

OFFICE OF THE CHIEF OF POLICE

ADMINISTRATIVE ORDER NO. 22

November 6, 2018

**SUBJECT: ADVICE/APPROVAL ON FELONY BOOKINGS – REVISED; AND,
 BOOKING APPROVAL, FORM 12.31.00 – REVISED**

PURPOSE: The purpose of this Order is to add Custody Services Division (CSD) Watch Commander responsibilities to the Department Manual, as it relates to the own recognizance approval process. This Order also revises the Booking Approval, Form 12.31.00, in accordance with this process.

PROCEDURE:

- I. ADVICE/APPROVAL ON FELONY BOOKINGS – REVISED.** 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.

- II. BOOKING APPROVAL, FORM 12.31.00 – REVISED.** The Booking Approval, Form 12.31.00, has been revised as follows:

The “AREA WATCH COMMANDER APPROVING BOOKING/O.R./STRIP” box has been revised to include the following:

- “NON-ELIGIBILITY FOR RELEASE” and, “SERIAL NO.” lines have been added; and,
- The verbiage “O.R. REASON NO.” box has been deleted.

The “CUSTODY SERVICES DIVISION WATCH COMMANDER MAKING O.R. DETERMINATION” box has been revised to include the following:

- “REASON FOR RELEASE” and “SERIAL NO.” lines have been added; and,
- “MISD O.R.” AND “NON-ELIGIBILITY FOR RELEASE NO.” boxes have been added.

The use, completion, and distribution of this form remain unchanged.

FORM AVAILABILITY: The Booking Approval Form is available in E-Forms on the Department’s Local Area Network (LAN). A copy of the form is attached for immediate use and duplication.

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.

A handwritten signature in black ink, appearing to read 'MICHEL R. MOORE', is written over the printed name and title.

MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

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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 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.

Booking Approval Procedure. Booking approval for any arrest shall only be obtained from an Area patrol watch commander or the Watch Commander, Metropolitan Jail Section, Custody

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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 “*WATCH COMMANDER APPROVING BOOKING/O.R./STRIP*” section of the form, and complete the Non-Eligibility for Release section at the bottom. 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 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 Divisions, Gang Enforcement Detail, Patrol, etc.) shall obtain booking approval from their respective Area patrol 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 patrol 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.

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 shall be telephoned without delay, or when closed, *the* Custody Services Division Watch Commander, for booking advice on the fugitive charge.

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Once the booking advice has been obtained, the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division, 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 issues.

Fraud-Forgery Bookings. When the arrest involves an offense over which Commercial Crimes Division has jurisdiction, and the concerned investigating officers are not available, the suspect shall be interviewed by the concerned watch commander or OIC. The concerned supervisor may, before booking or release of a felony suspect, telephone Detective Support and Vice Division for advice.

Valley Forgery Bookings. When the arrest is for an offense over which Valley Forgery investigating officers have jurisdiction and the concerned investigating officers are not available, the suspect shall be interviewed by a Van Nuys Area 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 Operations Bureau Patrol Divisions for 11550 Health & Safety (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 patrol division. The following guidelines shall be adhered to when securing a court qualified narcotics expert in the absence of Area NED personnel:*

- 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 Operations 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 *Department Operations Center* to locate an available narcotics expert *within Gang and Narcotics Division*.

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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 policies and procedures 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 their signature and serial number in addition to checking either the yes box certifying that an O.R. 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.

**Los Angeles Police Department
BOOKING APPROVAL**

SEE DISTRIBUTION AT BOTTOM FOR NUMBER OF COPIES REQUIRED.	DATE & TIME OF ARREST	TIME OF INSPECTION/INTERVIEW BY WATCH COMMANDER (LAPD MANUAL 4/216)
ARRESTEE'S NAME (Last, First, Middle)		
ARRESTING OFFICER(S) OR <input type="checkbox"/> PRIVATE PERSON'S ARREST (Last and First Name)	SERIAL NO.(S)	DIVISION
ACTION ADVISED:		DETAIL
<input type="checkbox"/> Booking Charge _____ (As appears on AJIS Charge Table)	BASIC CHARGE:	\$ _____
<input type="checkbox"/> Additional charges _____	ADD'L CHARGES:	\$ _____
<input type="checkbox"/> Enhancements (Attach Felony Bail Computation Worksheet, Form CRIM-208)	ENHANCEMENTS:	\$ _____
<input type="checkbox"/> Advise arrestee of immediate cash bailout right (if two or fewer warrants for parking offense or traffic infraction)	TOTAL BAIL: \$ _____	
<input type="checkbox"/> Release without booking <input type="checkbox"/> Phone call made <input type="checkbox"/> Phone calls refused by arrestee		
1. EVIDENCE TO BE BOOKED 2. SUGGESTIONS FOR CONTENTS OF REPORTS 3. VISITATION RESTRICTION	RESPONSIBLE INVEST. UNIT	
PAROLE/PROBATION AGENT	PHONE NO.	TIME TELEPHONIC HOLD PLACED
REASON FOR SEARCH:		
<input type="checkbox"/> Offense involves a controlled substance.		
<input type="checkbox"/> Articulate and reasonable suspicion that the arrestee is concealing contraband or weapons, regardless of the offense (Explain reasonable suspicion). _____		
TYPE OF SEARCH AUTHORIZED:		WATCH COMMANDER APPROVING SEARCH SERIAL NO.
<input type="checkbox"/> STRIP <input type="checkbox"/> PHYSICAL BODY CAVITY*		(If different than booking)
<input type="checkbox"/> VISUAL BODY CAVITY *Note: Search warrant required. WARRANT NO.		
DATE & TIME OF SEARCH	LOCATION SEARCH CONDUCTED	SEARCHING EMPLOYEE SERIAL NO. DIVISION SEX
RESULTS OF SEARCH (List items and locations removed from):		
ADVISING INVESTIGATIVE SUPERVISOR (signature) <input type="checkbox"/> Telephonic Advice	SERIAL NO.	DIVISION RAP SHEET REVIEWED? YES <input type="checkbox"/> NO <input type="checkbox"/> NONE <input type="checkbox"/>
MISDEMEANOR ARRESTS: The watch commander shall complete the Conditions for Non-Eligibility for Release at the time of booking approval (Manual Sections 4/216.65, 216.67).		
CONDITIONS FOR NON-ELIGIBILITY FOR RELEASE		
1. The person arrested is so intoxicated that he or she could be a danger to himself or herself or others.		
2. The person arrested requires medical examination or medical care or is otherwise unable to care for his or her own safety.		
3. The person is arrested for one or more of the offenses listed in Section 40302 or 40303 of the Vehicle Code. (EXCEPTION - DUI ARRESTEES MAY BE RELEASED AFTER BOOKING, IF OTHERWISE ELIGIBLE.)		
4. There are one or more outstanding felony arrest warrants for the person.		
5. The person has one or more outstanding misdemeanor arrest warrants ineligible for release under Section 827.1 of the Penal Code (Manual Section 4/216.67).		
6. The person cannot provide satisfactory evidence of personal identification.		
7. The prosecution of the offense or offenses for which the person is arrested or the prosecution of any other offense or offenses would be jeopardized by immediate release of the person arrested.		
8. There is a reasonable likelihood that the offense or offenses will continue or resume, or that the safety of persons or property will be imminently endangered by release of the person arrested.		
9. The person arrested demands to be taken before a magistrate or refused to sign the notice to appear.		
10. There is reason to believe that the person arrested would not appear at the time/place specified in the notice.		
AREA WATCH COMMANDER APPROVING BOOKING/O.R./STRIP	SERIAL NO.:	MISD O.R. STRIP SEARCH RAP SHEET REVIEWED? YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NONE <input type="checkbox"/>
NON-ELIGIBILITY FOR RELEASE NO.: _____		
CUSTODY SERVICES DIVISION WATCH COMMANDER MAKING O.R. DETERMINATION	SERIAL NO.:	MISD O.R. NON-ELIGIBILITY FOR RELEASE NO.: YES <input type="checkbox"/> NO <input type="checkbox"/> _____
REASON FOR RELEASE: _____		