

**LOS ANGELES POLICE DEPARTMENT**  
**Command Officer Development**  
**1850-10819**  
**Expanded Course Outline**

**SESSION 1**

**Instructional Goal:** To provide the student newly promoted Captains with skills and knowledge necessary to effectively manage the new role and the expectation the Department has for a Commanding Officer.

**Performance Objectives:** Using group discussion, learning activities, and practical application the students will:

- Understand how to contribute to the Department Mission, Vision and Values in their assignment as a Captain
- Apply Critical Thinking strategies and techniques
- Analyze the Department Training Philosophy and the tool used to represent the philosophy the Training Triangle
- Pursue high ethical standards
- Develop transparency in their leadership
- Adapt a mindset of continuous learning
- Familiarize themselves with the expectations and requirements of the course

**DAY 1**

**I. MISSION, VISION AND VALUES**

A. Introduction to the Command Development Program

**(2 hr)**

1. Introduction of Primary Facilitator and Course Coordinator

- a. Name, assignment
- b. Experience
- c. Facilitators for each block will be introduced at the beginning of their block by the primary facilitator

2. Administrative responsibilities

- a. Course rosters
- b. Facility information
- c. Course implementation
  - 1) Present in sessions
  - 2) Ongoing training and updates
- d. In order to receive credit for course can miss no more than 10% of the course

3. Brief overview of training goals and objectives

- a. Overview of the Training Sessions
  - 1) Session 1 Mission, Vision, Values
  - 2) Session 2 Professional Standards Bureau and Risk Management
  - 3) Session 3 Chief of Staff
  - 4) Session 4 Office Of Operations/Detective Bureau
  - 5) Session 5 Counter Terrorism and OSS
  - 6) Session 6 Leadership

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- b. Guidelines for sessions
- 4. Expectations during Command Development
  - a. Bridge between the gap between the ranks:
    - 1) Starts with the belief that we have many of the smartest people “doing the work”
    - 2) Push ideas “from the people” to higher levels
  - b. Purposefully designed to push students into experiences that they will experience as a Commanding Officer (CO)
  - c. We want students to get the referrals/contacts
    - 1) But more importantly, to give them the opportunity to practice
    - 2) Make mistakes, and
    - 3) Convey how to think at higher levels
  - d. Bridge the gaps: Between sworn and civilian roles
    - 1) ASK: Who knows who is at their table?
    - 2) ASK: And yet, who’s your best friend when you need a car, supplies, people?
    - 3) If you don’t know where to go as a CO – you’re stuck!

**B. Good to Great**

**(2 hr)**

- 1. Overview the key concepts of Good to Great as an organizational model and how
  - a. effectively the concepts can be applied
- 2. **LEARNING ACITIVTY:** Good To Great
  - a. In groups take 6 minutes to discuss the questions below and be prepared to present the findings
    - 1) What do people (within LAPD) say about the Department
      - a) Morale
      - b) Leadership
      - c) Discipline
      - d) Anything
    - 2) Who defines the Department
  - b. G2G-overview as part of the debrief to first part of learning activity
    - 1) Getting the right People on the bus
    - 2) Getting the right people in the right seat
    - 3) First must address who then what
      - a) You are part of who
      - b) You are part of what
      - c) How does this apply to you
      - d) As a C/O how would you implement 1<sup>st</sup> who than what?

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- e) Assemble the team before assembling the ideas
  
- c. In groups discuss the following questions
  - 1) Listening is part of it
  - 2) We are not honest with people
  - 3) Why don't we value discourse and debate
  - 4) When the facts are inconvenient they still must engage them and be truthful for whoever needs to hear it
  - 5) What is the Best way to respond?
  
- d. Debrief
  - 1) Disciplined thought
  - 2) Disciplined people
  - 3) Disciplined action
    - a) SBA
    - b) RBC
  - 4) Decrease distractions
    - a) While focusing on priorities and strengths, building a business around what we are best at
    - b) What is our "Curse of Competence"
    - c) What gets us stuck
  - 5) Attitude
    - a) Toward crisis is the key
    - b) Creating systems for overcoming obstacles
    - c) A self-disciplined culture that will endure beyond tenure
  
- 3. Organizational change
  - a. Level 5 Hierarchy
  - b. LEVEL 1: Highly Capable Individual
  - c. LEVEL 2: Contributing Team Member
  - d. LEVEL 3: Competent Manager
  - e. LEVEL 4: Effective Leader
  - f. LEVEL 5: Executive
  
- 4. Strive for 5
  - a. What about EGO
  - b. Setting up for Success
  
- 5. Command Development
  - a. Why Not?
  - b. Why not here?
  - c. Why not now?
  - d. Why not?

**C. Critical Thinking<sup>1</sup>**

**(2 hr)**

- 1. Critical Thinking Defined: Self-reflective, properly ordered reasoning to solve a problem

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<sup>1</sup> Reproduced from handout developed by Deputy Chief Mark R. Perez the presenter of the block of instruction

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2. The process
  - a. Ask the right questions
  - b. Question assumptions
    - 1) An assumption is an unverified belief
    - 2) A fact is a verified belief
  - c. Justify conclusions
  
3. Asking the right questions
  - a. Preliminary questions
    - 1) What is the problem exactly
    - 2) Stated in a concise sentence
      - a) What facts do we have
      - b) How do we know they're facts and not assumptions
      - c) What are we assuming
    - 3) Are all terms clear and well defined in the minds of everyone involved
  
  - b. Intermediary questions
    - 1) What obstacles lie between us and the solution
    - 2) How do we remove the obstacles
      - a) Who will do it
      - b) What will they use to do it
      - c) When will they do it
      - d) How will they do it
      - e) Why these assets, means and times and not others
    - 3) What alternate actions will we do if one or more of our assumptions proves wrong?
  
  - c. Concluding questions
    - 1) What other solutions are available
    - 2) Why is this solution the best
    - 3) How will we know if the problem is solved
      - a) This should be a concise sentence
  
4. Question Assumptions
  - a. When assuming
    - 1) Ask Why should we believe this assumption
  - b. Assess whether your belief can be verified
  - c. When in doubt verify
  
5. Justify Conclusions
  - a. If assumptions are involved
    - 1) Justify why you use assumption instead of fact
    - 2) Justify why each assumption is reliable
  - b. If facts are involved, explain how you know each is true
  - c. If the argument is deductive prove that the conclusion must follow if and only if the premises are true
  - d. If the argument is inductive, explain why the conclusion is the most probable
  - e. If the argument is abductive, explain why the conclusion is the best among the possible alternative given the evidence

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6. Behaviors of successful Problem solvers
  - a. Continually ask questions
  - b. Keep flexible open mind
  - c. Rely on and trust reason rather than emotion
  - d. Expose biases one's own and those of others
  - e. Reconsider solution when alternatives are presented
  - f. Find at least 2 or 3 points of view on the same question
  - g. If the problem includes the application of rules, determine the principles behind the rules and be guided by the principles, not just the rules
  
7. Analytic Standards
  - a. Clarity
    - 1) Understand without further explanation
  - b. Coherence
    - 1) Conclusion is based logically on premises, the evidence implies the conclusion
  - c. Accuracy
    - 1) Correct
    - 2) True
  - d. Precision
    - 1) Numeric values are effective in conveying necessary quantifiable information
  - e. Relevance
    - 1) Reasonable probability that the information will affect the decision or solution
  - f. Depth
    - 1) Includes enough information to make an effective decision or proper conclusion
  - g. Scope
    - 1) Effectively covers the range of questions the problem poses

**D. Relationship Based Policing**

**(2 hr)**

1. Policing History of Los Angeles
  - a. Historical Homicide Statistics
  - b. Era 1 – 1967
  - c. Era 2 – 1980s / Early 1990s
  
2. Differences between historical eras and now
  - a. Strategies that are no longer effective
  - b. Strategy paradigm shifts
  
3. Relationship Based Policing
  - a. Definition
  - b. Clients
    - 1) Building effective relationships
    - 2) Tying success to relationships
  
4. GRYD Strategy Approaches

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- a. Prevention
    - 1) Primary
    - 2) Secondary
  - b. Intervention
    - 1) Case Management
    - 2) Violence Interruption
  - c. Law Enforcement & Community Engagement
5. Changing Paradigms
- a. Involve the community
  - b. Increase your perspectives
  - c. Develop relationships
    - 1) Residents
    - 2) Businesses
    - 3) Public safety personnel
    - 4) Other community members
6. Emotional Hijacking
- a. Adrenaline
  - b. Emotion
  - c. Emotions hijack critical thinking
    - 1) Anger
    - 2) Love
    - 3) Fear
    - 4) Pride
    - 5) Grief
  - d. Community speaks to the Department out of emotion
  - e. Department speaks to the Community out of cognitive information
  - f. Balance between effective cognitive and emotional communication
7. Community Trust
- a. Importance
  - b. Information sharing
  - c. Available Tools
    - 1) Digital In-car Video
    - 2) Digital Audio
8. Community Safety Partnerships
- a. Crime Impact
  - b. Based on community relationship investments
9. Community relations activity expense fund
- a. Overview the fund and how to effectively utilize this available resource
  - b. C/O may be reimbursed for approved expenditures upon approval by the Community Relations Section, OCOP if the C/O is representing the city of Los Angeles
  - c. Eligible Reimbursement
    - 1) Yearly membership in one community service organization per entity
    - 2) Luncheons, dinners and meetings where the participation of the C/O advances the community relations goals of the City or the Department

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10. C/O's role, building the bridge
  - a. Community Outreach
  - b. Develop relationships

**DAY 2**

**E. Front and Center**

**(2 hr)**

1. Develop your Presentation
  - a. Presentation Components
  - b. Why are you speaking
  - c. Who is your audience
2. Getting the Big Picture
  - a. Communication Model
  - b. Developing your Message
    - 1) Writing the Introduction
    - 2) Writing the Close
  - c. Putting it all together
    - 1) Outline and Purpose
    - 2) Tools of the Trade
3. The Delivery
  - a. How to rehearse
  - b. Evaluating Time versus Topics
  - c. Show Time
    - 1) Room Arrangements
    - 2) Seating Arrangements
4. The 7 Keys of Effective Visuals
  - a. Presentation Template
  - b. Design
  - c. Development
  - d. Delivery
    - 1) Things to Think about
    - 2) Rehearsal Steps
    - 3) Setting the Stage
    - 4) Video Feedback
    - 5) Presentation Dynamics

**F. Future Technology**

**(1 hr)**

1. As a new C/O you must be aware of the current technology that is available for officer to perform their jobs most effectively
2. Change is always frightening
3. Having an implementation plan in place to address the new technology can reduce the fear of the unknown
4. POST Learning Portal provides various training opportunities and does not cost
5. New web based learning

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6. Overview current technology and the transition plans to new technology
7. Provide an overview of the future technology

**G. Special Assistant For Constitutional Policing**

**(2 hr)**

1. Introduction
  - a. Department oversight
    - 1) Four divisions
      - a) 1
      - b) 2
      - c) 3
      - d) 4
    - 2) Duties & responsibilities
      - a) 1
      - b) 2
  - b. Personal attributes
2. Position Background
  - a. Originated with the consent decree
  - b. Previous SACP – Gerald Chaliff
3. Agency Evolution
  - a. How things change
  - b. Two ways
    - 1) Choice – preferred way
    - 2) Force
4. Tactics versus Strategy
  - a. Thinking “tactics”
    - 1) Many things involve the word “tactics”
    - 2) Need to move beyond thinking tactically
  - b. Thinking “strategic”
    - 1) Definition – ASK students
    - 2) Much more narrow way of thinking due to time constraints
  - c. Tactics is about “now”
  - d. Strategy is about the next step(s)
    - 1) Not to an event, but through an event
    - 2) Agencies get in trouble by not considering the next step(s)
5. Planning Strategy
  - a. Strategy background
    - 1) Foundation
    - 2) Importance
    - 3) Past practices
  - b. Constitutional Policing
    - 1) Policing Based on the Constitution
      - a) 1<sup>st</sup> Amendment
        - (1) Freedom of Speech
        - (2) Freedom of Religion
        - (3) Assembly
        - (4) Press



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- b) 2<sup>nd</sup> Amendment – Right to Bear Arms
  - c) 4<sup>th</sup> Amendment
    - (1) Prohibition against unreasonable search & seizure
    - (2) Search Warrants
  - d) 5<sup>th</sup> Amendment
    - (1) Miranda Rights
    - (2) Self Incrimination
  - e) 6<sup>th</sup> Amendment
    - (1) Defendants have rights to Council
    - (2) Defendants have rights to a Trial
  - f) 8<sup>th</sup> Amendment
    - (1) Cruel & unusual punishment
    - (2) Jails
  - g) 14<sup>th</sup> Amendment
    - (1) Due process of law
    - (2) Equal protection
    - (3) No discrimination
    - (4) Workplace fairness
- 2) Relation to the community
- a) Democracy
    - (1) The ability to participate
    - (2) The government should serve the people
    - (3) Openness and transparency
    - (4) Accountability
    - (5) Fairness and equality
  - b) Police are seen as the closest vein of the government
    - (1) Reasons the City has so many police agencies
      - (a) Stakeholders
      - (b) Concerned with the concentration of power
  - c) Understanding “Reasonable”
    - (1) Basis of Department’s use of force policy
    - (2) Articulation is key
    - (3) Subjective
    - (4) Necessity to translate the understanding to others
  - d) Dealing with “Reasonable”
    - (1) Need to paint the picture
      - (a) Critical for others to view from your perspective
      - (b) Clarity is key
    - (2) Need to express information in a universal way
    - (3) Articulating “why” is important
6. The Mission
- a. Defined in one simple sentence
  - b. Those that should know and understand it
    - 1) Officers
    - 2) Command Staff
    - 3) Community
7. What Should the Department Value
- a. People

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- 1) Others should know the agency is made up of humans not robots
- 2) Understanding is key
- b. Property
- c. Safety
- d. Service
- 8. How the Community should measure Department effectiveness
  - a. Quality of service provided
  - b. Personal experiences
  - c. Responsiveness
  - d. Personal safety

**H. Risk**

- 1. What comes to mind
  - a. Lawsuits
  - b. Insurance
- 2. Categories
  - a. Wellness
  - b. Behavior
  - c. Injury
  - d. Liability
- 3. Calculation of Risk Formula
  - a. Threat x Vulnerability x Consequences
  - b. What is the threat of the incident
  - c. What are the consequences for the incident being successful
  - d. What is our vulnerability for the incident to take place
- 4. Time Pendulum Levels
  - a. Tactical (bottom) – least amount of time spent
  - b. Operational
  - c. Strategic – most amount of time spent
    - 1) View from the human level is critical
    - 2) Anticipation
- 5. Goals associated with Risk
  - a. Eliminate unnecessary risks
    - 1) Injuries
      - a) Inside Department
      - b) Outside Department
    - 2) Reputation
    - 3) Monetary
    - 4) Organizational
    - 5) Political
  - b. Take necessary risks
- 6. Where Risk Occurs
  - a. Employment/Personnel
  - b. Use of Force
  - c. Injury on Duty
- 7. Approaching Risk Cycle
  - a. Prevention
    - 1) Planning

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- 2) Audits
    - 3) Reviews
    - 4) Investigations
  - b. Intervention
    - 1) Stopping existing risk
    - 2) Discipline may be necessary as a method to intervene
  - c. Mitigation
    - 1) Learn from past experiences
    - 2) Evaluate all available information
    - 3) Earlier the better
  - d. Feedback (back to Prevention)
    - 1) Enable new policy
    - 2) Alter existing policy
    - 3) Assess totality of the situation
- I. Critical Thinking Associated with Risk
  - 1. Analyzing Risk
    - a. Confront the brutal facts
    - b. Develop plan to address the brutal facts
    - c. Innovate
  - 2. Have others share their perspectives
    - a. Helps to understand other perspectives not considering
    - b. Helps with accountability
- J. Facility Management Group **(1 hr)**
  - 1. Current projects
    - a. Provide and overview to the current facility projects
    - b. Identify some of the issues that have occurred during the transition from old to new
    - c. Point out what and how a C/O could assist with the transition
    - d. Point out the fiscal cost for the current projects and if they may be jeopardized due to the City Budget crisis
  - 2. Future projects
    - a. Identify the future projects
    - b. Survey the class for potential projects
    - c. Briefly overview the process for a new project to go from the idea phase to the implementation phase
    - d. Point out the fiscal cost for the current projects and if they may be jeopardized due to the City Budget crisis
    - e. Replacement Patrol Stations
      - 1) Northeast
      - 2) Southwest
      - 3) Hollywood
    - f. Air Support Facility
- K. Group Project **(2 hr)**
  - 1. Project Overview

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- a. The team will work together and develop a solution to a problem facing the Department
  - b. The solution will be presented to the Chief of Police
  - c. The team must determine what would be the best presentation format for the project
  - d. Who will present the project
  - e. What the dress code for the team members will be
  - f. What is the role of all of the team members
2. Project Requirements
- a. Cooperatively develop a solution
  - b. Present it in 20 minutes
  - c. Project presentations will occur during Session 6
3. Identify project topics
- a. Utilize the resources within your learning team
  - b. Identify the strengths of your learning team
  - c. Identify a problem to addressed in the Department
4. Begin initial problem identification and design of the presentation

**DAY 3**

L. CAPRA & Training Triangle

**(2 hr)**

1. What is CAPRA
  - a. Problem solving and community partnership have become valued aspects of police service since the time of the reform era.
  - b. The LAPD's charge in fact is "to protect and serve" the people of Los Angeles.<sup>2</sup>
  - c. The CAPRA problem-solving model is considered values-infused and is grounded in the core value of service to our community.
  - d. The CAPRA problem solving model is part of the overall guiding philosophy behind training, to train the whole person.
  - e. The Training Triangle was designed to meet that goal. The Training Triangle stands on the foundation of Los Angeles Police Departments Mission Statement, Vision, and Core Values.
  - f. Statement, Vision, and Core Values.
  - g. When solving a problem working in conjunction with the community and
  - h. utilizing the CAPRA problem solving model the second side of the triangle is formed. Completing the triangle is Tactical Concepts.
  - i. Using the Training Triangle officers are trained to critically think, resolve problems and make decision grounded in the foundations of the Departments Mission, Vision and Values.
  - j. Reaching the goal of Police Officers who are self-motivated, interdependent, community oriented critical-thinkers, and problem-solvers.

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<sup>2</sup> Training the 21<sup>st</sup> Century Police Officer: Redefining Police Professionalism for the LAPD , 2003, 92

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2. Elements of CAPRA

a. C=Client

- 1) Defining and understanding clients is not only critical but complex. As part of the community, police serve diverse communities and sub-components of communities, whether as callers for service, participants in incidents, bystanders, victims, witnesses, sources, suspects, offenders even the involved officer.
- 2) It requires skills in communicating, interviewing, establishing and maintaining relations, and consensus building. A key component is identifying the needs and expectations of the client and taking those into account during the problem-solving process.

b. A=Analyzing

- 1) Acquire the necessary information to identify if there is a problem and define it. Gather accurate information about people, situations and physical settings from police sources, other agencies, experts, community and offenders.
- 2) Set Priorities among the problems. Generate potential solutions. Analyze the incident by considering the following: What are the incidents? What have the police tried so far? What are the underlying causes of the problem? What specific information is lacking? Note barriers in resolving the problems. Establish links between the problem and examine crime patterns, community profile.

c. P=Partnership

- 1) Anyone who, at any time within the process of problem solving, contributes to the finding of a solution with the police is a partner
- 2) Given the increasingly complex police problems we require:
  - a) Multidisciplinary teams
  - b) Groups composed of civilians and police with various skills
  - c) Knowledge and resources for problem solving
- 3) Partnerships should be drawn on to expedite the delivery of quality service
- 4) Partnerships are essential to all police response; these partners should be relied on not only to assist with follow-up and support but with advice on how to proceed with the investigation when appropriate
- 5) The specific incident should dictate who partners are and at what point(s) their assistance should be enlisted

d. R=Response

- 1) Select specific solutions using creative policing/community strategies
- 2) Four major types of response strategies that the police officer is expected to provide
  - a) Service: Assisting the public and referring them to appropriate partners

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- b) Protection: Public and Police Safety, protecting the public, victims and those affected by their victimization, in partnership with community agencies and experts
  - c) Enforcement and Alternative; enforcement will always be an important part of policing. Some situations are in the public's best interest, in the pursuit of justice, to enforce the law by arresting and prosecuting the offender to hold them accountable
  - d) Prevention: Situation /Community; preventing incidents (crimes, accident or problems) from occurring or escalating through intervention, proactive problem solving and education
- e. A=Assessment
- 1) In order to continuously improve and control our futures, we must continuously assess our own performance
  - 2) In order to improve the quality of our service, we must monitor incidents and detect patterns, in partnership with our clients to identify problems, solve and prevent similar situation from recurring.
  - 3) Incident Assessment: Were the strategies effective? Did the approach actually work?
  - 4) Continuously improving and learning, identify lessons learned.
  - 5) Conduct not only assessments of the incident but self-assessments.
3. Why do we use CAPRA
- a. CAPRA can be applied to many circumstances
  - b. It is a problem-solving model that provides new employees with a guideline to begin the development of critical thinking a problem solving
4. The information cannot be fragmented
- a. Can we do the job with only partial information?
  - b. We train to a response before we respond, we must be able to articulate our actions
  - c. Is police work emotional?
5. Training Triangle
- a. Training the "whole" person
    - 1) Cognitive
      - a) Mental skills and knowledge based
    - 2) Affective
      - a) Attitude developed by growth or emotional areas
      - b) Attitudes, values, beliefs, feelings
    - 3) Psychomotor
      - a) Manual and or physical skills
      - b) The doing
  - b. The base of the triangle is the foundation Mission vision Values

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- c. The Sides of the triangle build on the base Tactical Concepts and Problem solving

**M. Learning Activity:** CAPRA Problem Scenario

- 1. Brief participants on situations
- 2. Provide group assignments
- 3. Begin problem
- 4. Scenario Overview/implementation
- 5. Scenario debrief

**N. Fireside Chat: Chief of Police (COP) (3 hr)**

- 1. Overview
  - a. Mission –Vision-Values
  - b. Role of a new C/O from the Chief of Polices perspective
  - c. Leadership lessons learned
- 2. Current state of the Department
- 3. Future goals for the Department

**O. Police Commission (2 hr)**

- 1. Functions and organization of the Police Commission
  - a. Originally created in 1900's
  - b. Comprised of 5 civilians who donate their time to the City while maintaining their professional careers
  - c. Serve a maximum of two five-year terms
  - d. Spends 20 hours per week on commission business
- 2. The Board of Police Commissioners role
  - a. The Board serves as the community's voice in police affairs as a means of ensuring a more responsive and effective city government
  - b. The Commissioner's concerns are reflective of the community at large and their priorities include:
    - 1) Implementing recommended reforms
    - 2) Improving service to the public by the Department
    - 3) Reducing crime and the fear of crime
    - 4) Initiating, implementing and supporting community policing programs
- 3. Executive Director
  - a. The Executive Director is the Commission's chief administrative officer and reports directly to the Board
    - 1) Policy Group
      - a) Assists the Board in developing and analyzing policy
      - b) Community Policing Coordinator
      - c) Commission Budget Analyst
- 4. Public Information Director
  - a. Responsible for disseminating information on Commission Policy and initiatives to the public

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5. Commission Investigation Division
  - a. The Commission is tasked with overseeing, investigating, and recommending the discipline for holders of City permits which have a public and safety component:
  - b. The Commission Investigation Division is divided into five section
    - 1) Alarm Section
    - 2) Enforcement Section
    - 3) Advocates Section
    - 4) Permit Processing Section
    - 5) Charitable Services Section
    - 6) Records Section
  
6. Personnel Group
  - a. Responsible for processing all personnel related documents for all Police Commission personnel, including the Office of the Inspector General
  - b. Assists the Police Commission in its responsibilities concerning labor and employment law matters including;
    - 1) Grievances
    - 2) Discrimination, and
    - 3) Sexual harassment complaint investigations
    - 4) As these matters often present policy implications that may result in modifications to employment policies, procedures or practices
  - c. Responsible for monitoring the Department's progress as it relates to the Hunter-La Ley Consent Decree, and providing its findings to the Board of Commissioners
  - d. Within the Personnel Group there are the following sections:
    - 1) Grievance Unit
    - 2) Police Commission Discrimination Unit (PCDU)
  
7. Office of the Secretary and Subsidiary Panel
  - a. The Office of the Board Secretary reports directly to the Board
  - b. Subsidiary Panel

P. Session 1 Review

**(1 hr)**

1. Facilitated class discussion to review Session 1
2. Topics new to students
3. What to expect in next Session
4. Complete class Evaluations
  - a. **DISTRIBUTE** Session 1 Evaluation
    - 1) Advise students to put thought into the evaluations
    - 2) Focus on:
      - a) Main Learning points that were helpful/insightful
      - b) Suggested improvements
  - b. Their suggestions and ideas will be utilized for future courses



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**SESSION 2**

**Instructional Goal:** Students will understand the purpose and functionality of labor agreements, Administrative Review and contract or Memorandum of Understanding

**Performance Objectives:** Using group discussion, learning activities, and practical application the students will:

- Understand the purpose and uses of an MOU/Labor Agreement
- Be able to explain and interpret the labor agreement or MOU to subordinates
- Apply Administrative Review Process to tabletop scenario

**DAY 4**

**II. CHIEF OF STAFF EMPLOYEE RELATIONS GROUP**

A. Chief of Staff Overview **(30 mins)**

1. Introduction of Session Facilitator by Primary Facilitator or Course Coordinator
  - a. Name, assignment
  - b. Experience
2. Overview
  - a. Employee relations Group and SBA
  - b. Non Categorical Use of Force
  - c. UOF Changes
  - d. UOF Boards
  - e. PIO Overview
3. Mission –Vision-Values
4. Role of a new C/O
  - a. From the perspective of ERG
  - b. responsibilities
5. Leadership lessons learned

B. COMPSTAT

C. Employee Relations Group **(2 ½ hr)**

1. What is handled by ERG
  - a. Grievances
  - b. Administrative Appeals (Non-disciplinary)
  - c. Arbitrations
  - d. Administrative Transfers and Downgrades
  - e. Employee relations Training
  - f. MOU Issues
2. What is not handled by ERG
  - a. Workplace conflicts
  - b. Mediation
  - c. Work permits
  - d. Bilingual pay
  - e. Screen downs/package review

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- f. Medical leaves/IOD issues
  - g. Executive Merit Pay
  - h. Retaliation complaints
  - i. Terminations
  - j. Continuing Education Bonus
3. The definition of a Memorandum of Understanding (MOU)/Labor Agreement
- a. A legal document describing an agreement between parties
  - b. Labor contract is a contract between labor and management regarding wages benefits and working conditions
4. Nineteen MOUs within LAPD
- a. Sworn; lieutenant and below, and command officers
  - b. Eighteen civilian MOUs
    - 1) It is imperative that the C/O or designee review the MOUs of the employees in your command
5. Seven civilian unions with whom LAPD staff must correspond
6. Department employs some employees who are non-represented which means they do not have a union
- a. Their rights are covered in Los Angeles Administrative code, the Charter and Department Manual
7. Grievance
- a. Dispute concerning the interpretation or application of a written MOU or of department rules and regulations governing personnel practices or working conditions
  - b. Allegations that decisions of management have impacted the employee's wages, salaries or other terms and conditions of employment
  - c. Also, a change in past practice
8. There are 3 types of grievance procedures for civilian employees
- a. Coalition employees provides a quicker response time
  - b. EAA employees
  - c. Non-represented employees
9. Recognized party representatives; LAPPL and Management (CAO, Police Commission, DOP, City Controller)
- a. Terms: time period covered by agreement
  - b. Provisions of law and separability
  - c. Wages, benefits and working conditions
  - d. Economic/financial
  - e. Non-economic working conditions
10. Management rights: It is management's right to
- a. Determine the mission of the department
  - b. Its operation and the standard of service to be provided
  - c. Discipline for cause and

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- d. Determine the methods, means and personnel by which the City's operations are to be conducted
11. COP authority to transfer and assign members of the Department. Not grievable or arbitrable
- a. Example: Lieutenant and below MOU
    - 1) City/League relationship
    - 2) Continuity of service to the public
    - 3) Mutual pledge of accord
    - 4) No strike/no lock out
12. New Standard Based Assessment (SBA) Overview
- a. Revised format and categories
  - b. Continual/ongoing documentation
  - c. Employee responsibility

**D. Use of Force Review**

**(1 ½ hr)**

- 1. Review the authority for peace officers to use force
  - a. DISTRIBUTE:
    - 1) Use of Force Training Tool
    - 2) Overview of Graham vs Conner
    - 3) 835a PC
- 2. Review the Department's Revised Use of Force policy<sup>3</sup>
  - a. Legal Standing
    - 1) Objectively Reasonable Standard<sup>4</sup>
    - 2) In light of the facts and circumstances confronting officer
    - 3) Suspects Behaviors
      - a) Facts and circumstances known to officer at the time of the incident
      - b) Compliant
      - c) Resistant
      - d) Assault or fleeing
      - e) Serious bodily injury of life threatening
  - 4) Officers Reactions
    - a) Type and amount of force used in response to suspects actions/behavior
    - b) Reasonable response
      - (1) Police presence
      - (2) Firm grip verbalization
      - (3) OC spray-Joint locks
      - (4) Taser, lesslethal impact devices, team take downs, ground grappling (kicks and strikes)

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<sup>3</sup> Los Angeles Police Department, Use of Force, Tactics Directive / Los Angeles Police Department Manual 4/245

<sup>4</sup> Graham vs. Connor, 490 U.S. 386 (1989)

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- (5) Deadly force firearms
- b. Suspects Behavior + Officers response=Objective Reasonableness
    - 1) Yes in Policy
      - a) No action
      - b) Counseling or
      - c) Training
    - 2) No out of policy
      - a) Counseling
      - b) Training or
      - c) discipline

**E. Non-Categorical Use of Force**

**(1 ½ hr)**

- 1. Non-Categorical Use of Force Incident-defined<sup>5</sup>
  - a. As an incident in which any on-duty department employee or off duty employee whose occupation as a department employee is a factor uses a less-lethal control device or physical force to
    - 1) Compel a person to comply with employee's direction; or
    - 2) Overcome resistance of a person during an arrest or a detention or
    - 3) Defend any individual from an aggressive action by another person
    - 4) The following are NOT reportable as a Non-Cat Use of Force
      - a) Use of C-grip, firm grip or joint lock to compel a person to comply which does not result in injury or complained of injury
      - b) UOF reasonable to overcome passive resistance due to physical disability, mental illness, intoxication, muscle rigidity which does not result in injury or complained of injury
      - c) Discharge of less lethal projectile that does not contact a person
      - d) Force used by an organized squad in crowd control
      - e) Any incident investigated by Force Investigation Division
- 2. Non-Categorical Use of Force Reporting Level
  - a. Shall initially be classified as Level I or Level II
  - b. Level I Incident
    - 1) All allegations of unauthorized force is made regarding the force used by Department employee or
    - 2) The force used results in a serious injury, such as broken bone, dislocation, an injury requiring sutures that does not rise to Categorical Use of Force
    - 3) Injuries to the person upon whom force was used are inconsistent with the amount or type of force reported or
    - 4) Accounts of the incident provided by witness and or the subject of the force substantially conflict with the employees account
  - c. Level II
    - 1) All other reportable Non-Categorical uses of force that do not meet Level I
- 3. Miranda Admonitions for non-categorical UOF interviews of suspects in custody

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<sup>5</sup> LAPD Manual 4/245.05 Reportable Non-Categorical Use of Force Incidents

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4. Documentation of witness statements during Level I Non –categorical Use of Force Investigations
  5. Non-Categorical UOF Report deadline for submission to UOF Review Division
  6. Adjudication of Personnel Complaints related to Non-Categorical Use of Force
    - a. UOF must be fully adjudicated as to policy prior to allegations of misconduct are adjudicated
    - b. The UOF findings on policy grounds may then be considered during the adjudication of any UOF related misconduct allegations
  7. Investigative responsibility for animal shootings and non-tactical/accidental or negligent discharge of a firearm<sup>6</sup>
- F. Group Project Workshop **(2 hr)**
1. Activity leader provides an opportunity to answer any questions students may have on the group project
  2. Activity leader remains available throughout the workshop to provide support and guidance

**DAY 5**

- G. Identification of a Critical Incident Use of Force **(1 hr)**
1. Categorical Use of Force Incident: Defined<sup>7</sup>
    - a. All incidents involving the use of deadly force such as an intentional officer involved shooting (OIS), unintended discharges of a firearm, all uses of force resulting in an injury requiring hospitalization, commonly referred to as a law enforcement related injury (LERI), all head strikes with an impact weapon, all other uses of force resulting in death all deaths while the arrestee or detainee is in the custodial care of the LAPD referred to as an in-custody death (ICD) or a K-9 contact where the contact causes a member of the public to be hospitalized.
      - 1) Officer-Involved Shootings
      - 2) Law Enforcement Activity Related Deaths (LEARD)
      - 3) Law Enforcement Related Injury Incident (LERII)
      - 4) In-Custody Death (ICD)
  2. Investigative responsibility<sup>8</sup>
    - a. The FID is responsible for investigating all aspects of CUOF incidents and any other investigation at the direction of the Chief of Police (COP). A CUOF is defined as:

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<sup>6</sup> Investigative Responsibility for Animal Shootings and Non/Tactical/Accidental or Negligent Discharge of a Firearm

<sup>7</sup> UOF Directive Adjudication of Categorical Use of Force Incidents

<sup>8</sup> LAPD Manual 3/794.10 Force Investigation Division (Fid), Professional Standards Bureau

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- b. An incident involving the use of deadly force (e.g., discharge of a firearm) by a Department employee;
  - 1) All uses of an upper body control hold by a Department employee, including the use of a modified carotid, full carotid or locked carotid hold;
  - 2) All deaths while the arrestee or detainee is in the custodial care of the Department (also known as an In-Custody Death or ICD);
  - 3) A use of force incident resulting in death;
  - 4) A use of force incident resulting in an injury requiring hospitalization;
  - 5) All head strikes with an impact weapon (e.g., baton, flashlight, etc.);
  - 6) An incident in which a member of the public has contact with a Department canine and hospitalization is required. (Under Department policy, a canine contact is not a use of force but has been included in this category to satisfy the provisions of the Consent Decree); and,
  - 7) Incidents where the Department has agreed to conduct similar critical incident investigations for a non-Department entity, such as a Los Angeles Fire Department Arson Unit.
- c. **Note.** All In-Custody Deaths formerly referred to as LEARD incidents shall now be referred to as ICD incidents
- d. When an animal shooting and/or non-tactical accidental or negligent discharge of a firearm occurs, Area/divisional personnel shall notify FID and DOC, (formerly-Real Time Analysis and Critical Response Division RACR). Unless unusual circumstances exist, chain of command supervisors from the involved officer's Area/division will be directed to conduct the investigation.

3. Commanding Officer Responsibilities<sup>9</sup>

- a. Review of Categorical Use of Force.
- b. In order to provide an unbiased and informed presentation of a Categorical Use of Force (CUOF) incident to the Use of Force Review Board (UOFRB), it is essential that commanding officers are familiar with the incident they are presenting and have clarification on all issues of concern. In order to accomplish this, commanding officers must thoroughly review the investigation conducted by Force Investigation Division (FID). Issues not adequately addressed in the investigation should be referred back to FID for clarification or further investigation.
- c. Commanding officers shall also participate in a walkthrough of the incident with the involved officer(s) before making the presentation to the Use of Force Review Board. The walkthrough should normally be conducted at the same location, day of the week, and approximate time of day as the original incident. The walkthrough should be used to clarify issues that arise from the FID investigation. Any fact pattern or statement identified during a walkthrough that is substantially different than the information contained in the FID investigation shall be documented on an Intradepartmental Correspondence, Form 15.02.00,

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<sup>9</sup> LAPD Manual 3/796.25 Duties of the Involved Employee's Commanding Officer

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and forwarded to the Chief of Staff and to the Commanding Officer, FID. This correspondence should be as specific and detailed as possible and include references to those sections of the FID Report that differ from the new information. Commanding officers are strongly encouraged to review the PowerPoint policing presentation with the investigator, prior to the Chief of Police 72-Hour Briefing, and once again, prior to the UOFRB presentation, once the investigation is finalized.

- d. Prior to the walkthrough, officers shall be advised of their right to representation and be provided reasonable time to obtain such representation.
- e. Upon notification from the Use of Force Review Board, the commanding officer of the involved employee shall:
  - 1) Attend the Use of Force Review Board Hearing in a non-member capacity to testify regarding personal knowledge of any facts which may be relevant to the incident under review.
  - 2) Upon receiving a Use of Force Internal Process Report, Form 01.67.01, from the Office of the Chief of Police, the involved employee's commanding officer shall:
  - 3) Consider the classification of the incident and complete the appropriate portion of the Use of Force Internal Process Report, Form 01.67.01, with the commanding officer's recommendations, consistent with the classification and the recommendations of the Use of Force Review Board.
  - 4) Return the completed report to the Office of the Chief of Police within five administrative working days for final review and adjudication.
  - 5) Administer discipline in cases where the approved penalty is a warning or an admonishment.
  - 6) The involved employee's commanding officer shall notify the employee every 30 days of the status of the review.

**H. Commanding Officers Responsibilities<sup>10</sup>**

**(30 mins)**

- 1. Have students Refer to the Commanding Officer's CUOF Guide during this session
- 2. 72 – Hour Briefing
  - a. Briefing with COP of OIS and significant incidents
  - b. FID utilizes a PPT and answers questions of COP and staff
  - c. Area C/O provides insight and feedback
    - 1) Avoid offering an opinion regarding the adjudication of any part of the incident
    - 2) Focus on the incident as a whole
- 3. Topics covered in 72 hour Briefing by C/O
  - a. Tactics
  - b. Training
  - c. Behavioral Science Service (BSS) Referral

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<sup>10</sup> Commanding Officer's CUOF Guide: A comprehensive guide to adjudicating CUOF incidents and preparing for the UOFRB; prepared by UOF Review division

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- d. Department concerns
- e. Work histories
  
- 4. Preparation for the UOFRB
  - a. 1-3 weeks prior to the UOFRB C/O will receive copy of FID investigation
  - b. C/O must present the Recommended Findings with Supporting Rationale for the following
    - 1) Tactics
    - 2) Drawing and exhibiting
    - 3) Each CUOF
    - 4) Each NCUOF
  
- 5. UOFRB Process
  - a. FID PPT
  - b. Questions to FID by the Board
  - c. C/O presentations-recommendations and rationale
  - d. Questions to C/O by Board
  - e. CO presentation-work histories
  - f. Question to C/O by the Board
  - g. Closed session-Deliberation by the Board
  - h. Open session- announcement of findings by the Board

I. The Administrative Review Process **(30 mins)**

- 1. The statute of limitations for a critical incident (365 days post incident)
- 2. Timelines that must be met to complete within statute
- 3. Investigation of the incident
- 4. Convening of the board and report from Chief of Police
- 5. Board of Police Commissioners recommendations
- 6. The administrative path of a critical incident

J. Use of Force (UOF) Review Board **(1 hr)**

- 1. Overview the changes to the UOF review and adjudication process
  - a. Mandatory generalized training update subsequent to a CUOF incident<sup>11</sup>
  - b. Completed and documented in LMS with 90 days of the incident
- 2. Identify incidents that require a review by the UOF Review Board
- 3. Identify the aspects of the incident that are reviewed
  - a. Tactics used by officers
  - b. Drawing/Exhibiting/Holstering of the weapon
  - c. Considerations for use of force
- 4. Understanding of findings in the reviewed areas
- 5. How to make appropriate recommendations to the findings
  - a. No action
  - b. Training (formal/informal)
  - c. Administrative Disapproval
    - 1) If the finding is in this area will result in one or more of the following
      - a) Extensive retraining

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<sup>11</sup> LAPD Manual Section 3/796.35, Mandatory Training Update Subsequent to a CUOR



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- b) Notice to correct deficiencies
- c) Personnel complaint
- 2) Tactics-Administrative disapproval defined as one or more of the following
  - a) Tactics employed during the CUOF were not objectively reasonable under the circumstances and substantially deviated from department approved tactical training and practices
  - b) A deficiency has been identified that requires “extensive retraining” to address
  - c) There is a historical basis that warrants the findings
- 6. Lessons Learned
  - a. Use of Force Roll Call Briefing Sheet
  - b. This document has been developed to provide a way to get current a valuable information out to the officers in the field
  - c. Key issues that are identified during UOFRB and administrative review of recent incidents

**K. MOCK Use of Force Review Board Procedures and Debrief of Activity (3 hr)**

- 1. Identify participants of a convened UOF Review Board (UOFRB)
  - a. Assign members of the class to take on the different roles and responsibilities
    - 1) Chair, Commanding Officer, Human Resources Bureau
    - 2) Commanding Officer, Operations-Headquarters Bureau
    - 3) Special Assistant, Office of the Chief of Police
    - 4) Commanding Officer involved officers' bureau
    - 5) Peer member
    - 6) Involved employees Commanding Officer
    - 7) Involved employees
    - 8) Department advocates
    - 9) Involved employee advocates
    - 10) Subject Matter Experts
    - 11) Others in attendance
    - 12) Facilitator of Activity
- 2. Advise all involved parties of the specific incident that will be reviewed
  - a. Provide necessary documentation
  - b. Provide time for preparation of the UOFRB
- 3. Conduct the MOCK UOFRB
- 4. At the conclusion of the MOCK UOFRB debrief the key issues
  - a. Parties must be able to articulate based on Department policy, procedures and protocol why they reached the decision
  - b. Point out if decision had flaws and how to resolve in the future
  - c. Identify what preparation could have bettered the presentation
  - d. Identify key areas that continuously cause issues for new Commanding Officers
  - e. Develop strategies to overcome the common issues
  - f. Develop an action plans to begin preparing for future UOFRB

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g. Clarify any question regarding the UOF process that was presented on DAY 8

L. Group Project Workshop

**(2 hr)**

1. Activity leader provides an opportunity to answer any questions students may have on the group project
2. Activity leader will review project status and establish productivity goals for this workshop session
3. Activity leader remains available throughout the workshop to provide support and guidance

**DAY 6**

M. Use of Force Board Debrief

**(3 hr)**

1. Facilitator will identify a closed UOFRB that has key learning points for new C/O
2. Present the UOFRB findings
3. Discuss the findings
4. Identify key issues that supported the original Recommended Findings with Supporting Rationale of the C/O
5. What additional information did the UOFRB identify?
6. Did it alter how the C/O should have prepared for the UOFRB
7. What could a C/O do at their division that would reduce this type of UOF incident?

N. Police Information Officer (PIO)

**(2 hr)**

1. Introduction
2. Media Relations PPT
3. Key issues to consider<sup>12</sup>
  - a. Barrier Tape guidelines
  - b. Media Access Photo Site
  - c. Command Posts/ Media Information Center
  - d. Media access at Emergency scenes
  - e. SWAT Operations
  - f. Bomb Squad Incidents
  - g. Media and Undercover Incidents
  - h. Media and K-9 operations
  - i. Police Media relations
4. Dead Man Talking<sup>13</sup>
  - a. 4 sure fire ways to shoot yourself in the foot during news interviews
    - 1) Failing to prepare for the interview
    - 2) Equating the interview with the story
    - 3) Speaking in tongues

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<sup>12</sup> National Media Guide for Emergency and Disaster Incidents (2<sup>nd</sup> Edition)

<sup>13</sup> Nation's Cities Weekly "Dead Man Talking: 4 sure fire ways to shoot yourself in the foot during news interview article by Stephen Friedman Oct 27,2003

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- 4) Say “no comment”
5. “Broadcasteze” Violations
  - a. Point out the importance of using plain speak and staying away from cop talk
6. “Breaking News”
7. Expectations of the Media
  - a. LAPD on Line New Room
  - b. Overview how it is used and how C.O can use it to their advantage
  - c. Media relation Handbook is an effective tool
8. *Al Crespo v. City of Los Angeles* Overview<sup>14</sup>
  - a. Under the rights guaranteed by the First Amendment of the United States Constitution, it is not uncommon for large numbers of people to assemble for the purpose of demonstrating their opinions.
  - b. At such demonstrations, it is the Police Department’s obligation to protect individuals’ First Amendment rights, maintain order, and protect lives and property. Occasionally, demonstrations become unlawful.
  - c. In such circumstances, pursuant to California Penal Code, sections 407 and 409, an assembly may be declared unlawful, and all persons present, including members of the news media, may be lawfully ordered to disperse. The law provides that police officers may use reasonable force to disperse an unlawful assembly and to effect the arrest of law violators.
  - d. The Department’s Use of Force Policy applies to such actions.
  - e. The Department’s policies concerning interaction with the news media are described in the relevant provisions in Volume 1 of the Department Manual, the Department’s Emergency Operations Guide, and the Department’s Media Guide.
  - f. The Operation Plan will designate an area outside of the impacted areas for the media to assemble within reasonable viewing distance and audible range of the event.
  - g. The Department will attempt to prevent the news media viewing area from becoming part of any area impacted by an unlawful assembly declaration and order to disperse.
  - h. The risk of continued coverage by the news media after an event has been declared an unlawful assembly, remains the responsibility of each individual reporter making the decision.

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<sup>14</sup> *Al Crespo V. City Of Los Angeles*, Federal Case No. Cv 00-08869

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- i. The selection of a news media viewing area will take into consideration public and officer safety, police tactics, input provided by the news media, if any, and the ability of the Department to prevent the location from becoming part of the impacted area. The final selection of the viewing location will be made by the IC.
  
  - j. Senate Bill 98 – Media Access during public demonstrations -Effective January 1, 2022
    - 1. Intent to achieve parity with CA Penal Code 409.5
    - 2. Media access to emergency field command posts, police line, or rolling closure
    - 3. Police cannot intentionally assault, interfere, or obstruct members of the media
    - 4. Members of the media cannot be cited or arrested for failing to disperse but subject to arrest for other crimes
    - 5. Arrests for 148 PC
    - 6. A detained member of the media shall have ability to talk to a Dept supervisor if so requested
    - 7. What is a duly authorized member of the media?
    - 8. What are valid media credentials?
- Note: This should be a point of discussion when planning a push with the IC.
- k. If due to changing conditions the initial area no longer affords the news media a reasonable view of the event or becomes a tactical concern for the IC, the IC will relocate the news media area.
  
  - l. This will be done to the extent reasonable possible without compromising police tactics or public safety.
  
  - m. The Department IC will designate an information officer as part of the Incident Command System in order to facilitate interaction with the news media.
  
  - n. The Information Officer will be clearly identified at the scene. Also, after declaring an unlawful assembly, Department personnel will designate a dispersal route for all persons present, including the news media, to use when evacuating the area
  
  - o. The Department understands that a well-informed public is essential to the existence of a democratic society. The members of the media provide vital information to the public, and the Department has an obligation, within legal limits, to accommodate the media as they perform this task.

9. Laws and the Media

- a. Overview the following handouts
  - 1) California Laws relating to News Media
  - 2) Penal Code Sections
  - 3) The Freedom of Information Act (FOIA)
  - 4) Health Insurance Portability and Accountability Act (HIPAA)
  - 5) Temporary flight restrictions in the vicinity of disaster/hazard area

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- 6) Bagley-Keene and Brown Acts: Open Meetings
- 7) California Shield Law
- 10. Right to know/ Need to know
  - a. Overview the California Public Records Act

O. MOCK Press Conference Presentation

**(2 hr)**

- 1. Media Relations will set up a MOCK press conference
- 2. Media Relations will guide the students through how to most effectively participate and manage a press conference
- 3. At the conclusion of the MOCK press conference Media Relations will identify
  - a. What worked
  - b. What the students could have done more effectively
  - c. How it can be modified for better results in the future

P. Session 2 Review

**(1 hr)**

- 1. Facilitated class discussion to review Session 3
- 2. Topics new to students
- 3. What to expect in next Session
- 4. Have students identify the connectivity between the previous 3 sessions
- 5. Check in on Group Projects ensure each group has an action plan for the upcoming session
- 6. Clarify any questions as they are now half way through the course
- 7. Complete class Evaluations
  - a. **DISTRIBUTE** Session 1 Evaluation
    - 1) Advise students to put thought into the evaluations
    - 2) Focus on:
      - a) Main Learning points that were helpful/insightful
      - b) Suggested improvements
  - b. Their suggestions and ideas will be utilized for future courses

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**SESSION 3**

**Instructional Goal:** To provide the student with a working knowledge of Risk Management issues and the internal review process leading up to a Board of Rights.

**Performance Objectives:** Using group discussion, learning activities, and practical application the students will:

- o Apply skills learned to a Mock Board of Right scenario
- o Identify risk Management issues within a command

**DAY 7**

**III. PROFESSIONAL STANDARDS BUREAU AND RISK MANAGEMENT**

**A. Risk Management Overview (2 hr)**

1. Point out key issues that impact the personnel in CO's command
  - a. Long Term Duty Restriction of Department Employees
  - b. Risk Management Information System (RMIS)
  - c. Disclosure of records to Risk Management Group personnel
  - d. Standards Based Assessment
  - e. Taking responsibility for the level of competency of the personnel in Area
  - f. Anti-discrimination and retaliation
    - 1) Prohibited acts that contribute to retaliation
    - 2) Policy update
    - 3) City Discrimination free workplace policy Resolution
    - 4) Retaliation Prevention Program Established
    - 5) Protected Activity Tracking form

**B. Employee Litigation and Retaliation (2 hr)**

1. Scope of the problem
  - a. High Cost of Disrespect Since 1995
    - 1) 158 lawsuits involving 164 plaintiffs.
    - 2) Retaliation has no race or gender boundaries.
      - a) 93 male and 71 female plaintiffs.
      - b) Individual cases have up to 75 witnesses.
  - b. The Past 5 Years
    - 1) Annual costs approximately \$4 million.
    - 2) 7 jury trials + settlements top \$32 million.
    - 3) Top four cases chart.
2. What is it?
  - a. Distribute Current training material on Anti-discrimination and retaliation
    - 1) Point out key issues
  - b. Retaliation Policy 1/272

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- 1) Retaliation is defined as an adverse employment action taken against an employee for engaging in protected activity. An adverse employment action includes an action that would cause a reasonable employee to be deterred from engaging in a protected activity or an action in direct response to an employee engaging in a protected activity.
  - c. To Retaliate
    - 1) Get even.
    - 2) Get back at.
    - 3) Take revenge for a perceived wrong.
    - 4) Avenge.
    - 5) To return “Like for Like”, especially “Evil for Evil”.
3. Legal Retaliation
- a. Generally, employers can control workplace conduct.
  - b. Adverse employment action (e.g. discipline) is the expected consequence for bad behavior.
4. Illegal Retaliation
- a. An employee suffers illegal retaliation when he or she is harmed as a consequence of exercising a legally protected right.
  - b. Violate a work rule, expect to be punished. Engage in protected conduct, you cannot legally be punished.
  - c. Unlawful retaliation occurs when an employer takes a punitive or adverse action against an employee in response to the employee engaging in protected activity.
5. General Areas of Protected Activities
- a. Expressing concerns about issues in the workplace.
  - b. Participation in or cooperation with investigations of workplace issues.
  - c. Personal life and conduct.
  - d. An employee engages in protected activity when he or she:
    - 1) Opposes illegal activity by employer or makes a good faith complaint against employer.
    - 2) Participates in an investigation concerning alleged illegal activity, or
    - 3) Asserts a protected right.
  - e. Protected activities-Department examples:
    - 1) Participating in a claim or lawsuit concerning unlawful discrimination or sexual harassment.
    - 2) Filing a grievance or participating in an unfair labor complaint.
    - 3) Taking advantage of a labor right or benefit such as overtime, family leave, etc.
    - 4) Reporting misconduct.
    - 5) Supporting, testifying, participating in a misconduct investigation.
  - f. Opposes illegal activity.
    - 1) An employee is protected if he/she, for example, objects to what the employee believes to be illegal conduct, such as:
      - a) Discrimination or harassment.
      - b) Improper pay practices.

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- c) Violation of health and safety laws.
    - d) Fraud or illegal cover up.
    - e) Illegal pollution.
  - 2) Agitates for compliance with safety laws.
  - 3) Refuses to work in violation of wage and hour laws.
- g. Makes a complaint.
  - 1) An employee is protected if he/she, for example:
    - a) Files a discrimination or harassment charge (internally or publicly).
    - b) Seeks worker's compensation benefits.
    - c) Files a wage claim.
    - d) Calls OSHA to report a safety violation.
    - e) Becomes a "whistleblower".
- h. Participates in an investigation.
  - 1) An employee is protected if he/she, for example:
    - a) Is interviewed in an investigation.
    - b) Gives a statement.
    - c) Testifies.
    - d) Assists or "sides with" a complaining employee.
    - e) Participates in any way in a court or administrative proceeding.
- i. Asserts a protected right.
  - 1) An employee is protected if he/she exercises any legal right or duty that the employer has no right to interfere with, for example:
    - a) Takes a legally mandated leave of absence (e.g. FMLA).
    - b) Requests a reasonable accommodation for a disability (ADA).
    - c) Takes time off to vote or serve as a juror.
    - d) Participates in union organizing activity.
    - e) Takes mandatory meal or rest breaks.

6. How it occurs

- a. Adverse Action
  - 1) A negative change in a term or condition of employment, for example:
    - a) Firing or demotion.
    - b) Reduction in benefits.
    - c) Change in shift or hours of work.
    - d) Negative evaluation or review.
    - e) Additional or fewer job responsibilities.
    - f) Unfair reprimands.
    - g) Withdrawal of support.
- b. Adverse Action – Retaliation Policy 1/272
  - 1) Adverse employment actions may include, but are not limited to:
    - a) Negative performance evaluation.
    - b) Negative employee comment sheets.
    - c) The imposition of discipline.
    - d) Denial of a pay grade advancement.
    - e) Denial of a coveted assignment or promotional opportunity.
    - f) Change of assignment.



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- 2) Adverse action does not necessarily have to be conduct affecting the employee's work life – can be conduct that would cause a reasonable employee to refrain from engaging in the protected activity.
  - 3) Adverse action has the likely effect of restraining the exercise of protected activity and causes harm.
- c. Adverse Action in Response to Protected Activity
- 1) Employee has to prove casual connection.
  - 2) Adverse action would not have happened but for protected activity.
  - 3) Proved directly – manager admits he or she was retaliating.
  - 4) Proved indirectly – circumstances suggest retaliatory motive.
- d. How Do You Prove Motive?
- 1) Managers will rarely admit they are retaliating.
  - 2) Look at circumstantial evidence such as:
    - a) Closeness in time between protected activity and adverse action.
    - b) Inconsistent management actions.
    - c) Evidence that management is lying or covering up.
    - d) Inconsistent reasons given by management.
- e. Burden Shifting Analysis
- 1) If employee proves adverse action in response to protected activity, burden shifts to employer to show legitimate, nondiscriminatory business reason for the adverse action.
  - 2) Burden shifts back to employee to prove that the supposed business reason is just a motive to cover up the real intention of the adverse action.
- f. Employer's Defenses
- 1) No causation – The protected activity had nothing to do with the decision to impose adverse action.
  - 2) It was going to happen anyway, whether or not the employee engaged in protected activity (e.g. Employee was already scheduled for demotion due to poor performance review already written).
7. Employee's perspective
- a. Employees Know They Have Rights and Want to Enjoy Them
  - b. Employees Want to Be Treated Fairly
  - c. Employees Want Their Co-Employees to be Treated Fairly
  - d. Employees May Be Bothered or Concerned by a Perceived Wrong
    - 1) Unfair discrimination or harassment.
    - 2) Safety violation.
  - e. Employees May Want to Take Advantage of a Legal Right
    - 1) Seek accommodation for a disability.
    - 2) Take FMLA leave.
  - f. Employees May Fear Retaliation if Complains or Assist Complainers
  - g. Employees Feel Injured, Disappointed and Angry if they experience AA
  - h. Employees May File Charge or Lawsuit to Protest or Correct AA

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8. Employer's perspective
  - a. Most Employers Want to Treat Employees Fairly and Legally
  - b. Employers May Be Unaware of Conduct Employee Is Complaining About
  - c. Employers May Be Unaware That Retaliation Is Unlawful
  - d. Who Likes Complaints?
  - e. Once a Discrimination or Harassment Claim Is Made, It Must Be Investigated
    - 1) Time consuming.
    - 2) Distracting.
    - 3) Expensive.
  - f. Employers May Feel Betrayed by Complaining Employee, Particularly If the Complaint Turns Out to be Groundless, for example:
    - 1) There was no discrimination or harassment or safety violation occurring; thus, the urge to "get even" and "return like for like" increases.
  - g. Actions Based on Merit
    - 1) Adverse actions based on merit are not retaliation, for examples:
      - a) Fair and appropriate action based on performance.
      - b) Not motivated by, or in response to, employee engaging in protected activity.
      - c) Action similar for anyone who commits same offense.
9. CASE EXAMPLES
  - a. Examples of Unlawful Workplace Retaliation
    - 1) Officer Smith sends a letter to the Bureau Commanding Officer of the Area where he works, complaining that there are not enough supplies and the holding cells are not kept clean. The Area Commanding Officer transfers Officer Smith twenty miles further from his home.
    - 2) Officer Jones tells her supervisor that she believes a co-worker is being unfairly treated on account of his race. The complaint is investigated and no discrimination is found. Jones receives a written reprimand for having brought a false charge. This contributes to Jones not getting an expected promotion. Jones sues, claiming she suffered retaliation for having reported her suspicion of discrimination.
10. Resources
  - a. Commanding Officer of Risk Management Group.
  - b. The Ombuds Office.
  - c. Workplace Investigation Unit of Internal Affairs.
  - d. The Office of the Inspector General

**C. TEAMS II-RMIS**

**(2 hr)**

1. Risk management Information System Overview
2. Area of potential risk
  - a. Complaints
  - b. UOF
  - c. Pursuits

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- d. Traffic collisions
  - e. Claim and lawsuits
3. Risk analysis Narrative
- a. Distribute: RMIS AI Investigative Narrative Guidelines
  - b. Provide a brief summary of each of the above that occurred during the evaluation period
  - c. Compare the employees performance against that of similar employees
  - d. Conduct and analysis of all events as a whole and determine if there is a pattern of conduct
  - e. Justify the disposition selected
  - f. Provide a brief summary of your discussion with the employee regarding your review and selected disposition
4. **LEARNING ACTIVITY:** Risk Management Scenarios
- a. View the four case studies
    - Case Study #1

Officer Joe Doe working detectives assigned to primarily work auto theft and burglary suspects

    - Case Study #2

Officer Gonzales Gang Enforcement Detail (GED) officer working South East Gangs with multiple open complaints

    - Case Study #3

Officer John Smith worked the Auto theft Table who exceeded the Universal Threshold

    - Case Study #4

Officer Jackie Blackwell multiple incidents that generated an action item
  - b. Based on the Risk Analysis Overview what needs to be addressed in each of the case studies
    - 1) Case Study #1
      - a) Did not address other areas of potential risk
        - (1) Complaints
        - (2) Pursuits
        - (3) Traffic collisions and
        - (4) Claims and lawsuits

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- b) No discussion of why no further action was needed, other than a positive comment card
    - c) No analysis of events as a whole to determine “pattern of conduct”
  - 2) Case Study #2
    - a) Did not provide brief summary of complaints and UOF cases during the evaluation period
    - b) Did not address other areas of potential risk
      - (1) Pursuits
      - (2) Traffic collisions
      - (3) Claims and lawsuits
    - c) No analysis of all events to determine “pattern of conduct”
    - d) No justification for disposition
    - e) No details given on what will be discussed during the “informational meeting”
  - 3) Case Study #3 & 4
    - a) Provided brief summary of all risk events during the evaluation period
    - b) Noted which risk areas Smith was not involved in during the evaluation period
    - c) Compared Smith’s numbers against his peer group Explicitly stated that” pattern of conduct” was not found
    - d) Justified “No Action” disposition
    - e) Provided summary of employee meeting
- 5. Transfer Action Item (TAI)
  - a. Process
    - 1) Sent to CO’s work list after publication of transfer order
    - 2) Delegate or reassign to supervisor
    - 3) Review TEAMS report
    - 4) Complete TER
    - 5) CO and watch commander/supervisor must sign TER
    - 6) Close out TAI
  - b. Deficiencies found by monitor
    - 1) Timeliness
    - 2) Inadequate review
    - 3) Missing CO and/or WC signatures on TER
    - 4) TAI closed out before completion of TER
    - 5) Wrong TEAMS report filter used
    - 6) Date of TEAMS report not within the “review period”
    - 7) No TEAMS report attached to TER
- 6. Performance Evaluation Report Action Item (PER)
  - a. Process

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- 1) Sent to CO's work list 90 days prior to the due date
- 2) CO or proxy delegates to supervisor
- 3) Complete SBA
- 4) Serve Employee
- 5) Close out PER
- b. Deficiencies found by monitor
  - 1) Timeliness
  - 2) PER closed out before SBA was served to employee
  - 3) No evidence that the supervisor's performance in implementing the provisions of the TEAMS II protocol was taken into account (on the SBA)

7. Managing RMIS workload

- a. Overview the "Managing RMIS Workload" Handout
  - 1) PER/TAI Workflow
  - 2) Requirements for AI narrative guidelines
  - 3) Terminated/Transferred Employees
  - 4) Tracking Work Items
  - 5) DPS Updates
  - 6) Follow up Dispositions
  - 7) Data correction
- b. Delegate your access to your adjutant and TEAMS II coordinator
- c. Remember, YOU must complete threshold AIs

D. Group Project Workshop

**(2 hr)**

1. Activity leader provides an opportunity to answer any questions students may have on the group project
2. Activity leader remains available throughout the workshop to provide support and guidance

**DAY 8**

E. Board of Rights (BOR)

**(2 hr)**

1. Preparation
  - a. Prior to ever sitting on a BOR you must be fully versed in the procedures and protocols of a BOR
  - b. Department philosophy
  - c. Establishing a legal fact
  - d. BOR Manual: Key sections to know
    - 1) Duty to develop facts - 140.75
    - 2) Motions made based on what occurs - 229
    - 3) Character witness - 266
    - 4) Penalty held in Abeyance – 278
    - 5) Recommendations – 279
    - 6) Persons allowed in the board – 307
    - 7) Continuances – 336
    - 8) Amending the complaint – 345.30
    - 9) Evidence relevance – 363.20

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- 10) Admissions against interest - 363.30
  - 11) Hearsay – 363.40
  - 12) Pattern of conduct: admissibility – 363.50
2. Overview the key responsibilities and the duties of each role
- a. Setting the tone
  - b. Duties of the Chairperson (Section 120.80)
    - 1) Request for City Attorney
    - 2) Assign duties to associate members
    - 3) Controls the conduct of hearing
    - 4) May expel people
  - c. Duties of Board Members
    - 1) Closed hearings
    - 2) Develop facts (Section 140.75)
    - 3) Rules and objections (Section 140.75)
    - 4) Continuances (Section 336)
  - d. Hearing procedures
    - 1) Jeopardy (Section 309.50)
    - 2) Police officers subpoenaed as witnesses to testify (Section 224.30)
    - 3) Miranda/Lybarger
    - 4) Excuse witnesses when no longer needed
    - 5) De Novo hearing
  - e. Advocates
    - 1) Experience
    - 2) Objections
    - 3) Assisting/protecting witnesses
  - f. Defense Reps
    - 1) Need not be a member of the department
    - 2) Treatment of victims/witnesses (courtesy, badgering, arrest on warrant)
    - 3) Treatment by accused
  - g. Ex Parte Communication
    - 1) Advocate presenting case must not have contact limit other contact to OIC, advocate Section, or C/O, IAD, for instructions
    - 2) When conference calls are arranged, do not discuss rationale for continuance until actual call involving all parties is in progress
3. Managing a Board of Rights
- a. Hearing in absentia
    - 1) COP decides if a hearing goes forward in the absence of the accused
    - 2) Medical exams/AME (agreed upon medical examiner)
  - b. Amend Complaints
    - 1) If a material fact has been improperly stated

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- 2) Amended charges become part of original charges
  - 3) Accused allowed to prepare a defense for amended charges
- c. Evidence
- 1) Hearing need not be conducted according to technical rules relating to evidence and witnesses (Section 363.10)
  - 2) Relevancy
  - 3) Preponderance of evidence is sufficient to sustain a finding of guilty
  - 4) (Section 363.70)
  - 5) Better to err in allowing evidence in than excluding it
  - 6) Manual Sections, training bulletins, etc., are critical evidence because they establish rules, practices, and procedures when a case is reviewed in Superior Court
  - 7) Polygraphs are not admissible in administrative hearings except under specified circumstances
  - 8) Pattern of conduct—evidence of acts of committed prior to the BOR may be accepted if they prove a pattern of conduct or are connected with the charges (Section 363.50/charter 202.1(g))
  - 9) Submit on the investigation—Department must stipulate to this.
- d. Discovery
- 1) Personnel complaint investigation is provided at Skelly
  - 2) Tapes, rough notes and any other pertinent material is provided following BOR selection
  - 3) Closed case summaries are given up after review by the Advocate
  - 4) Chronological records are now given up. They will be redacted to remove any confidential information, i.e., Attorney-Client, case direction from CI/ACI, home phone numbers, etc.
  - 5) Case progress reports are not given up
- e. Penalty held in abeyance
- 1) State suspensions in working days
  - 2) Be creative in assisting officers to accept responsibility for actions, i.e., direct that the accused write letters of apology, attend training, etc.
- f. Penalty held in abeyance pending completion of specific rehabilitation
- 1) (Section 287—limited to alcohol abuse)
  - 2) Motion
  - 3) Length of contract
  - 4) Rehabilitation contract
- g. COP contracts/contracts recommended by BOR
- 1) Alcohol
  - 2) Psychological
  - 3) Miscellaneous
- h. Out of statute allegations
- 1) Still make a finding of guilty or not guilty
  - 2) If the accused is found guilty, prescribe a penalty of reprimand only

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- 3) Shall not consider such charge when determining a proper penalty as to any other charges before the Board
    - i. Press
      - 1) The press may attend any open hearing and may tape record the proceedings
      - 2) Cameras should normally not be allowed in the hearing.
      - 3) Consider a press corps, if necessary, to limit the number of press persons present in the hearing
      - 4) The dignity of the proceeding must be maintained
- F. BOR Scenarios (1 hr)**
1. Vignette #1 – The Statute Motion to Dismiss
  2. Vignette #2 – Request for Hearing in Absentia
- G. REMAC Case Studies (1 hr)**
1. “At Risk” patterns
  2. Corrective Actions
- H. *LEARNING ACTIVITY*: Mock BOR (3 hr)**
1. Brief participants on situations
  2. Provide group assignments
  3. Begin problem
  4. Scenario Overview/implementation
  5. Scenario debrief
    - a. Opening the Board & Preliminary Motions
    - b. Testimony, Evidence, Objections & Witnesses
    - c. Motions
    - d. Arguments & Findings
- I. Group Project Workshop (1 hr)**
1. Activity leader provides an opportunity to answer any questions students may have on the group project
  2. Activity leader remains available throughout the workshop to provide support and guidance

**DAY 9**

- J. Adjudication Factors (7 ½ hr)**
1. Practical application of Adjudication Factors: LAPD LEADS SESSION 25FEB2010: ON DISCIPLINE PROFESSIONAL STANDARDS BUREAU-CHIEF MARK PEREZ: Determining Whether Verdict is Guilty
  2. Burden of Proof
    - a. “Preponderance of the Evidence”: the evidence on one side is more convincing than the other.



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- b. This is not a calculation of numbers of witnesses or items
  - c. It is “Just enough evidence to make it more likely than not that the allegation is true or that it is false.”
3. Reliability of Witnesses
- a. Here are some, but not all, things to consider, when gauging witness reliability:
    - 1) Ability of witness to see or hear or otherwise perceive the facts at issue
    - 2) The ability of the witness to remember
    - 3) The ability of the witness to communicate the facts;
    - 4) The demeanor and manner of the witness;
    - 5) The attitude of the witness toward the case or toward giving of a statement;
    - 6) Inconsistent statements made by the witness;
    - 7) The character of the witness for honesty or truthfulness or their opposites;
    - 8) An admission by the witness of untruthfulness;
    - 9) Bias or a motive to lie.
4. Inference & Logic
- a. *Conclusion must be deduced ONLY from what is in evidence*
  - b. Avoid suppositions or presumptions
    - 1) If it's a matter of fact that will affect the outcome, do not presume or suppose
  - c. Avoid being misled by an appeal to emotion when determining findings on guilt
  - d. The #1 findings adjudication error is faulty logic: your determination on findings of guilt must be an argument where:
    - 1) all relevant facts are considered and,
    - 2) your conclusion must necessarily be true if the facts supporting it are true
5. Evidence of Patterned Conduct
- a. Evidence of a pattern of conduct must be considered in adjudicating a complaint of misconduct. Two or more acts of the same kind are a pattern. LA City Charter Section 1070(m) describes this clearly:
  - b. “Evidence of acts, irrespective of whether they were associated with a personnel complaint against the accused and irrespective of the resolution of the complaint, may be considered in the discretion of a Board of Rights if relevant to the charges, such as, if the acts tend to prove that the conduct charged is consistent with a pattern of conduct. The acts may have occurred either before or after the conduct concerning which the member is presently charged.”
6. Determining a Discipline Strategy
- a. Check employee's history
    - 1) Comment Cards
    - 2) Notices to Correct Deficiencies
    - 3) TEAMS-II Supervisory Action Items: they have much to say and can lead you to other places
    - 4) Standards Based Assessments (SBAs) and Performance Evaluation Reports

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- 5) Commendations, including 1.27s
  - 6) TEAMS-II: prior complaints
  - 7) Discussions with the employee's supervisors to get insights into how the employee responds to training or correction, how the employee ordinarily behaves, and what they recommend would be an effective strategy given the employee's character and behavior
7. Talk with employee in Skelly Hearing
- a. Employee's thinking that led to the event
  - b. Department values or other principles implicated in the event
  - c. Employee's suggestions on what might best work for showing that the employee will now act on values or principles in ways not done before
  - d. Avoid micro-incremental progressive discipline: tolerance for repeat offenses is a root cause of mediocrity and corruption
  - e. Avoid suspensions when there's reasonable cause to believe some other means will work
  - f. Strategy focuses on the employee's future not on the past: don't look for "appropriate penalty" look for "appropriate strategy" (whole person analysis) except for discharge cases
  - g. If employee denies the "sustained" finding, devise a strategy based on employee's history
8. Letter of Transmittal (LOT)
- a. The format for the Letter of Transmittal has been revised.
  - b. The below listed headings are hereby deleted because the information is now captured on the Complaint Adjudication Form:
    - 1) Penalty;
    - 2) Employee Interview;
    - 3) Commanding Officer's Response to Employee; and,
    - 4) Index.
  - c. Non-Disciplinary complaints do not require a Letter of Transmittal.
9. Skelly Process
- a. Overview key concepts
  - b. Documentation
10. Penalty
- a. PSB guidelines
  - b. Documentation
11. Special considerations
- a. What are they
  - b. How do they apply
  - c. Weight

**K. Session 3 Review**

**(30 mins)**

1. Facilitated class discussion to review Session 2
2. Topics new to students
3. What to expect in next Session

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4. Complete class Evaluations
  - a. **DISTRIBUTE** Session 1 Evaluation
    - 1) Advise students to put thought into the evaluations
    - 2) Focus on:
      - a) Main Learning points that were helpful/insightful
      - b) Suggested improvements
  - b. Their suggestions and ideas will be utilized for future courses

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**SESSION 4**

**Instructional Goal:** To give the student an overview of the Office of Operations and the COMPSTAT process.

**Performance Objectives:** Using group discussion, learning activities, and practical application the students will:

- o Apply learned COMSTAT principles in a tabletop exercise
- o Apply the Incident Command System in a tabletop exercise

**DAY 10**

**IV. OFFICE OF OPERATIONS - DETECTIVE BUREAU**

- A. Introduction of Office of Operations **(1 hr)**
- 1. Introduction of Session Facilitator by Primary Facilitator or Course Coordinator
    - a. Name, assignment
    - b. Experience
  - 2. Overview Day 10
    - a. Developing Patrol Plans
    - b. Crime Fighting Strategies
    - c. Gang/Narco/Vice
    - d. Community
  - 3. Overview Day 11
    - a. Detective Bureau
    - b. COMPSTAT
  - 4. Overview Day 12
    - a. Critical Incidents
    - b. Crisis management
    - c. Employee Death
- B. Role of the Bureau **(1 hr)**
- 1. Developing the Patrol Plan
  - 2. Area Deployment
  - 3. Days Off requirements
- C. Crime Fighting Strategies **(1 hr)**
- 1. Where to start?
    - a. Identify criminal or quality of life issues within your area
    - b. Develop a plan to address the issue
    - c. Establish desired goals

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- d. Ensure resources are in place to support the plan
  - e. Ensure that each member of the command and every outside partner understands the goal of the plan and their part
    - 1) Synergy
    - 2) Everyone working together for common goal
2. Once Plan is developed, what next?
- a. Implement the plan
  - b. Monitor and evaluate progress
  - c. Modify/Adjust the plan as required
  - d. Retain successful gains
  - e. Duplicate success
3. Systems in place
- a. Parole/probation compliance searches
  - b. 11550 H&S Training and enforcement
  - c. \Cruise Task Forces
  - d. Metro (MTA) Task Forces
  - e. Neighborhood prosecutor
4. Systems that Facilitate the Sharing of intelligence
- a. Crime control meetings
  - b. Review of Watch commander Logs
  - c. Daily meetings with detectives
  - d. CAD mapping
5. Identifying the Issue
- a. What problems are you having
  - b. Is there a pattern
  - c. How is it impacting quality of life
6. Develop the Plan
- a. What is the issue
  - b. Where and when
  - c. Clearly state the plan
  - d. Identify the resources necessary
  - e. Clearly identify a measurable goal
7. Implementation of the Plan
- a. Inspire successful mission launches
    - 1) Attend roll-calls
    - 2) Be seen in the field by your officers
    - 3) Show interest
  - b. Acknowledge success
8. Monitor progress and assess
9. Crime Reduction Process
- a. Philosophy
    - 1) One lives daily

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- 2) Our people subscribe too
- 3) COMPSTAT
- 4) Morale
- 5) Team Work
- b. Crime Control Process
  - 1) What is it
  - 2) What it does
  - 3) How it works
    - a) Overview the Crime Control Matrix
      - (1) Point out how information comes in through different avenues
      - (2) Flows through the matrix
    - b) Overview Crime Control Maps and there use
    - c) Utilize the Problem Worksheet
    - d) How to use the Mission Matrix
    - e) How to use the Mission Recap
  - 4) Foundation for everything you do
    - a) A System
    - b) Takes the work off of you
    - c) Ensures things continue
- c. Ancillary Benefits
  - 1) Participatory inclusion
  - 2) Teamwork
  - 3) Morale
  - 4) Goals
  - 5) Missions
  - 6) Directions

- 10. Crime Control Members
- 11. Patterns & Analysis
- 12. CAD
- 13. War Room

- D. New C/O, Mission – Vision – Values **(2 hrs)**
  - 1. Relationship with the Bureau
  - 2. Mission –Vision-Values
  - 3. Role of a new C/O
    - a. From the perspective of OO
    - b. responsibilities
  - 4. Leadership lessons learned
  - 5. Notifications
  - 6. Consent Decree and the Division
  - 7. Personnel Issues

- E. Gang, Narco & Vice activities **(1 hr)**
  - 1. Historical perspective of specialized entities
    - a. 1930
    - b. Christopher commission

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- c. Rodney King
  - d. O.J.
  - e. Rampart
  - f. Consent Decree
2. Specialized Unit “mentality/culture”
- a. Everybody shapes the culture
  - b. Sub-cultures
  - c. They are tolerated
  - d. Ensure sergeants are identifying potential problems and addressing them
  - e. Prevention
    - 1) Attention to detail
    - 2) Audit
3. Areas of Concern for C/O
- a. GIT, Gang Impact Teams
    - 1) Gang personnel
    - 2) Patterns of practice
    - 3) Areas to be aware of
      - a) UOF
      - b) Foot pursuits
      - c) Code 6
      - d) Culture
      - e) Complaints
      - f) Discourtesy
      - g) immaturity
  - b. Use of Force
    - 1) Training
    - 2) TEAMS II
    - 3) Review of UOF's
      - a) Don't delegate
      - b) Review histories
        - (1) Numbers
        - (2) Patterns
    - 4) Review complaints
      - a) Patterns
      - b) Discourtesy
  - c. Vice Units
    - 1) Training
    - 2) Sex,
      - a) Prostitutes
      - b) Strip authorities
      - c) relationships
    - 3) money
      - a) secret service funds
      - b)
    - 4) alcohol
    - 5) Tenured supervisor needed

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- 6)
  - d. Narco
    - 1) Training
    - 2) Corruption
    - 3) Narcotics use
    - 4)
  - 4. Patterns of Practice
  - 5. Corruption
  - 6. Prevention, attention to detail
- F. Community/Reintegration Strategies **(2 hr)**
- 1. How intervention Works
  - 2. C/O's relationship with community

**DAY 11**

**V. DETECTIVE BUREAU **(2 hr)****

- A. Specialized Divisions
  - 1. Assist in unique investigations
  - 2. Investigation "reassignments"
- B. New Technology
  - 1. In-Car video
  - 2. New Patrol vehicles
  - 3. Data collection

**VI. COMPSTAT **(4 hr)****

- A. Opening comments
- B. Department's initiatives that support COMPSTAT efforts
  - 1. Reduce crime and the fear of crime
  - 2. Apprehension of violent career criminals
  - 3. Develop positive, productive community partnerships
  - 4. Increase positive dialog with another law enforcement agencies
  - 5. Provide proactive leadership to the law enforcement communities
  - 6. Promote mutual respect, equal opportunity and employee wellness
  - 7. Reemphasize the department's tradition of high professional standards
  - 8. Develop coordinated technology to enhance service
  - 9. Reestablish LAPD as a prominent leader in the law enforcement community
  - 10. Institutionalize the COMPSTAT command accountability program
- C. Areas of emphasis
  - 1. Department realignment
  - 2. Increased accountability
- D. COMPSTAT command accountability program



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1. Purpose and goals of command accountability
2. Crime control and monitoring
3. Community problem solving
4. Risk Management

E. "Bottom Line" issues

1. Fewer victims
2. Improved neighborhood quality of life
3. Effective station management

F. Pertinent statistical data that supports the COMPSTAT process

G. Elements scrutinized during the COMPSTAT process

1. Daily violent crime tally
2. Crime and arrest summary sheets
3. Weekly crime summary by area
4. Divisional performance comparison
5. Basic car performance comparison
6. Crime pattern analysis

H. Commanding Officer expectations

1. Know and understand crime problems
2. Have a clear plan of action
3. Create definable goals and measures of success
4. Review before and after statistics
5. Track enforcement data
6. Review significant arrests

I. Closing comments

1. Purpose/benefits of community policing and problem solving
2. Purpose and benefits of risk management assessment
3. Value of the command accountability process

**VII. GROUP PROJECT WORKSHOP**

**(2 hr)**

1. Activity leader provides an opportunity to answer any questions students may have on the group project
2. Activity leader will review project status and establish productivity goals for this workshop session
3. Activity leader remains available throughout the workshop to provide support and guidance

**DAY 12**

**VIII. CRITICAL INCIDENTS**

**(8 hr)**

A. Incident Command System (ICS)

1. Five Functions of ICS
2. Standardizes response to emergencies

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3. LAPD Incident Forms
4. The Planning "P"

**B. Learning Activity:**

1. Explain the Incident Briefing form should be used on all tactical incidents including perimeters, searches, evacuations, etc.
2. Used in the initial stages of an incident to tract resources and document actions taken
3. If the incident does not escalate to the point where a formal Incident Action Plan is needed, this form should be attached to the supervisor's log
4. DISTRIBUTE: LAPD ICS FORM 201
  - a. ICS uses a variety of forms to assist management of the incident
  - b. The FOG manual, ICS forms contain detailed instruction for completing the form
5. The components of LAPD ICS Form 201 are:
  - a. Map Sketch
6. *Show perimeter and control lines, resources assignments, incident facilities, and other special information needed*
  - a. Summary of Current Objectives and Actions (page 2)
7. *Enter objectives as set by the Incident Commander and list actions taken*
  - a. Current Organization (page 3)
8. *Enter names of individuals assigned to each position*
  - a. Resource Summary (page 4)
9. *Enter name and serial number if singles resource. If other than personnel, enter number and type of resource ordered*

**DAY 13**

**IX. OFFICE OF SUPPORT SERVICES (OSS) - COUNTER TERRORISM BUREAU**

- A. Developing the Workplace (1 hr)**
1. Diversity in the workplace
    - a. Who do you have working for you
    - b. Why is it important
  2. Learning Activity: The 22<sup>nd</sup> Station
    - a. Brief participants on situations
    - b. Provide group assignment
    - c. Begin problem
    - d. Scenario Overview/implementation
  3. Scenario debrief
    - a. Develop a staffing plan
    - b. Identify individuals for positions
      - 1) List the "people skills"
      - 2) Was diversity an issue?
  4. Opening the new Station
    - a. What do you need
    - b. Budgetary concerns
    - c. What personnel issues will you have
    - d. Work within established parameters

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- 1) Motor Transport Division
- 2) General Services
- 3) Information Technology

**B. Dynamic Leadership Across Generations (1 hr)**

1. "Did you know" video
2. Generational Diversity
  - a. Veterans
  - b. Baby Boomers
  - c. Gen-X
  - d. Millennium

**C. Office of Support Services (1 hr)**

1. OSS Overview
  - a. Funeral Coordination
  - b. Honor Guard
  - c. Peer Support
  - d. Financial Counseling
  - e. Family Support
2. WELD & EAU Overview
  - a. Workplace Conflict Resolution
  - b. Perceptions
  - c. Conflict:
    - 1) a fight or a struggle
    - 2) a disagreement between two people
  - d. Lack of confidence and hope
    - 1) Fight or flight
    - 2) Barriers
    - 3) Attitudes
  - e. Environmental Evaluation
  - f. Military Liaison
  - g. Children's Support

**D. History of Behavioral Science Services (1 hr)**

1. History of BSS
2. Dr. Marti Reisser first full-time psychologist hired by LAPD
3. LAPD first agency to hire full time psychologist
4. LAPD BSS currently employs 16 full time psychologists
  - a. No other agency employs a similar number
  - b. LAPD BSS currently first in the nation to have full time registered dietitian
5. Behavioral Science Services
  - a. Services
  - b. 5252 sessions in 2006
  - c. 83% clients are voluntary
  - d. Department employees and spouses/significant other are eligible
6. Directed Referrals
  - a. Post OIS, CUOF
  - b. BBPE
  - c. Extent of feedback provided to OIC

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7. Personal issues
  - a. Depression
  - b. Anxiety
  - c. Relationship problems
8. Legal Ethical Issues in Psychology
  - a. Confidentiality
  - b. Cornerstone of ethics in Clinical services
  - c. Disclosure of information
    - 1) Holder of the privilege
    - 2) Conditions under which there is disclosure
  - d. Laws concerning confidentiality
  - e. Case law
9. Ethical principles of profession
  - a. "Informed Consent"
  - b. Discussion of the "Informed Consent" form provided to all clients at BSS
10. The Importance of Managing Emotional Survival of Officers
  - a. "Good management is taking care of your most important resource: your personnel."
  - b. Discussion about emotional and psychological survival of a cop
  - c. Officers and their families fearful of in line of duty death, what are the other significant hazards of being a cop
  - d. Divorce, illness, depression, pain, injury, finances, alcoholism, PTSD, social isolation, chronic anger, cynicism, high risk behaviors, or suicide
11. Great deal of effort put into "officer training" with improvements in tactics, training, communication, equipment, etc.
  - a. Are we paying attention to the emotional ways officers don't survive this job?
  - b. Suicide rates discussed nationwide, LAPD
12. Primary ways law enforcement can emotionally affect an officer
  - a. Psychological effects
  - b. Exposure to traumatic events
  - c. Cumulative exposure
  - d. Negative worldview
  - e. Development of cynicism
  - f. How changes can and do effect personality, relationships, and socialization
13. Does suicide have to be a "cop job hazard"?
  - a. 95% officers use duty weapon
  - b. Exposure to suicide in field and department - "Contagion Effect"
  - c. Cumulative trauma
  - d. Personality characteristics
14. Research about preventing officer suicide
  - a. Officers benefit from BSS services
  - b. Variety of services, Chaplain, Peer support
  - c. CIRT
  - d. Debriefing critical incident

**E. Counter Terrorism Bureau**

**(1 hr)**

1. Bureau Overview
  - a. The Approach
  - b. The Initiatives

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2. SARs
3. Operation Archangel
4. National Counter Terrorism Academy

- F. Major Crimes Division **(1 hr)**
1. Anti-Terrorism Intelligence Section
    - a. Assisting the United States Secret Service and Department of State's Diplomatic Security Service during dignitary visits to Los Angeles
    - b. Provide counter-terrorism information to selected Area Divisions and Specialized Divisions.
    - c. Liaison between Major Crimes Division and private sector
  2. Future Goals
    - a. Provide a select or all Area Divisions and Specialized Divisions access and membership data network
    - b. Provide all Area Divisions and Specialized Divisions with intranet communications during critical incidents
  3. Scenario Exercise
    - a. Organize your Incident Management Team (IMT) and develop an operational plan.
    - b. Collect, analyze, disseminate and share information and intelligence.
    - c. Discuss the impact of a potentially successful attack on the city, the department, the public and the media.
- G. Group Project **(1 ½ hr)**
1. Review Project Status
  2. Establish goal for session
- H. Session 4 Review **(30 mins)**
1. Facilitated class discussion to review Session 4
    - a. Topics new to students
    - b. What to expect in next Session
    - c. Complete class Evaluations

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**SESSION 5**

**Instructional Goal:** To develop the strategic and critical decision-making skills through real-life simulations.

**Performance Objectives:** Using group discussion, learning activities, and practical application the students will:

- o Reinforce critical-incident decision making skills
- o Emphasize strategic as well as tactical thinking
- o Develop a team-based approach to problem solving
- o Identify best practices
- o Discourage risk avoidance
- o Test policy versus reality

**DAY 14**

**X. HYDRA EVALUATED EXERCISE**

**(8 hr)**

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**SESSION 6**

**Instructional Goal:** To provide students with the knowledge and skills necessary to be a successful leader within the Rank of Captain or supervisory position.

**Performance Objectives:** Using group discussion, learning activities, practical application and demonstration the students will:

- θ Understand the leadership roles that a Commanding Officer will play
- θ Raise awareness in employee relations with Sworn and Civilian rank
- θ Identify potential resources that would provide guidance
- θ Gain understanding of the role that Employee Relations Group has within the department

**DAY 15**

**XI. LEADERSHIP**

A. Hydra Exercise Debrief and Review **(1 hr)**

B. Introduction and Overview **(1 hr)**

1. Preparation for final presentation
  - a. Chief of Police will be in attendance
  - b. Attire to be worn for presentation
  - c. Support from influential people
  - d. Bamboo Principal
  - e. Overview of Day Two and Three
2. New Commanding Officer panel
  - a. How first 30 days will be
  - b. How first 60 days will be
  - c. How first 90 days will be

C. New Commanding Officer Panel (**Panel Discussion**) **(2 hr)**

1. Transition into new Commanding Officer (Guest Speaker 1)
  - a. Personal experience from a Patrol Captain
    - 1) Preparation for promotion
    - 2) Mindset
    - 3) Issues that may arise from transition
    - 4) To be a leader to subordinates
2. Transition into new Commanding Officer (Guest Speaker 2)
  - a. Personal experience from another Patrol Captain
    - 1) Be confident in yourself
    - 2) Leadership role
    - 3) Commitment to job duty
    - 4) Create a good work environment
    - 5) Have open communication with subordinates

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3. Transition into new Commanding Officer (Guest Speaker 3)
  - a. Personal experience from another Patrol Captain
    - 1) Support from family
    - 2) Leadership roles
    - 3) Captain III and Captain I relationship
    - 4) Morale within the Division/Area
    - 5) Understand demographic issues
    - 6) Adjust to new Division/Area
  
4. Transition into new Commanding Officer (Guest Speaker 4)
  - a. Personal experience from another Patrol Captain
    - 1) Mentors
    - 2) Partnership with Area Commanding Officer
    - 3) Meet with your Management Staff
    - 4) Interaction with peers
    - 5) Develop relationships with your community
    - 6) Maintain little things
  
5. Transition into new Civilian Commanding Officer (Guest Speaker 5)
  - a. Personal experience from
    - 1) Adapt to the big jump from ranks (Lieutenant to Captain III)
    - 2) Reach out to others for assistance
    - 3) Establish credibility
      - a) Management team on board with your direction
      - b) Challenges that may arise when change is needed
      - c) Cut services
      - d) Same old thing, never changes
    - 1) Listen to your senior workers
    - 2) Priority in sworn not civilian
    - 3) Develop new strategies
      - a) Unit meetings
      - b) Address concerns
      - c) Build trust with employees
      - d) Small things matter
  
6. Bureau Meetings **(2 hr)**
  - a. How to develop a Bureau Meeting
    - 1) Any individual can coordinate
    - 2) All Captain I's
  - b. Develop open communication with all CO's within Bureau
    - 1) Address issues that arise within Bureau
    - 2) Allows a specific day to bring up subjects that may not be appropriate at other venues/events
    - 3) Brainstorm with other leaders within the Bureau
      - a) Develop strategies for COMPSTAT
      - b) Address before COMPSTAT meeting
  - c. Identify staff issues
    - 1) Civilian Positions
      - a) How will this affect each Division within the Bureau
      - b) Cross train other personnel for same job duties



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- D. Inspector General Office (**Classroom/Group Discussion**) **(2 hr)**
1. Functions and role of the Inspector General's Office
  2. Consent Decree
    - a. Transition Agreement
    - b. Financial Disclosure Report
    - c. Gang Unit
    - d. Racial Profiling/Biased Policing
    - e. Teams Report
  3. Adjudication Report - Letter of Transmittal
    - a. Commanding Officer's held accountable
    - b. Justification on conclusions
    - c. Statements made in adjudications reports
    - d. Racial Profiling

**DAY 16**

- E. EMPLOYEE RELATIONS GROUP (Classroom/Group Discussion) **(8 hr)**
1. Grievances - Understanding the process and steps of a grievance
    - a. Step 1- Informal discussion
    - b. Step 2- First Level of Review
      - 1) Commanding Officers level
    - c. Step 3- Second Level of Review
      - 1) Chief of Police
    - d. Step 4-Third Level of Review
      - 1) Police Commission
    - e. Arbitration
      - 1) Grievance Considerations
        - a) Time waiver for each level
        - b) Contact ERG for Advice
        - c) Keep open communication
        - d) Conduct investigation
        - e) Respond quickly & document
        - f) Respond appropriately
      - 2) Emergency Grievances & Class Actions
        - a) Skip steps 1 & 2
  2. Administrative Appeals (Non-Disciplinary)
  3. Process of an employee to "appeal" a prior decision taken by the Department
    - a. Punitive transfers
    - b. Downgrades & Deselections
    - c. Removal from promotional lists
  4. Administrative Transfers & Downgrades
  5. Transfers
    - a. Contact ERG prior to initiating action involving employee
    - b. Must provide acceptable rationale for the transfer
    - c. "Dance of the Lemons"
    - d. Re-Assignment of Lieutenant & Above
    - e. Two types of transfers
      - 1) Employee Initiated
      - 2) Department Initiated

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- a) Downgraded rank
  - b) Manual Section Vol. 3/762.35
  - c) Refreshing or enhancing employee performance
  - d) Resolving a conflict within command
  - e) Deselection from a bonus position
  - f) Medical Restrictions
  - g) Duty Restrictions
6. Downgrades<sup>15</sup>
- a. Consult ERG prior to initiating action
  - b. Complete 15.2 to Personnel Division
  - c. See Special Order No. 47, dated October 30, 2009
    - 1) Gives CO authority to downgrade
    - 2) Retain all documents
    - 3) Thereafter, submit the documents via buck slip to
7. Employee Relations Training
8. Understanding the differences between the Comment Cards and/or Notice to Corrects.
9. Comment Cards – Do's
- a. Identify the following in the comment card<sup>16</sup>
    - 1) This is where you are
      - a) Facts
      - b) Action
      - c) Behavior
    - 2) This is where you need to be
      - a) Standard
      - b) Rule
      - c) Desired behavior
    - 3) This is how to get there
      - a) What to do next time in a similar situation
    - 4) This is why
      - a) Consequences
      - b) Impact
      - c) Unit/Div/Dept goal
      - d) Value or purpose
10. Comment Cards – Don'ts
- a. Don't use numerical goals (quotas)
  - b. Don't use boiler plate language
  - c. Don't write a novel
  - d. Don't become emotionally involved
11. Notice to Correct Deficiencies
- a. In addition to what is listed in the comment card must also add
  - b. Consequences for not changing
    - 1) List only what you realistically intend to recommend doing if behavior doesn't change
    - 2) Do not inflate or exaggerate
    - 3) Do be creative and

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<sup>15</sup> LAPD Manual Section 763.55, Policy Governing Deselection from Advanced Pay grade and Bonus Positions

<sup>16</sup> Employee Relations Administrator Office of the Chief of Staff-8-17-2009 Notice Use of Employee Comment Sheet-Reminder

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- 4) Don't be timid
  
- 12. Stand-by/Recall/On-Call
- 13. Standard Based Assessment (SBA)
  - a. SBA replaces the Performance Evaluation Report
  - b. Why a new system
  - c. What will it be like
  - d. How will the assessment be completed
  - e. What is the Commanding Officer's role in all this
  
- F. MOU Issues
  - 1. LAPD Civilian Employees
    - a. Civilian rights are documented under one of 18 MOU's
    - b. Civil Service Boards
    - c. Seven civilian unions with whom LAPD correspond with
    - d. Non-represented employees
  - 2. Civilian Grievances
    - a. Coalition employees
    - b. EAA employees
    - c. Non-represented employees
  - 3. Civilian Conduct
    - a. Are entitled to two 15-minute breaks/rest periods
    - b. Attire/Grooming
  - 4. Differences between Civilian and Sworn personnel
    - a. Civilian FLSA non-exempt employees cannot move their modified day off nor their short day
    - b. Comment Cards
  - 5. New civilian ratings
    - a. One is for supervisor position
    - b. Other is for non-supervisory position
  
- G. Issues not related to Employee Relations Group
  - 1. Workplace Conflicts
  - 2. Mediation
  - 3. Work Permits
  - 4. Bilingual Pay
  - 5. Screen Downs/Package Reviews
  - 6. Regular Transfers
  - 7. Medical Leaves/IOD Issues
  - 8. Executive Merit Pay
  - 9. Retaliation Complaints
  - 10. Terminations (Tenured & Probationary)
  - 11. Continuing Education Bonus

**DAY 17**

- H. Senior Commanding Officer Panel (**Panel Discussion**) **(3 hr)**
  - 1. Transition into new Commanding Officer (Guest Speaker 1)
    - a. Personal experience from a Patrol Captain
    - 5) Preparation for promotion

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- 6) Mindset
  - 7) Issues that may arise from transition
  - 8) To be a leader to subordinates
2. Transition into new Commanding Officer (Guest Speaker 2)
    - a. Personal experience from another Patrol Captain
      - 6) Be confident in yourself
      - 7) Leadership role
      - 8) Commitment to job duty
      - 9) Create a good work environment
      - 10) Have open communication with subordinates
  3. Transition into new Commanding Officer (Guest Speaker 3)
    - a. Personal experience from another Patrol Captain
      - 7) Support from family
      - 8) Leadership roles
      - 9) Captain III and Captain I relationship
      - 10) Morale within the Division/Area
      - 11) Understand demographic issues
      - 12) Adjust to new Division/Area
  4. Transition into new Commanding Officer (Guest Speaker 4)
    - a. Personal experience from another Patrol Captain
      - 7) Mentors
      - 8) Partnership with Area Commanding Officer
      - 9) Meet with your Management Staff
      - 10) Interaction with peers
      - 11) Develop relationships with your community
      - 12) Maintain little things
  5. Transition into new Civilian Commanding Officer (Guest Speaker 5)
    - a. Personal experience from
      - 4) Adapt to the big jump from ranks (Lieutenant to Captain III)
      - 5) Reach out to others for assistance
      - 6) Establish credibility
        - e) Management team on board with your direction
        - f) Challenges that may arise when change is needed
        - g) Cut services
        - h) Same old thing, never changes
      - 4) Listen to your senior workers
      - 5) Priority in sworn not civilian
      - 6) Develop new strategies
        - e) Unit meetings
        - f) Address concerns
        - g) Build trust with employees
        - h) Small things matter
- I. Presentation Coaching **(2 hr)**
1. Review key components of presentations
  2. Delivery methods and styles

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- 3. Presentation ground rules
- 4. Expectations

J. Session 6 Review (1 hr)

- 1. Topics new to students
- 2. Complete evaluations

K. Group Project Final Preparations (1 hr)

L. Putting It All Together (1 hr)

- 1. Course Overview
- 2. Lessons Learned

**DAY 18**

M. Department updates and initiatives (2 hr)

N. Guest Speaker – Law Enforcement Issues (2 hr)

O. Group Presentations to the Chief (2 hr)

P. Feedback from the Chief (2 hr)

- 1. Graduation
- 2. Closing remarks