

OFFICE OF THE CHIEF OF POLICE

ADMINISTRATIVE ORDER NO. 10

June 2, 2020

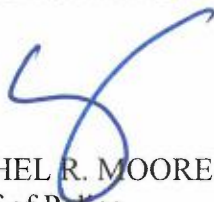
SUBJECT: ADVICE/APPROVAL ON FELONY BOOKINGS – REVISED

PURPOSE: The purpose of this Order is to update Department Manual Section 4/216.01, *Advice/Approval on Felony Bookings*, in order to delineate Commercial Crimes Division as the responsible entity for providing booking advice for crimes for which they have investigative responsibility.

PROCEDURE: Department Manual Section 4/216.01, *Advice/Approval on Felony Bookings*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.

AMENDMENT: This Order amends Section 4/216.01 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

Attachment

DISTRIBUTION "D"

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VOLUME IV
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216.01 ADVICE/APPROVAL ON FELONY BOOKINGS.

Booking Advice – Defined. Booking advice is the recommendation given to the watch commander regarding what charge(s) an arrestee should be booked for based on the circumstances of the arrest.

Booking Approval – Defined. Booking approval is the final authority given to an officer to incarcerate an arrestee into a jail facility on a given charge(s).

Booking Advice Procedure. Prior to booking an arrestee on a felony charge at any jail facility, a watch commander shall ensure that booking advice is obtained from an on-duty investigative supervisor from the investigative entity responsible for the follow-up investigation. The investigative supervisor giving the booking advice shall sign his or her signature in the “ADVISING INVESTIGATIVE SUPERVISOR” section of the Booking Approval, Form 12.31.00.

When available, or in complex arrests requiring additional review, the investigative supervisor giving booking advice shall review all related reports for required content and place his or her initials and serial number at the conclusion of the narrative portion of each report. This change does not affect other Department procedures associated with booking approval and booking advice.

Exception: Officers are not required to obtain booking advice on narcotic arrests when no follow-up investigation will be conducted.

Telephonic Booking Advice. When it is impractical to obtain a signature from the on-duty investigative supervisor responsible for providing booking advice, the watch commander giving booking approval shall obtain such advice telephonically.

In these cases, the approving watch commander shall write the name of the advising investigative supervisor followed by the watch commander’s initials, and place a check *mark* in the box titled “Telephonic Advice” on the Booking Approval.

Note: Generally, booking advice is not required when the investigative entity responsible for the follow-up investigation is off-duty. However, an off-duty investigative supervisor may be contacted telephonically for advice **only** when the situation involves a serious felony crime, an extraordinary circumstance, or the off-duty investigative supervisor is being compensated for on-call status (e.g., Area homicide call-out team, Criminal Conspiracy Section).

Booking Advice – Final Authority. The watch commander approving booking has the final authority as to the booking charge. In the event the investigative supervisor’s advice differs from that of the approving watch commander, the watch commander shall ensure his or her rationale is properly documented in the Watch Commander’s Daily Report, Form 15.80.00.

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Booking Approval Procedure. Booking approval for any arrest shall only be obtained from a *geographic* Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division. When providing booking approval, the watch commander shall review each arrest for appropriateness, legality, and conformance with Department policy and procedure. When booking is approved, the watch commander shall complete the Booking Approval and sign his or her name and serial number in the "AREA WATCH COMMANDER APPROVING BOOKING/O.R./STRIP" section of the form, and complete the "CONDITIONS FOR NON-ELIGIBILITY FOR RELEASE" section *near the bottom of the form*. The watch commander shall also ensure that the Superior Court of California, County of Los Angeles, Felony Bail Computation Worksheet, Form CRIM-208, has been completed and attached to the Booking Approval Form if a bail enhancement is requested.

Note: Officers shall **not** sign or otherwise write any name for a supervisor in any Department report or form requiring an approving supervisor's signature.

Officers or detectives assigned to Areas (Vice, Detective Division, Gang Enforcement Detail, Patrol, etc.) shall obtain booking approval from their respective Area watch commander before booking any arrestee into any jail facility.

Officers or detectives assigned to specialized divisions shall obtain booking approval from one of the 21 Area watch commanders or the Watch Commander, Metropolitan Jail Section, Custody Services Division, before booking any arrestee into any jail facility.

The watch commander of any Department jail shall have the final responsibility for all arrestees booked at that jail. When a Custody Services Division watch commander questions a booking approved by an Area patrol watch commander, the Custody Services Division watch commander shall contact the approving Area patrol watch commander.

When a difference of opinion remains, the watch commander in charge of the jail facility shall make the final determination.

Adult Felony Traffic Arrests. Booking advice for adult felony traffic arrests shall be obtained from a supervisor in the concerned bureau traffic division.

The detective or supervisor providing booking advice shall:

- Provide the requesting officer with a completed Booking Approval listing the appropriate Justice Information System Booking Charge Table, when applicable; and,
- Review all related reports for required content and place initials and serial number at the conclusion of the narrative portion of each report.

The reviewed reports shall be submitted for approval to the arresting officer's supervisor in the Area of arrest.

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Fugitive Bookings. When a person is arrested on a local charge, and is also wanted by an out-of-state jurisdiction, the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division, shall provide booking advice/approval on the local charge. Upon approval, the Fugitive Warrant Section, *Gang and Narcotics Division*, shall be telephoned without delay, or when closed, the Custody Services Division Watch Commander, for booking advice on the fugitive charge. Once the booking advice has been obtained, the Area watch commander or the Watch Commander, Metropolitan Jail Section, shall provide the booking approval on the local charge, with the fugitive charge placed supplementary. Fugitive Warrant Section has the final authority on booking charges for out-of-state *crimes*.

Financial Crime Bookings. When the arrest involves an offense over which Commercial Crimes Division (CCD) has jurisdiction, *officers shall contact CCD during Day Watch hours for Investigative and/or Booking Advice:*

- *Forgery or Identity Theft bookings.*
 - *For Central Bureau, West Bureau, South Bureau, Contact **Metro Financial Section.***
 - *For Valley Bureau, contact **Valley Financial Section.***
- *Embezzlement Over \$350,000, Elder Estate Abuse, and Real Estate Fraud bookings.*
 - *All Bureaus shall contact **Complex Financial Crimes Section.***

For all other scams or fraud-related theft bookings, refer to the appropriate Geographic Area Burglary/Theft Detectives.

When the arrest involves an offense over which CCD has jurisdiction and it is during off hours, officers shall call the Department Operations Center (DOC), Communications Division, for telephonic booking advice from a CCD supervisor.

Advice for Felony Narcotic Bookings. Booking approval for adults arrested for felony narcotic or dangerous drug violations shall be provided by the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division. When booking advice is required from a court-qualified narcotics expert, the concerned Area watch commander shall notify an Area Narcotics Enforcement Detail (NED) supervisor.

The Area NED is responsible for providing court-qualified narcotics experts to concerned *Areas/divisions* for Section 11550 Health and Safety Code (hype) schematic diagrams, when requested, between 0800 and 2000 hours, Monday through Friday.

Note: When concerned Area NED personnel are not available, pre-booking processing shall be performed by a court-qualified narcotics expert deployed in a geographic *Area*. The following guidelines shall be adhered to when securing a court-qualified narcotics expert in the absence of Area NED personnel:

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- Area personnel who are court-qualified narcotics experts may be utilized in the absence of Area NED experts.
- If no court-qualified narcotics expert is deployed within an Area, the concerned watch commander shall request a court-qualified officer from an adjoining Area within the concerned geographic bureau.
- In instances in which no court-qualified narcotics expert is available, the concerned watch commander shall ensure that NED personnel assigned to the concerned Area are notified of the arrest by 0900 hours on their next regular working day.
- When the magnitude of an investigation dictates the immediate attention of a narcotics investigator, and no NED personnel within the Area are available, the concerned watch commander shall contact the *DOC* to locate an available narcotics expert within Gang and Narcotics Division.

Note: The watch commander in charge of any Department jail facility shall have the final responsibility for all arrestees booked at that jail. When *he or she* questions a booking approval by another supervisor, *he or she* shall contact the approving supervisor. When a difference of opinion remains, the watch commander of the jail facility shall make the final determination.

Arrest Reports. Consistent with current procedure, the watch commander or a supervisor designated by the watch commander shall review all reports related to the arrest for appropriateness, legality, and conformance with Department policy and procedure taking into account the booking recommendation. Additionally, the watch commander or supervisor shall examine the reports for authenticity by ensuring that the reports do not contain any “canned” language, inconsistent information, or fail to articulate the legal basis for the action, or any indication that the information in the report(s) is not authentic or correct. Subsequent to review, the watch commander or *his or her* designee shall indicate approval by signing (including serial number) the report(s).

Custody Services Division Watch Commander Own Recognizance Determination. Per Department Manual Section 4/681.10, *Procedure for Determining Post-Booking Release Eligibility*, the concerned Custody Services Division Watch Commander located at Metropolitan Jail Section, 77th Regional Jail Section and Valley Jail Section approving an Own Recognizance (OR) for an inmate shall document the reason for the post-booking release on the bottom of the Booking Approval. In addition, the concerned supervisor shall affix his or her signature and serial number in addition to checking either the yes box certifying that an OR is granted, or no, and the reason for denial.

Note: The above section applies to sworn watch commanders only. Principal Detention officers acting as watch commanders within Custody Services Division shall not sign, nor approve any booking approvals.