardless of whether a consensual resolution of the complaint is achieved by a supervisor through ACR or otherwise, all complaints shall still be recorded, investigated, and classified.

- \* Submit the Complaint Form and preliminary investigation to the watch commander, Section officer in charge (OIC), or civilian equivalent, for review.

**Note:** If, during the course of a complaint investigation, the investigating supervisor has reason to believe that additional misconduct may have occurred, other than that alleged by the complainant, the investigating supervisor shall either record the additional misconduct as a separate allegation on the original complaint or initiate a new complaint as appropriate.

**816.05 INTERNAL AFFAIRS GROUP'S RESPONSIBILITY.** Internal Affairs Group (IAG) will issue Complaint Form (CF) numbers for all Complaint Forms, Form 1.28.0, received and approved by a commanding officer. Upon the issuance of the CF number, IAG will enter the number on the Complaint Form and mail a copy to the address indicated by the complaint.

Internal Affairs Group shall promptly review every complaint, Form 1.28.0, determine whether the complaint will be investigated by IAG or by the employee's command, and promptly notify and forward the complaint to the affected entities for appropriate action. For tracking purposes, Internal Affairs Group shall maintain copies of all complaint forms received and forwarded to the command. Within one week of receiving the complaint, Internal Affairs Group shall provide the Office

of the Inspector General with all complaint information including the entity assigned to investigate the complaint.

**Note:** The Office of the Inspector General will review the complaint information to ensure complaints are being received in a manner that complies with existing Department policy and procedure.

## **817. CLASSIFICATION OF COMPLAINTS.**

**817.05 CLASSIFYING A COMPLAINT AS NON-DISCIPLINARY OR DISCIPLINARY.** Complaints reported on a Complaint Form shall be classified as either **Disciplinary** ( Manual Section 3/812) or **Non-Disciplinary**. The watch commander, Section OIC, or civilian equivalent is responsible for the initial complaint classification; however, the employee's commanding officer may reclassify the complaint at any time. A commanding officer's decision to classify a complaint as Non-Disciplinary shall be final unless a substantial justification for changing it can be articulated at the Bureau level.

**818. NON-DISCIPLINARY COMPLAINTS.** A complaint may be classified as Non-Disciplinary when all of the following criteria are met at the time the complaint is initiated:

- \* The complaint, as stated, would not amount to the commission of a felony or misdemeanor crime;
- \* The complaint, as stated, may not result in discipline against the employee, or the complained of act or omission by the employee has no nexus to the employee's position with the Department;
- \* The complaint does not allege any of the following: Unauthorized force; discrimination of any kind; unlawful search and/or unlawful seizure of person or property; dishonesty; domestic violence; improper/illicit use of alcohol, narcotics, or drugs; sexual misconduct; theft, or retaliation/retribution against another employee;
- \* The complaint was not as a result of concerns arising out of a criminal prosecution, or dismissal of California Penal Code Section 148 charges, or otherwise initiated by a judge or prosecutor acting in their official capacity;
- \* The accused employee has no apparent pattern of similar behavior (should generally be limited to the past five years) for which he/she is accused; and,
- \* The complaint was not initiated in response to civil suits or claims for damages involving on-duty conduct and civil lawsuits regarding off-duty conduct required to be self-reported by employees.

**Commanding Officer's Role.** A commanding officer who makes a final Non-Disciplinary classification shall check the appropriate box on the back of the complaint form and select the appropriate disposition/rationale as follows:

- \* **Policy/Procedure.** The facts of the case revealed that the complaint relates to Department policy/procedure and not to a specific employee's actions.

**Note:** Complaints against Department policy and procedure not specifically addressing an employee's actions shall still be initiated on a Complaint Form. In such cases, the Department shall be named as the accused employee, and the complaint will be adjudicated as Non-Disciplinary. Individuals making complaints against Department policy and procedure shall also be referred to the Department entity having functional oversight of the policy or procedure. If the complainant cannot be satisfied, he/she shall be referred to the Board of Police Commissioners.

- \* **Employee's Actions Did Not Rise to the Level of Misconduct.** A preliminary investigation revealed that the allegations did not rise to the level of misconduct and/or the named employee's actions were protected by law or found to be consistent with Department policy or procedure.
- \* **Employee's Actions Could Have Been Different.** The facts in the complaint revealed the employee's actions could have been different. However, the employee's act or omission is best addressed through corrective action by the employee's commanding officer. The corrective action(s) taken was:

- \* Counseling;
- \* Training;
- \* Employee Comment Sheet (Comment Card), Form 1.77;
- \* Notice to Correct Deficiencies, (City) Form General 78; or,
- \* Referral.
- \* **Demonstrably False.** The complaint was demonstrably false, or, demonstrates an irrational thought process, and was consistent with the complainant's established pattern of making chronic or crank complaints.
- \* **Department Employee(s) Not Involved.** The preliminary investigation revealed that the complaint did not involve a Department employee(s).
- \* **Resolved Through Alternative Complaint Resolution.** The complainant and the employee(s) resolved the complaint through the Alternative Complaint Resolution (ACR) mediation process.

**818.05 ADJUDICATION OF A NON-DISCIPLINARY COMPLAINT.** After approving a complaint's final classification as Non-Disciplinary, the employee's commanding officer shall:

- \* Complete and sign the Complaint Form;
- \* Meet with and discuss the complaint with the employee, and provide the employee with a copy of the investigation; and,

- \* Sign the complainant's reply letter, and forward it with the complaint to the next level of review.

**Role of Bureau Commanding Officer.** Bureau commanding officers reviewing a complaint that has been classified as Non-Disciplinary, shall:

- \* Sign the Complaint Form if they concur;
- \* Date and send the reply letter to the complainant; and,
- \* Ensure that all closed non-Disciplinary complaints are forwarded to IAG, along with the original completed investigation and a Personnel Complaint Statistical Form, Form 1.19.

**Note:** The commanding officer's decision on a Non-Disciplinary complaint shall be final unless a substantial justification for changing it can be articulated at the bureau level. If this occurs, the bureau commanding officer will return the Non-Disciplinary complaint to the employee's commanding officer with a written rationale and direction for how to proceed.

**Role of Internal Affairs Group.** Internal Affairs Group (IAG) shall have no review responsibility for Non-Disciplinary complaints after the Complaint Form (CF) number is issued. Internal Affairs Group shall close out all Non-Disciplinary complaints upon receipt from bureaus, and file by CF number in IAG's Miscellaneous files.

**819. ALTERNATIVE COMPLAINT RESOLUTION PROCESS.** A Non-Disciplinary or Disciplinary complaint may be designated for the Alternative Complaint Resolution (ACR) mediation process when all of the following criteria are met:

- \* The complaint of the alleged misconduct is Non-Disciplinary or Disciplinary, but minor in nature (e.g., discourtesy, disrespect, or a minor Neglect of Duty, etc.) as alleged by the public;
- \* The employee has no apparent pattern of similar behavior (should generally be limited to the past five years) for which he/she is accused; and,
- \* The complainant and the employee have agreed to participate in good faith.

Generally, the watch commander, section OIC, or civilian equivalent, shall appoint a supervisor to serve as ACR facilitator. However, nothing precludes a supervisor who is responding to a complaint in the field from utilizing ACR at the time the complaint is made, with concurrence from the watch commander, section OIC, or civilian equivalent. An assigned facilitator may attempt to resolve the issue through ACR without the employee being present.

**Note:** Prior to conducting ACR, assigned facilitators shall review training material prepared by Internal Affairs Group.

**General Guidelines for ACR.** When a complainant and/or accused employee

indicates a desire for ACR, the process should be expedited. In the event ACR is delayed more than 30 calendar days, absent exigent circumstances, the complaint shall be returned to the commanding officer for classification and adjudication.

Prior to ACR, the complainant shall sign an Alternative Complaint Resolution Acknowledgement, Form 1.28.06. A single ACR session should be sufficient, and all ACR discussions shall be considered confidential.

The presence of outside parties is discouraged; however, the assigned facilitator may exercise discretion in establishing parameters for the ACR session. Accused employees may not have an employee representative present, nor may a complainant have legal counsel. Sessions shall not be audio/video recorded. The assigned facilitator shall have the final authority over the ACR session.

**Note:** When the accused employee insists on the presence of an employee representative during ACR, or the complainant requests legal counsel, complaints shall be returned to the commanding officer for classification and adjudication.

**Role of Facilitator.** The process of resolving conflict requires all parties to be forthright and willing to accept responsibility. In fact, a full and complete discussion of events may include an admission to the complained of behavior. It is understood that this is part of the resolution process and confidentiality will be maintained. However, should a **significant** act of misconduct come to light, the ACR session shall be stopped and the complaint referred for classification and adjudication.

**Withdrawal from ACR.** If, prior to completing the ACR session, either the complainant or the accused employee chooses to withdraw, the complaint shall be referred to the accused employee's commanding officer for appropriate disposition. Likewise, an assigned facilitator may stop the ACR process and refer the case to the commanding officer for appropriate disposition if one or both parties involved are not participating in good faith.

In any of these cases, the complainant and employee shall be advised of the investigation's outcome via established complaint procedures. No prejudice shall be inferred upon either party for withdrawing from ACR.

If at any time after the ACR session is adjourned, the complainant wants to renew the complaint, no new complaint shall be initiated; and, absent new and significant evidence of serious misconduct, no investigation shall be undertaken. The resolution by ACR shall stand, and no further action relative to the incident may be initiated after the completion of ACR.

**Challenge to ACR.** If, based on compelling circumstances, a commanding officer determines ACR is not appropriate (due to

either the nature of the complaint or the employee's work history), that commanding officer may override a watch commander's decision, even if ACR has already occurred. If this occurs, the commanding officer shall provide the employee with a written rationale, providing substantial justification.

**820. DISCIPLINARY COMPLAINTS.**

**820.01 COMPLAINT INVESTIGATION REPORT.** Using an Intradepartmental Correspondence, Form 15.2, the following headings shall be used when completing the Complaint Investigation Report that alleges misconduct:

- \* Complaint;
- \* Summary (including Allegations);
- \* Investigation;
- \* Investigator's Notes (including author's name and signature and approval block);
- \* Witness List;
- \* Addenda; and,
- \* Allegation List (not as a page of the report, but as a helpful tool for the reader).

Depending upon the complexity of the investigation, the final report can be as brief or as detailed as necessary, so long as it enables the reviewer to properly adjudicate the complaint.

**820.05 CHRONOLOGICAL RECORD FOR COMPLAINTS.** City and state laws establish the limitations periods during which an employee may be discharged, suspended, demoted in rank, or suspended and demoted in rank. Since the limitations period is based on the date the misconduct was discovered by an uninvolved supervisor, documentation of the date on which specific information is obtained is essential. Generally, this will be the same as the "Date/Time Reported" on the Complaint Form, Form 1.28.0. On occasion, the initial information may be too vague to constitute misconduct and/or additional misconduct may come to the Department's attention during the subsequent investigation.

Commanding officers shall ensure that a Chronological Record, Form 3.11.6, is completed by the supervisor assigned to complete a complaint investigation. The Chronological Record shall be used to document an in-depth chronological record of the investigation, recording the dates and times of initial notification and all investigative contacts and processes. It shall include the person to whom information was given as well as the supervisor completing each entry. If the same supervisor completes all entries, a statement to that effect may be made at the end of the Chronological Record and signed by the supervisor. The Complaint Form (CF) number of the concerned complaint shall be placed in the box titled "DR" at the top of each page of the Chronological Record.

**Exception:** It is not necessary to complete a Chronological Record in conjunction with the following disciplinary matters:

- \* Failure to Qualify;
- \* Failure to Appear in Court;
- \* Preventable Traffic Collision, when there is no other misconduct;
- \* Use of Force Internal Process Report; and,
- \* Non-Disciplinary Complaints.

**Note:** Following Skelly procedures, the original Chronological Record is to be forwarded with the completed Complaint Form through channels to Internal Affairs Group. Generally, the Chronological Record should **NOT** be used by the commanding officer in adjudicating the complaint and, thus, should not be included in the materials given to the accused employee.

Supervisors completing a Chronological Record in conjunction with a complaint investigation should be aware that the Chronological Record may be subject to discovery. Any Chronological Record completed in conjunction with such complaints shall **only** be released after confidential information, if any, is redacted and with the approval of the Commanding Officer, Internal Affairs Group.

When the investigation is completed by Internal Affairs Group, the Chronological Record shall be retained by Internal Affairs Group pending the adjudication of the complaint.

**820.15 ADMINISTRATIVE INTERROGATION ADMONITIONS.**

When an administrative interrogation focuses on or involves possible criminal misconduct by an employee, the employee shall be advised of his/her Miranda rights before questioning begins, or at the point at which the interrogation begins to focus on possible criminal misconduct.

If the employee waives his/her Miranda rights, no further admonition is necessary. If the employee declines to waive his/her Miranda rights and the administrative interview is to continue, the interrogating officer shall read the Administrative Admonition of Rights from the Employee Rights Card verbatim as follows:

- \* Your silence could be deemed as insubordination and lead to administrative discipline, which could result in your discharge or removal from office; and,
- \* Any statements made under the compulsion of the threat of such discipline cannot be used against you in any subsequent criminal proceeding.

After reading the Administrative Admonition of Rights to an employee during a complaint investigation the interrogating officer shall:

- \* Request that the employee being interviewed sign and date the Employee Advisement Form, Form 1.81.5, in the appropriate space;

- \* Sign the Form 1.81.5 as the witnessing supervisor; and,
- \* Attach the Form 1.81.5 to the Complaint Form, Form 1.28, as an addendum.

After the completion of the Form 1.81.5, the employee shall be ordered to give a statement for administrative purposes only following the format outlined on the form. The interrogating officer shall sign and date the Form 1.81.5 affirming that the administrative order was given in the prescribed manner.

The employee's commanding officer shall ensure that the Form 1.81.5 is attached to the Complaint Form, Form 1.28, as an addendum and forwarded to the bureau commanding officer for review.

**Administrative Admonitions During Non-Criminal Personnel Investigations.** When an employee refuses to answer a question during an administrative interview regarding a non-criminal matter, the employee shall be ordered to provide a statement. The employee shall be informed that failure to answer questions directly related to the investigation or interrogation may result in disciplinary action.

In cases where it is necessary to order an employee to provide a statement during the investigation of a non-criminal matter, the investigating officer shall:

- \* Read aloud the advisement for non-criminal misconduct from the Employee Advisement Form, Form 1.81.5, to the employee;
- \* Initial the box next to "Non-criminal Misconduct;"
- \* Order the employee to answer administrative questions and provide a statement in the non-criminal matter per the admonishment at the bottom of the form;
- \* Request that the employee sign the Employee Advisement Form, Form 1.81.5;
- \* If the employee refuses to sign the Employee Advisement Form, the investigator shall write "Refused" on the appropriate line and document the refusal aloud during the taped interview;
- \* Include the Employee Advisement Form, Form 1.81.5, as an addenda item; and,
- \* Ensure that a copy of the Employee Advisement Form is given to the employee who has been ordered to provide the statement.

**820.20 PERSONNEL COMPLAINT ENVELOPE.** The Personnel Complaint Envelope, Form 1.81.11, shall contain copies of addenda items and rough notes (Rough notes are considered information that forms a basis for a finalized report, not a draft of that document).

**Note:** No copies of the Complaint Form, Form 1.28.0, or the related investigation shall be included in the Personnel Complaint Envelope. Tapes shall not be included in the Personnel Complaint Envelope. Both Scientific

Investigative Division (SID) tapes and non-SID tapes shall be submitted to SID for storage.

**Maintenance of Personnel Complaint Envelope.** When a completed complaint investigation has been submitted for review and findings to the concerned commanding officer, the Personnel Complaint Envelope shall be filed and stored in a secured location, i.e., a locked file cabinet. The division commanding officer shall be responsible for the security and maintenance of those files. Only the Department Advocate or designee may release or allow access to Personnel Complaint Envelopes, or its contents, to any individual or entity, either within or outside the Department.

**Exception:** The investigating officer handling the investigation may access the Personnel Complaint Envelope with the permission of the concerned commanding officer.

**Note:** The Personnel Complaint Envelope shall remain in division files for two years and then be transferred to City Records Center, where it shall be retained for eight more years before it is destroyed.

**820.25 CLASSIFICATION OF A DISCIPLINARY COMPLAINT.** Disciplinary allegations shall be dispositioned using only the following classifications, or one of the Alternate Dispositions described below:

- \* **Unfounded:** When the investigation indicates the act complained of did not occur;
- \* **Exonerated:** When the investigation indicates the act occurred but that the act was justified, lawful, and proper;
- \* **Not Resolved:** When the investigation discloses insufficient evidence to prove or disprove clearly the allegations made;
- \* **Sustained:** When the investigation discloses that the act complained of did occur and constitutes misconduct; or,
- \* **Sustained-No Penalty:** The investigation supports sustaining the allegation; however, "No Penalty" is the appropriate disposition. In all cases, appropriate corrective action shall be taken which may involve, but is not limited to, counseling, training or action other than formal discipline.
- \* **Insufficient Evidence to Adjudicate –** The investigation could not be thoroughly or properly investigated. This may be caused by a lack of cooperation by the complainant and/or witnesses, or the absence of a critical interview which was necessary to proceed with the investigation, and/or the available physical evidence or witnesses' statements are insufficient to adjudicate the complaint.
- \* **Withdrawn by the Chief of Police (IAG use only) –** The Chief of Police may withdraw the allegation(s) (generally sustained) or charge(s) in the best interest of the Department when:

- \* On the advice of the City Attorney, imposing discipline is legally prohibited, or would subject the Department to civil liability; or,
- \* In the interest of justice and/or fairness, the allegation would be better adjudicated outside the Department, e.g., by a court of competent jurisdiction, or the alleged act is minor misconduct and/or significant time has passed; or,
- \* Evidence used to sustain a charge is unavailable or has been lost, stolen or destroyed; and,
- \* Other articulable reasons.

The rationale for withdrawal of an allegation shall be articulated in writing and included in the "Recommendation" portion of the letter of transmittal for Category I and II investigations or included in the "Adjudication Rationale" for Category III investigations. Such requests will be evaluated by the Review and Evaluation Section, IAG. If the Chief of Police concurs, the allegation should be withdrawn, the allegation shall be re-classified and administratively closed as "Withdrawn by the Chief of Police."

- \* **Duplicate –** When a preliminary investigation of a complaint reveals the incident is the same as another complaint already under investigation (Complaint Form [CF] number assigned), the complaint shall be cross referenced with the master CF number of the investigation which is related to the duplicate. Any additional or new information shall be noted as part of the supervisor's preliminary investigation and forwarded to IAG which will close the duplicate complaint, cross reference the CF number to the master complaint CF number, and forward the additional information to the appropriate investigators.

**Note:** When the complainant of a duplicated complaint is different from the initial complainant, an undated reply letter to the duplicate complainant advising him/her of the duplicate status and the fact that the duplicate investigation would be closed in favor of the master investigation, shall be submitted with the request. Additionally, upon completion of the master CF, a reply letter should be prepared to the complainant on the duplicate CF advising him/her of the adjudication.

- \* **Other Judicial Review (For Internal Affairs Use only) –** This classification was implemented to address two types of complaints. One involves post-conviction criminal matters where the facts have already been adjudicated in court. The other pertains to civil matters not involving duty-related activity where no finding of criminal or civil misconduct against the employee has been made, such as an alleged violation of a temporary restraining or child custody order.

**Exception:** The Other Judicial Review (OJR)

shall **not** be used to investigate a Claim for Damage.

Two forms have been developed for complaints that may be classified as *Other Judicial Review*. One form addresses civil matters (Other Judicial Review – Civil Matters Investigation/Adjudication, Form 1.28.03) and the other form addresses criminal matters (Other Judicial Review – Criminal Matters Investigation/Adjudication, Form 1.28.04.) Such investigations would include a Form 1.28.0, containing an allegation in which the complainant claimed a conviction in court was the result of a false arrest, falsified evidence, reports, testimony, etc., or an allegation that an employee may have violated a civil court order. If an OJR form can be completed for required criteria, including listing all pertinent information on the back side of the OJR form, the OJR form can be attached to the respective Form 1.28.0, and the adjudication completed using the adjudication sections provided on the Form 1.28.0. Tape numbers of persons interviewed, such as the prosecutor, shall be recorded on the OJR forms.

If, while completing the OJR form, the investigating officer is directed to “...**not use this form,**” the investigation shall be completed on the Complaint Form, Form 1.28.0.

**820.30 NOTICE OF PROPOSED DISCIPLINARY ACTION.** In cases that allege serious misconduct by a permanent employee (i.e., one who has completed entry-level employment probation), the employee's commanding officer shall use the Complaint Adjudication Form, Form 1.28.05, to notify the employee of the proposed charges.

**Note:** Misconduct is deemed to be "serious" when the commanding officer recommends:

- \* For Sworn Personnel: That the matter be adjudicated by a Board of Rights or that the employee be suspended.
- \* For Civilian Personnel: That the employee be discharged or suspended.

**Procedure.** A commanding officer shall, in cases of serious misconduct:

- \* Advise the employee of the right to representation prior to discussing the matter;
- \* Advise the employee of the specific penalty recommended by the commanding officer;
- \* Give the employee a copy of all investigative material upon which the proposed disciplinary action is based, unless the employee waives the right to receive the material;
- \* Give the employee a copy of the commanding officer's letter of transmittal;

**Note:** Nothing shall be added to the narrative portion of the transmittal that does not appear on the copy given to the employee.

- \* Provide civilian employees with any documents reflecting prior disciplinary action or substandard performance if the prior action or performance will affect the severity of the punishment;
- \* Ensure the employee initials the appropriate boxes on the Complaint Adjudication Form, Form 1.28.05, which indicates the employee acknowledges receipt of pertinent materials; and,
- \* Notify the employee that any response, either oral or in writing, to the proposed disciplinary action must be made within a reasonable time. Any written response from the employee shall be attached to the completed investigative report.

**Exception:** The above procedures need not be followed in emergency situations. An emergency situation is one in which the continued presence of the accused employees on active-duty status may be potentially harmful to themselves, their fellow employees, or the public, or a situation in which the failure of accused employees to participate in the procedure is beyond their commanding officer's control. In these circumstances, the Commanding Officer, Internal Affairs Group, shall be notified without delay.

**822. EMPLOYEE REVIEW OF INVESTIGATION.** When a complaint investigation results in a recommended classification that will be recorded on an employee's TEAMS report, the employee against whom the complaint was made shall be afforded the opportunity to review and respond to the completed investigation. Currently, those classifications are: Sustained (with a penalty of reprimand or less), Sustained-no penalty, Not resolved, Exonerated, or Unfounded.

**Commanding Officer's Responsibility.** The commanding officer of the employee against whom the allegation was made shall:

- \* Ensure that a Complaint Adjudication Form, Form 1.28.05, is completed for each employee who was the subject of a complaint investigation, wherein the disposition of the allegation(s) falls within one of the above categories;
- \* Notify the employee of the recommended disposition of the allegations contained in the complaint;
- \* Advise the employee that he or she has the right to review and to respond in writing to the completed complaint including the commanding officer's letter of transmittal;

**Note:** This review procedure provides for employees' responses to **completed** investigations. Commanding officers are not relieved of the responsibility to further investigate relevant issues raised by employees during the investigation or when they are advising an employee of the disposition, when the resolution of such issues would materially affect the disposition of a complaint.

- \* Provide the employee with a copy of the complaint;

- \* Advise the employee that complaint investigation documents are confidential;
- \* Advise the employee that he or she has 30 calendar days to submit a written response which will be forwarded through the review process and filed with the complaint investigation at Internal Affairs Group (IAG) for other than sustained cases, and in his or her Department personnel package for sustained cases;
- \* Have the employee initial the appropriate boxes on the Complaint Adjudication Form;
- \* If the employee has initialed that he or she does not intend to submit a written response, immediately forward the Complaint Adjudication Form with the complaint through the chain of command. It is not necessary to complete the "C/O's Response to Employee" section;
- \* If the employee has initialed that a written response will be submitted, complete the employee acknowledgement and signature section on the reverse side of the Complaint Adjudication Form and retain it along with the complaint investigation pending receipt of the employee's response or expiration of the 30 day response period; and,

**Exception:** If a complaint has a statute of limitations that will expire within six weeks, the employee acknowledgement and signature section of the Complaint Adjudication Form shall be completed and a copy immediately forwarded with the complaint through the chain of command. The original Complaint Adjudication Form shall be forwarded with the employee's response to Internal Affairs Group to be filed with the associated complaint investigation.

- \* Upon receipt of the employee's response, and in no case later than the end of the 30 day response period, complete the "C/O's Response to Employee" and the "Adjudication Summary" sections of the Complaint Adjudication Form and forward the original with the complaint investigation and the employee's response, if any, through the chain of command.

**Employee's Responsibility.** Employees who desire to respond to the findings of a completed complaint investigation shall document their response on an Employee's Report, Form 15.7, and submit it to their commanding officer within 30 calendar days of service of the Complaint Adjudication Form.

**Reserve Officer Discipline.** An accused reserve officer shall be presented with a copy of a completed complaint investigation and allowed to respond to the commanding officer verbally or in writing. For complaints other than sustained, the reserve officer shall have 30 days to respond. In cases of sustained complaints, a reserve officer shall have 3-5 days to respond, at which time the complaint investigation shall be sent to the Chief of

Police for final endorsement with the reserve officer's response attached.

**Note:** This provision should in no way be construed to imply a property right for reserve officers.

Once a final determination has been made by the Chief of Police, commanding officers shall follow disciplinary procedures for reserve officers as outlined in Manual Section 3/870.50.

**822.05 NEED FOR ADDITIONAL INVESTIGATION.** If the commanding officer determines that additional investigation is necessary as a result of an employee's response, such investigation shall normally be conducted by the investigative unit that conducted the original investigation. Upon completion of an additional investigation, the employee's commanding officer shall:

- \* Re-interview the accused employee and advise the employee of the results of the additional investigation;
- \* Allow the employee to review any new investigative material; and,
- \* Allow the employee to respond orally or in writing to the findings of the additional investigation.

**824. TIME LIMIT FOR INVESTIGATION OF COMPLAINT.** It is the goal of the Department to complete most complaint investigations within five months of the Complaint Form being received by IAG. Notwithstanding that goal, all efforts should be undertaken to ensure the entire complaint process is completed within the limitations established by state law and the City Charter.

The investigation shall be considered complete when the accused employee's commanding officer receives the completed complaint investigation for review and findings. The date of receipt shall be prominently noted at the beginning of the Letter of Transmittal.

The report shall be forwarded through channels to the Commanding Officer, Internal Affairs Group, immediately upon expiration of the Skelly response period or upon acknowledgment by the accused officer that no Skelly response will be made.

**825. ADJUDICATING THE COMPLAINT AND SKELLY RESPONSIBILITY.** As a general rule, the commanding officer who managed the employee at the time of the occurrence shall adjudicate the complaint.

**Exception:** When an unusual length of time has passed between the date of occurrence and the date reported, Internal Affairs Group (IAG) may assign investigative and adjudicative responsibility to the accused officer's current commanding officer.

Where several employees from different commands were involved, the commanding officer of the primary employee, or where no primary employee could be identified, the

commanding officer where the incident occurred, shall be responsible for the adjudication, preparation of the Letter of Transmittal, and Skelly process. If the incident occurred outside the City jurisdiction or the officer was transferred, adjudication responsibility shall be assigned to the appropriate commanding officer by IAG. It is the intent of this section to provide consistent adjudication and Skelly processes to all involved personnel. Therefore, whenever possible, the adjudication and Skelly of all accused personnel should be done by one commanding officer.

**Note:** Assistance with multiple Skellys may be accomplished at the request of the adjudicating commanding officer, with the concurrence of the employee's current commanding officer, as long as the employee's current commanding officer can comfortably address the Letter of Transmittal issues. The adjudicating commanding officer shall maintain responsibility for responding to the employee's Skelly response (if any) and forwarding the entire investigation, Letter of Transmittal, Skelly(s), and Skelly response(s) to IAG via his/her bureau.

The involved employee's commanding officer shall notify the employee every 30 days of the status of the investigation.

**825.05 COMPLAINT - ADDITIONAL DOCUMENTS REQUIRED.** For all complaints in which a specific employee is accused of misconduct, the employee's complete TEAMS report and Personal and Work History Summary, Form 1.06.0, shall be forwarded with the completed investigation for the purpose of the commanding officer's review during the adjudication process. Additionally, the Personal and Work History Summary, Form 1.06.0, and/or the Personal and Work History Continuation, Form 1.06.03, shall be forwarded with any FTA, FTQ, or PTC investigation when the histories show any prior FTA, FTQ, or PTC. Neither the TEAMS nor the Personal and Work History Summary shall be included or listed as addenda to the investigations.

**825.10 PENALTIES FOR SUSTAINED COMPLAINTS.** When a Disciplinary complaint is sustained, the employee's commanding officer may recommend any of the following penalties:

**For sworn personnel:**

- \* No Penalty;
- \* Admonishment;
- \* Official reprimand (to be used for acts of misconduct for which no other penalty is appropriate);
- \* Suspension;
- \* Board of Rights;
- \* Demotion;
- \* Suspension and Demotion; or,
- \* Termination on probation.

**For civilian personnel:**

- \* Admonishment;
- \* Official reprimand (to be used for acts of misconduct for which no other penalty is appropriate);
- \* Suspension;
- \* Discharge; or,
- \* Termination on probation.

**Admonishment.** When it is determined that a penalty of an admonishment is appropriate, the employee's commanding officer will administer discipline. Sustained complaints for which discipline may be administered by commanding officers include, but are not limited to, the following:

- \* Failure to qualify;
- \* Failure to appear in court at time subpoenaed;
- \* Failure to appear for scheduled medical examination;
- \* Tardiness;
- \* Uniform Defects;
- \* Minor mishandling of equipment;
- \* Violation of divisional orders of an internal nature;
- \* Violation of standard operating procedures of an internal nature; and,
- \* Minor misconduct from sources outside the Department.

When a commanding officer determines that it is appropriate for an employee of his/her command to receive a penalty not to exceed an admonishment, he/she shall cause any recommended corrective action to be taken.

**Note:** A commanding officer may cause other appropriate action, such as medical examination, professional counseling, or assistance to be taken. Such action may also be initiated on other than sustained complaints.

When an employee does not accept the recommendation of the commanding officer, the commanding officer shall include, in the disposition portion of the Form 1.28.0, the fact that the employee refused the recommended penalty and the reason(s) the employee gave for such refusal.

**825.20 EVALUATING WITNESS CREDIBILITY.** In adjudicating a complaint, Department managers (the rank of captain or above) are responsible for assessing the believability and credibility of witnesses in accordance with the standards established in the IAG functional manual, *Management Guide to Discipline*; specifically, principles adopted from the "California Jury Instruction Code." Managers may consider anything that has a tendency, within reason, to prove or disprove the truthfulness of a witness. In making those determinations, the Department shall employ the following standards:

- \* Consideration of the history of complaint investigations and disciplinary records of both an accused employee and an employee witness, where relevant and appropriate;



- \* Consideration of the criminal histories of civilian complainants and witnesses, where relevant and appropriate;
- \* No automatic preference shall be given to a Department employee's statement over the statement of any other witness, including the complainant;
- \* There shall be no automatic judgment that insufficient information exists to make a credibility determination when the primary evidence amounts to conflicting statements of the accused employee and the complainant; and,
- \* A familial or social relationship with a victim or the employee shall not automatically render a witness statement as biased or untruthful. However, the fact that such a relationship exists may be noted.

**825.30 NOTIFICATION OF INVESTIGATION RESULTS TO COMPLAINANT-COMMANDING OFFICER'S RESPONSIBILITY.**

Commanding officers adjudicating complaints shall prepare an undated reply letter on Department letterhead addressed to the complainant.

Reply Letter to Complainant. The reply letter shall, at a minimum, include:

- \* The Complaint Form (CF) number, placed in the right quadrant of the letterhead under the Department's return address;
- \* The date of occurrence, or the date the complaint was reported to the Department;
- \* The general nature of the complaint and/or allegations(s);
- \* The resolution and disposition of the complaint and/or allegations;
- \* The general acknowledgement that appropriate discipline was imposed, without indicating the specific penalty, when an allegation was sustained;
- \* Reference to the Office of the Inspector General's role, address, telephone and fax numbers, and website address; and,
- \* The name and phone number of the commanding officer who adjudicated the complaint.

The Department reply letter should not be dated. Administrative Investigation Division (AID), Internal Affairs Group, will add the date when the letter is mailed, following final adjudication of the complaint.

Generally, the Department reply letter should not include the names of the accused employees. Provisions of State law preclude the unnecessary release of employee information regarding personnel matters.

Note: Inquiries regarding the appropriate content of a reply letter should be directed to AID, IAG.

The specific requirements for the reply letter should not be construed to restrict commanding officers from customizing the reply to address specific issues.

Status Update Correspondence. When the investigation phase of a complaint has not been completed, the status update correspondence shall be mailed to the complainant within one week of the five-month anniversary of reporting the complaint to the Department. One copy of the status update correspondence shall be forwarded to the Administrative Records Unit, IAG, and another maintained in the case folder and forwarded with the case folder at the conclusion of the investigation.

Status update correspondence shall include the following information:

- \* The date of correspondence;
- \* The CF number;
- \* The date of occurrence or the date the complaint was reported to the Department;
- \* A brief explanation of the status of the investigation; and,
- \* The name of the investigation officer(s) and his/her office telephone number.

**826. OFFICIAL REPRIMAND-EXECUTION OF ORDER.**

When commanding officers receive a written order of reprimand for an employee of their command from the Chief of Police, they shall:

- \* Read the reprimand to the employee;
- \* Give the original copy of the order to the employee; and,
- \* Require the employee to sign the copy of the order.

**827. ADMINISTRATION OF DISCIPLINE-TRAFFIC COLLISIONS INVOLVING DEPARTMENT VEHICLES.**

Upon receipt of a Fleet Safety Report, Form 1.13, the commanding officer shall review the circumstances of the traffic collision and complete the "Classification" section of the form. When the traffic collision is classified as preventable, the commanding officer shall:

- \* Complete a Complaint Form, Form 1.28.0, and a Complaint Adjudication Form, Form 1.28.05. The rationale for findings and penalty may be summarized together in the Penalty section. No separate Letter of Transmittal is required;
- \* Forward a copy of the completed Fleet Safety Report and Complaint Form which do not contain allegations of additional misconduct, to Special Operations Support Division, Traffic Coordination Section (TCS); and,
- \* Forward the original completed Fleet Safety Report and Complaint Form and a copy of all related reports to the concerned bureau commanding officer.

Note: When additional misconduct is involved in the incident (e.g. preventable traffic collision and unauthorized Code 3), the additional misconduct shall be included as a separate allegation(s) on the Complaint Form and addressed in a Letter of Transmittal.

Probationary Employee Involved. When any probationary employee is the subject of a

complaint, or discipline is recommended as a result of a use of force or traffic collision, the following shall be included in the commanding officer's portion of the concerned report (i.e., letter of transmittal, narrative, etc.):

- \* Date probationary employee was hired; and,
- \* Current end of probation date, including explanations for any extensions.

Note: Civil Service Commission Rule 5.26 states that in the event a probationary officer is absent in excess of seven calendar days in the aggregate, except for vacation or time off for overtime, that probationary officer's probationary period shall be extended by the entire period or periods missed. Additionally, the probationary period shall also be extended by the number of days the probationary officer is on **restricted duty** because of an on-duty injury or illness, non-duty related injury or illness, or pregnancy.

Example: Probationary Officer John Jones will be off probation on May 31, 20--. This date reflects an eight-day extension of the probationary period for the following restrictions/absences:

January 20, 21, 22, and 23, 20--: restricted duty  
March 1, 2, 3, and 4, 20--: sick time used

(The eight calendar days of absence required to extend a probationary period need not be consecutive. This example clarifies "in the aggregate.")

**828. FALSE AND MISLEADING STATEMENTS.**

It is a violation of Department Policy for any employee to make a false statement or a misleading statement as defined in this section. Any violation of this standard constitutes misconduct, which may lead to disciplinary action up to and including termination.

False Statement – Defined. A false statement is **any manner of communication, including, but not limited to oral, written and electronic,** which a Department employee makes when he or she knew or should have known the statement was false at the time it was made or the employee fails to correct the statement upon learning of its falsity.

Misleading Statement – Defined. A misleading statement is **any manner of communication, including but not limited to oral, written and electronic,** which a Department employee makes when he or she:

- \* Provides information in an inaccurate context;
- \* Provides information designed to lead the investigator astray or misdirect others;
- \* Intentionally withholds information which is known or reasonably believed to be relevant; or,
- \* Intentionally fails to provide a complete or accurate account of matters which are known to the employee.

Providing partial truth about an incident does not satisfy an employee's obligation for truthfulness when relevant information has been deliberately left out. Further, an employee who becomes aware that a statement has been misunderstood or misrepresented has an obligation to correct the misunderstanding or misrepresentation. Failure to do so may create an inference that the employee made the statement with the intention to mislead.

A "false statement" or a "misleading statement" constitutes misconduct when:

- \* It is made while carrying out an employee's duties;
- \* It results from actions incidental to an employee's duties;
- \* It is made while conducting a criminal or administrative investigation, even if the investigation is preliminary in nature; or,
- \* It is made by an off-duty employee arising from a circumstance in which the employee's occupation as a Department employee is a factor.

**Exception:** False and misleading statements allowed by law, including those made for investigative purposes such as those required to conduct an undercover investigation, are not considered to be misconduct and therefore do not fall within these categories.

**829. MISCONDUCT NOT BASED ON ORIGINAL COMPLAINT.** When a complaint neither based on nor directly related to the original complaint, is "sustained" and the classification of the original complaint is other than "sustained," a new Complaint Form, Form 1.28, shall be prepared recording the new allegations and investigative results. When the original complaint is "sustained," the new allegations shall be recorded as separate charges on the original complaint.

**830. COMPLAINTS INVOLVING A USE OF FORCE.**

**830.05 COMPLAINT UNRELATED TO A NON-CATEGORICAL USE OF FORCE.** When a complaint is unrelated to a Non-Categorical use of force, a Complaint Form, Form 1.28.0, shall be initiated immediately (e.g., an arrestee who alleges improper comments by officers transporting him/her to the station from the scene of use of force).

**830.10 COMPLAINT RELATED TO A NON-CATEGORICAL USE OF FORCE.** When a complaint is related to a Non-Categorical use of force, the investigating supervisor shall notify his/her watch commander or officer in charge immediately. The watch commander or officer in charge shall assess the situation and determine if immediate notification to Internal Affairs Group (IAG) is required.

If IAG does not respond and assume responsibility for investigating the incident as a personnel complaint, the supervisor shall complete the use of force investigation and

include the complaint information in his/her report.

**Note:** Versions of events that differ from one another do not amount to an allegation of misconduct for purposes of determining preliminary investigative responsibility. In such cases, the supervisor should conduct a thorough use of force investigation and document the conflicting statements in accordance with non-categorical use of force reporting guidelines.

**831. DISPOSITION OF COMPLAINTS.**

**831.05 ADMINISTERING DISCIPLINARY ACTION.** Disciplinary action shall be administered by the Chief of Police, or the designee of the Chief of Police, in cases other than those in which discipline is administered by the concerned employee's commanding officer. The commanding officer may administer discipline when the penalty of admonishment is appropriate, and the case does not involve the discharge of a firearm by a Department employee. In cases involving the discharge of firearms, where the approved penalty is divisional admonishment, the employee's commanding officer will administer discipline.

**831.10 LETTER OF TRANSMITTAL.** The Letter of Transmittal shall be written using either the Short Form or the standard Letter of Transmittal formats, with the appropriate classification(s) used for misconduct allegations. Commanding officers shall familiarize themselves with the criteria for each classification and ensure Letters of Transmittal are written to sufficiently address all allegations of misconduct raised by the complaint and support the recommended classifications and penalty.

**Note:** Non-Disciplinary complaints do not require a Letter of Transmittal.

In order to comply with California Penal Code (CPC) Section 832.5, which prohibits inclusion into an officer's personnel record any portion of a public complaint determined to be "frivolous, unfounded, or exonerated," Letters of Transmittal shall be prepared in the following manner:

When a Letter of Transmittal contains sustained allegations, the Letter of Transmittal shall be organized as follows: (1) Sustained, and any (2) Not Resolved, followed by a page break, then (3) all other classifications, followed by a page break, followed by the Administrative Insight, etc. In this manner, only a copy of those sections of the Letter of Transmittal discussing Sustained (or Sustained and Not Resolved) allegations will be placed into the concerned employee's personnel record. The original Letter of Transmittal and supporting complaint investigation will be retained at Internal Affairs Group.

The Letter of Transmittal shall use the following headings:

- \* Adjudication;
- \* Allegation;
- \* Classification;
- \* Rationale;
- \* Administrative Insight;
- \* Training Issues;
- \* Work/Complaint History Analysis (Not intended to recapitulate the TEAMS, which is attached for each accused employee. The section is necessary only in cases of not-resolved and/or sustained allegations in order to analyze a pattern of conduct.);
- \* Demotion Consideration;
- \* Relief from Duty Consideration;
- \* Actions Taken (i.e. downgrade consideration, referral to Behavior Science Services, etc.; and,
- \* Recommendations.

The Letter of Transmittal for Short Form complaints shall follow immediately after the investigation, using the following headings:

- \* Allegation;
- \* Classification;
- \* Rationale;
- \* Penalty;
- \* Penalty recommendation and rationale;
- \* Administrative Insight;
- \* Training Issues;
- \* Work/Complaint History Analysis;
- \* Recommendations; and,
- \* Response to Complainant.

In adjudicating a complaint of misconduct, the commanding officer may consider evidence of prior acts, irrespective of whether they were associated with a complaint investigation against the accused and irrespective of the resolution of such complaint, if relevant to the charges, such as, if tending to prove that the conduct charged is consistent with a pattern of conduct. Consideration of evidence of prior acts must be clearly articulated in the Letter of Transmittal and copies of evidence of such acts shall be provided to the employee at the time of service of the Complaint Adjudication Form, Form 1.28.05. If the evidence of such acts is in a document other than a Complaint Investigation or a CF, it shall be included as part of the addenda. If the evidence of such acts is in a Complaint Investigation or CF, a copy of the report(s) shall be forwarded with the Complaint Investigation to IAG.

**Note:** Evidence of prior acts may be noted in comment card entries, Notice to Correct Deficiencies, Performance Evaluation Report or other documents.

**Disposition of Duplicate Complaint.** No Letter of Transmittal is necessary to close a number when the complaint is a duplicate of one referenced under a different CF number and no new issues were raised. Exception: When the complaint is a duplicate of one referenced under a different CF number and the new allegation(s) raised do not appear to

require a separate investigation, this fact shall be discussed with the Commanding Officer, IAG, who will determine whether "Duplicate" is an appropriate disposition or if a separate investigation should be conducted.

**Requirement for Approval of Bureau Commanding Officer or Other Reviewing Officer.** Commanding officers are not required to obtain concurrence of the bureau commanding officer or other reviewing officer for the disposition of a complaint and/or penalty. However, when administering a penalty of an admonishment or less, the concerned commanding officer shall cause the employee to review and sign the Complaint Adjudication Form. This does not preclude the Chief of Police from making a determination that a more serious penalty is warranted.

**Responsibility of Bureau Commanding Officer or other Reviewing Officer.** Bureau commanding officers or group commanding officers who do not report to a bureau or other equivalent reviewing officer, and the Chief of Staff shall review the investigation, classification, rationale and administrative insight of all complaints completed under their command. They shall ensure that all allegations raised by the complainant have been identified and addressed and that actions taken, recommendations made, and a response to the complainant were noted and copies of correspondence, other pertinent documents and/or addenda are attached. The reviewer shall endorse by signing the Complaint Adjudication Form, Form 1.28.05, for each accused employee.

Any comments or recommendations either for approval or disapproval shall be placed under "Military Endorsement Rationale" on the reverse side of the Complaint Adjudication Form and forwarded to the next level of review.

**832. RECORDATION OF COMPLAINTS.** The record and disposition of all complaints including Unfounded, Exonerated, and Non-Disciplinary complaints shall be maintained and accessible as part of the Department's Training, Evaluation and Management System (TEAMS), Complaint Index, Form 1.80.0, or any similar system subsequently developed. The records for all complaints shall be retrievable based on current record retention policy from the date reported, and access to such records shall be through Internal Affairs Group on a case-by-case basis. Access to such complaint records shall be on a right-to-know/need-to-know basis.

**Note:** The office of the Inspector General has full and direct access to Disciplinary and Non-Disciplinary complaint records.

Only Disciplinary complaints in which allegations are Sustained, Not Resolved, or result in a guilty determination at a Board of Rights shall be attributed to the employee's personnel record. All other complaint

classifications (including those handled through the Alternative Complaint Resolution process) shall be filtered from view when the employee's record is being reviewed for pending disciplinary adjudication. Not Resolved allegations shall also be filtered from view when the employee's record is being reviewed for the following:

- \* Promotions;
- \* Pay grade increases;
- \* Transfers; or,
- \* Performance reviews.

Complaints classified and adjudicated as Non-Disciplinary shall not be attributed to the accused employee's personnel record. These files shall be available for periodic inspection by the Department and the Board of Police Commissioners. Other complaint classifications (including those handled through the Alternative Complaint Resolution process) shall be filtered from view when the employee's record is being reviewed for pending disciplinary adjudication.

**833. RETENTION OF COMPLAINT INVESTIGATIONS.** Only sustained Department complaints (one or more allegations are classified as "Sustained", or public complaints where there is a combination of Sustained and Not Resolved allegations) will be filed in an employee's personnel file. All complaints disposed of as other-than Sustained will be maintained in Internal Affairs Group files.

**834. INTERNAL AFFAIRS GROUP DUTY ROOM REFERRALS.** Upon receipt of a telephonic or electronic complaint, Internal Affairs Group duty room investigators shall:

- \* Complete a Complaint Form, Form 1.28.0, documenting the preliminary information and attach any related correspondence, documents, and statements;
- \* Telephonically notify the employee's commanding officer;
- \* Forward the Complaint Form and attachments to the Complaint Classifications Unit, Internal Affairs Group, which will assign the Complaint Form to the appropriate division/Area for appropriate action; and,
- \* Mail a copy of the Complaint Form (with assigned CF #) to the complainant.

**834.10 NOTIFICATION TO THE CHIEF OF POLICE.** Internal Affairs Group shall, as soon as practicable after becoming aware of serious misconduct, verbally notify the Chief of Police.

**835. INTERNAL AFFAIRS GROUP-SCOPE OF AUTHORITY.** The Commanding Officer, Internal Affairs Group, has authority to take charge of an investigation of any act of censurable conduct when, in his/her opinion, it is advisable. The Commanding Officer, Internal Affairs Group, may act in a staff capacity and advise or assist

in the investigation or assume the responsibility thereof when:

- \* Sufficient supervisory personnel to conduct the investigation are not available to the concerned commanding officer.
- \* Adequate investigation facilities are not readily available to the concerned commanding officer.
- \* Personnel of more than one division/Area are involved.
- \* The complaint or the investigation is of a nature that it would be impracticable for the investigation to be conducted by the concerned commanding officer.
- \* Investigation is being improperly conducted.
- \* Complaints involve staff and command officers, except as directed by the Chief of Police.

At the conclusion of the investigation, the Commanding Officer, Internal Affairs Group, shall obtain a recommendation for the disposition of the case from the concerned commanding officer.

**836. ADMINISTERING SOBRIETY TESTS TO DEPARTMENT EMPLOYEES.**

**836.05 SOBRIETY TESTS-GENERAL PROVISIONS.** Concerned personnel shall contact the Commanding Officer, Internal Affairs Group (IAG), for guidance relative to ordering and conducting sobriety tests. When necessary, sobriety tests of Department employees shall be administered in accordance with relevant provisions of the concerned employees' current Memorandum of Understanding (MOU).

When no applicable MOU article exists, personnel shall be guided by advice received from IAG. If the employee is ordered to submit to these tests involuntarily, the evidence obtained shall be used for administrative purposes only.

**Exception:** Results of a chemical test, obtained for an administrative investigation, can by order of the court, be used against an officer in criminal proceedings.

**836.10 ADMINISTRATIVE INVESTIGATIONS.** The results of the criminal investigation test, if any, shall be used as the test required for the administrative investigation.

**Note:** When the Gas Chromatograph Intoximeter (GCI) is used, a test shall consist of at least two breath samples (Manual Section 4/343.38).

If an employee refuses to submit to a chemical test, an order to submit *for purposes of the administrative investigation only* shall be given by the first available officer of appropriate rank in the following sequence:

- \* Officer in charge or watch commander.
- \* The concerned employee's commanding officer.

- \* The concerned Internal Affairs Group investigating officer, regardless of rank.
- \* Other officer of appropriate rank.

Note: The officer giving the order for the chemical test shall complete a Chemical Test Administrative Advisement, Form 1.28.08, and have the employee sign the form prior to administering the test.

**836.15 CRIMINAL OFFENSE INVOLVED.** When a Department employee is detained in the City of Los Angeles and a chemical test is obtained for the criminal investigation, that test shall be used for the administrative investigation.

**836.20 EMPLOYEE DETAINED OUTSIDE THE CITY.** When a Department employee is detained outside the City of Los Angeles for a criminal offense, and a chemical test has been administered by an outside agency, the test results shall be considered the test for the administrative investigation.

**837. DEPARTMENT EMPLOYEE DETAINED OR ARRESTED FOR A PROSECUTABLE OFFENSE.**

**837.10 EMPLOYEE DETAINED OR ARRESTED.** A Department employee detained/arrested, or transported to any jail or police facility for any offense committed inside or outside the City, excluding traffic infractions, shall:

- \* Advise the detaining/arresting officer of his/her Department employee status; and,
- \* Notify the watch commander from his/her Area/division of assignment without delay, or the Department Command Post when the employee's location of assignment is closed.

**Note:** The Department Command Post shall notify the on-call Internal Affairs Group investigating officer.

**Employee Named in Crime Report.** When a Department employee has knowledge that he/she has been named as a principal in a written crime report or complaint filed with any agency for any offense, excluding traffic infractions, the employee shall notify the watch commander of his/her assignment without delay, or the Department Command Post when the employee's location of assignment is closed.

**Note:** Notifications shall be made by both the involved employee and any other employee who has knowledge of such involvement of a Department employee.

**Detaining/Arresting Officer's Responsibility.** When an officer from the Department detains/arrests another Department employee, the detaining/arresting officer(s) shall immediately notify the watch commander, Area of occurrence.

**Watch Commander/Supervisor's Responsibilities For Employee**

**Detain/Arrested Inside the City.** When a watch commander or supervisor from any Area/division is made aware that a Department employee has been detained/arrested inside the City, he/she shall:

- \* Notify the on-duty watch commander of the employee's Area/division of assignment, or the Department Command Post when the employee's location of assignment is closed;
- \* Notify Internal Affairs Group; or if Internal Affairs Group is closed, notification shall be made to the Department Command Post who shall notify the on-call Internal Affairs Group investigating officer;
- \* Respond to the scene and conduct a preliminary investigation; and,
- \* Prepare a Complaint Form, Form 1.28, and cause it to be distributed.

**Exception:** When the employee is detained for a traffic-related offense resulting from a traffic collision or assault with a vehicle occurring within the City, the traffic division watch commander, bureau of occurrence, shall assume the duties relative to conducting the preliminary criminal investigation.

**Note:** Additional guidelines for employees convicted of domestic violence offenses or subject to a court order can be found under Department Manual Section 3/838.

**Employee's Duty To Report Civil Suits And Court Orders.** In addition to notification requirements established in Manual Sections 3/838.23 and 3/782.30, sworn employees shall notify their commanding officer immediately, either directly or through a supervisor, if they are named as a defendant in any civil suit that results in a temporary, preliminary, or final adjudication on the merits in favor of a plaintiff complaining of off-duty physical violence, threats of physical violence, or domestic violence.

**Employee's Duty To Report Detention, Arrests and Criminal Charges.** In addition to notification requirements of detentions, arrests, or when named as a suspect in a written crime report or complaint for any offense excluding traffic infractions as outlined in Manual Sections 3/837.10 and 3/838.20, a sworn Department employee shall notify his/her commanding officer immediately, either directly or through a supervisor of Professional Standards Bureau (PSB), if they are charged with a criminal offense by a prosecutor or a grand jury indictment.

**Note:** An individual is criminally charged when there is a filing with a court by a prosecutor or grand jury charging the commission of a criminal offense.

**Commanding Officer's Responsibility.** Commanding officers shall adhere to follow-up requirements as outlined in Manual Section 3/838.23 and 3/837.20, as applicable.

**Commanding Officer, Professional Standards Bureau, Responsibility.** The

Commanding Officer, PSB, shall maintain a file of all sworn employees who have been criminally charged or named as a defendant in the types of civil suits outlined in this section. The Commanding Officer, PSB, shall be responsible for personnel investigations consistent with Manual Sections 3/837.10 and 3/838.23. Commanding officers shall adhere to follow-up requirements as outlined in Manual Sections 3/838.23 and 3/837.20, as applicable.

**837.20 INVESTIGATION RESPONSIBILITY-GENERAL.**

Investigative responsibility for the Department's unified investigation shall be as follows:

- \* Low-grade misdemeanor-the employee's Area/division of assignment;

**Exception:** When a low-grade misdemeanor results from a traffic collision, the criminal investigation shall be completed by a traffic supervisor, bureau of occurrence.

- \* High-grade misdemeanor or felony-at the direction of the Commanding Officer, Internal Affairs Group;

**Note:** High-grade misdemeanors include:

- \* Petty theft;
- \* Dangerous Weapons' Control Law;
- \* Traffic manslaughter;
- \* Indecent exposure;
- \* Child molesting;
- \* Contributing;
- \* Lewd conduct;
- \* Lewd loitering;
- \* All misdemeanor sex crimes; and,
- \* Misdemeanor narcotic/drug offenses. All other misdemeanor crimes are low-grade.

Upon notification of a high-grade misdemeanor or felony incident, the Commanding Officer, Internal Affairs Group, shall:

- \* Review the circumstances of the case;
- \* Determine the scope of the investigation; and,
- \* Obtain the necessary expertise, experienced personnel and equipment to complete the investigation.

**837.30 SCOPE OF THE INVESTIGATION.** The scope of the investigation involving a criminal allegation against a Department employee shall be the same as that for private persons detained or charged under similar circumstances. The following procedures shall also apply to the investigation of a Department employee:

- \* The investigating officer shall determine when employees should be advised of their Miranda rights and shall have the responsibility of either giving the Miranda Admonition or ensuring that it is given;
- \* When chemical testing of sobriety is necessary, one test shall be administered. If the test is a Gas Chromatograph Intoximeter (GCI), one test shall consist of

at least two samples (Manual Section 4/343.38); and,

- \* The investigation shall be reported to the employee's commanding officer on a Complaint Form, Form 1.28, and forwarded to the Commanding Officer, Internal Affairs Group, through normal distribution.

Department entities completing complaint investigations, which establish prima facie evidence of the commission of a criminal offense within the City by Department employees, shall submit the completed investigation to Internal Affairs Group for presentation to a prosecuting agency.

**837.40 AREA OF OCCURRENCE-RESPONSIBILITY.** When a Department employee is detained for a criminal offense within the City, a supervisor, Area of occurrence, shall:

- \* Immediately respond to the scene; and,
- \* Ensure that the watch commander, Area of occurrence, is notified immediately.

The watch commander, Area of occurrence, upon being notified shall:

- \* Ensure that the employee's watch commander *and* commanding officer are notified;
- \* Ensure that the Commanding Officer, Internal Affairs Group, is notified when the investigation involves a highgrade misdemeanor or felony; and,

**Note:** When Internal Affairs Group is closed, this notification shall be made to the Watch Commander, Detective Support Division, who shall make the appropriate notification.

- \* Ensure that the appropriate sobriety or other tests normally required for the preliminary investigation are administered in a timely manner.

**837.50 EMPLOYEE ARRESTED ON A CRIMINAL CHARGE-BOOKING ADVICE.** When an employee is taken into custody by another member of this Department and the offense committed indicates the need to book the employee, the supervisor shall notify the employee's *bureau* commanding officer and request booking advice.

**Note:** When the bureau commanding officer is unavailable, the notification and request for booking advice shall be made to a commander in that bureau. These notifications may be made through the Watch Commander, Detective Support Division, when the bureau office is closed.

**Watch Commander/Supervisor's Responsibility For Employee Detained/Arrested Outside the City.** In addition to making those notifications for when an employee is detained/arrested *inside* the City, the watch commander/supervisor shall follow the direction of Internal Affairs Group.

**Note:** At the discretion of Internal Affairs Group, an appropriate Department entity will be notified for response.

When a watch commander or supervisor responds to the scene, he/she shall:

- \* Advise members of the outside agency that the investigation is for internal administrative purposes only.
- \* Administer appropriate sobriety or other tests required for the personnel investigation.

**Note:** When an employee is administered a chemical test by an outside agency, that test result shall normally be utilized as the test for the Department's unified investigation.

- \* Prepare a Complaint Form, Form 1.28, and cause it to be distributed.

When an employee has refused to submit to a chemical test, an order to submit to the test for the purposes of an administrative investigation only shall be given by the first available officer of appropriate rank.

**Note:** All evidence obtained solely as a result of the personnel investigation is confidential and shall *not* be disclosed to members of the outside agency conducting the criminal investigation or to any other unauthorized persons.

**838. EMPLOYEES INVOLVED IN DOMESTIC VIOLENCE OR SUBJECT TO COURT ORDER – EMPLOYEE NOTIFICATION.** This section addresses employees investigated for domestic violence or subject to a court order. Additional guidelines for employees arrested, detained, named in a crime report, criminal procedure or court order can be found under Manual Section 3/837.10.

**838.20 DEPARTMENT EMPLOYEES WITH CRIMINAL CONVICTION INVOLVING DOMESTIC VIOLENCE - EMPLOYEE NOTIFICATION.**

**Employee's Responsibility.** A Department employee who has been convicted of a crime punishable by imprisonment for a term exceeding one year, a misdemeanor crime of domestic violence, or any misdemeanor crime with a factual basis of domestic violence shall:

- \* Immediately notify his/her commanding officer and submit an Employee's Report, Form 15.7. The Form 15.7 shall include:
  - \* A brief summary of the facts of the case;
  - \* The approximate date of the filing of the criminal complaint or arrest, the original booking charge, and the arresting agency;
  - \* The approximate date of conviction, the conviction charge, the court case number, and the disposition of the case (e.g., guilty, one-year summary probation, etc.); and,

- \* A statement regarding whether the incident was investigated by the Department and the outcome of that investigation, if known.

**Commanding Officer's Responsibility.** When it comes to the attention of the commanding officer that a Department employee appears to have been convicted of a crime punishable by imprisonment for a term exceeding one year, a misdemeanor crime of domestic violence, or any misdemeanor crime with a factual basis of domestic violence, the commanding officer shall:

- \* Retrieve all City-owned firearm(s) and Department-issued ammunition in the employee's possession;

**Note:** In administering this policy, all reasonable efforts shall be made to avoid embarrassment or discomfort to the officer and to minimize any intrusion of privacy. Prior to the retrieval of any firearm, an effort should be made to obtain a location out of the view of the public and other employees. When a City-owned firearm(s) is not maintained at a Department facility, the commanding officer shall direct the employee to surrender his/her City-owned firearm(s) **within 72 hours**.

- \* Assign the employee to **appropriate** duties that would not require the receipt or possession of a firearm and/or ammunition;
- \* Without delay, notify Internal Affairs Group of the situation;
- \* At the time of the retrieval of the City-owned firearm(s) and Department-issued ammunition, the employee shall be advised of the following:
  - \* All City-owned firearm(s) and Department-issued ammunition will be held in the custody of the commanding officer;
  - \* All privately-owned firearm(s) and/or ammunition in the employee's possession shall immediately be relinquished to a third party;
  - \* Written proof of compliance regarding the relinquishing of all privately-owned firearm(s) and/or ammunition shall be provided to the concerned commanding officer **within 72 hours** after receiving this advisement;
  - \* A preliminary inquiry will be completed within **90** days after the date of the employee notification. The purpose of the preliminary inquiry will be to determine if the employee is prohibited from possessing, shipping, transporting, or receiving a firearm and/or ammunition under the United States Code, Title 18, Part 1, Chapter 44, Section 922 (g) (9);
  - \* Upon completion of the preliminary inquiry, the commanding officer will make a determination regarding whether a complaint investigation should be initiated;

**Note:** When other misconduct is discovered during the preliminary inquiry, a Complaint,

Form 1.28, shall be completed without delay.

- \* Complete the Employee Notification - Prohibition from Possessing, Shipping, Transporting, or Receiving a Firearm and/or Ammunition, Form 1.88.2; and,
- \* Present the Employee Notification - Prohibition from Possessing, Shipping, Transporting, or Receiving a Firearm and/or Ammunition, Form 1.88.2, to the concerned employee for signature.

**838.23 DEPARTMENT EMPLOYEES SUBJECT TO A COURT ORDER.**

**Subpoena Control Officer's Responsibility.** When a subpoena control officer receives a Restraining Order that identifies the respondent as a member of a law enforcement agency, that subpoena control officer shall notify his or her commanding officer. The commanding officer shall ensure that a copy of the Restraining Order is sent to the Chief of Police of the involved agency. If the respondent is a member of the Department, the commanding officer shall forward a copy of the Restraining Order to the Commanding Officer, Internal Affairs Group.

**Employee's Responsibility.** A Department employee who is or believes he/she is about to be the subject (respondent) of a court order such as a Temporary Restraining Order, Emergency Protective Order or Order to Show Cause, or who initiates a court order (petitioner) against another Department employee shall comply with the following procedures as it applies to his/her involvement:

**Department Employee as Respondent.** The primary responsibility for compliance with a court order rests with the employee. Employees are reminded that a court order supersedes any conflicting Department rule or regulation and any violation of the order can result in discipline. Therefore, any Department employee who is served with or believes that he/she is about to be the subject of any court order shall immediately notify his/her commanding officer, either directly or through a supervisor, of the court order and provide the commanding officer with a copy of all related court orders. Additionally, the employee shall notify the commanding officer of:

- \* Conditions of the court order, including any specific Department facilities identified in the order and any possible Department facility where the petitioner may be located;
- \* Potential conflict between the court order and the employee's duties; and,
- \* Any subsequent modification to or expiration of the court order.

Should the employee be given any direction which may result in a potential violation of a court order, the employee shall immediately apprise the person giving the direction of the potential violation and his/her inability to comply with the request.

**Department Employee as Petitioner.** When a Department employee initiates a court order against another Department employee, he/she shall immediately notify his/her commanding officer, either directly or through a supervisor, of the court order and provide the commanding officer with a copy. Additionally, the employee shall notify the commanding officer of:

- \* The identity and current assignment, if known, of the Department employee who is respondent and the conditions of the court order including any specific department facility identified in the order and any possible department facilities where the petitioner may encounter the respondent; and,
- \* Any subsequent modification to or expiration of the court order.

As with any other possible misconduct, it is incumbent upon any Department employee, including a supervisor or manager, who becomes aware of a possible court order violation to disclose the situation to a supervisor or Internal Affairs Group immediately (Manual Section 3/815.05).

**Supervisor's Responsibility.** A supervisor who is notified that a Department employee is or reasonably believes he/she is about to be the subject (respondent) of a court order such as a Temporary Restraining Order, Emergency Protective Order or Order to Show Cause or who has initiated a court order (petitioner) against another Department employee shall:

**Department Employee as Respondent:**

- \* Obtain a copy of the court order;
- \* Review the order for restrictions which may affect the employee's work conditions;
- \* Ensure that the employee is in compliance with all workplace restrictions including access to Department facilities and contact with any other Department employees;
- \* Forward a copy of the court order to the employee's commanding officer with documentation of any action taken to ensure compliance with the provisions of the order; and,
- \* Notify the commanding officer of any modification to or expiration of the court order.

A violation of a court order may be a violation of the law and can be considered misconduct. Should a violation of a court order occur, a supervisor shall conduct an on-scene investigation to evaluate the circumstance and determine the appropriate action. At a minimum, the on-scene supervisor shall document the circumstance and action taken on an Employee Comment Sheet, Form 1.77, and forward it for further review and final disposition to the offending employee's commanding officer.

**Department Employee as Petitioner.** When a supervisor is notified by a Department employee that he/she initiated a court order

against another Department employee, the supervisor shall:

- \* Obtain a copy of the court order;
- \* Notify the respondent employee's commanding officer as soon as possible;
- \* Review the order for the respondent's restrictions and identify any work condition which may result in a violation of the order; and,
- \* Document the action taken on an Employee Comment Sheet, Form 1.77, and forward the form to the employee's commanding officer for review.

**Commanding Officer's Responsibility.** When notified that an employee in his/her command has been served with, or reasonably believes that he/she may be the subject (respondent) of a court order, or has initiated a court order (petitioner) against another employee, the commanding officer shall:

**Department Employee as Respondent.** The commanding officer shall meet with the respondent employee and:

- \* Review the circumstances and/or related documents and take appropriate action to ensure compliance with the specified restrictions;
- \* Initiate a personnel investigation if that review discloses an allegation(s) of misconduct;
- \* Forward a copy of all pertinent documents to Internal Affairs Group via the commanding officer's bureau commanding officer; and,
- \* Notify the commanding officer of the facility(ies) at which the employee's presence is restricted. If the restriction includes one of the following facilities, a single notification to the specified commanding officer will suffice and the commanding officer shall assume responsibility for further notification to commands within that facility:
  - \* Commanding Officer, Detective Support Division, for Parker Center;
  - \* Commanding Officer, Central Area, for Central Facilities;
  - \* Commanding Officer, Van Nuys Area, for Valley Headquarters; and,
  - \* The senior command officer within any other facility housing multiple commands.

**Department Employee as Petitioner.** When a commanding officer is notified that an employee in his/her command has obtained a court order against any other Department employee the commanding officer shall:

- \* Review the circumstances and/or related documents with petitioner and notify the respondent's commanding officer;
- \* Maintain a copy of all pertinent documents;
- \* Upon notification that the protective order has expired or been modified, ensure that the respondent's commanding officer is notified.

The commanding officer shall ensure that the employee/respondent is aware of and, as appropriate, utilizing the Department's employee support system such as Behavioral Science Services and the Employee Assistance Unit.

**838.30 DEPARTMENT EMPLOYEES WITH A CRIMINAL CONVICTION INVOLVING DOMESTIC VIOLENCE - ADMINISTRATIVE INVESTIGATION.**

**Commanding Officer's Responsibility.** When a commanding officer has been notified that an employee in his or her command falls within the provisions of the United States Code, Title 18, Part 1, Chapter 44, Section 922 (g) (9), the commanding officer shall:

- \* Initiate a preliminary inquiry to be completed within **90** days after the date of the employee notification;
- \* Provide the Commanding Officer, Internal Affairs Group, with an update on the status of the investigation every **30** days from the date of the employee notification;
- \* When the employee has obtained relief from the court or when it is determined that the employee is not in violation of 18 United States Code 922 (g) (9):
  - \* Immediately forward a copy of all related documents with an Intradepartmental Correspondence, Form 15.02, recommending no further action to the Commanding Officer, Internal Affairs Group.

**Note:** The Commanding Officer, Internal Affairs Group, shall approve the release of the retrieved City-owned firearm(s) and Department-issued ammunition.

- \* Immediately forward a copy of all related documents with an Intradepartmental Correspondence, Form 15.02, to the Commanding Officer, Personnel Division. The Intradepartmental Correspondence shall include a request to remove all related documents concerning the investigation from the employee's Department personnel folder and to file them indefinitely in the employee's Personal History Packet. Additionally, the commanding officer shall ensure that all related documents concerning the investigation are removed from the divisional Personnel Folder.

**Note:** The Personnel History Packet is maintained at Personnel Division and is a confidential document not used for promotional purposes.

- \* When the employee has not had the conviction expunged or set aside by a magistrate or a determination has not been made regarding a possible violation of 18 United States Code 922 (g) (9) **within 90** days of the date of the employee notification, initiate an administrative investigation by forwarding a Complaint,

Form 1.28, to the Commanding Officer, Internal Affairs Group; and,

- \* Advise the employee, in writing, of the outcome of the preliminary inquiry.

**Internal Affairs Group - Responsibility.** The Commanding Officer, Internal Affairs Group, shall:

- \* Consult with the affected employee's commanding officer, and assign investigative responsibility if a personnel complaint investigation is warranted;
- \* Ensure that there is a final disposition and appropriate documentation as to the employee's status following service of a Form 1.88.2; and,
- \* Review and approve all requests for the return of City-owned firearm(s) and Department-approved ammunition.

**838.40 EMPLOYEES NAMED ON PROTECTIVE ORDERS RESTRICTING OWNERSHIP AND CONTROL OF FIREARMS.** Any Department employee who is served with an Order To Show Cause (OSC) and Temporary Restraining Order (TRO) shall:

- \* Comply with all conditions of the order;
- \* Immediately notify his/her immediate supervisor, watch commander or commanding officer of the existence of the order and date of the follow-up court hearing;
- \* Provide his/her immediate supervisor, watch commander or commanding officer with a copy of the OSC/TRO on the employee's next scheduled work day, or as otherwise directed by his/her commanding officer;
- \* Obtain correspondence from their commanding officer advising the magistrate that the Department is unable to reassign the employee to duties where the carrying of a firearm is not a necessary condition of employment and may therefore seek termination of the employee; and,
- \* On the next scheduled work day after the follow-up court hearing, or as directed by his/her commanding officer, advise his/her immediate supervisor or commanding officer of the results of the hearing and present the complete Order After hearing (OAH) or other appropriate court document to his/her immediate supervisor or commanding officer for photocopying and placement in the employee's Division Employee Folder, Form 1.1.

**Note:** It is the responsibility of the employee to request removal of the copy of the OSC/TRO or OAH from his/her Division Employee Folder upon expiration of the order.

If a magistrate imposes firearms restrictions which require the relinquishment of a City-owned weapon(s), the employee shall surrender the City-owned weapon(s) to his/her commanding officer within the time limit imposed by the court. The disposition of privately-owned weapons shall be effected in

the manner prescribed by the court. Non-exempted firearms **shall not** be retained beyond the relinquishment date specified by the magistrate. Affected employees shall provide their commanding officer proof of compliance with any court-ordered surrender of firearms.

**Supervisor's Responsibility.** Upon notification by an employee that he/she has been served with an OSC/TRO or OAH, the supervisor shall:

- \* Direct the employee to provide the original order;
- \* Review the order for restrictions which may affect the employee's work conditions;
- \* Photocopy the order and return the original to the employee;
- \* Ensure that the employee is in compliance with any workplace restrictions, particularly those concerning possession of firearms or contact with any other employee; and,

**Note:** Upon receipt of the OSC/TRO, obtain a Department of Justice Automated Firearms System printout of all firearms registered to the concerned employee and attach it to the copy of the OSC/TRO.

- \* Forward the copy of the order to the commanding officer with documentation of any action taken to ensure compliance with the provisions of the order.

**Note:** Restraining orders involving Department employees are to be treated as confidential personnel matters which should not be documented in detail on a supervisor's log. If detailed documentation is required, it shall be forwarded to the commanding officer on an Employee Comment Sheet, Form 1.77.

**Commanding Officer's Responsibility.** When notified that an employee in his/her command has been served with an OSC/TRO or OAH, the commanding officer shall:

- \* Direct the employee to provide the original order (or appropriate court documentation denying the request for the order);
- \* If needed, provide the employee with appropriate correspondence stating that the Los Angeles Police Department may seek the termination of any employee who is prohibited from carrying a firearm in the course of his/her duties as a police officer due to a criminal conviction or protective order restriction;
- \* Review the document and take appropriate action to ensure compliance with the specified provisions or restrictions, (e.g., appropriate reassignment, notification to the commanding officer of another affected Department employee, confiscation of City-owned firearm(s) and/or verification of required surrender of affected personal firearms, etc.);
- \* Retain one copy and return the original to the employee;

- \* When appropriate, provide the employee with an Intradepartmental Correspondence, Form 15.02, specifying the date and time of surrender, make, model and serial number of any relinquished City-owned firearm(s);
- \* Review the document for allegations of misconduct and determine if initiation of a complaint is required; and,
- \* Forward the copy of the OSC/TRO and follow-up hearing document (via Intradepartmental Correspondence, Form 15.02) through the chain-of-command, to the Commanding Officer, Internal Affairs Group, with a recommendation and rationale for no further action, or initiate a complaint investigation.

**Note:** If an employee fails to provide the OSC/TRO or follow-up hearing documentation, the concerned commanding officer shall conduct an investigation and determine if any further action, including initiation of a complaint, is appropriate.

**838.50 EXPUNGEMENT OR SET-ASIDE HEARING TO RESTORE THE ABILITY TO CARRY A FIREARM.** When an employee petitions to restore his/her ability to carry a firearm via an expungement or set-aside hearing, the Director, Office of Support Services (OSS), or his/her designee, is the **only** person authorized to state the Department's position relative to the restoration.

Any Department employee served with a subpoena to appear in court at an expungement or set-aside hearing in which the Department's position is to be stated, shall comply with the subpoena, and shall also confer with the Director, OSS, prior to the proceeding. Any Department employee asked to state the Department's position relative to restoring an employee's ability to carry a firearm **shall not** state a position but, instead, shall refer the issue to the Director, OSS.

**839. SEARCHES OF DEPARTMENT EMPLOYEES DURING ADMINISTRATIVE INVESTIGATIONS.**

**839.10 ADMINISTRATIVE SEARCHES.** These procedures apply only to administrative investigations. Department employees who are arrested will be searched in accordance with the same procedures followed in any other arrest.

**839.11 ADMINISTRATIVE SEARCHES-DEFINED.**

**Clothing Search-Defined.** A clothing search is defined as a patdown or physical inspection of any article of clothing worn by an employee.

**Note:** A clothing search does not include a visual inspection of underclothing or the immediate area of the breasts, buttocks, or genitalia.

**Strip Search-Defined.** A strip search is defined as a search which requires employees to remove or arrange some or all of their clothing so as to permit a visual inspection of the underclothing and the immediate area of the breasts, buttocks, or genitalia.

**Note:** Department employees shall not be subjected to a body cavity search unless arrested on a charge for which such a search would be legally permissible. The body cavity search shall be conducted only by medically qualified personnel.

**839.20 REQUIREMENTS FOR ADMINISTRATIVE SEARCHES.**

**839.21 VOLUNTARY CLOTHING SEARCH REQUIREMENTS.** Supervisors may conduct a voluntary clothing search of Department employees when the following conditions exist:

- \* There is an allegation of misconduct involving the possibility of criminal activity made against the Department employee;
- \* There is no less intrusive way of ascertaining the existence or nonexistence of the evidence; and,
- \* The employee requests to be searched.

**839.22 STRIP AND INVOLUNTARY CLOTHING SEARCH REQUIREMENTS.**

Employees shall not be required to submit to a strip or involuntary clothing search unless all of the following conditions exist:

- \* There is an allegation of misconduct involving the possibility of criminal activity made against the Department employee;
- \* Reasonable suspicion exists to believe that the employee secreted evidence of that allegation on his or her person;
- \* There is no less intrusive way of ascertaining the existence or nonexistence of the evidence;
- \* Approval for the search has been obtained from a staff officer of the rank of commander or above from within the employee's chain-of-command; and,
- \* A captain or civilian commanding officer from the involved employee's division or Area of assignment has responded to the scene to supervise the search. When a captain or civilian commanding officer from the division or Area is unavailable, a staff officer in the employee's chain-of-command shall respond to the scene.

**Note:** A "reasonable suspicion" exists when the person responsible for the search is aware of specific articulable facts, and inferences from these facts, which reasonably warrant a suspicion that evidence will be uncovered.

**Exceptions:**

- \* In organizational entities which are not headed by either a civilian commanding

officer or a captain, any staff officer in that entity may respond.

- \* An available staff officer (commander or above) may grant permission to conduct strip and involuntary clothing searches when a staff officer from the employee's chain-of-command is unavailable.
- \* In situations involving an investigation conducted by Internal Affairs Group, the presence of a captain from that division will suffice in lieu of the involved employee's captain or civilian commanding officer.

**839.30 SUPERVISOR'S RESPONSIBILITY.** When an allegation of misconduct necessitates a strip or involuntary clothing search, the supervisor shall:

- \* Explain the specific allegation(s) to the employee;
- \* Contact the employee's commanding officer and be guided by the appropriate instructions; and,
- \* If the employee requests a representative, allow the employee up to two hours for the representative to be present at the search location. If the representative cannot reach the search location within two hours, the employee may consult with the representative telephonically. The employee shall be kept under observation at all times until the search is completed.

**Note:** All searches in conjunction with administrative investigations of Department employees shall be conducted out of the view of the public and other employees, and the employee conducting the search shall be the same sex as the employee being searched.

**839.35 COMMANDING OFFICER'S RESPONSIBILITY.** Upon being notified of a request for a strip or involuntary clothing search, the employee's commanding officer or the Internal Affairs Group (IAG) captain shall evaluate the need for the search. If the search is determined to be appropriate, the commanding officer or an IAG captain shall contact a staff officer (commander or above) within the employee's chain of command to obtain approval for conducting the search and ensure that a captain or above, a civilian commanding officer from within the chain of command, or an IAG captain has responded to the scene to supervise the search.

**Note:** If a staff officer (commander or above) or a civilian commanding officer from the employee's chain of command is unavailable, the Watch Commander, Detective Support Division, shall be contacted for the availability of a staff officer (commander or above).

**839.40 STAFF OFFICER'S RESPONSIBILITY.** When notified of an incident in which the strip or involuntary clothing search of a Department employee is warranted, the staff officer (commander or above) shall review the need for the search. If the search is deemed necessary and reasonable, the staff officer (commander or above) shall



direct the appropriate supervisory personnel to order the employee to submit to the search.

**Note:** Refusal by the involved employee to submit to an involuntary search after being ordered to do so constitutes insubordination for which the employee may be disciplined.

**840. INACTIVE DUTY-ASSIGNMENT**

**840.10 INACTIVE DUTY-GENERAL.**

When it is contrary to the best interests of the Department for employees to continue their regular duties while awaiting investigation or formal disciplinary action, they may be assigned to inactive duty by their watch commander, commanding officer, or the Commanding Officer, Internal Affairs Group.

When employees are physically or mentally unable to properly care for themselves, they shall be:

- \* Taken into protective custody; and,
- \* Relieved of any weapon and Department equipment in their possession, when necessary in the interest of safety or for safekeeping.

When an employee's condition in public is such that it may reflect unfavorably upon the employee or the Department, the employee shall be escorted from public view.

**840.20 INACTIVE DUTY-ASSIGNING OFFICER'S DUTIES.**

When an employee is assigned to inactive duty, the commanding officer or watch commander who makes the assignment shall:

- \* Take immediate action necessary to ensure the completion of a proper investigation;
- \* Cause necessary reports to be completed and forwarded;
- \* When circumstances indicate, obtain all Department property in possession of the employee and deliver it to the employee's commanding officer;

The commanding officer making the assignment shall instruct the employee to:

- \* Refrain from acting in an official capacity;
- \* Remain on-call at the designated place of inactive duty; OR,
- \* Report at a given time and place when such information is available.

**840.30 DISARMING PSYCHOLOGICALLY IMPAIRED OFFICERS.**

The Chief of Police has the authority and is ultimately responsible for the seizing and/or returning of an officer's firearm. However, the Chief of Police has exercised this authority through the Director, Office of Support Services. However, when the Director, Office of Support Services is not available, the Commanding Officer, Personnel Group, shall be contacted for advice and consent.

In administering this policy, the primary concern shall be for the safety of the officer, other employees and the public. All reasonable

efforts shall be made to avoid embarrassment or discomfort to the officer and to minimize any intrusion of privacy. Prior to the seizure of any firearm, an effort should be made to obtain the assistance of a sworn member of the Department who has established a relationship of trust with the officer.

Commanding officers should adhere to the following procedures when it appears that the firearm of an apparently impaired officer should be seized.

In an emergency or where an officer may pose a threat to his/her own safety or the safety of others, a supervisor may immediately seize an officer's firearm(s). However, the Director, Office of Support Services, shall be contacted as soon as possible for advice and consent regarding the continued deprivation of the firearm(s).

**Note:** The provisions of the Welfare and Institutions Code (WIC) regarding the seizure of private and City-owned firearm(s) when seized pursuant to a commitment under Section 5150 WIC shall be followed. However, to the extent allowed by law, an officer may be ordered not to carry privately owned firearms(s).

Weapon Return Procedure. Prior to returning a seized City-owned firearm and permitting an officer to carry that or any other firearm(s), with authority as a peace officer, the officer's commanding officer shall obtain written approval from the Director, Office of Support Services.

The Director, Office of Support Services', Responsibility. The Director, Office of Support Services, prior to returning a seized City-owned firearm, shall make use of all available resources (i.e., Behavioral Science Services, Risk Management Group, and Medical Liaison Section, etc.) to assess and determine whether the return of the City-owned firearm would be in the best interest of the officer and the Department.

Note: The officer may appeal the seizure of his or her firearm(s) via procedures outlined in the Memorandum of Understanding.

**840.40 INACTIVE DUTY-DUTIES OF EMPLOYEE ASSIGNED.**

Employees assigned to inactive duty shall comply with all lawful instructions given to them by their watch commander, their superior in the chain of command, or the Commanding Officer, Internal Affairs Group .

**841. CRITERIA FOR ATTENDING CRIMINAL TRIALS ON DUTY AS THE DEFENDANT.**

On-duty status shall be authorized for an employee under State or federal prosecution for alleged criminal activities committed during the course and scope of the officer's duties when it is determined that the officer was acting in the best interests of the City at the time the alleged criminal activity occurred. The following criteria shall be considered when determining

if the officer was acting in the best interest of the City:

- \* The nature and seriousness of the charges.
- \* The extent to which the activity arose out of the authority and scope of employment at the time of the occurrence.
- \* The degree of willingness to cooperate during the investigation.
- \* The extent to which the activity was consistent with legal and policy considerations.
- \* The officer's overall employment record and any other articulable factor relevant to the officer's individual suitability or on-duty consideration.

**Note:** Officers who are relieved from duty; on sick, injured-on-duty, or personal leave; or otherwise on non-duty status shall not be authorized on-duty status for court appearances or other defense activities during the period while they are off duty or on leave. Attendance will be in their off-duty or leave status.

Court appearances or other defense activities shall not be done on an overtime basis unless no other alternative is available and such overtime is approved by the officer's commanding officer. An adjusted work schedule or change-of-watch assignment, depending upon the length of the trial, shall be used before overtime compensation is considered.

**Submitting Requests for On-Duty Status.**

Requests for on-duty status while a defendant in a criminal prosecution arising from the course and scope of employment with the Department shall be submitted in writing and forwarded through the requesting employee's chain of command to the Chief of Police. **Officers who do not submit a request for on-duty status shall be considered off duty.** Requests shall include sufficient facts to evaluate justification for the on-duty status.

**Note:** Employees are not requested to disclose information against the advice of their legal counsel in the criminal proceeding. However, sufficient information must be presented to establish the basis for the request and facilitate its evaluation.

Each level of review in the requesting officer's chain of command shall review the request, attach appropriate correspondence with a recommendation as to whether the request shall be approved or denied, and forward the request.

The Chief of Police shall approve or deny each request based upon a thorough investigation of the facts as presented in the request, using the criteria establish in this section. The Chief of Police shall cause the requesting officer to be notified through the officer's chain of command when the request is approved or denied and ensure that a centralized file of approved and denied requests is maintained within the Office of the Chief of Police. The Chief of Police shall notify the Board of Police

Commissioners of the decisions made in these cases during regular closed-session meetings of the Board.

**845. TEMPORARY RELIEF FROM DUTY OR RESTORATION-OFFICERS**

**845.10 TEMPORARY RELIEF FROM DUTY OR RESTORATION -EXECUTION OF ORDER.** When so directed by the Chief of Police, the Commanding Officer, Internal Affairs Group, shall cause a Complaint and Relief From Duty, Suspension, or Demotion, Form 1.61, to be prepared and served upon the sworn employee. Such relief from duty shall continue in effect pending a restoration by the Chief of Police or a decision before a Board of Rights.

Any officer ordered to, or requesting a hearing before, a Board of Rights may be temporarily relieved from duty by the Chief of Police pending a hearing before and a decision by the Board. The Chief of Police also has the authority to cancel such relief from duty or following relief from duty, restore the officer to duty with or without restrictions pending the hearing.

**Note:** The cancellation of a temporary relief from duty means the employee is charged with misconduct pending an application for and hearing by a Board of Rights but is not temporarily relieved from duty pending the hearing.

Cancellation of a temporary relief from duty is shown on the Complaint and Relief from Duty, Suspension or Demotion, Form 1.61 as "Do not relieve you from duty."

**Penalty Imposed When An Officer Fails to Appear.** Suspension, demotion in rank, suspension and demotion in rank, or removal are penalties the Chief of Police may impose if an officer fails to appear at a Board of Rights hearing.

**Sworn Probationary Employees.** When directed by the Chief of Police, the Commanding Officer, Internal Affairs Group, shall cause the Notice of Termination or Suspension of Sworn Probationary Employee, Form 1.61.1, to be prepared and served upon the probationary employee. All appeal rights for sworn probationary employees are detailed in City Charter Volume II, Article X, Section 1011 (a) and Government Code Section 3300 et seq., the Public Safety Officers Procedural Bill of Rights Act.

**Return of Disciplinary Forms - Execution of Order.** Following service upon the employee, the completed Complaint and Relief From Duty, Suspension, or Demotion, Form 1.61; Notice of Termination or Suspension of Sworn Probationary Employee, Form 1.61.1; or Notice of Discharge, Suspension or Probationary Termination, Form General 77, may be transmitted immediately via facsimile machine (FAX) to the Advocate Section, Internal Affairs Group, **OR** hand delivered to

the Advocate Section no later than 0900 hours of the following weekday, excluding holidays.

**Note:** The "Certificate of Service" section must be completed and the commencement or effective date of any suspension, relief from duty, or discharge **must be included** on the FAX copy or it will not be accepted as documentation of service. These documents are to be treated as confidential and should not be left exposed or placed in a location where they could be viewed by non-authorized employees.

When the FAX system is used, the original completed form shall be mailed or hand delivered to the Advocate Section within two calendar days. Any applicable Intradepartmental Correspondence, Form 15.2, that documents the actual suspension or discharge dates, shall be returned simultaneously.

**845.20 TEMPORARY RELIEF FROM DUTY-DISPOSITION OF DEPARTMENT PROPERTY.** Officers, upon being ordered relieved from duty, shall surrender all City-owned property in their possession to the officer executing the order. The officer executing the order shall ensure that all City-owned property is delivered to the commanding officer of the accused officer's unit of assignment for safekeeping.

**845.30 TEMPORARY RELIEF FROM DUTY-RETURN TO DUTY. (Manual Section 3/860.30)**

**860. SUSPENSION-PROCEDURE**

**860.10 SUMMARY SUSPENSION OF OFFICERS-EXECUTION OF ORDER.** When so directed by the Chief of Police, the Commanding Officer, Internal Affairs Group, shall cause a Complaint and Relief from Duty, Suspension or Demotion, Form 1.61, to be prepared and served upon the sworn employee.

The sworn employee may demand a hearing before a Board of Rights.

A Board of Rights must convene within a period of 10 to 30 days.

**Officers May Be Disqualified as Members of a Board.** The Chief of Police may declare specific officers of the rank of captain or above as disqualified for a Board of Rights. The reasons for such disqualifications are sick/IOD (including restricted duty not compatible with participating in a Board hearing), vacation, previously approved absence from command, member of a Board of Rights hearing scheduled for the same date(s) or conflict with a primary duty assignment which has significant importance to Department operations.

**Individual Board Members May Demand Subpoenas.** Any Board member may demand that the City Clerk issue subpoenas to compel the attendance of witnesses and/or the production of evidence.

**Suspension and/or Demotion Appealed to a Board is Stayed.** A suspension and/or demotion appealed to a Board of Rights is automatically stayed pending the hearing and decision by the Board.

**Note:** A Summary Suspension may be imposed for any period of time not to exceed thirty days, with total loss of pay for that period. A total period of thirty days with loss of pay is deemed to mean twenty-two working days.

A Summary Suspension shall be served in the following manner:

- \* The Complaint and Relief from Duty, Suspension or Demotion, Form 1.61, shall be signed by the Chief of Police and shall include the charges and other details, with the exception of the commencement date of the suspension.
- \* The officer executing the order shall fix the commencement date of the suspension as determined by the Chief of Police. This date shall be placed on all four copies of Complaint and Relief from Duty, Suspension or Demotion, Form 1.61.
- \* The officer executing the order shall have the accused officer read the charges. The order shall then be executed.
- \* The "Certificate of Service" sections on all copies of the Complaint and Relief from Duty, Suspension or Demotion, Form 1.61, shall be completed by the officer executing the order.
- \* When a Complaint and Relief from Duty, Suspension or Demotion, Form 1.61, is served, the accused officer shall, at the discretion of the Chief of Police, surrender his or her gun, badge, and identification card for safekeeping immediately upon such relief or suspension from duty.

The remaining copies of the Complaint and Relief from Duty, Suspension or Demotion, Form 1.61, may be transmitted immediately via facsimile machine (FAX) to the Advocate Section, Internal Affairs Group (IAG), **OR** hand delivered to the Advocate Section no later than 0900 hours of the following weekday, excluding holidays.

**Note:** The "Certificate of Service" section must be completed and the commencement or effective date of any suspension, relief from duty or discharge **must be included** on the FAX copy or it will not be accepted as documentation of service. These documents are to be treated as confidential and should not be left exposed or placed in a location where they could be viewed by non-authorized employees.

When the FAX system is used, the original completed form shall be mailed or hand delivered to the Advocate Section within two calendar days. Any applicable Intradepartmental Correspondence, Form 15.2, that documents the actual suspension or discharge dates, shall be returned simultaneously.

**Substitute Service.** Criteria have been established which allow for service by mail when a copy of any notice, order or process cannot with reasonable diligence be personally served. If a commanding officer is not able to personally serve an officer due to extenuating circumstances, advice on how to proceed shall be obtained from the Advocate Section, Internal Affairs Group.

**Effective Date of Demotion and Suspension.** The effective date of a suspension and/or demotion shall be as follows:

- \* **Suspension Not Appealed.** A suspension that has not been appealed to a Board of Rights shall be effective the day following the period during which the suspension could have been appealed to a Board of Rights, or as soon as practicable after that period, in consideration of deployment needs.
- \* **Suspension Recommended by a Board.** When a suspension is recommended by a Board of Rights and is upheld by the Chief of Police, it shall be imposed as soon as practicable, in consideration of deployment needs. Such suspension shall include those days an officer was relieved from duty **without** pay (TR).
- \* **Demotion Not Appealed.** A demotion that has not been appealed to a Board of Rights shall be effective the day following the period during which the demotion could have been appealed to a Board of Rights.
- \* **Demotion Recommended by a Board.** When a demotion is recommended by a Board of Rights and is upheld by the Chief of Police, it shall be effective upon the filing of the Decision of the Board and Execution of the Order with the Police Commission.

**Note:** A suspension day shall consist of 8 hours. A suspension period shall not be split (i.e., a portion before or after a period of work), without the approval of the Commanding Officer, Internal Affairs Group.

**Sworn Probationary Employees.** When so directed by the Chief of Police, the Commanding Officer, Internal Affairs Group shall cause a Notice of Termination or Suspension of Sworn Probationary Employee, Form 1.61.01, to be prepared and served upon the probationary employees.

A Summary Suspension shall be served in the following manner:

- \* The Notice of Termination or Suspension of Sworn Probationary Employee, Form 1.61.01, shall be signed by the Chief of Police and shall include the charges and other details, with the exception of the commencement date of the suspension.
- \* The officer executing the order shall fix the commencement date of the suspension as determined by the Chief of Police. This date shall be placed on all five copies of the Notice of Termination or Suspension of

Sworn Probationary Employee, Form 1.61.01.

- \* The officer executing the order shall have the accused probationary employee read the charges. The order shall then be executed.
- \* The "Certificate of Service" sections on all copies of the Notice of Termination or Suspension of Sworn Probationary Employee, Form 1.61.01, shall be completed by the officer executing the order.
- \* The accused probationary sworn employee's gun, badge and identification shall be surrendered for safekeeping, to the officer executing the order of suspension.

The remaining copies of The Notice of Termination or Suspension of Sworn Probationary Employee, Form 1.61.01, may be transmitted immediately via facsimile machine (FAX) to the Advocate Section, Internal Affairs Group, **OR** hand delivered to the Advocate Section no later than 0900 hours of the following weekday, excluding holidays.

**Note:** The "Certificate of Service" section must be completed and the commencement or effective date of any suspension, relief from duty or discharge **must be included** on the FAX copy or it will not be accepted as documentation of service. These documents are to be treated as confidential and should not be left exposed or placed in a location where they could be viewed by non-authorized employees.

When the FAX system is used, the original completed form shall be mailed or hand delivered to the Advocate Section within two calendar days. Any applicable Intradepartmental Correspondence, Form 15.2, that documents the actual suspension or discharge dates, shall be returned simultaneously.

**860.20 SUSPENSION OR DISCHARGE OF CIVILIAN EMPLOYEES- EXECUTION OF ORDER.** When so directed by the Chief of Police, the Commanding Officer, Internal Affairs Group, shall cause a Notice of Discharge or Suspension, Form General 77, to be prepared. (The Notice of Discharge or Suspension, Form General 77, shall be made in all cases when a civilian employee is terminated.)

There is no time limit on the period that a civilian employee may be suspended.

**Note:** Any discharge, or any suspension in excess of five working days, may be appealed to the Civil Service Commission.

**Commanding Officer's Responsibility.** After the Form General 77 is signed by the Chief of Police, the form shall be forwarded via Internal Affairs Group to the employee's commanding officer, who shall:

- \* Execute the order.
- \* Complete the portion of the form entitled "Service of Notice."
- \* Give one copy to the concerned employee.

The original and one copy may be transmitted immediately via facsimile machine (FAX) to the Advocate Section, Internal Affairs Group (IAG), **OR** hand delivered to the Advocate Section no later than 0900 hours of the following weekday, excluding holidays.

**Note:** The "Certificate of Service" section must be completed and the commencement or effective date of any suspension, relief from duty or discharge **must be included** on the FAX copy or it will not be accepted as documentation of service. These documents are to be treated as confidential and should not be left exposed or placed in a location where they could be viewed by non-authorized employees.

When the FAX system is used, the original completed form shall be mailed or hand delivered to the Advocate Section within two calendar days. Any applicable Intradepartmental Correspondence, Form 15.2, that documents the actual suspension or discharge dates shall be returned simultaneously.

**860.25 REVERSION OF DEMOTED EMPLOYEES.**

**Requirements for Reversion.** An officer who has been demoted for disciplinary reasons may return to a previously held civil service classification through the civil service promotional process for that class or upon approval of a Request for Reversion, subject to the following provisions:

- \* The officer must have completed at least one year of satisfactory work performance in the classification to which he/she was demoted;
- \* The Request for Reversion must be approved by the Chief of Police and the General Manager, Personnel Department;
- \* There must be a vacant position in the class to which the officer requests reversion.
- \* If the Chief of Police denies the request for reversion, the employee may submit a new request for reversion annually thereafter.

**Note:** The officer will be required to complete a new probationary period in the requested classification if the probationary period was not previously completed.

**Officer's Responsibility.** To request reversion to a previously held civil service classification, an officer shall submit to his/her commanding officer (C/O) a completed Request for Reversion, Form 1.18.17, a Request for Transfer, Voluntary Reversion or Class Change, Form General 16-B, and a copy of each Performance Evaluation Report, Form 1.78 or 1.33, he/she had received in the reduced classification.

**Note:** The requesting employee must have received at least one evaluation report prior to requesting reversion.

**Commanding Officer's Responsibility.** When a C/O receives a request for reversion from an employee, the C/O shall:

- \* Review the request for reversion;
- \* Prepare an Intradepartmental Correspondence, Form 15.2, which shall include:
  - \* A brief synopsis of the incident which resulted in the demotion;
  - \* A summary of the employee's work performance for the past year or longer;
  - \* A rationale for whether or not reversion is recommended; and,
  - \* Approval signature blocks for the employee's group and bureau commanding officer as applicable.

The Intradepartmental Correspondence; Request for Transfer, Voluntary Reversion or Class Change; and the Performance Evaluation Report(s) shall be forwarded to Internal Affairs Group via the employee's chain of command. Any additional comments or recommendations by the reviewing C/O, either for approval or disapproval, shall be placed on a separate Form 15.2, signed by the reviewing C/O, attached to Request for Reversion, and forwarded to the next level of review (military endorsement).

**Internal Affairs Group's Responsibility.** The Commanding Officer, Internal Affairs Group (IAG), shall present the request to the Chief of Police and then cause the Request for Reversion to be distributed.

**Chief of Police's Responsibility.** The Chief of Police will either approve or deny the request. If the request is denied, the Chief of Police will return it to IAG for distribution. If the request is approved, the Chief of Police will, subject to the concurrence from the General Manager, Personnel Department:

- \* Determine the paygrade, if any, and paystep of such reversion; and,
- \* Determine the civil service classification to which the employee will revert, if the employee held dual status prior to demotion.

**Personnel Division's Responsibility.** Upon approval by the Chief of Police, the Commanding Officer, Personnel Division, shall obtain concurrence from the Personnel Department and assign the officer to the approved classification, paygrade, if any, and Paystep.

**860.30 SUSPENDED EMPLOYEE-RETURN TO DUTY.** An employee returning to duty from suspension or temporary relief from duty shall report in person to his/her commanding officer.

The employee shall report during the last business day (Saturday, Sunday, and holidays excepted) preceding the final day of suspension, relief from duty, or inactive duty, for the reissuance of an identification card, a badge, or other Department property.

**860.40 RESIGNATIONS OR RETIREMENTS PRIOR TO ADJUDICATION OF COMPLAINT.**

Retirements and resignations prior to the disposition of a complaint shall be noted in the commanding officer's comments on the back of the Form 1.28.

**Resignations in Lieu of Disciplinary Action.**

A summary of the circumstances surrounding the employee's resignation and the status of the pending disciplinary action shall be placed on an Intradepartmental Correspondence, Form 15.2. The Form 15.2, accompanied by the Resignation, Form 1.50, shall be hand-delivered immediately to Internal Affairs Group (in no case later than 0900 hours of the following weekday, excluding holidays).

The investigation of a complaint involving the resignation or retirement of the accused employee shall continue until the case reaches a final disposition (Manual Section 3/820.20).

The acceptance of a resignation by the Chief of Police in lieu of disciplinary action shall terminate the case insofar as it regards the resigning employee. No offer or guarantee of immunity from criminal prosecution shall be made as a consideration for a resignation.

**870. DISCIPLINARY PROCEDURES-RESERVE OFFICERS**

**870.20 INVESTIGATION OF COMPLAINTS.**

Officer-involved shootings, on-duty traffic collisions, and allegations of misconduct involving members of the Police Reserve Corps shall be recorded and investigated in accordance with procedures applicable to regular employees.

**870.30 ADJUDICATION OF SUSTAINED COMPLAINTS.**

The following penalties may be administered to a reserve officer for misconduct:

- \* Admonishment.
- \* Official Reprimand.
- \* Placement on Inactive Reserve status for six months or less. (A reserve officer on Inactive Reserve status shall not perform any official Department duties.)
- \* Termination.

A pre-disciplinary procedure is not required for termination of a reserve officer, therefore a Complaint Adjudication Form, Form 1.28.05, should not be served; however, it is advisable that the reserve officer be verbally informed of a recommendation for termination and that this action be documented in the letter of the transmittal.

**Note:** When, in the commanding officer's opinion, a reserve officer should be excused from duty pending an investigation of misconduct, or is placed on Inactive Reserve status, the commanding officer shall take custody of the reserve officer's City-issued weapon, identification card, and badge.

**870.40 ADMINISTRATIVE REVIEW.**

When the reserve officer's commanding officer recommends a disposition, the original of the Complaint, Form 1.28, with one copy of all related reports, shall be submitted to the reserve officer's bureau commanding officer.

The bureau commanding officer shall:

- \* Act as the approving authority, when the recommended disposition of the complaint is **no** penalty, an admonishment, or official reprimand. Approved reports shall be forwarded to the Department Reserve Coordinator for review.

**Note:** The authority for the final review and adjudication of a misconduct complaint involving a reserve police officer shall be the Chief of Police.

Upon the adjudication of a complaint, the related reports shall be routed to Internal Affairs Group for the recording and distribution of the disposition.

**870.50 TERMINATION PROCEDURES.**

A commanding officer that recommends termination of a reserve police officer under his/her command to the Chief of Police shall **personally** meet with and inform the officer of the recommendation. This notification shall be referenced in the Letter of Transmittal. Once the Chief of Police has made the final determination, the commanding officer shall again meet with and notify the reserve officer of his/her status.

**Note:** This notification procedure should not be delegated to any subordinate or to the divisional reserve coordinator.

When the Chief of Police approves a recommendation for termination, the commanding officer shall arrange for the return of all City-owned property.

**870.70 REMEDIAL TRAINING.** The commanding officer may impose on a reserve officer remedial training, as appropriate, for unsatisfactory performance or to supplement a disciplinary penalty.

**880. AUDIT OF COMPLETED INVESTIGATIONS.**

The Board of Police Commissioners shall cause audits of investigations to be made routinely and in individual cases when the Commission deems it advisable.

**890. REPORTING RETALIATION.**

**890.10 RETALIATION - SPECIFIC PREVENTIVE PROCEDURES.**

**Employee's Responsibility.** All employees have the responsibility to promote, and take the necessary actions to maintain, a work environment free of retaliation.

An employee who witnesses or becomes aware of any retaliatory act(s) against another employee shall expeditiously notify either a Department supervisor, the Department Equal Employment Opportunity representative, the

Police Commission Discrimination Unit, or any other reporting avenue provided by City policy.

**Exception:** An employee is not required to expeditiously report an act of retaliation(s) when there are legitimate extenuating circumstances. For example, an employee is told of an act(s) of retaliation **in confidence** by the complainant.

Employees experiencing retaliation are encouraged to come forward and report the incident to a Department supervisor, the Department Equal Employment Opportunity representative, the Police Commission Discrimination Unit, or any other reporting avenue provided by City policy. Additionally, employees experiencing retaliation are encouraged (but not obligated) to ask the person whom they suspect of retaliation to stop the specific retaliatory acts if such employees believe that such a request would have a likelihood of stopping the retaliation.

**Supervisor's Responsibility.** Upon notification that any complaint has been filed by an employee, the employee's supervisor shall:

- \* Meet with the complainant to explain the investigation process relating to the complaint and discuss the possibility of retaliation from the accused or other employees against the complainant;
- \* Encourage the complainant to report informally or formally any harassing or retaliatory behavior and reassure the complainant that prompt and appropriate action will be taken if retaliation in fact occurs;
- \* Meet with the accused to explain the investigation process relating to the complaint. Inform the accused about the need to refrain from acts that could be considered harassing or retaliatory and explain to the accused what constitutes retaliation. Also inform the accused that should he/she take, or should the accused encourage his/her friends or colleagues to take, such retaliatory actions against the complainant, the supervisor (as well as the management of the Department) will take prompt and appropriate disciplinary action;
- \* Provide supervisory oversight of the actions of the complainant, accused, and colleagues of the accused, and intervene at the first sign of retaliatory behavior; and,
- \* Immediately initiate a complaint investigation against any and all responsible employees for retaliatory acts.

**Commanding Officer's and Supervisor's Responsibility.** Commanding officers and supervisors have the responsibility to:

- \* Take immediate action to stop any retaliation;
- \* Ensure that subordinates are trained and knowledgeable of this policy and understand the types of conduct which

constitutes retaliation, as well as the consequences of violating this Order;

- \* Create an environment that encourages subordinates who believe they are experiencing retaliation to report it;
- \* Expeditiously and thoroughly investigate and/or assist in the investigation of any retaliation complaint; and,
- \* Foster and maintain a harassment and retaliation-free environment.

**Regardless of whether or not an employee actually complains, either formally or informally, supervisors and the management of the Department who know or have reason to know that retaliation is occurring shall comply with this section and take appropriate action in accordance with established Department policies, procedures, and standards.**

Failure by any commanding officer or supervisor to take appropriate and timely action to stop retaliation or to knowingly allow such conduct to exist, shall result in disciplinary action in accordance with established Department policies, procedures, and standards up to and including termination.

When incidents of retaliation occur, or potential for retaliation develops, it is critical that actions taken by the concerned commanding officer, supervisor, or other employee be documented in his/her rating report. **Commanding officers shall ensure that actions taken to prevent, intervene, or otherwise stop the retaliatory conduct, as well as failure to take the appropriate action, be included in the evaluation.**

When adjudicating a complaint involving retaliation, the reviewing commanding officer shall evaluate and comment on any involved supervisor's performance in addressing and/or preventing the retaliation. Such comments shall be incorporated into the Administrative Insight section of the Letter of Transmittal.

**Chief of Police's Responsibility.** The Chief of Police will adjudicate sustained personnel complaints regarding retaliation in accordance with the Los Angeles City Charter.

### **891. WORKPLACE VIOLENCE – PROCEDURES.**

**Employee's Responsibility.** Any form of violence or threat of violence, whether actual or reasonably perceived, involving a City employee and occurring in the workplace, shall be reported immediately to a supervisor. Any violent behavior by an employee outside the workplace, which is related to the workplace, shall also be reported to a supervisor. An employee shall immediately notify his/her commanding officer, either directly or through a supervisor, regarding the existence of a Temporary Restraining Order, Restraining Order, Emergency Protective Order (EPO) or Order to Show Cause, in which the employee is either the petitioner or respondent. Employees shall also notify their supervisor of

any potentially violent non-work related situation that could likely result in violence in the workplace.

**Note:** When an officer obtains an EPO for workplace violence involving a City employee as the protected person, the officer shall notify the Threat Management Unit (TMU), Detective Support Division (DSD).

**Supervisor's Responsibility.** All supervisors shall be familiar with workplace violence issues and shall be aware of potential warning signs of workplace violence. An individual may display early warning signs of potential violence such as a pattern of behavior or language which, if not addressed, could result in a violent act and/or emotional distress for others in the workplace. These warning signs include:

- \* Changes in an individual's regular behavior patterns, especially a deterioration of general behavior and/or work performance;
- \* Withdrawal from others at work;
- \* Increased irritability or expressed feelings of victimization;
- \* Belligerent or defiant behavior;
- \* Harassing, abusive or threatening language;
- \* Indirect threats, paranoid language or actions;
- \* Fascination with weapons or with acts of violence; and,
- \* Preoccupation with a particular City employee.

Supervisors who observe or become aware of behavior or early warning signs of potential workplace violence, shall attempt to diffuse the situation and immediately notify the TMU, DSD and their commanding officer. If no other administrative report is required, supervisors shall document workplace violence incidents on an Employee's Report, Form 15.7, and forward it to their commanding officer.

**Commanding Officer's Responsibility.** Commanding officers shall create an atmosphere that encourages employees to report immediately incidents of workplace violence to a supervisor and shall:

- \* Monitor all work environments to assess the potential for violence or threat of violence; and,
- \* Identify existing security measures and take additional reasonable measures that could be implemented to improve workplace security.

In instances where an employee's observed behavior is creating disruption in the workplace, but attempts to diffuse the situation fail, the commanding officer shall follow existing Department procedures including those allowing an employee to be placed off-duty on paid administrative leave. As soon as practicable after the occurrence of an incident creating potential danger, the commanding officer shall contact the Officer in Charge, TMU, DSD, to inform of the action taken and to obtain additional advice as necessary.

**895. INQUIRIES OR INVESTIGATIONS BY THE INSPECTOR GENERAL.**

**Duty to Provide Access to Department Records and Information.** Per a November 21, 2000 Resolution passed by the Los Angeles Police Commission, Employees of the Department have an affirmative duty to cooperate fully with the Inspector General and to provide complete, unrestricted and prompt access to inspect and/or photocopy all Los Angeles Police Department records accessible to the Board, including reports, audits, reviews, plans, projections, documents, files, contracts, memoranda, correspondence, data or information on audio/video computer tape/disc or other materials of the Department, including ongoing and in-progress matters. The Inspector General is not required to articulate to the Department any reason or rationale for any specific request, or obtain prior Board approval for requests as described herein.

No Department protocols restricting access to Department records or information shall be applied to the Inspector General. In order to carry out the duties of the office, the Inspector General shall have prompt access to any employee of the Los Angeles Police Department, subject to limitations imposed by law or collective bargaining agreement. The Inspector General shall also have prompt access to any member of the Board of Police Commissioners and the Board's staff.

When inspecting or photocopying Departmental records or evidence maintained by the Department, the Inspector General shall follow the same protocols pertaining to chain-of-custody, preservation of integrity of physical evidence and confidentiality applicable to Department personnel. When requesting materials from an in-progress crime investigation, the Inspector General shall coordinate all activities with the Officer in Charge in a manner which does not interfere with or compromise the investigation.

**895.50 COMPLIANCE WITH THE OFFICE OF INSPECTOR GENERAL.**

**Employee's Responsibility.** When the Inspector General or any member of the Office of the Inspector General contacts a Department employee requesting access to a Department document(s), the employee shall:

- \* Comply with any and all requests for access to the document(s);
- \* Document any record(s) inspected by or provided to the Inspector General according to standard procedure for the requested record(s), such as a notation in a chronological log or entry on a Sign-Out Card, Form 15.31; and,
- \* Notify a supervisor as soon as practicable.

**Note:** If an employee is uncertain whether the requested document(s) contains legally protected and/or intelligence information, the employee shall immediately contact a supervisor for advice. Such documents include,

but are not limited to, intelligence information and information protected by laws external to the Department and/or law enforcement in general, such as those documents protected by attorney/client or doctor/patient privilege.

**Supervisor's Responsibility.** A supervisor who is contacted by an employee regarding the release of a document(s) to the Office of Inspector General shall:

- \* Ensure compliance with any and all requests from the Office of Inspector General for access to the document(s); and,
- \* Notify his/her commanding officer of the request as soon as practicable.

**Note:** In cases where a supervisor is uncertain or suspects that the requested document(s) may contain legally protected and/or intelligence information, he/she shall contact the Chief of Staff for advice **prior** to allowing inspection or release of the documents(s). The Chief of Staff shall make the determination regarding the status of the requested information, subject to review and final determination by the Chief of Police and/or the Commission.

**Commanding Officer's Responsibility.** Commanding officers shall:

- \* Ensure that employees understand what material constitutes legally protected and/or intelligence information; and,
- \* Ensure that the Chief of Staff is notified whenever a member of the Office of Inspector General inspects or retrieves documents.

**Note:** The notification shall include the date and time of the request, a brief description of the material requested including approximate volume, and the date and time of compliance to the request.

**Intelligence Files – Defined.** Intelligence information described in this Section is any information or material(s) which is collected, received, developed, or maintained for the general or specific purpose of identifying or investigating terrorist individuals, terrorist groups, the actual or intended victims of such groups, or any organized criminal activity.

State and federal law protect access to intelligence files, and requests for such information shall comply with the same guidelines established for the Commission.

**895.60 PERIODIC AUDITS CONDUCTED BY THE INSPECTOR GENERAL.**

The Consent Decree requires that the Office of the Inspector General conduct regular and periodic audits, including a random sample of all Non-Categorical use of force incidents. This review will assess the quality and completeness of an investigation and evaluate its findings and final disposition. The Inspector General will also review whether investigations were completed in a timely manner, and verify that statements summarized and transcribed accurately reflect any recorded

statements. The Inspector General will also verify that all available evidence was collected and analyzed, and the investigation was properly adjudicated. The Inspector General will report his/her findings in writing to the Police Commission.