OFFICE OF THE CHIEF OF POLICE

NOTICE
14.4

June 6, 2023

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: RISK MANAGEMENT AND LEGAL AFFAIRS DIVISION ORGANIZATIONAL STRUCTURE AND RESPONSIBILITIES – REVISED

The purpose of this Notice is to revise the Organizational Structure and Responsibilities for Risk Management and Legal Affairs Division (RMLAD). The Civil Investigation Section has been renamed Civil Litigation Section. The Civil Discovery Section of RMLAD has been renamed Public Records and Subpoena Response Section. In addition, Risk Analysis Section has been renamed Risk Management Section.

The Organizational Structure and Responsibilities for Risk Management and Legal Affairs Division has been revised on the Department's Local Area Network, under the Organization tab, and is attached for reference.

Any questions regarding this Notice may be directed to Risk Management and Legal Affairs Division, at (213) 486-4640.

MICHEL R. MOORE
Chief of Police

Attachment

DISTRIBUTION "D"

RISK MANAGEMENT AND LEGAL AFFAIRS DIVISION (RMLAD). *Risk Management and Legal Affairs Division (RMLAD) reports to the Director, Office of Constitutional Policing and Policy. The Commanding Officer (CO), RMLAD, utilizes the correspondence reference number 14.4 and the radio unit designation Commander 15H.*

RISK MANAGEMENT AND LEGAL AFFAIRS DIVISION - FUNCTION.
Risk Management and Legal Affairs Division is responsible for:

- Providing investigative support to the Office of the City Attorney in response to pending or active civil claims and lawsuits related to police actions;
- Maintaining liaison with the Office of the City Attorney to reduce the Department's risk of civil liability;
- Coordinating responses to civil discovery requests as well as responding to criminal and civil motions to produce confidential peace officer personnel records;
- Coordinating with the Department's *R*isk *M*anager (DRM) to develop strategies to reduce liability exposure;
- Providing timely police litigation information to the D*R*M and other Department managers; and,
- Identifying and referring personnel to the DRM for further review and recommendation to the Risk Management Executive Committee.

RISK MANAGEMENT AND LEGAL AFFAIRS DIVISION – ORGANIZATION. Risk Management and Legal Affairs Division is comprised of:

- Office of the Commanding Officer;
- Administrative Unit;
- Civil *Litigation* Section;
- *Public Records and Subpoena Response Section*;
- Employ*ment* Litigation Section; and,
- Risk *Management* Section.

RISK MANAGEMENT AND LEGAL AFFAIRS DIVISION - SPECIAL DUTIES. Risk Management and Legal Affairs Division is responsible for the following special duties:

- Reviewing Department wide legal training in civil law, search and seizure, evidence, criminal procedure, risk management, and civil liability;
- Responding to all requests for Department documents in Council matters, lawsuits, claims, and settlements;
- Providing Department documents to outside entities in compliance with the Public Records Act;
- Providing advice to Department employees regarding civil liability;
- Providing civil investigative support to the Office of the City Attorney by investigating civil claims, except traffic claims, or lawsuits against the City relating to actions by Department employees;
- Coordinating and assisting Department personnel in small claims actions against the Department;
- Notifying an employee's commanding officer of the dates of scheduled duty-related civil proceedings to ensure employee attendance;

- Monitoring lawsuits *against* the Department;
- Accepting subpoenas duces tecum, pre-trial discovery motions, and court orders served *to* the Department and routing such processes, when appropriate, to the appropriate Department entities;

  Exception: The following entities will receive and coordinate responses to legal processes relating to matters within their areas of responsibilities:

  - Board of Police Commissioners;
  - Detective Support and Vice Division;
  - Major Crimes Division;
  - Gang and Narcotics Division; and,
  - Property Claims Officer, *Evidence and* Property *Management* Division.

- Forwarding all Claims for Damages and Lawsuits to Professional Standards Bureau;
- Directing process servers for civil subpoenas to be received by officers and civilians of involved divisions;
- Maintaining liaison with the City and District Attorneys' Offices concerning civil litigation involving the Department (except in cases involving worker's compensation);
- Representing the Department as the officially designated Custodian of Records in civil court proceedings relating to request for production of police personnel records (Pitchess Motions);
- Coordinating the delivery of records and reports to court in response to court orders, and testifying to the confidential and protected status of such documents;
- Recording and responding to the receipt of legal processes, and coordinating court appearances to such processes;
- Determining the confidential nature of items requested by legal processes, and coordinating the activities concerning the production of evidence or records in court;
- Providing training and information on the proper release of documents relating to civil law, Pitchess Motions, and the Public Records Act;
- Identify*ing*, collect*ing*, analyz*ing*, process*ing*, track*ing*, and disseminat*ing* information on risk management and liability issues in conjunction with the DRM likely to affect the Department;
- Receiving, for preliminary investigation, all claims for damages against the Department and Department personnel resulting from on-duty activities, except claims involving traffic collisions;
- Investigating and making recommendations for resolving disputed claims to property held by the Department;
- Providing information to the Office of the City Attorney concerning Department policies, procedures, practices, and personnel;
- Responding to special discovery requests from the DRM and Chief of Police;
- *Assigning a* Risk Management and Legal Affairs Division representative *to* the scene of Department involved incidents that have potential to generate significant civil liability when practicable;
- Responding to inquiries concerning the effect of existing law and legal decisions on the Department;
- Researching, reviewing, and requesting formal City and District Attorneys' opinions;

- Preparing and publishing periodic Legal Bulletins and notices pertaining to case and statute laws;
- Maintaining a master file of all motions and subpoenas duces tecum received; *and,*
- *Representing the Department at City Claims Board, Budget and Finance Committee, and City Council Meetings.*