

OFFICE OF OPERATIONS

ORDER NO. 18

December 3, 1996

TO: All Concerned Personnel, Office of Operations

FROM: Director, Office of Operations

SUBJECT: EMERGENCY EXEMPTION PROCEDURES DURING PERSONNEL
REDEPLOYMENT SITUATIONS

EFFECTIVE: Immediately

PURPOSE

This Order establishes procedures for the emergency exemption of sworn personnel from redeployment due to an unanticipated tactical situation or special event which has the potential of escalating into a major police incident.

NOTE: Existing procedures in the Department's Tactical Manual, Personnel Mobilization Plan - Tactical Alert (Section B/001) and Personnel Mobilization Plan - Mobilization (Section B/002), shall remain unchanged. Additionally, procedures governing personnel assigned to details which currently require them to respond to work on short notice are not affected by this Order.

INFORMATION

Historically, the Department has been faced with many incidents which have required the immediate redeployment of personnel. Currently, when a geographic Area is aware of a major pre-planned event, there is usually adequate time to pre-schedule sufficient personnel for the affected deployment period. However, when an exact date cannot be predetermined, and/or the affected geographic Area is not given sufficient notice of a major event, or when unpredicted circumstances suddenly arise, the Department has no formal system of redeploying its resources short of declaring a Tactical Alert or Mobilization.

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It is essential that the Department maximize and maintain its ability to redeploy personnel resources for events which have the potential of escalating into major police incidents. The Department is cognizant of the fact that such redeployment may create personal problems ranging from minor inconveniences to serious hardships. This Order will provide a means for employees to seek an exemption based on personnel needs.

NOTE: Procedures outlined in this Order do not apply and shall not be used during a Modified Tactical Alert, Tactical Alert or Mobilization.

PROCEDURES

When an Area becomes aware of a situation which has the potential of escalating into a major police incident, and the event is considered to be less serious than a Modified Tactical Alert, Tactical Alert or Mobilization, the commanding officer (CO) may, if appropriate, take any or all of the following measures:

- * Request additional personnel from other Areas within the same bureau;
- * Hold over off-going watches; and
- * Cancel pre-scheduled days off.

NOTE: Vacation days and days off in conjunction with vacation days shall not be canceled. This provision does not apply to vacation days added after the deployment period schedule is posted.

The following are examples of actual events where this policy could have been implemented -

1. High profile verdicts which have the potential of escalating into civil disturbances, such as the Rodney King and O.J. Simpson cases.
2. Volatile police incidents such as the 1995 Lincoln Heights officer-involved shooting which triggered an emotionally charged reaction from community members.

When it becomes necessary to cancel pre-scheduled days off or reassign personnel to another division/Area, the concerned patrol/Area CO shall ensure that all affected personnel are given at least 12 and whenever practical 24 hours notice prior to the cancellation of pre-scheduled days off or reassignment to another division/Area.

NOTE: When circumstances necessitate the cancellation of pre-scheduled days off, affected employee(s) may request to have their days off rescheduled during the same deployment period. In the event the concerned commanding officer is unable to reschedule days off, the employee(s) will be entitled to overtime in accordance with the current Memorandum of Understanding.

Emergency exemptions may be made for personnel who have been notified of the cancellation of pre-scheduled days off or reassignment to another division/Area. All personnel requesting to be exempted shall be guided by the following appeal process:

- * In situations where an employee has been informed of the intent to cancel pre-scheduled days off or reassign the employee to another division/Area, and the employee believes that he/she qualifies for an emergency exemption, the employee may request his/her watch commander (WC) to exempt them;
- * The WC shall immediately determine if the request for exemption should be granted or denied. If the WC denies the request and the employee wishes to appeal this decision, the employee shall submit an Employee's Report, Form 15.7, to the WC stating the reason for this requested exemption;
- * Upon receiving the completed Employee's Report, the WC shall immediately notify the concerned patrol CO of the employee's request and the reason for the denial;

NOTE: In the absence of the patrol CO, the acting patrol CO shall be notified. In the event that neither of the above is available, the Area CO shall be contacted.

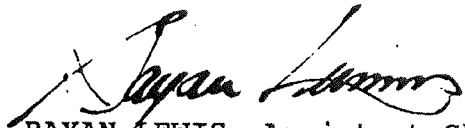
- * The CO shall review the request and determine the anticipated deployment needs. If the request has merit and deployment needs allow, the CO shall approve the request. However, if deployment needs are such that the request cannot be granted, the CO shall notify the employee of his/her decision and ascertain if the employee wishes to have the request forwarded to the concerned bureau CO. If so, the Form 15.7 exemption request shall be forwarded to the concerned bureau CO. In all cases, the concerned CO shall note on the Form 15.7 whether the exemption has been granted or denied, and if denied, a brief explanation as to the reason;

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- * The concerned bureau CO shall review the request and determine whether the exemption should be granted or denied, taking into consideration the needs of the Area requesting personnel, the resources of the Area responding to the request, the needs of the employee and any alternatives. If the request cannot be granted, the bureau CO shall notify the concerned Area of his/her decision and ascertain if the employee wishes to have the request forwarded to the Director, Office of Operations. If so, the Form 15.7 exemption request shall be forwarded to the Director, Office of Operations for final review. In all cases, the bureau CO shall note on the Form 15.7 whether the exemption has been granted or denied, and if denied, a brief explanation as to the reason; and
- * The Director, Office of Operations will review the request and determine whether the exemption should be granted or denied. In all cases, the Director, Office of Operations will note on the Form 15.7 whether the exemption has been granted or denied, and if denied, provide a brief explanation as to the final ruling. The decision of the Director, Office of Operations shall be final.

NOTE: In exigent circumstances, this process may be completed telephonically. However, in these instances the Form 15.7 must be completed and properly forwarded by the end of the next business day.

Any questions regarding the procedures outlined in this Order should be directed to the Employee Relations Administrator, Office of the Chief of Police, at (213) 485-6552.


BAYAN LEWIS, Assistant Chief
Director
Office of Operations

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