

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 4

February 23, 2017

**SUBJECT: TRANSPORTATION TO CIVIL PROCEEDING – RENAMED AND REVISED; AND, MILEAGE COMPENSATION – CIVIL CASES – RENAMED AND REVISED**

**PURPOSE:** The purpose of this Order is to clarify the overtime and mileage compensation procedures when Department employees are subpoenaed as witnesses in a civil case wherein the City of Los Angeles is not a party to the proceeding. Due to changes in California Government Code Section 68096.1, Department Manual Sections 3/780.60, *Transportation to Civil Proceeding*; and, 3/780.80, *Mileage Compensation – Civil Cases*, have been renamed and revised to clarify that only civil subpoenas from third parties wherein the City of Los Angeles is not a party to the proceeding may qualify for travel time overtime and mileage compensation.

**PROCEDURE:**

- I. TRANSPORTATION TO CIVIL PROCEEDING – RENAMED AND REVISED.**  
Department Manual Section 3/780.60, *Transportation to Civil Proceeding*, has been revised and renamed as *Transportation to Civil Proceedings*, and is attached with the revisions indicated in italics.
- II. MILEAGE COMPENSATION – CIVIL CASES – RENAMED AND REVISED.**  
Department Manual Section 3/780.80, *Mileage Compensation – Civil Cases*, has been revised and renamed as *Mileage Compensation – Civil Proceedings*, and is attached with the revisions indicated in italics.

Department personnel are further advised to review the Los Angeles Police Department Legal Bulletin, Volume 39/Issue 1, *Civil Subpoenas Not Involving the City of Los Angeles*, dated January 1, 2015, for additional legal updates regarding this topic and associated procedures and responsibilities for Department employees.

**AMENDMENTS:** This Order amends Sections 3/780.60 and 3/780.80 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.



CHARLIE BECK  
Chief of Police

Attachment

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**DEPARTMENT MANUAL  
VOLUME III  
Revised by Special Order No. 4, 2017**

**780.60 TRANSPORTATION TO CIVIL PROCEEDINGS.** *When a Department employee is subpoenaed as a witness in a civil proceeding wherein the City is not a party, and the subpoena is related to the course and scope of the employee's duties, under the authority of California Government Code (CGC) Sections 68096.1, 68097.2, or 68097.6, the employee may use a Department vehicle, or his or her own vehicle for transportation. The employee may go directly to the proceeding from his or her home.*

**Note:** *An off-duty employee responding to a civil subpoena pursuant to CGC Sections 68096.1, 68097.2, or 68097.6 shall receive compensation for the travel time to and from the proceeding, and additional incurred incidental travel expenses, as deemed necessary by a reviewing supervisor. The compensation for the incidental travel expenses shall be requested by completing the applicable parts of the Declaration of Receipt/Expenditure of Funds, Form 15.24.00. The form shall be completed by the requesting employee and submitted to the employee's immediate supervisor.*

**780.80 MILEAGE COMPENSATION - CIVIL PROCEEDINGS.** *When a Department employee attends a civil proceeding in response to a civil subpoena wherein the City is not a party, and the subpoena is related to the course and scope of the employee's duties, under the authority of California Government Code Sections 68096.1, 68097.2, or 68097.6, the employee shall be entitled to personal vehicle mileage compensation to and from the hearing, along with the associated parking costs, if applicable. The compensation shall be requested by completing the applicable parts of the Declaration of Receipt/Expenditure of Funds, Form 15.24.00. The form shall be completed by the requesting employee and submitted to the employee's immediate supervisor.*

**Exception:** *If an employee is on-duty, he or she shall be entitled to personal vehicle mileage compensation from home to place of appearance, less the mileage from home to work location, along with any associated parking expenses.*

**Note:** *Parking costs are sometimes incurred with the use of a City vehicle.*