OFFICE OF THE CHIEF OF POLICE

NOTICE
1.11

March 18, 2021

TO: All Sworn Personnel

FROM: Chief of Police

SUBJECT: ARREST PROCEDURES FOR ALL OFFENSES DURING ZERO-BAIL EMERGENCY ORDERS; AND, ZERO-BAIL IMPACT ASSESSMENT CHECKLIST AND ZERO BAIL IMPACT ASSESSMENT TRACKING LOG – ESTABLISHED

The purpose of this Notice is to inform personnel about arrest procedures while the emergency bail schedule is in effect for Los Angeles County. Additionally, this Notice activates the Zero-Bail Impact Assessment Checklist and the Zero-Bail Impact Assessment Tracking Log.

BACKGROUND

In response to the COVID-19 public health crisis, the Superior Court of Los Angeles County issued a modified bail schedule providing "zero bail" for infractions, misdemeanors, and most felony offenses. Additionally, the Los Angeles County District Attorney (DA) has issued directives to his office that limits the amount of time pretrial detainees remain in custody for all misdemeanor, non-serious felony, or non-violent felony offenses. As a result, most arrestees are released on their Own Recognizance (OR).

The Department is aware that some suspects who are released in this manner are subsequently committing additional crimes just hours or days after their initial release. Under the provisions of the *Third Los Angeles County Emergency Bail Schedule Modification*, these repeat offenders may have had the initial bail for their subsequent offenses provided for in accordance with the applicable non-emergency bail schedule as follows:

> *While released on $0 bail, bail for subsequent separate offense(s) during the state of emergency, as declared by the Los Angeles County Board of Supervisors and the Department of Public Heath, shall be set pursuant to the applicable non-emergency 2020 Infractions & Misdemeanors Bail Schedule, and 2020 Felony Bail Schedule. This exception does not apply to those whose subsequent separate offense occurs after the original offense is resolved.*

PROCEDURES

Effective immediately, to ensure appropriate bail for subsequent offenses and that repeat offenders are sufficiently documented, the following procedures shall be followed:

I. **Zero-Bail Impact Assessment Checklist – Activated.** The Zero-Bail Impact Assessment Checklist is activated and **shall** be completed at the time of arrest and/or

booking for all felony or misdemeanor charges. Completion of this form is self-explanatory.

II. **Zero-Bail Impact Assessment Tracking Log – Activated.** The Zero-Bail Impact Assessment Tracking Log is activated. Completion of this form is self-explanatory and shall be completed when all criteria are met on the Zero-Bail Impact Assessment Checklist.

III. **Arresting Officer's/Detective's Responsibilities.** Officers/detectives effecting either a felony or misdemeanor arrest shall:

1. Review arrestee's Record of Arrest and Prosecution (RAP) criminal history;
2. Review arrestee's Consolidated Criminal History Report System (CCHRS);
3. Query the arrestee's name through SI02 looking for all current and existing booking numbers;
4. Query all arrestee's prior booking numbers through SI01; and,
5. Determine if the arrestee had any **felony** arrests between March 2020 and present, was released on OR, and the underlying case was not rejected by the District Attorney/City Attorney, closed, or dispositioned.

When an arresting officer/detective determines all of the above are true, arresting officers **shall** report the arrestee's information to the watch commander **and** request a deviation from the Zero-Bail Emergency Orders. Officers shall request this deviation by requesting the applicable non-emergency bail amount from the 2020 Felony Bail Schedule on the Booking Approval and document the rationale in the narrative of the Arrest Report (under the *Booking* heading).

In addition to adhering to all of the procedures listed therein, the Zero-Bail Impact Assessment Checklist **shall** be attached to the Area copy of the Booking Approval prior to the watch commander's approval.

IV. **Watch Commander's Responsibilities.** When informed of a qualifying arrest by an officer/detective, watch commanders shall:

1. Record and maintain the Zero-Bail Impact Assessment Tracking Log;
2. Print and submit the Zero-Bail Impact Assessment Tracking Log with the Watch Commander's Log; and,
3. Forward a copy of the Zero-Bail Impact Assessment Tracking Log to the Area/division Zero-Bail Coordinator.

V. **Area/division Zero-Bail Coordinator's Responsibilities.** Area/division Zero-Bail Coordinators shall:

1. Review and maintain records of the Zero-Bail Impact Assessment Tracking Logs for the Area/division;

2. Forward a copy of the Zero-Bail Impact Assessment Tracking Log to the Bureau Zero-Bail Coordinator; and,
3. Complete the Zero-Bail Impact Assessment Tracking Matrix for the prior week (Sunday through Saturday) via the SharePoint link: ***Zero-Bail Impact Assessment Tracking Matrix (SharePoint).xlsx***, every week by Monday, at 0900 hours.

VI. Bureau Zero-Bail Coordinator's Responsibilities. Bureau Zero-Bail Coordinators shall:

1. Review and maintain records of the Zero-Bail Impact Assessment Tracking Logs for Areas/divisions and bureau;
2. Review and ensure that Areas/divisions complete the Zero-Bail Impact Assessment Tracking Matrix for the prior week (Sunday through Saturday) via the SharePoint link: ***Zero-Bail Impact Assessment Tracking Matrix (SharePoint).xlsx***, every week by Monday, at 0900 hours; and,
3. Inspect the Zero-Bail Impact Assessment Tracking Log and the Zero-Bail Impact Assessment Tracking Matrix for their timeliness and accuracy.

VII. Area/division and Bureau Commanding Officer's Responsibilities. All commanding officers shall be responsible for establishing a Zero-Bail Coordinator for their entities and ensure compliance with this directive.

VIII. Detective Bureau's Responsibilities. Detective Bureau shall be the Department's Zero-Bail Coordinator and maintain responsibility for the compilation of Zero-Bail Impact Assessment data and completion of a bi-weekly report for the Office of Chief of Police.

FORM AVAILABILITY: A copy of the Zero-Bail Impact Assessment Checklist and the Zero-Bail Impact Assessment Tracking Log are attached for immediate use and duplication. The forms are also available in E-Forms on the Department's Local Area Network.

If you have any questions or require additional information, please contact your respective Bureau Zero-Bail Coordinator. If the Zero-Bail Coordinators have any questions or concerns, please contact Detective Bureau, at (213) 486-7000.

MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

ZERO-BAIL IMPACT ASSESSMENT CHECKLIST

The State of California instituted a Zero Cash Bail System in March 2020 as part of a custody reduction strategy to combat the COVID-19 pandemic and ensure equity for pending defendants. To capture accurate and timely data of REPEAT criminal offenders since the implementation of Zero-Bail, all Department employees shall complete the below Zero-Bail Impact Assessment Checklist at the time of arrest and/or booking.

ARRESTING OFFICER/DETECTIVE'S RESPONSIBILITIES. When arresting/booking for **felony or misdemeanor** charges, complete the below listed tasks:

☐ Yes ☐ No Reviewed arrestee's Record of Arrest and Prosecution (RAP) criminal history.

☐ Yes ☐ No Reviewed arrestee's Consolidated Criminal History Report System (CCHRS).

☐ Yes ☐ No Queried the arrestee's name through SI02 looking for all current and existing booking numbers.

☐ Yes ☐ No Queried all arrestee's prior booking numbers through SI01.

Note: Importance of the SI01 and SI02 - This inquiry will allow officers to determine an individual's most current *booking status* or *arrested & released status* within the last couple of hours/days, which might not yet be listed on the individual's criminal history.

Next, after completing the above listed tasks, investigate to ascertain the following information in arrestee's prior arrests history (***if multiple arrests exists, use most recent record***):

☐ Yes ☐ No Any **felony** arrests between March 2020 and present?
**If there is more than one prior felony arrest: How many?

☐ Yes ☐ No Released via "Own Recognizance" (OR) from custody.

☐ Yes ☐ No Record does NOT indicate case has been rejected by DA/CA.

☐ Yes ☐ No Record does NOT indicate case has been closed or dispositioned.

Lastly, if all of the above conditions are true, report arrestee's information to the Watch Commander in order to enter the data into the Zero-Bail Impact Assessment Tracking Log (Excel spreadsheet).

Note: The arresting Department employees shall request a deviation from Zero-Bail, indicating the rationale for the request in the narrative of the arrest report, under *Booking* sub-heading and also document such request in the Booking Approval by requesting the applicable non-emergency bail amount from the 2020 Felony Bail Schedule.

ZERO - BAIL IMPACT ASSESSMENT TRACKING LOG

No.	ARRESTING AREA/DIVISION or BUREAU	Watch Commander		ARRESTEE INFO			CURRENT FEL/MISD ARREST			PRIOR FELONY ARREST			
		LAST NAME	SERIAL NO.	LAST NAME	FIRST NAME	DOB	BKG NO.	CRIME CODE	ARREST DATE	BKG NO.	CRIME CODE	ARREST DATE	O.R. DATE
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