OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 22 **August 26, 2020**

SUBJECT: **TACTICS TRAINING REVIEW COMMITTEE – DEFINED – REVISED; CALIFORNIA PUBLIC RECORDS ACT– REVISED; AND REPORTING USES OF FORCE TO THE DEPARTMENT OF JUSTICE – ESTABLISHED**

PURPOSE: This Order amends specific Department Manual Sections in order to be in compliance with Senate Bill 230, effective January 1, 2021.

PROCEDURE:

I. **TACTICS TRAINING REVIEW COMMITTEE – DEFINED – REVISED.** Department Manual Section 2/093.96, *Tactics Training Review Committee*, has been revised to add the following TTRC responsibility:

At minimum, annually, review and recommend updates to the use of force policy to reflect developing practices and procedures.

II. **CALIFORNIA PUBLIC RECORDS ACT – REVISED.** Department Manual Section 3/406.30, *California Public Records Act*, has been revised to add the numeric code 832.7 of the California Penal Code.

III. **REPORTING USES OF FORCE TO THE DEPARTMENT OF JUSTICE – ESTABLISHED.** Department Manual Section 4/245.30, *Reporting Uses of Force to The Department of Justice* has been established. The revised and established Department Manual Sections are attached, with the revisions indicated in italics.

AMENDMENTS: This Order amends sections 2/093.96, 3/406.30, and establishes 4/245.30 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

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093.96 TACTICS TRAINING REVIEW COMMITTEE – DEFINED. The Tactics Training Review Committee (TTRC) is organized to develop the best practices in tactics, firearms, use of force policy, and training to the recruit and in-service training curriculum.

Tactics Training Review Committee Members. The Assistant Commanding Officer, Personnel and Training Bureau's (PTB), shall serve as the committee chair. The following are standing members of the TTRC:

- Assistant Commanding Officer, PTB, Chair;
- Commanding Officer, Training Division, (TD);
- Commanding Officer, In-Service Training, TD;
- Director, Police Training and Education (PTE);
- Commanding Officer, Critical Incident Review Division (CIRD);
- Officer in Charge, Firearms and Training Section, TD;
- Assistant Officer in Charge, Firearms and Training Section, TD;
- Officer in Charge, Field Operations Training Section, TD;
- Assistant Officer in Charge, Field Operations Training Section, TD;
- Officer in Charge, Field Training Services Unit, PTE;
- Representative from the Los Angeles City Attorney's Office;
- Representative from Legal Affairs Division (LAD);
- Representative from the Office of the Inspector General (OIG), who will not have voting rights. All recommendations from the OIG representative shall be present via the TTRC to the Chief of Police (COP) for consideration; and,
- Representative Director from the Los Angeles Police Protective League (LAPPL), who will not have voting rights. All recommendations from the LAPPL Director shall be presented via the TTRC to the COP for consideration.

Tactics Training Review Committee Responsibilities. The TTRC shall be responsible to perform the following:

- *At minimum, annually, review and recommend updates to the use of force policy to reflect developing practices and procedures;*
- Provide advice and recommendations to the COP regarding reliable and safe field tactics;
- Provide advice and recommendations regarding the appropriate manner in which to train Department employees;
- Review and approve changes to existing tactics and firearms training prior to implementation; and,
- Cross-staff with the Use of Force Best Practices Committee, and other appropriate entities to prepare Use of Force Tactics Directives for signature by the COP.

Reviewing Officer. The Director, Office of Support Services, is the Reviewing Officer for all matters within the jurisdiction of the TTRC.

406.30 CALIFORNIA PUBLIC RECORDS ACT. The Department is committed to upholding the right of the public to access records and information concerning the conduct of the people's business consistent with the Constitution of the State of California, *832.7 of the California Penal Code (PC)*, and the California Public Records Act (CPRA). The Department recognizes its obligation to comply with *832.7 PC and* the CPRA, to facilitate public records access, and to promote a culture of transparency and accountability. Pursuant to the CPRA, Government Code Sections 6250 - 6257, all Department records are public records and shall be disclosed to the public, upon request, unless there is a specific legal basis not to do so. The CPRA contains exemptions from disclosure and there are additional laws outside the CPRA that create exemptions from disclosure. The CPRA requires that, within 10 calendar days from receiving a request, the Department notify the requestor in writing whether the Department is in possession of the requested public records and any exemptions asserted by the Department. When unusual circumstances exist, as defined by the CPRA, the Department may extend the time to respond by an additional 14 calendar days. The Department must then promptly provide the requestor access to or copies of the responsive and non-exempt records.

Method of Accepting Requests. The Department accepts CPRA requests in person, by phone, in writing, or online at lapdonline.org.

Responsibilities of the California Public Records Act Unit. The CPRA Unit, Discovery Section, Legal Affairs Division, has primary responsibility for accepting, processing, and responding to CPRA requests for the Department. The CPRA Unit shall log, process, and respond to every public record request it receives, in accordance with the CPRA.

The CPRA Unit employees shall assist requestors by helping to identify records and information applicable to the request, describing the information technology and physical location in which the records exist, and providing suggestions for expediting the production of records.

Responsibilities of Department Employees. The duties of Department employees in response to a request for assistance from the CPRA Unit include, but are not limited to:

- Reviewing and responding to a request for assistance from the CPRA Unit;
- Describing categories of potentially applicable documents and identifying locations where responsive documents may be located within the unit for which the Department employee is responsible;
- Identifying other Department employees with knowledge of possible responsive documents and/or their locations;
- Searching for requested documents; and,
- Reviewing documents and assisting the CPRA Unit to identify information that requires withholding and/or redaction.

A Department employee responding to a request for records from the CPRA Unit shall provide all requested records to the CPRA Unit. If a Department employee believes that some or all the information in a record is protected from public disclosure, they should provide the record to the CPRA Unit and recommend to the CPRA Unit what information should be withheld and why. If for any reason a Department employee cannot respond to a request for assistance from the CPRA Unit within the time requested by the CPRA Unit, the employee shall not the CPRA Unit promptly that he or she cannot comply with the request.

Any Department employee not assigned to the CPRA Unit who receives a public records request from a member of the public shall promptly notify his or her supervisor of the request.

Responsibilities of Department Supervisors. A supervisor who receives a public records request, shall attempt to determine if the requested records are readily available for public release. Many frequently requested Department records are readily available online at lapdonline.org or from other Department resources. It is not necessary to refer such requests to the CPRA Unit. If the requested records are readily available for public release, the supervisor shall provide the records to the requestor. Supervisors may call the CPRA Unit for advice regarding such requests. If the requested records are not readily available for public release, or if the requestor is not satisfied by the records provided, the requestor should be advised to submit a CPRA request to the CPRA Unit. The supervisor may also accept the request, and forward it to the CPRA Unit no more than one calendar day after receipt of the request.

Employee Accountability. Any Department employee may be assigned to assist in the work of responding to a public records request and/or preparing records for disclosure. A Department employee who willfully withholds Department records or information relating to a CPRA request or willfully violates any other obligation under this policy may be subject to discipline.

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245.30 REPORTING USES OF FORCE TO THE DEPARTMENT OF JUSTICE. *Pursuant to California Government Code Section 12525.2, the Application Development and Support Division (ADSD), in coordination with Force Investigation Division (FID), Critical Incident Review Division (CIRD), and Robbery Homicide Division (RHD), shall annually furnish to the Department of Justice all instances when a sworn Department employee is involved in any of the following:*

- *An incident involving the shooting of a civilian by a peace officer;*
- *An incident involving the shooting of a peace officer by a civilian;*
- *An incident in which the use of force by a peace officer against a civilian results in serious bodily injury or death; and,*
- *An incident in which use of force by a civilian against a peace officer results in serious bodily injury or death.*

Note: *For purposes of this section, serious bodily injury means a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.*

For each incident reported to the Department of Justice, the Department shall include, but not be limited to the following information:

- *The gender, race, and age of each individual who was shot, injured, or killed;*
- *The date, time, and location of the incident;*
- *Whether the civilian was armed, and, if so, the type of weapon;*
- *The type of force used against the officer, the civilian, or both, including the types of weapons used;*
- *The number of officers involved in the incident;*
- *The number of civilians involved in the incident; and,*
- *A brief description regarding the circumstances surrounding the incident, which may include the nature of injuries to officers and civilians and perceptions on behavior or mental disorders.*

In addition, the ADSD, in coordination with FID, CIRD, and RHD, shall furnish use of force information and data to the United States Department of Justice.