

## OFFICE OF OPERATIONS

### NOTICE

1.11

February 20, 2020

**TO:** All Office of Operations Personnel

**FROM:** Director, Office of Operations

**SUBJECT:** DEPARTMENT ROLE IN CITY-LED INITIATIVE TO ELIMINATE HOMELESSNESS – REMINDER; BIASED POLICING POLICY – REMINDER

The purpose of this Notice is to remind personnel about the Department's role in addressing homelessness. As the state of homelessness is not a crime in itself, the Department does not have the means to be the point agency in addressing this humanitarian crisis. Rather, the Department is committed to supporting the City-led initiative to eliminate homelessness and fully embraces the "Services-Led" approach to contacting persons who are experiencing homelessness.

As such, officers should view enforcement actions for quality-of-life offenses associated with homelessness as a last resort. Instead, officers should obtain voluntary compliance to cease the public offense or work in partnership with outside entities to assist homeless individuals with housing placement. Commanding officers shall ensure this approach, and the Department's role in the City's overall effort, is reflected in their command's approach to quality of life offenses by those experiencing homelessness.

Additionally, all personnel are reminded that the Department strictly prohibits biased policing. As revised by Administrative Order No. 19, *Definitions of Terms Used in the Department Manual – Revised; and, Policy Prohibiting Biased Policing – Revised*, dated November 8, 2019, biased policing includes policing based on a person's homeless circumstance. Therefore, officers shall not use homeless circumstance as a basis for conducting any law enforcement activity, including stops and detentions.

Commanding officers shall ensure no enforcement activity, including "mission sheet" guidance, is directed contrary to the Department's biased policing policy and approach towards homelessness. Commanding officers shall further ensure that watch commanders read this Notice at all roll calls for five (5) consecutive days.

If you have questions regarding this matter, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



ROBERT N. ARCOS, Assistant Chief  
Director, Office of Operations

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OFFICE OF THE CHIEF OF POLICE

APPROVED BY THE BOARD OF POLICE COMMISSIONERS  
ADMINISTRATIVE ORDER NO. 19

NOVEMBER 5, 2019  
November 8, 2019

**SUBJECT: DEFINITIONS OF TERMS USED IN THE DEPARTMENT  
MANUAL – REVISED; AND, POLICY PROHIBITING BIASED  
POLICING – REVISED**

**BACKGROUND:** The Constitution of the United States guarantees equal protection to all individuals within its borders. The Department's mandate to provide Constitutional Policing to all residents of the City regardless of their demographic characteristics was first outlined in Special Order No. 40, *Undocumented Aliens*, dated November 27, 1979. Furthermore, Title VI of the Civil Rights Act of 1964 specifically states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity [of any agency] receiving Federal financial assistance."

**PURPOSE:** On March 21, 2017, the Mayor of the City of Los Angeles issued Executive Directive No. 20, *Standing with Immigrants: A City of Safety, Refuge, and Opportunity for All*, to reaffirm the City of Los Angeles' commitment to remain a sanctuary for all persons, regardless of their circumstances. The purpose of this Order is to reiterate the Department's commitment to providing unbiased Constitutional Policing; and, to revise policy prohibiting biased policing based upon immigration or employment status, language fluency, and homeless circumstance.

**PROCEDURE:**

- I. **DEFINITIONS OF TERMS USED IN THE DEPARTMENT MANUAL – REVISED.** Department Manual Section 0/030, *Definitions of Terms Used in the Department Manual*, has been revised and attached, with the revisions indicated in italics.
- II. **POLICY PROHIBITING BIASED POLICING – REVISED.** Department Manual Section 1/345, *Policy Prohibiting Biased Policing*, has been revised and attached, with the revisions indicated in italics.

**AMENDMENTS:** This Order amends Sections 0/030 and 1/345 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

  
MICHEL R. MOORE  
Chief of Police

Attachments

DISTRIBUTION "D"

DEPARTMENT MANUAL

Volume I

Revised by Administrative Order No. 19

November 8, 2019

**345. POLICY PROHIBITING BIASED POLICING.** Discriminatory conduct on the basis of *an individual's actual or perceived* race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, *immigration or employment status, English language fluency or homeless circumstance*, is prohibited *while performing any law enforcement activity*. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state laws. *Officers shall not initiate police action where the objective is to discover the civil immigration status of any person and shall strictly adhere to the Department's immigration enforcement guidelines as outlined in Department Manual Sections 4/264.50 and 4/264.55.*

Department personnel may not use race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability (to any extent or degree), *immigration or employment status, English language fluency or homeless circumstance as a basis for* conducting any law enforcement activity, including stops and detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability (*to any extent or degree*), *immigration or employment status, English language fluency or homeless circumstance*; may rely, in part, on the specified identifier or description only in combination with other appropriate identifying factors; and may not *grant* the specified identifier or description undue weight.

*A failure to comply with this policy is counterproductive to professional law enforcement and is considered serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established Department procedures.*