

OFFICE OF THE CHIEF OF POLICE

NOTICE
11.2

May 3, 2022

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: BODY WORN VIDEO AND DIGITAL IN-CAR VIDEO SYSTEM
SUPERVISORY ACTION ITEM APPEAL PILOT PROGRAM

The Department is implementing a pilot program which allows officers to appeal deviations of Body Worn Video (BWV) and Digital In-Car Video System (DICVS) recordings which have been documented and result in a Supervisory Action Item (SAI). Effective immediately, this Notice establishes the appeal procedure and is applicable for a six-month period from the date of publication. Employees can retroactively appeal SAIs during this period, until the expiration of the pilot program.

The Office of the Chief of Police (OCOP) Notice, *Standardized Body Worn Video and Digital In-Car Video Inspection Procedures – Established*, dated July 12, 2021, provides guidelines for inspection procedures. The appeal process is only applicable to deviations that have generated a SAI resulting in a disposition less than a complaint (e.g. informal meeting, counseling, comment card), and the employee has exhausted procedures as stipulated below.

PROCEDURES:

- 1. Exhaust Existing Procedures:** As established in the OCOP Notice, *Standardized Body Worn Video and Digital In-Car Video Inspection Procedures – Established*, dated July 12, 2021, the initial step is, “If an employee disputes a SAI creation, the employee shall complete an Employee’s Report, Form 15.07.00, include a thorough description of the disputed information, attach any supporting documentation, and submit it to their commanding officer (CO). The employee’s CO shall conduct a preliminary investigation of the disputed information and submit an Intradepartmental Correspondence, Form 15.02.00, addressed to Risk Management and Legal Affairs Division (RMLAD) recommending the information be corrected, if appropriate (Department Manual Section 3/791.12, *Procedure to Dispute Information Contained in TEAMS II*).

If the CO determines the SAI to be appropriate and denies the employee’s request, then the existing procedure has been exhausted and the employee shall proceed to the next step. The CO shall complete Intradepartmental Correspondence, Form 15.02.00, addressed to RMLAD documenting their decision to uphold the SAI and notify the employee of their decision in writing within 20 calendar days of receipt of the Employee’s Report.

- 2. Union Approval for Consideration of Appeal:** If the Los Angeles Police Protective League (LAPPL) agrees the adjudication is inappropriate, and the LAPPL agrees to represent the employee in the appeal, the matter shall go to an Appeals Board. The LAPPL has 20 calendar days from when the employee was notified of their Area/division CO's decision to uphold the SAI, and to notify the CO, Employee Relations Group and request an Appeals Board. Employee Relations Group shall schedule and coordinate the Appeals Board to convene within a period of no more than 30 calendar days of LAPPL notification. Municipal Police Officers who are represented by the Los Angeles Airport Peace Officers Association (LAAPOA) and Municipal Sergeants who are represented by the Los Angeles Airport Police Supervisors Association (LAAPSA) shall be afforded the same procedure. If their respective unions agree to represent their employee in the appeal, the matter shall go to an Appeals Board.
- 3. Matter for Appeals Board Determination:** The employee appealing, or their representative shall present their argument to the Appeals Board. Once the presentation is complete, the employee will be excused while the Board convenes and renders a decision. The employee appealing shall be notified in writing of the Board's finding within 30 calendar days from when the Appeals Board convened. If the employee prevails in the appeal, the CO, Employee Relations Group, shall complete an Intradepartmental Correspondence Form, 15.02.00, addressed to RMLAD recommending the information be corrected. The finding by the Appeals Board is final.

The BWV/DICV Appeals Board will be comprised of:

- CO, Employee Relations Group;
- The employee's bureau CO or Assistant CO; and,
- An Area CO outside of the employee's chain of command, preferably from the same bureau.

If any of the Board members are unavailable, they may designate a qualified subordinate to act in their stead.

Any questions regarding this Notice may be directed to the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "D"