

OFFICE OF OPERATIONS

NOTICE
1.11

September 20, 2018

TO: All Office of Operations Personnel

FROM: Director, Office of Operations

SUBJECT: BODY WORN VIDEO OR DIGITAL IN-CAR VIDEO SYSTEM REVIEW PRIOR TO WATCH COMMANDER APPROVAL OF INTERFERING, RESISTING, OR ASSAULT ON AN OFFICER ARRESTS

As a reminder, existing Department policy requires watch commanders to provide review and insight for all arrests where the primary charge is for interfering, resisting arrest, or assault on an officer. See Department Manual Section 4/216.23, *Arrests for Interfering, Resisting Arrest, or Assault on an Officer*. The watch commander shall conduct a pre-booking evaluation and examine if there are any issues or concerns with training, policies, or tactics, when a person is arrested for the following California Penal Code (PC) Sections:

- 69 PC – Obstructing or resisting peace officers by threats or violence;
- 148(a)(1) PC – Resisting, delaying, or obstructing an officer;
- 148(b)(1) PC – Removing or taking a weapon, other than a firearm, from a peace officer;
- 148(c) PC – Removing or taking a firearm from a peace officer;
- 148(d) PC – Attempting to remove or take a firearm from a peace officer;
- 241(c) PC – Assault against a peace officer;
- 243(b) & (c) PC – Battery against a peace officer or custodial officer, respectively;
- 244.5(c) PC – Assault on a peace officer with a stungun or taser;
- 245(c) PC – Assault with a deadly weapon, other than a firearm, on a peace officer; and,
- 245(d) PC – Assault with a firearm, machine gun, or assault weapon on a peace officer.

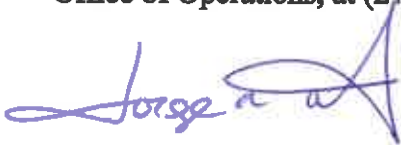
A recent review of 148 PC arrests revealed that in many instances, watch commanders did not conduct or document a review of the related Body Worn Video (BWV) or Digital In-Car Video System (DICVS) prior to signing the Booking Approval. As part of the pre-booking evaluation for any arrests for interfering, resisting arrest, or assault on an officer, watch commanders shall review and ensure relevant BWV and/or DICVS is tagged using the officer's handheld device or COBAN Client application prior to providing booking approval. This updated review procedure will allow watch commanders to efficiently review relevant video prior to providing insight and guidance to arresting officers without requiring docking and uploading to Evidence.com. Watch commanders shall document the BWV and/or DICVS review in the Watch Commander's Daily Report, Form 15.80.00 along with the other required watch commander insight.

Additionally, this video review will allow watch commanders to ensure that officers followed procedural justice (procedural fairness) principles to the extent possible. Specifically, watch commanders should verify the following:

- Each person involved was treated with dignity and respect;
- When appropriate, involved parties were given the opportunity to be heard during the incident;
- Officers appeared neutral and fair in their decision-making; and,
- Officers articulated or displayed trustworthy motives for their actions.

For all arrests where the primary charges are interfering, resisting, or assault on an officer, Department personnel are encouraged to request a field supervisor prior to transporting a subject when tactically feasible. These arrests often involve highly stressful, volatile encounters, and may benefit from the early involvement of an impartial supervisor at scene.

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

A handwritten signature in blue ink, appearing to read "Robert N. Arcos". The signature is stylized and cursive.

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

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