

# VOLUME 0

## General Provisions

### GENERAL PROVISIONS

#### **001. POLICE COMMISSION-EXECUTIVE POWER.**

The rule making power of the Police Commission is prescribed in the City Charter, Section 506 (a) and (b), which is quoted in part:

"**Sec. 506 (a) and (b).** The head of each department shall have the power... to supervise, control, regulate, and manage the department and to make and enforce all rules and regulations necessary for the exercise of the powers conferred upon the department ..."

**004. DEPARTMENT MANUAL ESTABLISHED.** The Manual of the Los Angeles Police Department is hereby established and shall hereafter be referred to as "the Department Manual." It is, and shall be, a composite of current policies, procedures, and rules pertaining to three or more Department Offices, as established under previously existing Department orders, manuals, and approved practices. It describes the Department's organizational structure and lists the responsibilities and functions thereof. All employees of the Department are to conform with the rules and provisions herein contained. All existing manuals, orders, and other regulations which are in conflict with the contents of the Department Manual are hereby revoked, except that the portions of existing manuals, orders, and other regulations which have not been included herein shall remain in effect where they do not conflict with the provisions of the Department Manual.

**007. GENERAL PROVISIONS.** The objectives, principles, policies, procedures, rules, and regulations set forth in the Department Manual and in the Department Emergency Operations Guide are guides to the actions of employees of the Department.

#### **010. ORGANIZATION OF THE DEPARTMENT MANUAL.**

The Department Manual is composed of six volumes which are hereby established and whose contents may be briefly described as follows:

**Volume 0, "General Provisions."** This Volume defines commonly used Department terms and the classification, issuance, and maintenance of Department Directives.

**Volume I, "Policy."** This Volume is composed of general statements concerning the objectives and principles set forth by the Board of Police Commissioners and the Chief of Police to guide Department activities.

**Volume II, "Organization and Functions."** This Volume outlines the organizational structure of the Department. It defines the responsibilities and functions of every office and of the bureaus, groups, areas, divisions, and sections.

**Volume III, "Management Rules and Procedures."** This Volume contains the elements of existing rules and procedures necessary to the administrative and managerial functions of the Department.

**Volume IV, "Line Procedures."** This Volume contains those detailed rules and procedures to aid Department employees in the execution of line duties performed in the direct furtherance of police objectives.

**Volume V, "Clerical Operations."** This Volume outlines the purpose, completion, and distribution of Department forms and is intended to be a guide in general reporting procedures.

**020. NUMBERING SYSTEM USED IN THE DEPARTMENT MANUAL.** A modified decimal system is used to number each volume, chapter, section, and subsection of the Department Manual in order to provide quick reference to all material, to afford an easy means of citing specific subjects, and to maintain the flexibility of format necessary to facilitate expansion and revision of its contents.

A typical reference under the decimal system used in the Department Manual would be "2/360.56." The number (2) preceding the diagonal line (solidus) indicates that the material is contained in the second volume of the Manual. The "360.56" conveys several facts:

- First, that the material is in Chapter 3 (2/360.56).
- Next, that it is in Section 60 of Chapter 3 (2/360.56).
- Finally, that it is located in the paragraph designated as .56 (2/360.56).
- This reference is read as "two, three-sixty, point fifty-six."

**030. DEFINITIONS OF TERMS USED IN THE DEPARTMENT MANUAL.** The following words and terms have the meanings herein assigned, unless it is apparent from the content that they have a different meaning:

**Adult.** "Adult" means any person eighteen years of age or older.

**Board.** "Board" means the Board of Police Commissioners.

**Booking.** "Booking" means the process of registering in Department records the custody of persons or property.

**Business Hours.** "Business Hours" means 0830 hours to 1700 hours, Monday through Friday, excluding legal holidays.

**CHP.** "CHP" refers to the California Highway Patrol.

**CHP Officer.** "CHP Officer" means those employees of the California Highway Patrol, regardless of rank, defined in Section 2250 of the California Vehicle Code.

**Call.** "Call" means a visit made by an employee in response to a station assignment, a request from a private person, or a Department communication, or in furtherance of an investigation or an assignment.

**Charter.** "Charter" means the Charter of the City of Los Angeles.

**City.** "City" means the City of Los Angeles.

**Civilian Employee.** "Civilian Employee" means any employee of the Department other than a police officer of the City of Los Angeles, as defined in Section 1302 (a) of the City Charter.

**Conduct Evaluation Process.** The "Conduct Evaluation Process" is used to determine if the employee engaged in any activity that would legally preclude him or her from holding the position of peace officer in the State of California.

**Consent Decree.** "Consent Decree" means a binding agreement between the United States Department of Justice and the City of Los Angeles.

**County.** "County" means the County of Los Angeles.

**DMV.** "DMV" refers to the California State Department of Motor Vehicles.

**Department.** "Department" means the Los Angeles Police Department.

**Department Property.** "Department Property" means any City-owned property controlled by the Department.

**Employee/Personnel.** The terms "Employee" and "Personnel" are used interchangeably and apply to **any** person employed by the Department. These terms also apply to reserve officers while on-duty.

**Employee Status.** The term "Employee Status" means the situation where a person may be perceived as not having gainful employment.

**English Language Fluency.** The term "English Language Fluency" refers to one's ability to read, write, speak, or understand English. Individuals may also be described as "Limited English Proficiency" or "LEP" persons.

**Extended Leave Officer.** An "Extended Leave Officer" means any officer that has been absent from work for any reason, in excess of 365 calendar days, but has not been separated (terminated, resigned, or retired) from the Department except those assigned to home with pay.

**Homeless Circumstance.** The term "Homeless Circumstance" means the situation in which: (i) An individual or family lacks fixed, regular, and adequate nighttime residence; (ii) An individual or family with a primary nighttime residence in a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (including a car, park, abandoned building, bus or train station, airport, or camping ground); (iii) An individual or family is living in a supervised publicly or privately operated shelter designed to provide temporary living arrangements (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); or, (iv) An individual or family who resided in a shelter or place not meant for human habitation and is exiting an institution where he or she temporarily resided.

**Immigration Status.** The term "Immigration Status" means the basis for which a non-United States citizen is in the United States (e.g., undocumented, non-immigrant visa, permanent resident).

**Judicially-Restored Officer.** A "Judicially-Restored Officer" means any officer that has been terminated from the Department and then ordered to be reinstated by a court of law.

**Juvenile.** "Juvenile" means any person under the age of eighteen years.

**Metropolitan (Central) Area.** "Metropolitan Area" means that territory lying within the geographic limits of Central, Southwest, Southeast, Hollenbeck, Hollywood, Wilshire, Northeast, 77th Street, Newton, Olympic and Rampart Areas.

**Minor.** "Minor" means any person under the age of eighteen years.

**Exception:** A person under the age of twenty-one years is to be considered a minor with respect to the following:

- Sentencing and commitment of persons to the California Youth Authority.
- Veterans' benefits.
- Alcoholic Beverage Control Act.

**Officer/Sworn Personnel.** "Officer" and "Sworn Personnel" are used interchangeably and apply to those employees of the Department, regardless of rank, who are "...sworn in, as provided by law, to perform the duties of a regular police officer of the City of Los Angeles..." [Section 1302 (a) of the City Charter]. These terms also apply to reserve officers while on-duty.

**Exception:** The term "Officer" when preceded by a modifier may pertain to other than sworn personnel (e.g., detention officer, traffic officer).

**Outlying Areas.** "Outlying Areas" means that territory lying within the geographic limits of Devonshire, Foothill, Harbor, North Hollywood, Van Nuys, Pacific, West Los Angeles, West Valley, Mission and Topanga Areas.

**Permanent Employee.** "Permanent Employee" means any person employed by the Los Angeles Police Department who has completed entry-level employment probation.

**Photograph.** The use of the term "Photograph" includes visual images that are either film-based or electronically captured (e.g., digitally-generated images, videotape still, laser copies of image sources).

**Police Work of Major Importance.** "Police Work of Major Importance" means police activities involving the arrest, processing, and detention of felony suspects and intoxicated drivers, and activities necessary to the immediate interest of public safety and protection of life and property. These investigations will be limited to those activities which include felonies, deaths, serious injuries, and City-property involved traffic collisions involving injuries or substantial property damage.

**Rank.** "Rank" means the civil service title of the classification held by an officer.

**SVS.** "SVS" refers to the California Department of Justice, Stolen Vehicle System.

**Undercover Assignment.** An "Undercover Assignment" consists of an officer assigned to a non-uniform operation requiring anonymity or blending into a group or environment to gather evidence or intelligence. In these assignments, the disclosure of the employee's identity as a police officer would pose a significant safety risk. This assignment could include the role of an undercover operator, undercover support, close-cover operator or surveillance operator.

**040. GRAMMATICAL CONSTRUCTION, THE DEPARTMENT MANUAL.** The following rules of grammar shall apply throughout the Department Manual:

**Construction of Tenses.** The present tense includes the past and future tenses; and the future and the present tense.

**Construction of Genders.** The masculine gender includes the feminine and neuter genders.

**Construction of Singular and Plural.** The singular number includes the plural; and the plural, the singular.

**Mandatory and Permissive Verbs.** "Shall" is mandatory, and "may" is permissive.

**050. LEGALITY OF CONTENTS, THE DEPARTMENT MANUAL.** If any section, subsection, item, clause, or phrase contained in the Department Manual is found to be illegal or otherwise incorrect or inapplicable, such finding shall not affect the validity of the remaining portions of the Department Manual.

**060. DISTRIBUTION OF THE DEPARTMENT MANUAL.** The Department Manual will be available via the Intranet and Internet. Department employees can access the Department Manual via the Local Area Network for the Intranet and via LAPD ONLINE for the Internet.

**Note:** Employees may copy the Manual onto a CD according to the software/hardware availability in each individual Area.

**080. AMENDMENTS TO THE DEPARTMENT MANUAL.**

**080.10 AMENDMENTS TO DEPARTMENT POLICY.** The Chief of Police shall review and approve all changes to the Department Manual. In addition, the Board of Police Commissioners shall review and approve those proposed changes to the Department Manual involving general policy.

**080.20 REQUESTS FOR AMENDMENTS.** A request for revision or addition to the Department Manual shall be prepared in duplicate on an Intradepartmental Correspondence, Form 15.02.00, and forwarded through the chain of command to the requesting employee's bureau commanding officer. If approved, the request shall be forwarded to the Office of Constitutional Policing and Policy (OCPD). Requests approved by the OCPD, shall cause research, development, and, upon approval of the Chief of Police, publication as a Special Order.

**080.30 MONITORING COMPLIANCE WITH DEPARTMENT DIRECTIVES.** To ensure that new or revised procedures achieve their desired results, the unit which has

functional supervision over the procedures shall be responsible for conducting an audit to determine:

- The scope and extent of compliance with the new procedure;
- Whether the directive produced any unanticipated adverse effects; and,
- Whether a need to modify the newly instituted procedure exists.

When a Department directive establishes or amends a procedure, the unit responsible for conducting the audit shall be identified in the directive.

The audit, reported on an Intradepartmental Correspondence, Form 15.02.00, shall be conducted within six months of the effective date of the directive and shall be forwarded through channels to the OCPP.

**Note:** The Office of Constitutional Policing and Policy shall forward the original audit to the Commanding Officer, Risk Management and Policies Division, and a copy to the Commanding Officer, Audit Division. The Office of Constitutional Policing and Policy shall also ensure that any necessary procedural modifications as specified in the audit are developed.

Upon completion of the audit and the report of its findings and recommendations, the auditing unit has no further responsibility pursuant to the order.

#### **080.60 RESPONSIBILITY FOR DISTRIBUTION OF DEPARTMENT MANUAL AMENDMENTS.**

**Director, Office of Constitutional Policing and Policy.** The Director, Office of Constitutional Policing and Policy, shall be responsible for maintaining the distribution list for the Department Manual.

**Commanding Officer, Records and Identification Division.** The Commanding Officer, Records and Identification Division, shall be responsible for distributing Special Orders pursuant to distribution lists.

**080.80 AMENDMENT PROCEDURE.** Amendments to the Department Manual shall be made by the issuance of Special Orders or Administrative Orders that list the affected Manual Sections.

Commanding officers shall maintain a notebook binder containing all orders which amend the current Department Manual.

**082. MAINTAINING AND UPDATING FUNCTIONAL MANUALS.** Within the Department, there are a number of functional manuals which establish a centralized reference document for various specialties. These functional manuals, such as the Detective Operations Manual and the Manual of Juvenile Procedures, are maintained by the command having functional responsibility for the manual's subject matter.

The bureau commanding officer of the entity having responsibility for a functional manual shall be responsible for approving updates, maintaining, and distributing those functional manuals. Updates shall be completed as necessary to ensure a current reference on the subject

matter is available to Department personnel. The Chief of Police must approve establishment of new manuals, but once approved, bureau commanding officers are responsible for approving functional manual amendments.

## **090. ISSUANCE OF DEPARTMENT DIRECTIVES AND INFORMATIVE PUBLICATIONS.**

**090.20 AUTHORIZATION.** Orders which affect only one office, bureau, group, Area, or division may be issued by, or at the direction of, the concerned commanding officer, or the Chief of Police. Orders affecting more than one bureau shall be issued only at the direction of the Chief of Police.

**090.40 CLASSIFICATION.** Classes of orders and informative publications are defined as follows:

**Police Commission Rules.** Police Commission Rules are directives enacted by the Board of Police Commissioners setting forth Department policy.

**Special Orders.** Special Orders which establish, amend or implement Department procedures are directives issued only by the Chief of Police. Special Orders which establish, amend or implement policy are issued by the Chief of Police upon approval of the Board of Police Commissioners.

**Administrative Orders.** Administrative Orders are directives issued only by the Chief of Police. They are issued to establish or implement Department policy and procedure and also to amend the Department Manual. Additionally, they are used as a means of direct communication to staff and command officers.

**Transfer Orders.** Transfer Orders are issued by the Chief of Police directing the transfer of concerned personnel within the Department and may also announce promotional appointments.

**Bureau Orders.** Bureau Orders are directives which establish the policy or procedures of a bureau. They may also announce procedures implementing Special Orders or Memoranda.

**Area Orders.** Area Orders are directives which establish the policy or procedures of an Area.

**Division Orders.** Division Orders are directives setting forth policy and procedures of a division.

**Department and Bureau Memoranda.** Department and Bureau Memoranda are publications which contain advisory information or directives of temporary duration.

- Department Memoranda-Distribution "A."
- Bureau Memoranda-distributed as directed.

**Notices and Bulletins.** Notices are publications for the circulation of routine notifications, schedules, and matters of information or general interest.

Notices affecting personnel of more than one bureau shall be approved by the Chief of Staff, or the Watch Commander, Detective Support and Vice Division, in the event the former is closed. Notices are to be routed through the Network Communication System (NECS), Distribution "B", only when necessary.

**The Office of Operations Orders and Office of Operations Notices.** The Office of Operations Orders and the Office of Operations Notices are directives which communicate pertinent, mission specific, procedures and/or information to the operations segment of the Department. These directives will be issued by the Director, Office of Operations. When the subject matter or scope of the directive exceeds the six operational bureaus, an Office of the Chief of Police directive will be issued.

**090.60 IDENTIFICATION.** Orders shall be identified as follows:

- Bureau, Area, and Division Orders shall be numbered serially without regard to time periods.
- Other orders, including Memoranda, shall be numbered serially by calendar year.

**090.80 DISTRIBUTION.** Distribution of orders and notices shall be determined from the distribution list of Department directives maintained by Specialized Services Section, Records and Identification Division. The appropriate distribution letter shall be placed in the lower left-hand corner of the concerned order.

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).

**Note:** Employees requesting special distribution of Departmental correspondence to specific entities shall submit their request, via Intradepartmental Correspondence, Form 15.02.00, to the Commanding Officer, R&I Division.

#### **095. KNOWLEDGE OF ORDERS AND INFORMATIVE**

**PUBLICATIONS.** Employees, including reserve officers, shall familiarize themselves with Department directives, training material and informative publications directed to them, including those that have been disseminated during their absences from duty. Each employee shall be responsible for maintaining all valid training material issued to him or her by the Department.

**098. MAINTENANCE OF DEPARTMENT DIRECTIVES.** For the purposes of this section, a directive is defined as a written communication published by a commanding officer, or the Chief of Police to disseminate rules, regulations, policies, procedures, or other information.

**098.05 INDEX OF DIRECTIVES.** One copy of each directive issued **at or above the bureau level** shall be forwarded to the Policy Analysis and Development Unit, Office of Constitutional Policing.



**098.10 MAINTAINING DIRECTIVES.** Each commanding officer shall ensure that directives are maintained at appropriate locations within his/her command. Directives shall be maintained in a three-ring binder, labeled "Directives of the Los Angeles Police Department." The binder shall contain directives of the current calendar year, separated by type and identified by tab dividers. Directives for previous years shall be stored in a readily accessible location for reference.