

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 11

December 19, 2019

SUBJECT: DEPARTMENT MANUAL CHANGES REFLECTING THE LEGALIZATION OF ADULT NON-MEDICAL USE OF CANNABIS

PURPOSE: Proposition 64, the Adult Use of Marijuana Act (AUMA), changed state law to legalize the use of cannabis for non-medical recreational purposes by adults ages 21 and over. Under the AUMA, adults ages 21 and over may possess up to 28.5 grams (about one ounce) of cannabis or 8 grams of concentrated cannabis or grow up to six plants per household. The AUMA prohibits the seizure of legally possessed cannabis. Possessing more than 28.5 grams of cannabis or 8 grams concentrated cannabis or 6 plants per household remains a violation of California State law and the excess amount of cannabis shall be booked as evidence (unless there is indication of sales, possession for sales or transportation, then book everything) in accordance with current procedures. The following activities also remain illegal: (1) smoking cannabis while driving a car, in any public place, or anywhere that smoking tobacco is prohibited; (2) possessing cannabis on the grounds of a school, daycare center, or youth center while children are present; and, (3) providing cannabis to anyone under the age of 21 for non-medical use. In addition, the word "marijuana" has been replaced by the word "cannabis" throughout the Department Manual. The purpose of this Order is to update the Department Manual to reflect these changes in litigation.

Although recreational use of marijuana for adults became legal in California on January 1, 2018, Department policy as well as City of Los Angeles policies, require that our employees and workplace remain drug-free. Consequently, Department policy is unaffected by the legalization of adult-use marijuana. The use of marijuana or cannabis products for any reason, regardless of duty status, is prohibited. The penalty for using illegal controlled substances including marijuana or cannabis products by a Department employee, sworn or civilian, may very likely be termination.

PROCEDURE:

- I. CITATION REVIEW BY SUPERVISORS – REVISED.** Department Manual Section 3/202.30, *Citation Review by Supervisors*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- II. MARIJUANA ARREST PROCEDURES – RENAMED AND REVISED.** Department Manual Section 4/216.25, *Marijuana Arrest Procedures*, has been revised and renamed *Cannabis Arrest Procedures*. Attached is the revised Department Manual section with the revisions indicated in italics.
- III. PROCESSING NARCOTICS, TOLUENE AND DANGEROUS DRUGS, ETC. – REVISED.** Department Manual Section 4/540.70, *Processing Narcotics, Toluene and Dangerous Drugs, Etc.*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- IV. SEIZURES OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES IN EXCESS OF THIRTY POUNDS NET WEIGHT – REVISED.** Department Manual Section 4/540.75, *Seizures of Large Quantities of Controlled Substances in Excess of Thirty Pounds Net Weight*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.

- V. OBTAINING ANALYZED EVIDENCE FROM THE EVIDENCE CONTROL UNIT, FORENSIC SCIENCE DIVISION AND/OR TECHNICAL INVESTIGATION DIVISION – REVISED.** Department Manual Section 4/545.10, *Obtaining Analyzed Evidence from the Evidence Control Unit, Forensic Science Division and/or Technical Investigation Division*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- VI. DETENTION OFFICER RECEIVING INVESTIGATOR'S FINAL REPORT – REVISED.** Department Manual Section 4/675.10, *Detention Officer Receiving Investigator's Final Report*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- VII. RELEASING OR ARRAIGNING FELONY ARRESTEE ON A MARIJUANA POSSESSION CHARGE – RENAMED AND REVISED.** Department Manual Section 4/720.40, *Releasing or Arraigning Felony Arrestee on a Marijuana Possession Charge*, has been revised and renamed *Releasing or Arraigning Felony Arrestee on a Cannabis Possession Charge*. Attached is the revised Department Manual section with the revisions indicated in italics.
- VIII. ARREST REPORTS – ARRESTS ON WARRANTS – REVISED.** Department Manual Section 4/725.48, *Arrest Reports – Arrests on Warrants*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.

AMENDMENTS: This Order amends Sections 3/202.30, 4/216.25, 4/540.70, 4/540.75, 4/545.10, 4/675.10, 4/720.40 and 4/725.48 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

Attachments

DISTRIBUTION "D"

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202.30 CITATION REVIEW BY SUPERVISORS. Each officer issuing a Traffic Notice to Appear, Form 04.50.00, shall submit the original to the designated supervisor or if not available, to the on-duty watch commander (Department Manual Section 4/318.80).

If a Continuation of Notice to Appear, Form 04.50.05, is involved, the citing officer shall also submit the original of the Continuation of Notice to Appear stapled to the Traffic Notice to Appear to the supervisor. The designated supervisor shall check the following items on the citation:

Completeness. Each blank space on a citation shall be filled in. If the item is not applicable to the violation charged, a dash may be placed in the space.

“Cannabis,” as used herein includes all cannabis products that can be smoked, vaporized, eaten, or otherwise consumed or ingested.

For Combined Cannabis/Traffic Arrests. A citation may be issued *under California Vehicle Code Section 23222(b)(1) only if the possessor of the opened receptacle containing cannabis or cannabis products is the driver of the vehicle. A citation may be issued under California Vehicle Code Section 23220(a) if the driver is smoking or ingesting cannabis or a cannabis product. If the passenger is smoking or ingesting cannabis or a cannabis product, cite under California Vehicle Code Section 23220(b).*

Note: The supervisor shall ensure that officers have not issued both a Release From Custody (RFC) for 11357(b)(2), 11359, or 11360 Health and Safety (H&S) Code violations and issued a Traffic Notice to Appear for the Vehicle Code violations.

Legibility. Citations should be legible. Information listed in Department Manual Section 4/320.25 shall be printed; other portions of the citation may be printed or written.

Tampering. There shall be no erasures on the citation. There shall be no changes on the citation other than corrected errors (Department Manual Section 4/320.80).

Errors. In as much as an error or omission in certain items may invalidate the citation, a positive check shall be made of the:

- Date of offense;
- Correct section cited;
- Correct location of offense;
- Cited speed and speed zone in speed cases;
- Signature of defendant; and,
- Valid court appearance date, or juvenile check.

Supervisors reviewing citations written by Department employees shall print their last name and serial number or use a stamp with the printed information on the lower right corner of the reverse side of the citation.

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216.25 CANNABIS ARREST PROCEDURES.

Possession of Cannabis – Sole Offense.

More Than One Ounce (Weight, Not Volume). An adult arrested for *Section 11357(b)(2) of the Health & Safety (H&S) Code (Possession of More Than One Ounce of Cannabis)* or *11360(b) H&S (Transporting or Giving Away One Ounce or Less of Cannabis)* or *11358(d) H&S (Possession of More Than 6 Cannabis Plants)* shall be Released from Custody (RFC) and not booked **unless** he or she:

- Cannot satisfactorily identify himself or herself; or,
- Demands to be booked; or,
- Refuses to sign the Non-Traffic Notice to Appear, Form 05.02.02.

Note: Other reasons for non-release of misdemeanor arrestees, as outlined in Section 853.6(j) of the California Penal Code (PC), **do not** apply when the arrest is for 11357(b) or 11360(b) H&S.

Juvenile – More Than One Ounce (Weight, Not Volume). A juvenile arrested for *11357(b)(1) H&S (Possession of More Than One Ounce of Cannabis)* or *11360(a)(1) H&S (Transporting or Giving Away One Ounce or Less of Cannabis)* or *11358(a) H&S (Possession of More Than 6 Cannabis Plants)* shall be issued a Traffic Notice-to-Appear (citation).

Possession of Cannabis – Additional Offenses. An adult arrested for an offense in addition to 11357(b)(2), or 11360 H&S shall be booked for the non-cannabis offense. (For example, an adult arrested for Battery who is also in possession of *more than* one ounce of cannabis shall be booked for Battery. The elements of all offenses committed by the arrestee shall be included in the Arrest Report.)

Exception: When an adult is arrested for a **misdemeanor** warrant **and** 11357(b)(2) or 11360(a)(2) H&S, and can be satisfactorily identified, a Non-Traffic Notice to Appear, Form 05.02.02, and an RFC Report Continuation, Form 05.02.08, shall be completed for the cannabis offense, and the arrestee shall be booked for the warrant. The booking number for the warrant booking shall be entered on the RFC Report Continuation.

Determining Charge. *Unless the arresting officer has significant experience conducting narcotics investigations whereas they can articulate based on their training and experience the type of substance being possessed and provide an estimation as to the weight, they should not transport the detainee to the station. If the officer(s) conducting the investigation is able to determine the amount possessed is 28.5 grams (ounce) or less of cannabis or 8 grams or less of concentrate there is no need to transport the detainee to the station. If the investigating officer cannot make the determination in the field, an effort should be made to request an officer with narcotics experience for advice or have a field supervisor respond with a scale. If the arrestee*

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respond with a scale. If the arrestee does possess more than the legal amount, he or she shall be released from custody and not be booked unless he or she cannot satisfactorily identify himself or herself, or demands to be booked, or refuses to sign the Non-Traffic Notice to Appear, Form 05.02.02.

Note: Scales to weigh *cannabis* in the field are possessed by field supervisors and Area narcotics investigators.

Arrest Report – Completion. The Arrest Report, Form 05.02.00, shall contain the following information:

- Prima facie case for all offenses committed by the arrestee; *and*,
- The quantity of *cannabis* possessed by the arrestee, as determined by the laboratory scales at the station.

Misdemeanor Cannabis Arrests – Booking Location. When an arrestee is to be booked for 11357(b), 11357(c), or 11360(a)(2) H&S, the location of booking shall be the same as for other misdemeanor arrestees.

Combined Cannabis/Traffic Arrest Procedures. When an adult has committed a citable traffic violation and is then found to be in possession of *cannabis* constituting a misdemeanor, the officer shall, if the traffic offense is to be charged, proceed *under the following guidelines:*

- Possession, Transporting, or Giving Away **More Than One Ounce** *and* Eligible for Release From Custody. When the offense is a violation of 11357(b)(2) or 11360(a)(2) H&S, the officer shall:
 - Complete an RFC Continuation Report, charging the *cannabis* offense;

Exception: When the driver of the vehicle is in possession of *cannabis* which constitutes a misdemeanor, the officer may opt to cite the driver under *California Vehicle Code (VC) Section 23222(b)*. The officer shall then complete a Traffic Notice to Appear (*citation*), Form 04.50.00, for 23222(b) VC and all additional Vehicle Code violations. The officer **shall** include in the narrative portion of the Traffic Notice to Appear, the probable cause for the traffic stop, and where the *cannabis* was subsequently located. The officer shall utilize a Continuation of Notice to Appear, Form 04.50.05, when necessary, to include all required information and violations.

Note: An RFC **shall not** be issued to the driver for the H&S Code violation if cited for 23222(b) VC.

- Include the details of the traffic violation in the narrative portion of the RFC Report;
- Request filing of the traffic violation under the heading “Additional Information;”

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- Cite the arrestee to the appropriate court for combined *cannabis*/traffic offenses; and,
 - Complete a Citation Cancellation Request, Form 04.45.00, if a Traffic Notice to Appear has been issued for the traffic violation.
- **Possession of More Than One Ounce Ineligible for Release.** When the traffic violator is in violation of 11357(b)(2) H&S and is ineligible for release, the officer shall:
 - Book the arrestee;

Note: An officer booking an arrestee in the Metropolitan Areas, or at a County booking facility, shall inform the booking employee that a traffic violation is also being charged. The booking employee shall ensure that the arrestee is cited to appear in, or is transported to, the appropriate court.

- Include the details of the traffic violation in the narrative portion of the Arrest Report;
- Request filing of the traffic violation under the heading “Additional Information;” and,
- Complete a Citation Cancellation Request *if a* Traffic Notice to Appear has been issued for the traffic violation.

540.70 PROCESSING NARCOTICS, TOLUENE AND DANGEROUS DRUGS, ETC.

Narcotics, narcotic paraphernalia requiring analysis, toluene, and dangerous drugs shall be booked in or labeled with an Analyzed Evidence - Narcotics Envelope, Form 12.51.03 or an Analyzed Evidence - Narcotics Tag, Form 10.12.06, and a Narcotic Evidence Booking Identification Card, Form 10.12.09.

Booking Employee’s Responsibilities. When packaging small quantities of narcotics, officers shall:

- Place the narcotics into a ziplock bag;

Note: Officers are also reminded that a separate Analyzed Evidence – Narcotics Envelope shall be used to contain the evidence obtained from each arrestee.

- Place the bag into an Analyzed Evidence – Narcotics Envelope; and,

Exception: Plant material shall not be placed in a plastic bag before being placed into an Analyzed Evidence – Narcotics Envelope.

- Place an Analyzed Evidence Seal, Form 10.12.07, over each flap and the center seam.

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Note: Narcotics evidence weighing *one* kilogram or more shall be placed in a cardboard box. The box shall be sealed with a high quality fiber reinforced tape. A completed Analyzed Evidence – Narcotics Envelope or an Analyzed Evidence – Narcotics Tag, Form 10.12.06, shall be attached to the outside of the cardboard box.

The package shall be sealed with a completed evidence seal. A separate Analyzed Evidence – Narcotics Envelope shall be used for the evidence obtained from each arrestee. Ziplock bags may be used to separate evidence within the Analyzed Evidence – Narcotics Envelope. Each envelope shall bear an item number and be listed on related reports. No other evidence, except narcotic paraphernalia requiring analysis, shall be included in the sealed package. The Analyzed Evidence – Narcotics Envelope shall not be filled above the fold of the upper flap of the package.

An officer seizing one kilogram or larger size packages of dangerous drugs or narcotics evidence shall:

- Consecutively number the exterior of each package wrapping;
- Weigh the packages for gross weight and place them in a cardboard box;

Note: “Gross weight” is the weight of each individual package of narcotics including the packaging material. “Control weight” is the weight of a single box containing several individual packages. “Net weight” is the weight of the narcotics without any packaging material. Refer to Department Manual Section 4/540.75 for handling seizures exceeding 30 pounds net weight.

- Weigh the box and contents for control weight and seal with wide, high quality tape and a sealed evidence label;
- List the gross weight and control weight on the Property Report; and,
- Complete an Analyzed Evidence – Narcotics Envelope and attach it to the outside of the cardboard box, indicating the numbered packages contained within and the gross and control weight of the box and its contents.

Note: When booking large quantities of narcotics requiring numerous boxes, an Analyzed Evidence – Narcotics Envelope shall be attached to the outside of the first box of each item number on the Property Report, Form 10.01.00, which consists of one or more boxes, and an Analyzed Evidence – Narcotics Tag, shall be attached to each remaining box. The item number, box number, and total number of boxes shall be documented on each box.

The employee booking the evidence shall in all cases complete the upper portion of the form on the face of the envelope, including any special instructions for the chemist making the analysis.

Note: Refer to *Department Manual Section 4/540.72* for Phencyclidine (PCP) or its analogs handling procedures.

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Cannabis Cigarettes. *Cannabis* cigarettes shall be marked for identification. Each cigarette and specific location from which the cigarette was taken must be listed on related reports.

Paraphernalia Containing Narcotics Residue. An officer booking paraphernalia containing narcotics residue *shall*:

- Place narcotics paraphernalia into a plastic ziplock bag, size permitting, or into a plastic property bag if the residue may be destroyed, or directly into an Analyzed Evidence – Narcotics Envelope;
- Staple the envelope flap shut as close as possible to the lower edge using two staples on opposite sides; and,
- Place Analyzed Evidence Seals over each flap and the center seam.

Exception: Paraphernalia containing plant material residue should be placed inside a coin envelope, if practical, and placed directly into an Analyzed Evidence – Narcotics Envelope.

Note: This section does not affect booking procedures for paraphernalia not containing narcotics residue.

Toluene. When toluene or similar toxic substance is exposed to the air (e.g., glue on a rag or in a paper bag), the evidence *shall* be placed in a glass container.

Weights and Measures. “Substances” in relation to pipes with residue only, are no longer weighed. These substances should only be counted. Example, one glass pipe containing cocaine residue will be counted as one item. The evidence may state in the Property Report and/or the Arrest Report, Form 05.02.00, “1 glass pipe containing off-white residue resembling cocaine.” Glass pipes with no visible residue *shall* be booked as paraphernalia in the Area Property Rooms. All pipes with residue *shall* be booked as narcotics.

Note: Containers included in the gross weight *shall* be described in the Property Report (or Arrest Report if used to book the evidence).

Cannabis plants *shall* be counted. Their number and net weight (minus dirt and container) *shall* be recorded on the Property Report. The plants *shall* be placed in a carton. If necessary, the plants may be folded. Generally, the dirt and the container need not be booked.

Note: When practicable, the plants should be photographed prior to being uprooted.

Note: Due to the risk associated with potential fentanyl exposure, officers **SHALL NOT** use preliminary screening tests on *items* suspected of being a controlled substance. Sampling and testing of these *items* shall be limited to Forensic Science Division personnel due to necessary laboratory precautions extended beyond those available in Area community police stations. All Department personnel shall continue to weigh the samples, but minimize the possible exposure

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by handling the narcotics in a well-ventilated area and use protective equipment, such as latex gloves or masks.

Juvenile Arrested. When booking controlled substance evidence in juvenile cases indicate whether the juvenile is “*Detained*” or “*Released*,” in red on the upper left corner of the Analyzed Evidence-Narcotics Envelope.

Booking Location. Narcotics, narcotic paraphernalia requiring analysis, toluene, and dangerous drugs shall be booked into *Evidence and Property Management Division (EPMD)*. The item requiring analysis shall be placed into the narcotics storage locker for pick up by the courier unit or booked directly into *EPMD*.

540.75 SEIZURES OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES IN EXCESS OF THIRTY POUNDS NET WEIGHT. The following procedures *shall* be followed for seizures of large quantities of controlled substances estimated to be in excess of thirty pounds net weight. When booking Phencyclidine (PCP) in a one-half gallon or larger container or when there is a total volume of one-half gallon or more of PCP, officers *shall* comply with Section 4/540.72 of the Department Manual.

Officer’s Responsibilities. Officers who seize quantities of a controlled substance in excess of *thirty* (30) pounds net weight, which are to be booked into *Evidence and Property Management Division (EPMD)*, *shall*:

- Immediately notify the Officer in Charge, Complaint Filing Detail, Gang and Narcotics Division (GND), and the Hazardous Chemical Team, Forensic Science Division (FSD). When GND or FSD is closed, notification *shall* be made to the Department Operations Center (DOC), Communications Division;
- Ensure that FSD responds to the scene and completes *its* responsibilities as detailed below under *FSD’s* responsibilities. The officers responsible for the seizure *shall* maintain control of the evidence and book it *at EPMD*;
- Complete a Property Report in compliance with the following procedures:
 - If the controlled substance is found property with no follow-up investigation, and *the* GND Property Disposition Coordinator (PDC) Supervisor approves, then no samples *shall* be taken and the controlled substance *shall* be weighed, packaged, and authorized for disposal; otherwise,
 - The first item(s) on the Property Report, *Form 10.01.00*, *shall* be a minimum of 10 pounds net weight of the controlled substance and the item will not exceed 30 pounds total weight;

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- The next item(s) on the Property Report shall be a minimum of five random and representative samples from the total remaining suspected controlled substance items and *shall* be clearly identified as samples. If the suspected controlled substance is *cannabis*, the five random samples may include leaves or buds;

Note: If the suspected controlled substance was recovered from multiple locations at the same address, the samples *shall* be taken from a variety of locations (e.g., garage, bedroom, or living room). If the suspected controlled substance was recovered from multiple addresses, the PDC Supervisor, after consulting with the Investigating Officer, *shall* determine the amount of suspected controlled substance to be retained and the locations from which samples will be taken.

- The next item(s) on the Property Report will be the remaining suspected controlled substance items; and,
- The final item(s) on the Property Report will be the remaining non-narcotic items.

Forensic Science Division and Technical Investigation Division Responsibilities. When criminalists from FSD/*Technical Investigation Division* (TID) are notified of the seizure of a controlled substance in excess of 30 pounds net weight, which is going to be booked into *EPMD*, they will respond to the location where the narcotics are to be weighed and packaged. The seizure will be photographed by TID to reasonably demonstrate the total amount of the suspected controlled substance seized and to be destroyed.

Forensic Science Division personnel *shall* remove the required number of samples for testing, when required and weigh and package the controlled substance in accordance with Department procedures for packaging evidence. The net weight of the suspected controlled substance *shall* be determined either by actually weighing the suspected controlled substance or by estimating the weight after completing dimensional measurements of the total suspected controlled substance.

Gang and Narcotics Division's Responsibilities. When the Complaint Filing Detail, GND, is notified of a seizure of a controlled substance in excess of 30 pounds net weight that is going to be booked into *EPMD*, they will respond to the location to provide advice, if necessary, and ensure that the proper procedures for completing a Property Report and a Property Disposition/Update Report, *Form 10.06.00*, have been followed, as set forth in the Officer's Responsibilities section.

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545.10 OBTAINING ANALYZED EVIDENCE FROM THE EVIDENCE CONTROL UNIT, FORENSIC SCIENCE DIVISION AND/OR TECHNICAL INVESTIGATION DIVISION. An employee requesting analyzed evidence from the Evidence Control Unit (ECU), Forensic Science Division (*FSD*) and/or Technical Investigation Division (*TID*), for court purposes shall:

- Complete an entry on the *FSD* and/or *TID* Court Evidence Request Log maintained at all *FSD* and/or *TID* courier temporary storage lockers, and Central and Valley Property Sections, at least three court days prior to the scheduled court date;

Exception: An employee receiving a subpoena less than three court days prior to a scheduled court date may contact the ECU telephonically during business hours and request that the evidence be delivered by the *FSD/TID* courier to the *FSD/TID* courier temporary storage locker most convenient for pick up. **Employees shall not sign out evidence at the ECU.**

- Request that the evidence be delivered to any *FSD/TID* courier temporary storage locker most convenient to the employee for pick up;
- Prior to withdrawing the evidence from the *FSD/TID* courier temporary storage locker, notify the on-duty watch commander of the presence of the evidence and request the locker to be opened and the evidence to be removed;

Note: Any evidence which does not qualify for placement into temporary storage, (e.g., PCP, explosives), shall not be delivered to an *FSD/TID* courier temporary storage locker for court purposes.

- Sign the Court Evidence Request Log accompanying the evidence, ensure that four copies of the Property Court Receipt are attached, and transport the evidence to court;

Note: If four copies of the Property Court Receipts are not attached, the employee can photocopy the additional number needed.

- Following its presentation in court, return *the* evidence (on the same day) to the *FSD/TID* courier temporary storage locker from which it was removed;
- Request the on-duty watch commander to verify the packaging is intact and document the return on the Court Evidence Control Log;
- If the item is needed in court the next calendar day, mark the Court Evidence Control Log and attach a note to the evidence indicating the evidence is needed for another day in court; and,
- If an evidence package is opened in court, the court will order the employee to reseal the package “on the record.” If narcotics evidence is not ordered resealed by the court “on the record,” the employee shall request to be allowed to reseal the evidence “on the record” prior to being released from the witness stand. *Evidence and Property Management Division* facilities will not accept opened narcotics packages that have not been resealed “on the record.”

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Note: The Los Angeles County Municipal and Superior Courts have adopted a policy which states that all controlled substances as defined in 11007 H&S, which includes Schedule 1-4 narcotics as defined in 11054-11057 H&S, are hazardous materials. As such, they shall only be taken into a court in a sealed package. This includes, but is not limited to, cocaine, *Fentanyl*, and *cannabis*. *Department Manual Section 4/545.05* prohibits *Phencyclidine* (PCP), any of its analogs, or ether in any form from being brought into any courtroom unless specifically requested by the court.

Supervisor's Responsibilities. Supervisors witnessing the removal of evidence from FSD/TID courier temporary storage lockers for court shall:

- Upon request, remove the evidence for court from the FSD/TID courier temporary storage locker;
- Have the employee sign the Court Evidence Control Log and retain the log in the storage locker;
- Deliver the evidence to the requesting employee;
- Sign the Court Evidence Control Log in the "Supervisor Witness" box;
- Upon return of the court evidence, verify the packaging is intact;
- If the packaging has been opened, verify the package has been resealed;
- Ensure the employee signs the Court Evidence Control Log in the appropriate space; and,
- Sign the Court Evidence Control Log in the "Supervisor Witness" box.

Courier Responsibilities. The FSD/TID courier transporting evidence to FSD/TID courier temporary storage lockers for court shall:

- Place the requested item into the FSD/TID courier temporary storage locker with four copies of the Property Court Receipt;
- Return to the ECU any evidence no longer needed for court, or any Property Court Receipts indicating the evidence has been retained by the court; and,
- Document and notify the ECU if evidence is needed for subsequent days in court.

Forensic Science Division and Technical Investigation Division Responsibilities. Upon being notified that evidence stored at FSD or TID is needed for court, concerned ECU personnel shall:

- Ensure four copies of the Property Court Receipt are prepared and accompany the evidence requested;
- Instruct the courier to transport the evidence to the requested FSD/TID courier temporary storage locker;
- Maintain a control file of all evidence which is left in FSD/TID courier temporary storage lockers for subsequent days in court;
- Maintain a control file of all requests and Property Court Receipts; and,
- Forward the original copy of the Property Court Receipt to Records and Identification Division.

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675.10 DETENTION OFFICER RECEIVING INVESTIGATOR'S FINAL REPORT.

Inmate in Detention Officer's Custody. When a detention officer having custody of an *inmate* receives the Investigator's Final Report, Form 05.10.00, directly from the investigating officer, the detention officer shall:

- Release the *inmate*.

Note: A juvenile *inmate* shall be released to the custody of his or her parents, guardian, responsible relative, or other person or agency designated on the Investigator's Final Report. When the juvenile is not released within two hours, the detention officer shall notify the concerned investigating officer, his or her supervisor, or the Watch Commander, Detective Support and Vice Division, when the above personnel are not available *and* cause a Notification of *Inmate* Release Teletype to be sent within one hour to:

- The Automated Justice Information System (*Department Manual Section 4/165.32*); *and*,
- Detective Support and Vice Division, when the arrestee is a juvenile or is an adult booked on a felony charge.

A copy of the teletype shall be attached to the *Investigator's Final Report*.

Cannabis Complaints. When notified that all other charges against an arrestee have been rejected and only a *cannabis* possession charge [11357(b)(2) H&S] has been filed, the custodial detention officer shall, as soon as practicable, advise the arrestee of the status of the charges and release him *or her* on *their* own recognizance.

Note: In the event an arrestee in custody is to be released, but refuses to sign the promise to appear portion of the release form, he or she shall be arraigned on the *cannabis* possession offense within 48 hours, exclusive of Saturdays, Sundays and *holidays*, following the time of arrest.

720.40 RELEASING OR ARRAIGNING FELONY ARRESTEE ON A *CANNABIS* POSSESSION CHARGE. If, after normal complaint filing procedures have been followed, the booking offense is rejected both as a felony *and* as a misdemeanor, but the charge of *cannabis* possession [11357(b)(2) H&S] is filed, the concerned detective shall release the *inmate* on his *or her* own recognizance (*O.R.*) or cause the *O.R.* release to be accomplished by the detention officer in the confinement facility.

Note: In the event an arrestee in custody is to be released, but refuses to sign the promise to appear portion of the release form, he *or* she shall be arraigned on the *cannabis* possession offense within 48 hours, exclusive of Saturdays, Sundays and *holidays*, following the time of arrest.

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725.48 ARREST REPORTS – ARRESTS ON WARRANTS. Arrest narratives are not required for felony warrant arrests **except** under the following circumstances:

- Parole and Probation Holds;
- Arrests involving a use of force;
- Evidence recovered as a result of the arrest;
- If *the* arrestee receives injuries which could be attributed to the officers;
- Aggravated or unusual circumstances; and,
- At the direction of the watch commander.

Below are the reports required for each type of felony warrant arrest:

Felony Warrants and Felony Wants Involving Adults. An arrest report is not required for felony warrant arrests not involving an open charge. For felony warrant arrests, including parole/probation warrants, officers *shall* submit the following to the watch commander or his or her designee:

- Arrest Report “Face Sheet”, Form 05.02.00;

Note: The “Approval/Reporting Officers” section *shall* still be completed, including the “Supervisor Approving Report” box.

- Investigator’s Final Report, Form 05.10.00;

Note: Officers *shall* still comply with procedures for the completion of the Investigator’s Final Report outlined in Department Manual Section 4/775.20.

- Copy of the Warrant Information Sheet (WIS) or abstract for warrants issued within California; and,
- Booking Approval, Form 12.31.00.

Note: Parole/probation **holds** are different from parole/probation **warrants**. Parolees at Large (PALs) are considered parole warrant suspects. Parole **holds** require an arrest narrative.

Juvenile Warrant Arrests. For warrant arrests involving juveniles, officers *shall* submit the following:

- Arrest Report “Face Sheet;”
- Investigator’s Final Report;
- Copy of the WIS or abstract for warrants issued within California;
- Disposition of Arrest and Court Action, Form 05.09.00;
- Booking Approval; and,
- Juvenile Arrest Supplemental Report, Form 05.02.06.

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Note: Officers *shall* document the circumstances under which they came into contact with the Juvenile Arrest Supplemental Report.

1551.1 PC Fugitive Arrests. For 1551.1 PC Fugitive arrests, officers *shall* submit the following to the watch commander or his *or* her designee:

- Arrest Report “Face Sheet;”
- Disposition of Arrest and Court Action, Form 05.09.00;
- Investigator’s Final Report;
- Probable Cause Determination (PCD), Form CRIM 064;
- National Crime Information Center (NCIC) printout; and,
- Booking Approval.

Parole Holds. For parole holds, officers *shall* submit the following to the watch commander or his *or* her designee:

- Arrest Report “Face Sheet;”
- Investigator’s Final Report;
- Arrest narrative;
- Copy of parole hold authorization from the California Department of Corrections and Rehabilitation; and,
- Booking Approval.

Probation Holds. For probation holds, officers *shall* submit the following to the watch commander or his *or* her designee:

- Arrest Report “Face Sheet;”
- Investigator’s Final Report;
- Arrest narrative;
- PCD Form;
- Copy of probation hold authorization from the Los Angeles County Probation Department; and,
- Booking Approval.

Note: The Consolidated Criminal History Reporting System (CCHRS) printout, Criminal Identification and Information (CII) printout, Department of Motor Vehicles (DMV) history, and City Attorney’s Disclosure Statement are not required for felony warrant arrests, 1551.1 PC fugitive arrests, parole holds or probation holds.

Misdemeanor Warrants. An arrest narrative is generally not required for a misdemeanor warrant arrest. Misdemeanor warrant arrests *shall* be reported on an Arrest Report or a *Release From Custody* (RFC) Report, Form 05.02.02, and an arrest narrative completed when:

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- The warrant is an out-of-state misdemeanor warrant and a local warrant has been obtained authorizing the arrest for the out-of-state warrant;
- The charge is 314(1) P.C. (Indecent Exposure), 647.6 P.C. (Annoying or Molesting Children), or 653b(a) P.C. (Loitering About Schools or Other Places Attended by Children);
- The charge is 272 P.C. (Contributing to the Delinquency of a Minor, Luring Minor Under 14 Away From Home);
- 470, 470(a), 470(b) P.C. (Forgery);
- 475 P.C. (Possession or Receipt of Items as Forgery);
- 476 P.C. (Bill, Note, or Check) or 476(a) P.C. (Making or Delivering Check with Insufficient Funds);
- 484(e), 484f(a), 484(g), 484(i) P.C. (Forgeries and Other Misuses Involving Access Cards);
- 532 P.C. (Fraudulently Obtaining Money, Property or Labor) or 532(a) P.C. (False Financial Statement);
- There are unusual or aggravated circumstances;
- It is not obvious that the arrestee is the suspect identified on the warrant;
- The arrestee sustains an injury at the time of arrest or subsequent to the arrest and prior to acceptance by the detention officer;
- The arrestee receives medical treatment for an old injury or for injuries sustained prior to and not incidental to the arrest; and,
- The arrestee is a member of the Armed Forces.

Exception: When a person arrested for a *cannabis* offense is eligible for release from custody (*Department Manual Section 4/216.65*), and is additionally charged with a misdemeanor warrant charging one of the above crimes, the arresting officer *shall*, in lieu of completing an Arrest Report:

- Complete a Non-Traffic Notice to Appear, Form 05.02.02, for the *cannabis* offense (4/216.65);
- Include the warrant number, charge, and issuing court in the narrative of the RFC Report;
- Write “Includes Misdemeanor Warrant for (*e.g., 470 PC*)” in the upper right margin of the RFC Report; and,
- Book the arrestee for the misdemeanor warrant only.