

PROFESSIONAL STANDARDS BUREAU

NOTICE
13.5

September 15, 2020

TO: All Department Personnel

FROM: Commanding Officer, Professional Standards Bureau

SUBJECT: SWORN PENALTY GUIDE FOR PERSONNEL COMPLAINTS - AMENDED

Effective immediately, the Department's Sworn Penalty Guide for Personnel Complaints has been amended. Under the Body Worn/Digital In-Car Video Violation section, a sample allegation was included to address instances of misconduct involving the failure to have body worn video cameras powered on and ready to activate, as required. A recent review of critical incidents found that video recorded in the two-minute pre-activation buffer was often essential in substantiating de-escalation attempts and played a crucial role in the final adjudication. The sample allegation on failure to properly power on body worn video was added to highlight the importance of ensuring the cameras are powered on and ready to activate. Additionally, the penalty ranges for some first offenses under the Body Worn/Digital In-Car Video Violation section were lowered.

The amended guide has been through the meet and confer process and is attached. The procedures for using the penalty guide and penalty assessment factors, as outlined in Administrative Order No. 15, 2016, Penalty Guide and Penalty Assessment Factors – Updated, remain unchanged.

Questions related to the penalty guide and/or penalty assessment factors should be directed to the Review and Evaluation Section, Internal Affairs Group, at (213) 996-2771.

APPROVED:



ROBERT E. MARINO, Deputy Chief
Commanding Officer
Professional Standards Bureau



DOMINIC H. CHOI, Deputy Chief
Chief of Staff
Office of the Chief of Police

Distribution "D"

Los Angeles Police Department Sworn Penalty Guide for Personnel Complaints

LEGEND	
B	Official Reprimand or Suspension of 1 to 5 days
D	Suspension of 11 to 15 days
F	Demotion; or both Suspension and Demotion
<i>Note: Category "F" should be considered when the employee is in a civil service classification of detective, sergeant or above.</i>	

ALCOHOL RELATED (Other than DUI)	First Offense	Second Offense	Third Offense

BIASED POLICING	First Offense	Second Offense	Third Offense

BODY WORN/DIGITAL IN-CAR VIDEO VIOLATION	First Offense	Second Offense	Third Offense
Fail to properly power-on Body Worn Video as required	A-C	B-F	E-BOR
Fail to activate Body Worn/Digital In-Car Video as required	A-C	B-F	E-BOR
Inappropriately disable/deactivate Body Worn/Digital In-Car Video system	A-C, F	B-F	E-BOR
Duplicate or retain Body Worn/Digital In-Car Video recording without authorization	A-C, F	B-F	E-BOR
Intentionally damage Body Worn/Digital In-Car Video system	E-BOR	BOR	

LEGEND	
B	Official Reprimand or Suspension of 1 to 5 days
D	Suspension of 11 to 15 days
F	Demotion; or both Suspension and Demotion
<i>Note: Category "F" should be considered when the employee is in a civil service classification of detective, sergeant or above.</i>	

DETENTION VIOLATION	First Offense	Second Offense	Third Offense

DETRIMENTAL WORKPLACE BEHAVIOR	First Offense	Second Offense	Third Offense

DISCOURTESY-General	First Offense	Second Offense	Third Offense

DISCOURTESY-Disability	First Offense	Second Offense	Third Offense

DISCOURTESY-Ethnic	First Offense	Second Offense	Third Offense
A discourteous act or statement; uttered, written, or transmitted via any media, to or about another person, which is based upon the actual or perceived race or ethnicity of another	B-BOR	D-BOR	BOR