

# VOLUME 1

## Policy

### GENERAL PROVISIONS

**010. POLICY.** Policy consists of principles and values which guide the performance of a Department activity. Policy is not a statement of what must be done in a particular situation; rather, it is a statement of guiding principles which should be followed in activities which are directed toward the attainment of Department objectives.

Policy is formulated by analyzing objectives and determining through research those principles which will best guide the Department in achieving its objectives. Policy is based upon police ethics and experience, the desires of the community, and the mandate of the law.

Policy is articulated to inform the public and Department employees of the principles which will be adhered to in the performance of the law enforcement function. Additionally, policy establishes operational standards to assist Department employees in the necessary exercise of discretion in discharging their responsibility.

An officer in the performance of his duty is confronted with an infinite variety of complex situations which require police action. Since policy is objective rather than situation oriented, it is broad enough in scope to encompass most situations. Policy, therefore, must be stated in general terms.

### **020. GLOSSARY**

**020.10 VALUE.** A value is a quality of performance or accomplishment. Values are the basis for the determination of objectives and may be both ethical and functional.

**020.20 OBJECTIVE.** An objective is a desired end for which effort is expended, and which, if attained, fulfills the purposes of the Department. Within each objective, there may be a number of ancillary objectives, each of which, if attained, contributes to the accomplishment of the police mission.

**020.30 PRINCIPLE.** A principle is a conceptual guide arrived at through logical deduction by evaluating experience with a view toward the attainment of objectives. A principle may be of assistance in the exercise of judgment in a duty-related activity and may be both ethical and functional.

**020.40 PROCEDURE.** A procedure is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs action in a particular situation to perform a specific task within the guidelines of policy. Both policies and procedures are objective oriented; however, policy establishes limits of action while procedure directs response within those limits.

**020.50 RULE.** A rule is a specific prohibition or requirement which is stated to prevent deviations from policy or procedure. Rules allow little deviation other than for stated exceptions.

## **OBJECTIVES**

**100. MOTTO OF THE DEPARTMENT.** The motto, "**To Protect and To Serve,**" states the essential purpose of the Los Angeles Police Department. The Department **protects** the right of all persons within its jurisdiction to be free from criminal attack, to be secure in their possessions, and to live in peace. The Department **serves** the people of Los Angeles by performing the law enforcement function in a professional manner, and it is to these people that the Department is ultimately responsible.

**101. PREAMBLE.** The Los Angeles Police Department is committed to serving the community while protecting the rights of all persons. Consistent with this commitment, the Department's Vision, Mission, and Core Values, in concert with the Law Enforcement Code of Ethics and the Department's Management Principles, reflect the guiding philosophy of the Los Angeles Police Department.

**102. VISION.** It is the vision of the Los Angeles Police Department to, as closely as possible, achieve a City free from crime and public disorder.

**105. MISSION.** It is the mission of the Los Angeles Police Department to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with the diverse communities to improve their quality of life. Our mandate is to do so with honor and integrity, while at all times conducting ourselves with the highest ethical standards to maintain public confidence.

### **110. CORE VALUES**

**110.10 SERVICE TO OUR COMMUNITIES.** We are dedicated to enhancing public safety and reducing the fear and the incidence of crime. People in our communities are our most important customers. Our motto, "To Protect and to Serve," is not just a slogan - it is our way of life. We will work in partnership with the people in our communities and do our best, within the law, to solve community problems that affect public safety. We value the great diversity of people in both our residential and business communities and serve all with equal dedication.

**110.20 REVERENCE FOR THE LAW.** We have been given the honor and privilege of enforcing the law. We must always exercise integrity in the use of the power and authority that have been given to us by the people. Our personal and professional behavior should be a model for all to follow. We will obey and support the letter and the spirit of the law.

**110.30 COMMITMENT TO LEADERSHIP.** We believe the Los Angeles Police Department should be a leader in Law Enforcement. We also believe that each individual needs to be a leader in his or her area of responsibility. Making sure that our values become part of our day-to-day work life is our mandate. We must each work to ensure

that our co-workers, our professional colleagues and our communities have the highest respect for the Los Angeles Police Department.

**110.40 INTEGRITY IN ALL WE SAY AND DO.** Integrity is our standard. We are proud of our profession and will conduct ourselves in a manner that merits the respect of all people. We will demonstrate honest, ethical behavior in all our interactions. Our actions will match our words. We must have the courage to stand up for our beliefs and do what is right. Throughout the ranks, the Los Angeles Police Department has a long history of integrity and freedom from corruption. Upholding this proud tradition is a challenge we must all continue to meet.

**110.50 RESPECT FOR PEOPLE.** Working with the Los Angeles Police Department should be challenging and rewarding. Our people are our most important resource. We can best serve the many and varied needs of our communities by empowering our employees to fulfill their responsibilities with knowledge, authority and appropriate discretion. We encourage our people to submit ideas, we listen to their suggestions, and we help them develop to their maximum potential. We believe in treating all people with respect and dignity. We show concern and empathy for the victims of crime and treat violators of the law with fairness and dignity. By demonstrating respect for others, we will earn respect for the Los Angeles Police Department.

**110.60 QUALITY THROUGH CONTINUOUS IMPROVEMENT.** We will strive to achieve the highest level of quality in all aspects of our work. We can never be satisfied with the "status quo." We must aim for continuous improvement in serving the people in our communities. We value innovation and support creativity. We realize that constant change is a way of life in a dynamic city like Los Angeles, and we dedicate ourselves to proactively seeking new and better ways to serve.

## **115. MANAGEMENT PRINCIPLES**

**Note:** The below Management Principles are an important part of the Department's history, and reflect the principles by which it functions. However, employees are reminded that these are principles only. For official verbatim Department policy, employees should refer to the respective Department Manual Section.

**REVERENCE FOR THE LAW.** The main thrust of a peace officer's duties consists of an attempt to enforce the law. In our application of the law we must do it within a legal spirit which was so clearly set forth by the framers of the Bill of Rights, which was an original part of our Constitution. That bill had as its purpose elevating the rights of each citizen to a position co-equal with the state which might accuse him. Its purpose was to provide for an enforcement of the law with fundamental fairness and equity. Because of the Bill of Rights, the dignity of the individual person in America was placed in an almost sacred position of importance.

A peace officer's enforcement should not be done in grudging adherence to the legal rights of the accused, but in a sincere spirit of seeking that every accused person is given all of his rights as far as it is within the powers of the police.

In the discharge of our enforcement of criminal statutes, the peace officer must scrupulously avoid any conduct which would make him a violator of the law. The solution of a crime, or the arrest of a lawbreaker, can never justify the peace officer committing a felony as an expedient for the enforcement of the law.

We as peace officers should do our utmost to foster a reverence for the law. We can start best by displaying a reverence for the legal rights of our fellow citizens and a reverence for the law itself.

**CRIME PREVENTION TOP PRIORITY.** The basic mission for which the police exist is to prevent crime and disorder as an alternative to repression by military force and severity of legal punishment. When the police fail to prevent crime, it becomes important to apprehend the person responsible for the crime and gather all evidence that might be used in a subsequent trial.

**PUBLIC APPROBATION OF POLICE.** The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior, and the ability of the police to secure and maintain public respect.

**VOLUNTARY LAW OBSERVANCE.** The police must secure the willing cooperation of the public in voluntary observance of the law in order to be able to secure and maintain the respect and approval of the public.

**PUBLIC COOPERATION.** The degree of public cooperation that can be secured diminishes, proportionally, the necessity for the use of physical force and compulsion in achieving police objectives.

**IMPARTIAL FRIENDLY ENFORCEMENT.** The police seek and preserve public favor, not by catering to public opinion, but by constantly demonstrating absolutely impartial service to the law without regard to the justice or injustice of the substance of individual laws; by readily offering individual service and friendship to all members of society; by the ready exercise of courtesy and friendly good humor; and by readily offering individual sacrifice in protecting and preserving life.

**MINIMUM USE OF FORCE.** The police should use physical force to the extent necessary to secure observance of the law or to restore order when the exercise of persuasion, advice, and warning is found to be insufficient to achieve police objectives and police should use only the reasonable amount of physical force which is necessary on any particular occasion for achieving a police objective.

**PUBLIC ARE THE POLICE.** The police at all times should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police; the police are the only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interest of community welfare.

**LIMIT OF POLICE POWER.** The police should always direct their actions strictly toward their functions and never appear to usurp the powers of the judiciary by avenging individuals or the state, or authoritatively judging guilt or punishing the guilty.

**TEST OF POLICE EFFECTIVENESS.** The test of police effectiveness is the absence of crime and the presence of public order. It is not the evidence of police action in dealing with crime and disorder.

**PEOPLE WORKING WITH POLICE.** The task of crime prevention cannot be accomplished by the police alone. This task necessarily requires the willing cooperation of both the police and the public working together toward a common goal.

**PEOPLE WORKING WITH PEOPLE.** Since the police cannot be expected to be on every residential or business block, every hour of the day, a process must be developed whereby each person becomes concerned with the welfare and safety of his neighborhood. When people are working with other people in their neighborhood, they can effectively reduce crime.

**MANAGERS WORKING WITH POLICE.** Only line police officers perform the tasks for which police were created. They are the operating professionals. Supervisors and managers exist to define problems, to establish objectives, and to assist line police officers in the accomplishment of the police mission.

The evaluation of a manager should be based on the improvement and excellence of his subordinates in the achievement of organizational goals. The life's blood of good management is thoroughly systematic, two-way circulation of information, feelings, and perceptions throughout the organization.

**POLICE WORKING WITH POLICE.** For many reasons, some specialization of work is necessary. Specialization should be created only when vitally necessary. When specialization is created, organization should be adjusted to ensure that the specialists and generalists who serve the same citizens work closely together on the common problems in as informal an organizational structure as possible. This tends to ensure a unity of effort, resources and the effective service to a common goal.

**POLICE WORKING WITH CRIMINAL JUSTICE SYSTEM.** It must be recognized that the police and the people alone cannot successfully resolve the problems of crime. The criminal justice system as a whole, in order to properly serve the public, must operate as a total system with all of its various elements working together. The close cooperation of the police with prosecutors, courts and correctional officers is necessary in order to ensure the development of a safer community.

**POLICE/PRESS RELATIONSHIPS.** One of the first and most fundamental considerations of this nation's founders in drafting the Bill of Rights was to provide for a free press as an essential element of the First Amendment to the Constitution. They recognized that a well-informed citizenry is vital to the effective functioning of a democracy. Police operations profoundly affect the public and therefore arouse substantial public interest. Likewise, public interest and public cooperation bear

significantly on the successful accomplishment of any police mission. The police should make every reasonable effort to serve the needs of the media in informing the public about crime and other police problems. This should be done with an attitude of openness and frankness whenever possible. The media should have access to personnel, at the lowest level in a Department, who are fully informed about the subject of a press inquiry. The media should be told all that can be told that will not impinge on a person's right to a fair trial, seriously impede a criminal investigation, imperil a human life, or seriously endanger the security of the people. In such cases, the minimum information should be given which will not impinge on the four areas and we should merely state that nothing more can be said.

In all other matters in our relationship with the media in dealing with current news, every member of the Department should make every reasonable effort consistent with accomplishing the police task in providing the media representatives with full and accurate material.

**MANAGEMENT BY OBJECTIVES.** In order to effectively deal with the most important problems, objectives must be established. The establishment of objectives and the means used to ensure that they are reached must include the participation of those involved in the task. The setting of an objective has very little meaning without the participation of those involved.

**MANAGEMENT BY PARTICIPATION.** Since employees are greatly influenced by decisions that are made and objectives that are established, it is important for them to be able to provide input into the methods utilized to reach these decisions. Employees should be encouraged to make recommendations which might lead to an improvement in the delivery of police services and assist in the furtherance of the Department meeting its objective.

**TERRITORIAL IMPERATIVE.** Police work is one of the most personal of all personal services. It deals with human beings in life and death situations. The police officers and the people they serve must be as close as possible, and where possible must know one another. Such closeness can generate the police-citizen cooperation necessary for the involvement of the whole community in community protection. Organization of assignments should ensure that the same police and the same citizens have an opportunity to continuously work for the protection of a specific community. Strength through interacting together and working together on common problems can be enhanced through officers and the people feeling at home with one another in an atmosphere of mutual cooperation. This may be described as a utilization of the "Territorial Imperative."

**OPENNESS AND HONESTY.** For police-public cooperation, there must be respect of the police by the public. This is best ensured by optimum openness of the Department in its operations. A general feeling and reality of openness must pervade the police organization. Above all, the police officer must be consistently open, honest and trustful in all matters. A combination of honesty and openness will effectively develop respect in the community for the police and make it possible for citizens to come to them with problems and information. Where this trust does not exist because of a lack of honesty or

openness, the channels of communication between the police and the public are clogged and the police must desperately struggle on alone.

**120. PRIMARY OBJECTIVE.** A large urban society free from crime and disorder remains an unachieved ideal; nevertheless, consistent with the values of a free society, it is the primary objective of the Los Angeles Police Department to as closely as possible approach that ideal. In so doing, the Department's role is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons. It is not the role of the Department to legislate, to render legal judgments, or to punish.

### **130. FUNCTIONAL OBJECTIVES**

**130.10 PREVENTION OF CRIME.** Peace in a free society depends on voluntary compliance with the law. The primary responsibility for upholding the law therefore lies not with the police, but with the people. Since crime is a social phenomenon, crime prevention is the concern of every person living in society. Society employs full-time professional police to prevent crime, to deter it, and when that fails, to apprehend those who violate the law.

Crime is a symptom of ills within society which are not the responsibility of the Department to cure. The Department is responsible, however, for interacting with the community to generate mutual understanding so that there may be public support for crime prevention. Community involvement is essential to facilitate a free flow of information between the public and the Department to assist in the identification of problem areas and to inform the public of crime statistics and trends. Additionally, knowledge of the community is necessary so that each Department employee may be instilled with a sense of concern for the crime problems and law enforcement needs in his assigned area of responsibility.

The prevention of crime remains as a basic obligation of society. When it becomes necessary to rely on police action to secure compliance with the law, society has failed in this responsibility.

**130.20 DETERRENCE OF CRIME.** While there are certain crimes that cannot be deterred, crimes committed against property and against innocent victims in public places are reduced by police patrol. Street crime is curbed by the potential criminal's fear of immediate apprehension or by the increased likelihood of his detection. The deterrence of crime requires the investigation of behavior which reasonably appears to be criminally directed.

In deploying patrol forces to deter crime and to inspire public confidence in its ability to ensure a peaceful environment, the Department must strike a balance between the desirable deterrent effect of visible patrol and any undesirable appearance of oppression. In the long run, however, it must be the people, not the Department, who determine the limitations on their freedom.

**130.25 REVERENCE FOR HUMAN LIFE.** Reverence for human life is the primary consideration in developing tactics and strategies in pursuit of our motto: "To Protect and To Serve." Whenever an operation designed to achieve an immediate goal such as the arrest of a felon or the gathering of evidence to complete a criminal investigation causes a victim, witness, or other innocent person to be subjected to potential injury or death, our primary objective must be to protect that person. No arrest, conviction, or piece of evidence can outweigh the value of human life.

**130.30 APPREHENSION OF OFFENDERS.** The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of a law violator, and it has as its objective the voluntary compliance with the law as an alternative to punishment. Once a crime has been committed, it is the duty of the Department to initiate the criminal justice process by identifying and arresting the perpetrator, to obtain necessary evidence, and to cooperate in the prosecution of the case.

As the certainty of swift and sure punishment serves as an effective deterrent to crime, the Department must diligently strive to solve all crimes and to bring the perpetrators to justice.

**130.40 RECOVERY AND RETURN OF PROPERTY.** The actual costs of crime are difficult to measure; there cannot be a dollar value assigned to the broken bodies, ruined lives, and human misery which are its products. However, it is possible to observe the steadily mounting cost of lost and stolen property. This loss as well as the other costs of crime must ultimately be borne by its victims. To minimize the losses due to crime, the Department makes every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.

**130.50 MOVEMENT OF TRAFFIC.** To facilitate the safe and expeditious movement of vehicular and pedestrian traffic, the Department must enforce traffic laws, and investigate traffic collisions. To enforce compliance with traffic laws and to develop driver awareness of the causes of traffic collisions, the Department appropriately warns, cites, or arrests traffic law violators. Traffic collisions are investigated to protect the rights of the involved parties, to care for the injured, to determine the causes of accidents so that methods of prevention may be developed and, when a traffic law violation is discovered, to gather necessary evidence to prosecute the violator. The Los Angeles Department of Transportation shall be requested to direct vehicular traffic when necessary to prevent injury to persons and property, and provide information to the public in assisting them to arrive at their destination safely and expeditiously.

**130.60 PUBLIC SERVICE.** Often, because there are no other public or private agencies available, the public relies upon the Department for assistance and advice in the many routine and emergency situations which develop in an urban society. For this reason and because there is frequently a potential for crime, the Department regularly responds to incidents where it is not contemplated that an arrest will be made. Whenever practical, on- or off-duty officers in uniform in a distinctively marked police vehicle shall render necessary aid and/or assistance to a driver or occupant of a disabled motor vehicle on highways within the City of Los Angeles.



**Note:** Officers shall be guided by Department Manual Section 4/223.30 when towing service is requested or needed, and by Section 4/223.40 when it is necessary to use a police vehicle to move a disabled vehicle from a highway.

Saving lives and aiding the injured, locating lost persons, keeping the peace, and providing for many other miscellaneous needs are basic services provided by the Department. To satisfy these requests, the Department responds to calls for service and renders such aid or advice as is necessitated or indicated by the situation.

**130.70 DISASTER RESPONSE.** Whenever a disaster occurs, the citizens of Los Angeles inevitably look to the Police Department and the City government for leadership and assistance in mitigating its effects. Therefore, it is vital that all City employees be available to assist when a disaster occurs.

It is the policy of the Los Angeles Police Department that in the event of a disaster during normal working hours, all employees shall remain at work and make themselves available for disaster relief. No supervisor is authorized to release any employee from work in the event of a disaster, without the approval of the Chief of Police. Employees who leave without such authorization shall be subject to discipline.

During non-business hours, employees shall follow established mobilization plan procedures.

**Note:** Procedures for the disaster response are contained in the Department's Emergency Operations Guide.

## **140. RESOURCE OBJECTIVES**

**140.10 DEPARTMENT PERSONNEL.** Police officers are frequently required to make decisions affecting human life and liberty in difficult situations where there is no opportunity to seek advice and little time for reflection. Law enforcement in a free and complex society requires an officer to have the stamina, intelligence, moral courage, and emotional stability necessary to fairly and impartially deal with human beings in the many complicated and potentially explosive situations which they encounter. To obtain the caliber of personnel necessary to provide the public with professional law enforcement, it is essential that the Department participate in the recruitment and selection of potential officers. Thereafter, the Department must provide training for all officers and promote the most qualified.

**140.15 ACQUISITION AND ANNUAL REPORTING OF CERTAIN INFORMATION SYSTEMS AND TECHNOLOGIES.** In acquiring and using technology as defined below, the Department must balance service improvement with the public's reasonable expectation of privacy and the protection of civil liberties. Outlined herein are the steps required before acquiring or continuing to use any technology that has an impact on individual privacy rights, civil liberties, or other constitutional rights. These steps, in conjunction with the oversight of the Board of Police Commissioners (BOPC), shall provide the public an understanding and opportunity for comment prior to the acquisition and use of any equipment or software defined herein. This will provide

transparency and increase public trust.

### **Technology to Which this Policy Applies**

For the purposes of this policy, “technology” means systems, hardware, or software, including data aggregators, that are owned, licensed, used, or shared by or with the Department and can access non-public places or information, or that aggregates publicly available information which can reveal considerable personal information about individuals. Such items shall be referred to as “Technology” in this policy.

**Note:** This policy does not apply to the acquisition or use of information systems and technologies (e. g., Records Management System, handheld radios, email platforms) used for internal Department functions which do not collect data on, or information from, the public – or additional items as determined by the BOPC in consultation with the Chief of Police.

### **Acquisition of Certain New Technologies**

**Employee’s Responsibilities.** Any Department entity or employee (i.e., originating entity) who would like to request the consideration of a new information system and/or technology that would improve Department operations, and may have an impact on individual privacy rights, civil liberties, or other constitutional rights, shall complete an Acquisition of Information Systems and Technologies Review and Evaluation Request (AISTRER) form.

The originating entity shall also prepare a new or revised policy as necessary to ensure that the Technology will be used by the Department in accordance with the tenants of Constitutional Policing. Such policy shall include but is not limited to:

- The authorized use of and users of the technology;
- The authorized use of any data or information that is obtained from the use of the technology;
- Any limits on the use of the technology or the data obtained from it;
- Any data protections necessary;
- The authorized or required data retention and/or deletion practices that will be employed by the Department; and,
- Any necessary or available auditing and oversight of the technology.

Upon completion, the AISTRER form and proposed use policy shall be submitted to the requestor’s commanding officer.

**Note:** Should the originating entity believe that a new policy is not necessary, it shall explain why existing policies, as written, satisfy the above articulated criteria.

**Commanding Officer’s Responsibilities.** Any commanding officer (CO) who receives an AISTRER form from within his or her command, shall ensure it has been properly

completed. The CO shall further ensure the form is forwarded to Innovation Management Division (IMD) for review and processing.

**Innovation Management Division's Responsibilities.** Innovation Management Division shall be responsible for two primary functions with respect to the acquisition of new Technologies:

#### Pre-Acquisition of New Technologies

- I. Innovation Management Division shall review all AISTRER forms received. Innovation Management Division shall vet the proposed technology to ensure both the vendor, technology and its proposed use are consistent with the Department's Core Values and commitment to constitutional policing. Innovation Management Division shall prepare a report for the Chief of Police which provides a comprehensive evaluation of the vendor and technology with respect to these precepts.
- II. Upon IMD's conditional approval of the acquisition request, the originating entity shall produce a Technology Use and Data Privacy Report (TUDPR) for the proposed technology. The TUDPR shall be prepared in consultation with IMD. Any AISTRER request received that is not sufficiently completed shall be returned to the originating entity's CO for further investigation.

Innovation Management Division shall submit the AISTRER, TUDPR, and written evaluation (including any recommendations) of the proposed acquisition through Information Technology Bureau (ITB) to the Chief of Police for consideration. Innovation Management Division shall further liaise with Police Training and Education to develop appropriate training for all new Technology and notify Employee Relations Group of the proposed technology.

**Police Training and Education Responsibilities.** Police Training and Education (PTE) shall develop a training plan for the end users of any proposed new Technology. The training plan shall include, but not be limited to:

- Who will coordinate the training;
- When such training shall begin;
- Any tests that will be part of the training;
- How those in charge of the training will account for those trained; and
- Any limits on the use of the technology or the data obtained from the technology.

With the Chief of Police 's concurrence, the "full proposal" (i.e., AISTRER, TUDPR, written evaluation, training proposal, and policy, as necessary) shall be submitted to the BOPC for review and approval.

#### Acquisition Approval of Certain Technologies

In consideration of the acquisition of certain new Technology as defined and outlined above, IMD and PTE shall confer with the Office of Constitutional Policing and Policy

(OCP) and subsequently present the full written proposal to the BOPC in open session, thereby communicating to the public:

1. The Technology and its application;
2. The proposed policy governing the Technology's use and restrictions; and,
3. The plan for training personnel on the use of the Technology and the application of its policy, as necessary.

The presentation shall further include, but not be limited to:

- A detailed description of the technology and its functionality;
- The type of data the technology is capable of collecting;
- Location(s) or type of location where the technology will be deployed;
- Identification of any potential impact on privacy and civil rights, and strategies to safeguard those rights;
- An assessment of how the submitted technology can be used;
- Data protection and ability of data sharing;
- Data retention or deletion capabilities;
- Potential public access to the data;
- Mitigations for all identified concerns;
- Fiscal impact of the technology; and,
- Expense for additional personnel or projections for additional funding, if needed.

Department personnel shall **not** acquire or use any technology subject to this policy prior to the approval of the proposed Technology's policy, application, and training by the BOPC.

#### Annual Reporting Requirements for Existing Technologies

For all Technology defined above, **including Technology that is in use at the time this policy is established** or acquired after the adoption of this policy, the Department shall periodically monitor and evaluate its use. Innovation Management Division shall track and maintain records of all reports from end users of systems and technologies under the purview of this policy. Additionally, IMD shall compile, schedule, and coordinate the presentation of an annual Comprehensive Technology Report (CTR) to the BOPC. The CTR shall include but not be limited to the following for each technology or system used by the Department:

- An analysis of whether the technology, as used by the Department met the expectations of any presentation to the BOPC or of the Department when it obtained the technology;
- The frequency of use of the technology;
- The efficacy of the technology;
- The personnel compliance of all end users [i.e., each Area/division or bureau] with any policy regarding the technology;
- The cost of the technology, including a cost benefits analysis for the technology;
- Any identified concerns and proposed mitigations;

- The efficacy of the existing policy regarding the technology and any proposed additions, deletions or amendments; and,
- The efficacy of the training on the policy and any proposed additions, changes, or necessary repetition.

**Note:** The annual CTR shall not contain investigative (i.e., evidentiary) data regarding any court ordered use of Technology that could interfere with an ongoing investigation of legal action. Only aggregate data shall be presented to the BOPC.

The CTR shall be collectively presented by each end user, as identified by IMD, to the BOPC.

**140.20 UTILIZATION OF RESOURCES.** Law enforcement is one of the most expensive and complex services provided by the City. The quality and extent of service provided are necessarily limited by available resources which are to a large extent dependent upon the revenue sources of the City. To ensure that the highest level of service is obtained from the resources at its disposal, the Department must make use of the most efficient management and budgeting techniques available.

**140.25 USE OF EQUIPMENT COVERED BY CALIFORNIA ASSEMBLY BILL 481.** To assist officers in their duties, the Department maintains an inventory of - and continually procures - law enforcement equipment items identified as “military equipment,” by California Assembly Bill (AB) 481, 2021-22. The Department recognizes that the deployment of these items is a matter of public interest.

To ensure compliance with AB 481, it is the policy of this Department that:

1. Department employees and supervisors who deploy, stage, use or misuse, or witness the deployment, staging, use or misuse, of covered equipment items comply with the training, reporting, and documentation requirements in this policy.
2. The Department reports annually on the inventory, procurement, use, and misuse of covered equipment items to the Board of Police Commissioners. The report shall, at a minimum, contain the required content outlined in Government Code Section 7072(a).

**Note:** Pursuant to this policy, only “use instances” of covered equipment items require reporting. The definition of “use instance,” is listed under the Definitions section of this policy.

**Employee’s Responsibilities.** Department employees shall adhere to the following when deploying, staging, or using any covered equipment item identified or defined below:

- Ensure that they have been properly trained on the item according to the California Commission on Peace Officer Standards and Training’s (P.O.S.T.) requirements, if applicable, as well as all Department training mandated by the Chief of Police (e.g., Office of the Chief of Police Notice, Special Order or

Administrative Order), Training Bureau (e.g., Training Bureau Notice), Detective Bureau (e.g., Chief of Detectives Notice), or Training Division (e.g., Training Bulletin);

- Ensure that the facts and circumstances presented are consistent with the item-specific deployment criteria outlined by the Department;
- Ensure that any use or misuse is immediately reported to a Department supervisor;

**Note:** Personnel are reminded of the duty to intercede and duty to report excessive force, per Section 1/556.10 of the Department Manual.

- Ensure that any injured individual or person complaining of injury as a result of the use of covered equipment is evaluated and/or transported by a Rescue Ambulance (RA) as soon as practicable; and,
- Document any use of an equipment item covered by this policy according to the item specific and incident-specific documenting protocols, including (but not limited to):
  - An Employee's Report, Form 15.07.00;
  - The Use of Force section within an Investigative Report, Form 03.01.00; or,
  - The Use of Force section within an Arrest Report, Form 05.02.00.

**Supervisor's Responsibilities.** Any Department supervisor who witnesses, authorizes, or is informed of the use or misuse of any equipment item covered by this policy, shall:

- Make the appropriate Department notification(s) (e.g., watch commander, Department Operations Center, Force Investigation Division, Professional Standards Bureau);
- Document the incident on their Sergeant's Daily Report, Form 15.48.00, or equivalent;
- Ensure that any use or misuse is additionally documented according to the item-specific and incident-specific documenting protocols, such as a:
  - Non-Categorical Use of Force Report, Form 01.67.05;
  - SWAT (i.e., Special Weapons and Tactics) After Action Report;
  - Incident Command System (ICS) Form 214; or,
  - Personnel Complaint, Form 01.28.00.
- Ensure that any injured individual or person complaining of injury is evaluated and/or transported by an RA as soon as practicable.

**Commanding Officer's Responsibilities.** Every commanding officer (CO) whose command maintains military equipment, or has personnel who utilize or participate in the procurement or evaluation of such equipment, shall ensure:

- All personnel under their command comply with this policy;
- An Inventory, Procurement, and Use of Military Equipment, Form 15.62.00, is thoroughly and accurately completed for their command annually; and,

- A completed Form 15.62.00 is forwarded to their bureau or equivalent annually, or upon request.

**Bureau Commanding Officer's Responsibilities.** The CO of each bureau, or equivalent, which maintains equipment covered by this policy or has personnel who utilize or participate in the procurement or evaluation of such equipment, shall ensure that a Form 15.62.00 is completed annually. Bureau COs shall also ensure that a completed Form 15.62.00 for their command as well as each subordinate entity is forwarded to Audit Division annually, or upon request.

**Exemption for Standard Issue Equipment.** Standard issue equipment, as defined below, is exempt from this policy; its procurement, use and misuse shall continue to be reported and documented under current policies and procedures.

**Exemption for Items Procured for Evaluation.** The Department occasionally evaluates new equipment items to determine if they would assist in providing police services. This policy shall not preclude the Department from, at any time, acquiring equipment items covered by AB 481 and this policy for testing and evaluation purposes only. Should the Department wish to move beyond the testing and evaluation phase and begin deployment of any new covered equipment item in the community, it shall comply with the existing requirements set forth by this policy. As such, any new equipment item covered by AB 481 which is determined to be viable for field or specialized use, shall not be placed into service (e.g., a pilot program) until it is approved by the Board of Police Commissioners and in accordance with AB 481.

#### Definitions

**Standard Issue.** Any equipment item (**excluding** Department-issued and privately purchased assault rifles and Benelli M4 semi-automatic shotguns for on-duty use) which is authorized and approved by the Department's Uniform and Equipment Committee (UEC), is consistent with the Department's functions, and, for which, the employee has received the requisite training (e.g., P.O.S. T., Police Training and Education, Training Division), shall be considered "standard issue."

**Staging.** The deployment of any covered equipment item at the scene of an incident or command post configuration without being materially incorporated into the investigative or enforcement mission of the incident, shall be considered a "staging" of the item.

**Deployment.** The public display of any covered equipment item by Department personnel in response to an incident requiring investigative or enforcement action shall be considered a "deployment" of the item. Deployment alone is not reportable under this Policy.

**Use Instance.** The intentional or unintentional operation, launch, discharge, detonation, activation, ignition, or impact of a covered equipment item with a person or object in response to an incident requiring investigative or enforcement action shall be a reportable "use" of the item. For vehicles - including small unmanned, aerial systems (sUAS) and

robots occurs when the item performs a function to assist in the mission of the investigative or enforcement action.

The equipment items covered by this policy and defined as “military equipment” by Government Code Section 7070(c), et seq., are as follows:

- Unmanned, remotely piloted, powered aerial or ground vehicles;
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers, excluding police versions of standard consumer vehicles (e.g., black and whites);
- High mobility, multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached; excluding unarmored, all-terrain vehicles (ATVs) and motorized dirt bikes;
- Tracked, armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion;
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units (including Area command vehicles);
- Weaponized aircraft, vessels, or vehicles of any kind;
- Battering rams, slugs, and breaching apparatuses that are explosive in nature;

**Note:** Items designed to remove a lock, such as bolt cutters or a handheld ram designed to be operated by one person do not fall under the definition of military equipment for the purposes of this section. In addition, the inclusion of slugs in this section means slug ammunition specifically designed and manufactured for breaching purposes.

- Firearms of .50 caliber or greater, excluding standard issue shotguns (e.g., authorized and approved Remington “Police” Model 870);
- Ammunition of .50 caliber or greater, excluding standard issue shotgun ammunition (e.g., approved and authorized 12 gauge “00” buck and Slug Shotgun Ammunition);
- Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the California Penal Code, excluding standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency, including, but not limited to, approved and authorized handguns, and associated ammunition;
- Any firearm or firearm accessory that is designed to launch explosive projectiles;
- “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray;
- Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD);
- The following projectile launch platforms and their associated munitions, specifically 37mm and 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons (e.g., Fabrique Nationale d’Herstal, FN 303, .68 caliber direct impact, less lethal projectile); and,



**Note:** Specialty impact munition weapon systems are typically extended range, kinetic energy, less lethal devices, designed to incapacitate only. They often discharge a pneumatically propelled, non-metallic projectile via compressed gas - rather than combustion (i.e., gunpowder).

- Any other equipment as determined by the Board of Police Commissioners, and in accordance with AB 481, to require additional oversight.

Per the Department's existing mutual aid guidance, in any incident in the City of Los Angeles requiring mutual aid from an outside agency, the Chief of Police of the Los Angeles Police Department shall remain in charge of the incident including the direction of any personnel and equipment provided as part of the mutual aid. All such resources shall be used in a manner consistent with the policies of the City of Los Angeles.

### **140.30 PARTICIPATION IN SURVEYS INITIATED BY OUTSIDE**

**ORGANIZATIONS.** The Los Angeles Police Department recognizes the value of surveys and research projects which may bring new insights into law enforcement and advance knowledge in this field. It is this Department's policy to be open and objective when offered an opportunity to participate in such efforts. However, the costs involved in any such project must be justified by the benefits which are expected to be derived. (Decisions pertaining to participation in research projects must be made in light of the necessity to operate the Department in an economical manner.)

## **PERSONAL CONDUCT**

### **210. EMPLOYEE CONDUCT**

**210.05 STANDARD OF CONDUCT.** The Law Enforcement Code of Ethics is adopted as a general standard of conduct for officers of the Los Angeles Police Department.

**210.10 LAW ENFORCEMENT CODE OF ETHICS.** "As a law enforcement officer, my fundamental duty is to serve mankind-to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder, and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear

or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

**210.13 RESPECT FOR OTHERS.** The cosmopolitan nature of the City is reflected in the diversity of Department employees. In such a diverse environment, biases or prejudices relating to factors such as race, ethnicity, sex, age, economic status, position in the community, or employee status with the Department must not be allowed to influence decision making or conduct involving other employees. While employees are entitled to their personal beliefs, they must not allow individual feelings or prejudices to enter into professional contacts. Employees must treat one another with respect and be constantly mindful that other people are individuals with emotions and needs as significant as their own.

Respect for individual dignity is an integral part of the Department's management philosophy and must be practiced by everyone. Employees shall treat all persons with respect and courtesy, and conduct themselves in a manner that will foster the greatest harmony and cooperation between themselves and other members of the Department.

**210.15 LOYALTY.** In the performance of their duty to serve society, officers are often called upon to make difficult decisions. They must exercise discretion in situations where their rights and liabilities and those of the Department hinge upon their conduct and judgment. Officer's decisions are not easily made and occasionally they involve a choice which may cause them hardship or discomfort. Officers must be faithful to their oath of office, the principles of professional police service, and the objectives of the Department, and in the discharge of their duty they must not allow personal motives to govern their decisions and conduct.

**210.20 INTEGRITY.** The public demands that the integrity of its law enforcement officers be above reproach, and the dishonesty of a single officer may impair public confidence and cast suspicion upon the entire Department. Succumbing to even minor temptation can be the genesis of a malignancy which may ultimately destroy an individual's effectiveness and may contribute to the corruption of countless others. An officer must scrupulously avoid any conduct which might compromise the integrity of himself, his/her fellow officers, or the Department.

**210.25 ATTENTION TO DUTY.** As most police work is necessarily performed without close supervision, the responsibility for the proper performance of officer's duty lies primarily with the officers themselves. Officers carry with them a responsibility for the safety of the community and their fellow officers. Officers discharge that responsibility by the faithful and diligent performance of their assigned duty. Anything less violates the trust placed in them by the people, and nothing less qualifies as professional conduct.

**210.30 COMPLIANCE WITH LAWFUL ORDERS.** The Department is an organization with a clearly defined hierarchy of authority. This is necessary because unquestioned obedience of a superior's lawful command is essential for the safe and prompt performance of law enforcement operations. The most desirable means of obtaining compliance are recognition and reward of proper performance and the positive encouragement of a willingness to serve. However, negative discipline may be necessary where there is a willful disregard of lawful orders, commands, or directives.

**210.35 CONDUCT UNBECOMING AN OFFICER.** A police officer is the most conspicuous representative of government, and to the majority of the people, the officer is a symbol of stability and authority upon whom they can rely. An officer's conduct is closely scrutinized, and when the officer's actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life. Since the conduct of officers, on- or off-duty, may reflect directly upon the Department, officers must at all times conduct themselves in a manner which does not bring discredit to themselves, the Department, or the City.

**210.37 WORKPLACE VIOLENCE POLICY.** The safety and security of our employees, volunteers, and visitors is of paramount concern to the Department. In that regard, we are committed to maintaining a workplace free from violence or threats of violence. Thus, threats, threatening behavior, or acts of violence against an employee, a visitor, or any other individual cannot and will not be tolerated. All reports of workplace violence or threats of violence will be taken seriously and will be investigated promptly and thoroughly.

**External Incidents.** Due to the unique mission of law enforcement, police officers and certain civilian employees, especially those in custodial assignments, receive threats of violence while performing their duties. In most cases, these threats are idle in nature and our employees are trained to recognize those incidents. When such an incident rises above an idle threat, laws and Department protocols are in place to effectively handle the matter, including prosecution of the suspect and protection for the employee. Therefore, this policy focuses more on internal workplace threats.

**Internal Incidents.** For the purpose of this policy on workplace violence, the Department workplace is considered to be employee interaction at any Department facility as well as any duty-related interaction between employees. Any form of violence or threat of violence (actual or reasonably perceived) involving a Department employee and occurring in the workplace must be reported without delay to a supervisor, commanding officer, or the Commanding Officer, Personnel Division. Such behavior must be reported whether it is committed by another Department employee or a City employee. If management determines that an employee has engaged in workplace violence, appropriate action must be taken, which may include discipline up to and including termination. Any violent behavior committed by an employee outside the workplace, which arises out of a contact made at the workplace, may also result in disciplinary action up to and including termination.

All occurrences of violent behavior between employees will result in formal criminal and administrative investigations. Additionally, in all cases where violent behavior or a

credible threat of violent behavior is directed at an employee, the Department will take appropriate legal action and/or other steps necessary to help protect the employee and/or the employee's family members.

An employee shall also report the existence of any restraining order that covers the employee at the workplace **or** any non-work related situation, such as stalking or domestic violence that may result in violence in the workplace. Under such circumstances, management will take appropriate precautions to help protect its employees in the workplace.

- The types of behavior covered by this policy include, but are not limited to:
  - Direct or implied threats to do harm to another employee or to another employee's property (including intimidating use of one's body or physical objects);
  - Verbally abusive or intimidating language or gestures;
  - Threatening, abusive, or harassing communication (i.e., phone calls, letters, memoranda, faxes, e-mail);
  - Unauthorized possession of a weapon at the workplace (including City parking lots);
  - Destructive or sabotaging actions against City or personal property;
  - Engaging in a pattern of unwanted or intrusive behavior against another (i.e., stalking, spying, following); and,
  - Violation of a restraining order.

Furthermore, the Department is committed to supporting the City's adopted policy on workplace violence. The Department will assist other City entities, where appropriate, in the prevention, investigation and prosecution of workplace violence.

**210.38 DEPARTMENT EMPLOYEES SUBJECT TO A COURT ORDER.** When a Department employee is the subject of a court order such as a Temporary Restraining Order, Emergency Protective Order or Order to Show Cause, the court may restrict the employee's activities and/or require the employee to perform some action. In either situation, the court order may conflict with the employee's duty assignment. Though the Department generally concerns itself only with the duty-related activities of its employees, violation of a court order, even if the order is unrelated to the person's employment, may result in disciplinary action. Therefore, it is imperative that the Department is made aware of an employee who is the subject of any court order. This will assist in ensuring that the employee is able to comply with the order as well as protect the Department and City from civil liability. In addition, the Department needs to be aware of an employee who obtains a court order against another Department employee as this may affect workplace efficiency.

When **any** Department employee is or reasonably believes he or she is about to be the subject of **any** court order, the employee shall notify his or her commanding officer without delay. The notification can be made directly or through a supervisor and shall include providing the commanding officer with a copy of all related court orders. It is the responsibility of the commanding officer to assess the potential impact on the employee's duty assignment, the Department and the City. At a minimum, the commanding officer

shall contact his or her bureau commanding officer and the Commanding Officer, Internal Affairs Division, advise them of the matter and be guided by their advice. If it is determined that the court action impacts the employee's duty assignment, the commanding officer shall then take whatever action(s) is appropriate to ensure the employee's compliance with the order and protect the City from any liability. If the court order involves a second Department employee, the commanding officer shall confer with the other employee's commanding officer to ensure a compatible resolution of the matter.

**210.40 REFUSAL TO WORK.** The alternative to law and its enforcement is anarchy and its resulting devastation. An officer's commitment to public service and professional ethics precludes engaging in strikes or similar concerted activities. For these reasons, police officers do not have the right to strike or to engage in any work stoppage or slowdown. It is the policy of this Department to seek the removal from office of any officer who plans or engages in any such strike, work stoppage, or slowdown.

**210.45 FINANCIAL OBLIGATIONS.** Public employees have stable incomes upon which they may forecast future earnings. For this reason, and because of public confidence in their responsibility, it is relatively easy for Department employees to contract financial obligations which, if not controlled, may become an impossible burden. Such financial distress may impair the individual's effectiveness and tends to bring discredit upon the Department. Employees should avoid incurring financial obligations which are beyond their ability to reasonably satisfy from their anticipated Department earnings.

**210.46 EMPLOYEE'S DUTY TO REPORT MISCONDUCT.** The reporting of misconduct and prevention of the escalation of misconduct are areas that demand an employee to exercise courage, integrity, and decisiveness. Department Manual Section 3/813.05 requires that when an employee, at any level, becomes aware of possible misconduct by another member of this Department, the employee shall immediately report the incident to a supervisor or directly to Internal Affairs Division. Furthermore, an employee who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease. The fact that a supervisor is present and not taking appropriate action to stop the misconduct does not relieve other employees present from this obligation.

An employee's obligation to report and prevent misconduct begins the moment the employee becomes a member of the Los Angeles Police Department. Police officers, because of their status as peace officers, have an even greater responsibility to report and prevent misconduct. Experience, rank, or tenure are not factors in knowing the difference between right and wrong, and they do not provide an excuse for failing to take appropriate action. Although supervisors are responsible for investigating allegations of misconduct, all Department employees are responsible for preventing and reporting misconduct.

The citizens of Los Angeles expect and deserve employees who possess a high degree of integrity. Any employee who is perceived, justifiably or not, to be condoning or concealing misconduct impairs the trust of the public. Employees must respect and be aware of their responsibility to freely and truthfully report all acts of misconduct and to

act, if necessary, to prevent the escalation of those acts. This is essential if the Department is to maintain the trust of the public.

**210.47 POLICE OFFICER'S DUTY TO TESTIFY.** Among the duties of police officers are those of preventing the commission of crime, of assisting in its detection, and of disclosing all information known to them which may lead to the apprehension and punishment of those who have transgressed the law. When police officers acquire knowledge of facts which will tend to incriminate any person, it is their duty to disclose such facts to their superiors and to testify freely concerning such facts when called upon to do so. It is a violation of duty for police officers to refuse to disclose pertinent facts within their knowledge, and such neglect of duty can result in disciplinary action up to and including termination.

**Note:** Under California and federal law, any testimony or statement made by an officer under administrative compulsion of this policy cannot be used against that officer in any pending or future criminal prosecution.

**210.48 EMPLOYEE'S DUTY TO COOPERATE WITH INVESTIGATIONS RELATING TO CIVIL LITIGATION AGAINST THE CITY OF LOS ANGELES OR THE DEPARTMENT.** An employee who has knowledge of facts involving claims for damages or civil litigations in which the City or the Department is a defendant must:

- Cooperate with the City's legal representatives, which may include attorneys from the City Attorney's Office or outside counsel hired by the City;
- Cooperate with investigators from the City assigned to claims or civil litigations, which may include, but is not limited to, Legal Affairs Division or outside private investigators hired by the City's legal representatives; and,
- Disclose facts of the case to investigators from the City and/or the City's legal representatives.

A Department employee's refusal to cooperate with investigations or refusal to disclose known facts is considered neglect of duty and/or insubordination and may result in disciplinary action up to and including termination.

**Note:** Nothing in this Order is intended to violate an employee's constitutional or statutory rights (e.g., right against self-incrimination) or otherwise require the disclosure of privileged communications. Any statement made by an employee in compliance with this Order is the confidential work product of the City's legal representatives. The Department will take appropriate action to ensure that the City's legal representatives cooperate with Department employees and their legal representatives and answer their questions responsively

**210.50 USE OF INTOXICANTS.** There is an immediate lowering of esteem and suspicion of ineffectiveness when there is public contact by a Department employee evidencing the use of intoxicants. Additionally, the stresses of law enforcement require an employee to be mentally alert and physically responsive. Except as necessary in the performance of an official assignment, the consumption of intoxicants is prohibited while

an employee is on-duty. While on-duty, officers shall not be permitted to consume intoxicants to such a degree that it impairs their on-duty performance.

Department personnel shall not consume any intoxicants at any Department facility.

**Exceptions:** Consumption of alcoholic beverages by off-duty Department personnel is permitted at the Police Academy lounge and recreation areas or at the Harbor Area Range recreation facilities with the approval of the Harbor Area Commanding Officer.

**Note:** Facilities shall include parking lots, buildings, or any other areas controlled or operated by the Department.

**210.55 ALCOHOL AND STRESS RELATED PROBLEMS.** The Department recognizes that alcoholism and stress-related problems are genuine medical problems which are deserving of the same concern and degree of understanding as the more traditional illnesses. Every employee should be aware of the symptoms of alcoholism and stress. Employees should not hesitate to seek professional assistance for themselves or offer to help fellow employees affected by these disorders. The **personal** obligation of individual employees regarding assistance to fellow employees includes the recognition of the symptoms of alcoholism and/or stress problems. There is also an accompanying moral obligation to encourage the affected employee to seek professional assistance.

**Supervisory personnel** becoming aware of behavioral patterns indicative of alcoholism or stress among Department employees should contact Behavioral Science Services (BSS) for advice.

**Note:** During off-hours, the concerned commanding officer or supervisor should contact the on-call BSS psychologist via the Department Command Post, Department Operations Center (DOC).

The commanding officer or supervisor shall explain in detail the facts regarding the employee's behavior which have led to the belief that the employee may require the assistance of BSS. Behavioral Science Services will evaluate the request and advise the commanding officer or supervisor whether or not a directed or recommended referral to BSS is appropriate. Documentation is not required by the commanding officer or supervisor. However, if initiated, it should only indicate that the employee was directed or referred to BSS and a copy of the documentation shall be provided to the employee.

When meeting with the employee, the commanding officer or supervisor shall discuss the rationale for the directed or recommended referral. The commanding officer or supervisor **shall** inform the employee that the referral is not disciplinary or punitive in nature, but is designed to assist the employee in resolving the relevant issues.

**210.60 USE OF CHEWING TOBACCO AND SNUFF.** Department employees are the most prominent representatives of government and as such shall present a professional image at all times. An employee's unwise or unsightly use of chewing tobacco and snuff is offensive to the public and co-workers, and detracts from the professional bearing of

the employee. The use of chewing tobacco and snuff is prohibited while on-duty, or off-duty in uniform.

All uniformed Department employees shall not use any type of tobacco or snuff products or hold any tobacco paraphernalia while in public view, except as may be required during the course of their duties.

"Tobacco Paraphernalia" shall mean cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for the smoking, preparation, storing, or consumption of tobacco products.

"Tobacco Product" is defined as any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff chewing tobacco, dipping tobacco, bidis or beedies, hookah tobacco or any other preparation of tobacco.

**Note:** The term "Tobacco Product" does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence (nicotine patch).

**210.65 SMOKING POLICY.** Department employees, both sworn and civilian, shall not smoke any type of tobacco product as defined in Department Manual Section 1/210.60, in any enclosed place of employment, including any portion of a building owned or leased by the Department and/or City, and/or City owned/operated vehicles.

"Smoking" shall mean engaging in an act that generates smoke, such as possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, a lighted cigarette, or an operating electronic smoking device.

"Electronic Smoking Device" shall mean an electronic or battery-operated device that delivers vapors for inhalation. This term shall include every variation and type of such devices whether they are manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah pipe or any other product name or descriptor.

All uniformed Department employees shall not smoke any types of tobacco products or hold any smoking devices, electronic smoking devices or tobacco paraphernalia, as defined in Department Manual Section 1/210.60, while in public view, except as may be required during the course of their duties

For the purpose of this policy, uniformed officers assigned to field duties or who, with the approval of their commanding officer, are representing the Department in an activity for which the uniform is being worn (Manual Section 3/606.15), are considered on-duty. All plainclothes sworn employees conducting official Department business are prohibited and shall not smoke any type of tobacco products or hold any smoking devices, electronic smoking devices or tobacco paraphernalia while engaged in contact with a citizen or while in a residence or business.



Commanding officers shall designate an appropriate outdoor location(s) within their commands where employees will be allowed to smoke. Designated smoking areas should not be visible to the general public and shall not be within 20 feet of a main exit, entrance or operable window, or inside a public building owned and occupied or leased and occupied by the City.

The Commanding Officer, Administrative Services Bureau, is responsible for designating an appropriate outdoor location(s) where employees will be allowed to smoke at the Police Administrative Building.

## **220. MANAGEMENT/EMPLOYEE RELATIONS**

**220.05 DISCIPLINE.** It is essential that public confidence be maintained in the ability of the Department to investigate and properly adjudicate complaints against its members. Additionally, the Department has the responsibility to seek out and discipline those whose conduct discredits the Department or impairs its effective operation. The rights of the employee as well as those of the public must be preserved, and any investigation or hearing arising from a complaint must be conducted in an open and fair manner with the truth as its primary objective. The Department accepts complaints against its members and fully investigates all such complaints to the appropriate disposition.

**220.10 EMPLOYEE GRIEVANCES.** Effective management and respect for individual dignity requires that employees have means available for the proper redress of grievances. A Department employee having a complaint relating to any matter affecting his employment is ensured the right of review at succeeding levels of Department authority until his grievance is resolved. The right of an employee to file a grievance and its administrative review promotes efficiency and results in improved morale. Those positive benefits are defeated if employees are reluctant to file a grievance. Therefore, no action of a formal or informal nature shall be taken by the Department against an employee, his witnesses, or employee representative, merely for his having filed a grievance, nor is such filing to be otherwise looked upon with disfavor by the Department.

**220.15 COMMENDATIONS.** The Los Angeles Police Department expects a very high level of professional conduct from all employees; however, members of the Department frequently perform their duties in a manner exceeding the highest standards of the Department. The official commendation of such performance and the arrangement of appropriate publicity is to be provided by the Department to give full public recognition to those who have brought honor to themselves and the Department.

## **230. WHEN TO TAKE POLICE ACTION**

### **230.05 RESPONSIBILITY OF ON - DUTY OFFICERS.**

**On-Duty, Within City, Fully Responsible.** On-duty officers within the City limits, after considering the tactical situation, are to take all steps reasonably necessary and consistent with their assignment to effect the enforcement of the penal provisions of the City, State, and Nation, and to protect life and property.

**On-Duty, Outside of City, Fully Responsible for City Matters.** On-duty officers outside the City limits who become aware of a situation requiring police action must first consider the tactical situation, then take all steps reasonably necessary on police matters of direct concern to the City of Los Angeles.

**230.10 RESPONSIBILITY OF OFF - DUTY OFFICERS.** Under California law, both on-and off-duty officers have peace officer authority as to any public offense committed or which there is probable cause to believe has been committed in his presence and with respect to which there is immediate danger to person or property, or the escape of the perpetrator of such offense. However, on-duty officers outside the City limits who are not acting within the scope of their employment as Los Angeles Police officers on matters of direct concern to the City and off-duty officers both inside and outside of the City limits are to give first consideration to causing the appropriate action to be effected by the responsible law enforcement agency. Such officers should then act only after consideration of the tactical situation and of their possible liability and that of the City of Los Angeles.

**230.15 NO PEACE OFFICER AUTHORITY OUTSIDE OF STATE.** Peace officer powers of Los Angeles police officers do not extend beyond this State except as provided for in the Uniform Act on Fresh Pursuit. Officers, who are outside the boundaries of this State for extradition or other matters of direct concern to the City, are not to engage in police activities unless necessary in the performance of their duties as an agent of the City, and then only after consideration of the tactical situation.

#### **240. EMPLOYEE - PUBLIC CONTACT**

**240.05 RESPECT FOR CONSTITUTIONAL RIGHTS.** No person has a constitutional right to violate the law; neither may any person be deprived of his/her constitutional rights merely because he/she is suspected of having committed a crime. The task of determining the constitutionality of a statute lies with an appellate court of proper jurisdiction, not with an officer who seeks to properly enforce the law as it exists. Therefore, an officer may enforce any federal, state, or local statute which is valid on its face without fear of abrogating the constitutional rights of the person violating that statute. An officer who lawfully acts within the scope of his/her authority does not deprive persons of their civil liberties. The officer may within the scope of his/her authority make reasonable inquiries, conduct investigations, and arrest on probable cause. However, when an officer exceeds his/her authority by unreasonable conduct, the officer violates the sanctity of the law which he/she is sworn to uphold.

#### **240. 06 POLICY - LIMITATION ON USE OF PRETEXTUAL STOPS.**

**PREAMBLE.** While the exercise of an officer's discretion in initiating a "stop" or conducting a detention is authorized under the law, it should reflect the necessary balance of the role of law enforcement in the prevention of crime and receiving and thereafter maintaining the community's trust that the officer's actions are fair and without bias. Conducting a vehicle or pedestrian stop and/or detention can promote public safety and the protection of the public from serious and sometimes violent crime, Such stops can also subject motorists and pedestrians to inconvenience, confusion, and anxiety, and

strain relationships between law enforcement and the community because some members of the community perceive stops as biased, racially motivated, or unfair. To maintain public trust, the Department's use of pretext stops as a crime reduction strategy must be measured, in furtherance of achieving the necessary balance between the perception of fairness and identifying those engaged in serious criminal conduct.

**Pretext Stops Defined.** A pretextual or pretext stop is one where officers use reasonable suspicion or probable cause of a minor traffic or code violation (e.g., Municipal Code or Health and Safety Code) as a pretext to investigate another, more serious crime that is unrelated to that violation.

### **Policy.**

**Use of Traffic/Pedestrian Stops - General.** Traffic or pedestrian stops made for the sole purpose of enforcing the Vehicle Code or other codes are intended to **protect public safety**. Therefore, officers should make stops for minor equipment violations or other infractions only when the officer believes that such a violation or infraction significantly interferes with public safety.

**Note:** The public safety reason for all traffic/pedestrian stops, citations and warnings should be articulated on body-worn video (BWV) and should include an officer's response to any questions posed by the individual stopped.

**Pretext Stops - Restricted.** It is the Department's policy that pretextual stops shall not be conducted **unless** officers are acting upon articulable information in addition to the traffic violation, which may or may not amount to reasonable suspicion, regarding a serious crime (i.e., a crime with potential for great bodily injury or death), such as a Part I violent crime, driving under the influence (DUI), reckless driving, street racing, street takeovers, hit and run, human or narcotics trafficking, gun violence, burglary, or another similarly serious crime. Such decisions should not be based on a mere hunch or on generalized characteristics such as a person's race, gender, age, homeless circumstance, or presence in a high-crime location.

Department personnel seeking one or more specific persons who have been identified or described in part by one or more of these characteristics may rely on them only in combination with other appropriate identifying factors.

**Note:** The reason for all pretext stops, and the citations and warnings resulting from them, should be articulated on BWV and should include an officer's response to any questions posed by the individual stopped.

**Note:** An officer's training, experience and expertise may be used in articulating the additional information the officers used to initiate the stop.

**Note:** A failure to sufficiently articulate the information which - in addition to the traffic violation - caused the officer to make the pretext stop, shall result in progressive discipline, beginning with counseling and retraining. Discipline shall escalate with successive violations of this mandate.

**Duration and Scope of All Stops.** Officers' actions during all stops (e.g., questioning, searches, handcuffing, etc.) shall be limited to the original legal basis for the stop, absent articulable reasonable suspicion or probable cause of criminal activity that would justify extending the duration or expanding the scope of the detention. Officers shall not extend the duration or expand the scope of the detention without additional reasonable suspicion or probable cause (beyond the original legal basis for the stop).

**Conduct During the Stop.** Officers are to ensure their conduct during the course of any stop demonstrates the tenets of Procedural Justice, fairness, and impartiality. Consistent with the Department's procedural justice and community engagement initiatives, when tactics, operational security, and investigative continuity permit, officers shall, as early as practicable, provide the detainee(s) with the information that caused officers to stop them. These precepts are further discussed in the Department Training Bulletins, such as:

- Legal Contacts with the Public, dated February 2001;
- Contacts with the Public - Part II, Procedural Justice, dated April 2020; and,
- Contacts with the Public - Part I, Legal Considerations, dated March 2021.

**Note:** Training Bulletins are often revised over time. Personnel are encouraged to query the Department Local Area Network (LAN) to ensure review of the most current information.

#### **240.07 POLICE CONTACTS WITH PERSONS EXPERIENCING HOMELESSNESS.**

**DEFINITION:** The terms "homelessness," "homeless individual," and "homeless person" shall refer to the following:

- An individual or family who lacks a fixed, regular, and adequate nighttime residence;
- An individual or family with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (including a car, park, abandoned building, bus or train station, airport, or camping ground);
- An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); or,
- An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided.

**POLICY:** It is the policy of the Department to protect the rights of all individuals in the City of Los Angeles, regardless of their housing status and assist those in need while fairly enforcing the law. Individuals experiencing homelessness often have unique circumstances which require special consideration when they are a victim of a crime,

witness to a crime, or suspected of violating the law. In addition, when homeless individuals come into consensual contact with Department personnel unrelated to a criminal investigation or enforcement activity, they may require special assistance to address their immediate needs. Accordingly, when appropriate under the circumstances, Department personnel should assist individuals experiencing homelessness by offering guidance and information to obtain temporary housing, medical or psychological services if needed, or other available services. Department personnel, however, shall steadfastly respect the individual's right to refuse assistance.

**Housing Status:** An individual's housing status is not a sufficient basis to justify a lawful detention or arrest. All detentions and arrests must be based on applicable local, state, and federal laws. In addition, Department personnel are prohibited from involuntarily moving a homeless individual from a location where the person may lawfully stay, absent legal justification to do such as when there is a safety or security concern.

**Special Considerations:** Department personnel requesting identification from a person who is or appears to be experiencing homelessness should be sensitive to the special needs and circumstances of each individual situation, including circumstances when individuals may not have proper identification or other official documents in their possession. Department personnel are also reminded that requests for identification from a person who is or appears to be experiencing homelessness may sometimes be perceived by that individual to be harassing, intimidating, or threatening. In addition, some individuals experiencing homelessness may be suffering from mental illness or other medical conditions that can limit their ability to communicate effectively with Department personnel. As such, Department personnel should take special consideration of the circumstances and always be guided by compassion and empathy in all of their interactions.

**240.10 USE OF FORCE.** In a complex urban society, officers are confronted daily with situations where control must be exercised to effect arrests and to protect the public safety. Control may be exercised through advice, warnings, and persuasion, or by the use of physical force. Officers are permitted to use force that is objectively reasonable to defend themselves or others, to effect an arrest or detention, and/or to prevent escape or overcome resistance, consistent with the Department's Policy on the Use of Force (Manual Section 1/556.10).

#### **240.12 PUBLICATION OF USE OF FORCE TACTICS DIRECTIVES.**

**Use of Force -Tactics Directive - Defined.** A Use of Force-Tactics Directive is a written directive that contains procedure and/or insight into use of force and tactics issues. Use of Force policy will continue to be expressed in the Department Manual but may be reiterated in Use of Force-Tactics Directives. All Use of Force-Tactics Directives will be reviewed and approved by the Chief of Police.

**Note:** Use of Force-Tactics Directives supersede any Training Bulletins that have been published regarding the subject matter of the directives.

**PUBLICATION OF USE OF FORCE-TACTICS DIRECTIVES.** All requests and/or suggestions related to the Use of Force-Tactics Directives shall be forwarded to the Commanding Officer, Training Bureau (TRB).

The Commanding Officer, TRB, shall coordinate the review of the request and/or suggestions with the Tactics Training Review Committee (TTRC) and other entities within the Department, as appropriate.

**Note:** Effective immediately, no Department entity, except the Chief of Police, may publish an Order, Notice, Bulletin or directive that establishes Use of Force policy. All changes or enhancements to Department practices relative to use of force issues shall be communicated to the Department through Use of Force-Tactics Directives. Reminders about various use of force issues may be communicated to the Department via Notices from the Chief of Staff or Office of Support Services.

**Training Bureau's Responsibilities.** Training Bureau shall be responsible for the publication of Use of Force-Tactics Directives and for the retention of all research and related materials as historical records.

**Note:** Training Division will continue to publish Training Bulletins related to the use of force. The Training Bulletins will be used to provide information on the mechanical aspects of use of force such as cleaning firearms, clearing weapon malfunctions, etc.

#### **240.14 TACTICAL OPERATIONS RESOURCE GUIDE.**

**Tactical Operations Resource Guide - Defined.** The Tactical Operations Resource Guide is an assemblage of current Department documents such as Department Manual Sections, Orders, Directives, Notices, Bulletins, and Consent Decree paragraphs that address use of force and tactics issues.

**240.15 COURTESY.** Effective law enforcement depends on a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by Department employees. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstance is indefensible. The practice of courtesy by an officer is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional police officer.

**240.20 DOMESTIC VIOLENCE.** It is the policy of this Department that domestic violence is alleged criminal conduct and that a request for assistance in a situation involving domestic violence is the same as any other request for assistance where violence has occurred.

**240.25 LANGUAGE POLICY.** Effective communication is essential in building a lasting relationship with the people we serve. However, the Los Angeles Police Department serves a City with diverse communities representing cultures and languages

from around the world which include limited and non-English speaking persons. The Department also serves many people who have communication disabilities, such as the hearing-impaired. To enable Department personnel to provide the best possible police service, we must strive to communicate with all the people we serve, while never wavering from our commitment to treat everyone with dignity and respect.

It is the responsibility of all Department personnel to ensure that appropriate and effective communication is established in all community contacts. In these contacts, employees are expected to take all reasonable and necessary steps to use all available language resources. Personnel shall use these resources in conducting thorough field and follow-up investigations and other community contacts when communication disabilities or language differences could create a communication barrier.

**240.30 CONTACT WITH PERSONS SUFFERING FROM A MENTAL ILLNESS.** In police contacts with persons suffering from a mental illness, the goal of the Department is to provide a humane, cooperative, compassionate and effective law enforcement response to persons within our community who have a mental illness. The Department seeks to reduce the potential for violence during police contacts involving people suffering from mental illness while simultaneously assessing the mental health services available to assist. This requires a commitment to problem solving, partnership, and supporting a coordinated effort from law enforcement, mental health services and the greater community of Los Angeles.

## **270. EMPLOYEE CONFLICT OF INTEREST**

**270.10 LEGISLATIVE PROCEDURES:** The Office of the Chief Legislative Analyst (CLA), under the direction of the Chair of the City Council Committee on Intergovernmental Relations, is charged with the responsibility of coordinating City lobbying efforts and official City legislative activity. On behalf of the Department, the Governmental Liaison Section, maintains a close working relationship with the CLA to ensure proper coordination in the presentation of the Department's legislative program.

If an employee wishes to request Department support of amendments to current law and/or seeks Department support of a proposed legislative bill being considered by the legislature, he/she must complete a Bill Response Report, Form General 25.

The Department's position recommended by the employee should be included in the Bill Response Report. The bill, accompanied by the Bill Response Report, shall be forwarded through the employee's chain of command to the Chief of Staff, Office of the Chief of Police. The request will be reviewed by the Chief of Staff to determine if it is consistent with the Department's position. Following review and approval by the Chief of Police, and a determination that the Department will seek program inclusion, the Bill Response Report will be forwarded to the Police Commission with a request that it be transmitted to the City Council and the CLA for appropriate action.

No Department employee may represent that the City of Los Angeles or the Department supports, opposes, seeks, wishes to amend, or has any position regarding any legislation

or administrative action (action by a regulatory body) unless such position is consistent with the adopted City position and has been approved by the Chief of Police.

Department employees who wish to determine if a position regarding legislation or an administrative action is consistent with the adopted City and Department's position, may contact the Department Legislative Liaison Officer, Governmental Liaison Section.

Requests for Department's positions or opinions on legislation from elected officials or their staff may be referred to the Department Legislative Liaison Officer, Governmental Liaison Section. Department employees who wish to receive approval from the Chief of Police to address any legislative issue on behalf of the Department with elected officials or their staff, shall first obtain approval from his/her commanding officer. Approval of statements regarding Department legislative positions shall be coordinated with the Department Legislative Liaison Officer, Governmental Liaison Section. If an employee wishes to, or is requested to express a point of view that is contrary to the adopted City and Department position, he/she must do so on an off-duty basis, at his/her own expense (e.g., staff support, stationery, etc.) and time. Also, it must be clearly stated in the body of the testimony or communication that, "This is a personal opinion. It is not the Department's or the City's position and it is not consistent with the City's position. Furthermore, I am not acting in my capacity as a sworn or civilian employee of the Department or City."

**Note:** Nothing in this Section prohibits an employee from responding to an inquiry from elected officials or their staff concerning the **operational** impact of a proposed or pending piece of legislation. However, under such circumstances an employee may not express an official opinion as to whether the Department would support or oppose such legislation.

#### **270.15 EMPLOYEE RELATIONS WITH VENDORS AND**

**CONTRACTORS.** When representing the Department to outside business organizations which are, or which are likely to become, vendors or contracting parties with the Department, employees must conduct themselves in a manner which will bring credit to themselves and to the Department. Because a police officer is the most conspicuous representative of government, the officer's conduct is likely to be scrutinized far more severely than that of other persons; therefore, when dealing with prospective contractors, employees must avoid becoming engaged in conduct which is, or which might appear to be, censurable.

Department resources will not be committed to furthering the work of a prospective contractor or vendor prior to the formation of a contract. Similarly, whatever is seen or heard of a confidential nature, or that is confided in an official capacity, will be kept as such unless disclosure is necessitated in the furtherance of Department objectives. Personal feelings or motives, or the possibility of personal gain, will not influence decisions. An employee must not place himself/herself in a position of compromise by soliciting or accepting gratuities, even where such activity might otherwise be considered an acceptable form of business negotiations outside the Department.

#### **270.16 PURCHASING WEAPONS AND/OR EQUIPMENT FOR THE PURPOSE OF RESELLING FOR PRIVATE FINANCIAL GAIN.** The Los Angeles Police



Department routinely interacts with vendors and contractors for the purpose of identifying and procuring the best weapons and safety equipment available for duty-related functions. Section 49.5.5 of the City of Los Angeles Governmental Ethics Ordinance prohibits City employees from misusing their positions to create a private advantage, financial or otherwise, for any person. Consistent with Section 49.5.5, Department personnel are prohibited from using their positions to obtain weapons and/or equipment at a discounted price not available to members of the public, from vendors or contractors who do business with the City, for the purpose of reselling them for private financial gain.

**270.20 ENDORSEMENT OF PRODUCTS AND SERVICES.** The Department's position of providing fair and impartial service dictates that each employee must scrupulously avoid using his/her official capacity, title, or position in the Department to endorse any organization, program, product, or service when such endorsement is not approved and required in the performance of his/her duties as defined by the Chief of Police and the Board of Police Commissioners.

**270.25 OFFICER CONTACTS WITH THE PUBLIC.** In each of his/her contacts with the public, an officer must be aware that his/her actions, appearance, and statements are those of the Department. For that reason, and because of the inherent potential for conflict in many police contacts, an officer must develop a fair, impartial, and reasonable attitude and perform his/her task in a businesslike manner. His or her statements must be the result of considered judgment and be absent of personal opinion, bias, or editorial comment. Extended conversation which reflects the officer's personal opinions will normally be considered inappropriate.

**270.30 SECONDARY EMPLOYMENT POLICY - GENERAL.** The nature of the law enforcement task requires Department employees to have the ability to work irregular schedules which are subject to change in meeting deployment needs. Additionally, it is necessary that employees have adequate rest to be alert during their tours of duty. For these reasons, and because certain activities are inherently incompatible with an employee's primary responsibility to the Department, the Department may impose conditions on secondary employment or may prohibit it altogether. Determination of the degree of limitation will be based upon the interest of the Department and ensuring that the Department receives full and faithful services in return for its expenditure of resources.

Department employees accepting secondary employment should be aware that they may not be entitled to legal representation, payment of an adverse judgment, or other benefits from the City that are usually afforded an employee while working on duty. Officers should realize that when they accept off-duty employment, they are generally being hired to perform specific duties for an employer. Thus, officers should have a firm commitment from the employer concerning any subsequent legal representation or other benefits that may become necessary as a result of the officer's conduct in protecting the employer's interests.

The Department recognizes that Section 1126 of the Government Code establishes the ultimate control of prohibited activities in the Department's Secondary Employment Policy. It is the purpose of this policy to establish specific guidelines regarding prohibited

activities which incorporate the broad parameters set forth in Section 1126 of the Government Code.

**Secondary Employment Policy - Specific.** An employee shall not enter into any secondary employment without having first submitted a summary of proposed duties, location, and employer. Following Department review and a determination that the proposed secondary employment is not incompatible with Department employment, an employee shall not change the nature or location of secondary employment without having first submitted the proposed change for Department review. Once secondary employment is determined to be compatible with Department employment, it shall be reviewed annually thereafter upon the employee's initiative. If it is determined that proposed secondary employment is incompatible with Department employment, the employee shall be notified as soon as possible of such determination and that the employment is prohibited. Continuance of secondary employment that has been determined to be an incompatible activity shall be considered misconduct and may result in disciplinary action.

Determination that secondary employment is or is not compatible with Department employment shall be made by the concerned commanding officer and forwarded to the Office of Support Services for approval. An employee may appeal the determination of their commanding officer and the Director, Office of Support Services, to the Chief of Police. An employee may appeal the determination of the Chief of Police, to the Board of Police Commissioners for administrative review.

Prohibited activities include those which:

- Involve any employment, activity or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to, duties as an employee of the Los Angeles Police Department or with the duties, functions or responsibilities of the Los Angeles Police Department.
- Involve, for private gain or advantage, the use of City time, facilities, equipment or supplies; or the badge, uniform, prestige or influence of one's official position.

**Exception:** Secondary employment in uniform may not be a prohibited activity in specific cases when a determination has been made by the Board of Police Commissioners that the employment is in the best interest of the City, promotes the Department's interest in public safety and the duties are substantially the same as those which would be performed if the employee were assigned on duty.

- Involve receipt or acceptance by the employee of any money or other consideration from anyone other than the Department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of Department employment or as a part of their duties as a Department employee.
- Involve such time demands as would render performance of their duties as a Department employee less efficient.
- The maximum number of hours an employee may engage in secondary employment shall be twenty hours per week. The maximum hours may be

exceeded upon the recommendation of the division commanding officer and approval of the Director, Office of Support Services, after a review of the individual's on-duty performance and the nature of the employment involved.

- The Department may take into consideration the medical condition of any employee and the effect secondary employment would have on any employee's ability to perform the duties of their position. An employee shall not engage in secondary employment while carried on sick or IOD status except by special written permission of the Director, Office of Support Services.
- Employees on entry-level probation shall not engage in secondary employment. Commanding officers may recommend exception in special cases.

### **270.35 SECONDARY EMPLOYMENT AS A PRIVATE INVESTIGATOR – PROHIBITED.**

**EMPLOYEE'S RESPONSIBILITIES.** Employees shall discontinue their secondary employment as a private investigator and shall divest themselves of all financial interests in any private investigative business.

**Exception:** An employee working for (or as) a private investigator conducting traffic collision, during reconstruction investigations only, will not be prohibited from such work under this policy. However, other pre-existing work permits that were approved on the Permit for Secondary Employment, Form 01.47.00, involving investigative services will expire **six months** from the date of this Order.

**COMMANDING OFFICER'S RESPONSIBILITIES.** Commanding officers shall regularly examine work permit records and verify compliance with this Order. Commanding officers **shall not** approve or renew any Permit for Secondary Employment forms related to a private investigator.

**COMMANDING OFFICER, PERSONNEL DIVISION'S RESPONSIBILITY.** The Commanding Officer, Personnel Division, shall examine all work permit applications for approval or denial.

**270.40 PURCHASING VEHICLE(S) OR VEHICLE PARTS(S) FROM OFFICIAL POLICE GARAGES.** Department employees are prohibited from purchasing (or attempting to negotiate a purchase) or accepting, in any manner, vehicle(s) or vehicle part(s) from any City of Los Angeles Official Police Garage (OPG). Department employees are prohibited from purchasing (or attempting to negotiate a purchase) or accepting, in any manner, vehicle(s) or vehicle part(s) from any auction or sale (whether inside or outside the City limits), where the concerned Department employee knew or reasonably should have known that the vehicle or vehicle part(s) had been impounded, booked, seized, or forfeited as a result of an investigation in which any Department employee participated in.

This prohibition shall apply to participation in auctions and sales, whether the participation is in person or by proxy. A violation of this policy occurs whether or not the Department employee intends to register, resell, transfer, drive or personally use the

vehicle or vehicle part(s). Employees who fail to adhere to this policy may be subject to disciplinary action.

**271. RELATIONSHIPS BETWEEN DEPARTMENT EMPLOYEES.** Camaraderie among employees is healthy for the employing organization and a necessary ingredient in a successful, productive and fulfilling occupation. However, public trust requires that employees avoid even the appearance of a conflict between their professional responsibilities and their personal relationships with other employees. For purposes of this Section, “personal relationship” is defined as any romantic relationship that extends beyond simple friendship, including but not limited to, dating, cohabitation, marriage, or other intimate relationship. This also includes familial relationships such as an ex-spouse, child, stepchild, stepparent, parent, sibling, cousin, daughter-in-law or son-in-law.

The avoidance of an actual or potential conflict is particularly acute for superiors and subordinates, by rank or paygrade. For purposes of this Section, “superior” includes employees who have temporary or ongoing direct or indirect authority over the actions, decisions, hiring, evaluation, and/or performance of a subordinate employee within the same watch or chain-of-command. This includes superior officers (i.e., Police Officer II and III) who have training and/or evaluation responsibilities of a probationary officer. The authority given a superior over a subordinate is a solemn responsibility entrusted to that superior by the Chief of Police. That trust makes the superior an extension of the Chief of Police and demands that every decision made by the superior be totally objective, impeccably fair and, above all, devoid of any personal favoritism. If a superior enters into a personal or business relationship with a subordinate, the motive for decisions made by that superior relative to the subordinate may become suspect and compromise the integrity of those involved. This could lead to a disrupted work environment, reduced production and a decline in morale.

All employees shall avoid situations which give rise to an actual or apparent conflict between their professional responsibilities and their relationships with other employees. However, should such a situation develop, it is the duty of the involved employees to immediately notify their commanding officer either in person or through the chain-of-command. The commanding officer shall take appropriate action to eliminate the conflict keeping the best interest of both the employees and the Department in mind.

**Note:** Off-duty personal relationships not involving the same watch or chain-of-command conflict are not reportable as conflicts of interest under this Section. However, any personal relationship between employees which negatively impacts an involved employee’s performance of their professional responsibilities is a matter of serious concern to the Department. The Department reserves the right to take appropriate action, to eliminate such conflicts in order to maintain an appropriate work environment.

**271.10 PROHIBITION OF PARTICIPATION IN LAW ENFORCEMENT GANGS.** Building and preserving reserving trust between the community and law enforcement is crucial to effectively maintaining Department operations, reducing crime and ensuring the safety of occupants and businesses within our City. Participation in law enforcement gangs has proven to undermine the objectives of law enforcement and violates the fundamental principles of professional policing.

All Department personnel are prohibited from participating in a law enforcement gang. A violation of this policy shall be grounds for termination.

California Penal Code Section 13670 defines a “law enforcement gang” as a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to: excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws; engaging in or promoting conduct that violates the rights of other employees or members of the public; violating agency policy; the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified; falsifying police reports; fabricating or destroying evidence; targeting persons for enforcement based solely on protected characteristics of those persons; theft; unauthorized use of alcohol or drugs on - duty; unlawful or unauthorized protection of other members from disciplinary actions; and, retaliation against other officers who threaten or interfere with the activities of the group.

In addition to completing its own investigations, the Department shall cooperate with the Office of the Inspector General, the Attorney General, and/or any other authorized agency investigating such gangs within the Department.

**272. POLICY PROHIBITING RETALIATION.** The Department is committed to providing an atmosphere in which employees are free from workplace harassment and retaliation of any kind. Retaliation and acts contributing to retaliation are serious misconduct. Therefore, any Department employee who engages in, sanctions or supports such activity is subject to disciplinary action, up to and including termination.

Department managers, commanding officers, and supervisors will be held accountable for providing an atmosphere at work in which employees are free from retaliation.

Department managers, commanding officers, and supervisors, are also accountable for subordinate employees who engage in behavior that the manager, commanding officer, or supervisor knew, or should have known, was occurring, that formally or informally punish an employee for engaging in protected activity.

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. Adverse employment actions may include, but are not limited to, negative performance evaluations, negative Employee Comment Sheets, the imposition of discipline, denial of a paygrade advancement, coveted assignment or promotional opportunity, or change of assignment.

Protected activities include:

- Opposing reporting, or participating in any claim, lawsuit, or investigation concerning unlawful discrimination or sexual harassment;
- Filing a grievance or participating in any unfair labor complaint;
- Taking advantage of any labor right or benefit such as using sick or family leave, seeking compensation for overtime worked, or filing an objectively valid work-related claim for damages;
- Reporting misconduct of another Department or City employee to the Office of the Inspector General, or any Department or governmental entity; or,
- Supporting, assisting or cooperating in a misconduct investigation.

**Employee's Responsibilities.** Any employee who reasonably believes that he or she has been the subject of retaliation as defined above must report it without delay. Employees may contact any Department supervisor, the Ombuds Office; Workplace Investigations Section, Internal Affairs Division; Legal Affairs Division; or the Office of the Inspector General. It is the duty of Department managers, commanding officers and supervisors to monitor the workplace to prevent retaliation from occurring, identify and stop retaliation when it occurs, take allegations of retaliation seriously and encourage employees to come forward without delay to report retaliation.

**Note:** Taking employment action against an employee that is justified on merit does not constitute retaliation forbidden by law or Department policy. Therefore, all Department managers and supervisors must ensure that employment actions are appropriate and not motivated by or in response to an employee engaging in protected activity. The Commanding Officer, Legal Affairs Division, is responsible for providing support and guidance to Department managers and commanding officers after a complaint of retaliation has occurred in their command.

**272.10 PROHIBITED ACTS THAT CONTRIBUTE TO RETALIATION.** All Department employees are prohibited from engaging in any act or incident of retaliation in the workplace. Employees shall not target another employee in response to such employee engaging in any protected activity as defined in Manual Section 1/272. Any employee who becomes aware of such conduct shall immediately report the misconduct to a supervisor and/or directly to Internal Affairs Division, in accordance with Manual Section 3/813.05.

Prohibited behavior may include, but is not limited to:

- Refusing to provide or intentionally delaying response to a request for assistance or back up;
- Creating a dangerous working environment;
- Ostracizing employees for participating in an investigation; and/or,
- Spreading rumors impugning the character or reputation of a complainant or an accused.

**273. PROTECTION FROM RETALIATION FOR PROVIDING INFORMATION TO THE INSPECTOR GENERAL.** It is the policy of the Department that employees are free to contact the Inspector General or respond to queries from the Inspector General without having to fear that their employment might be adversely affected. An employee's

contact with the Inspector General may play no role in any future employment action towards the individual by the Department. Retaliation by adverse employment action or harassment against employees who provide information to the Inspector General is an intolerable violation of Department policy and undermines the effectiveness of oversight efforts of the Inspector General by threatening the continued flow of information. However, the protections of this section shall not apply when the contact was made or the information was disclosed with knowledge that it was false or with willful disregard for its truth or falsity. The Board, the Inspector General and all Department supervisors shall be vigilant in protecting from reprisal or threat of reprisal any individual who discloses any information to the Inspector General.

In the event the Inspector General concludes that there is reason to believe retaliation against an individual has occurred, the Inspector General shall:

- Conduct an investigation and forward the findings to the Police Commission upon completion; and,
- Promptly forward a personnel complaint (except a complaint of misconduct regarding the Chief of Police) to the Commanding Officer, Internal Affairs Division, or promptly request the Board to make a determination on whether a notice to the Internal Affairs Division should be delayed.

**275. HAZING AND INITIATION ACTIVITIES.** The Los Angeles Police Department recruits and selects only the most qualified applicants. Appointment to this Department is based on qualifications not requiring "rites of passage," such as hazing or initiation.

Since hazing is harassment by way of initiation, it is misconduct which violates Department policy and will not be tolerated. Hazing includes any activity related to initiation which causes, or is likely to cause physical harm, personal degradation, ridicule, criticism, or mental anguish.

Hazing not only exposes the City, the Department, and involved employees to civil liability, but also lowers morale, increases job stress, and negatively impacts the overall effectiveness of Department operations. Of utmost importance is that employees treat one another with respect and courtesy. Individual dignity is an integral part of the Department's management philosophy and must be practiced by everyone.

Employees shall conduct themselves in a manner that will foster the greatest harmony and cooperation between themselves and other members of the Department.

Department employees are expected to act in a manner that cultivates and maintains a healthy and productive environment.

Personnel who become aware of hazing/initiation activity by Department personnel shall take immediate action to stop the activity and report the incident.

**280. SEXUAL HARASSMENT.** It is essential that the Department maintain a healthy working environment which will provide all employees the opportunity to perform their duties to their fullest potential. The working environment must be free of sexual

harassment to assure fair and courteous treatment of all employees. Sexual harassment is a violation of Federal and State law and of City and Department policy. It exposes the City, the Police Department, and the offending employee to serious liability and can lower morale, undermine the integrity of employee relationships, and interfere with the efficiency of Department operations. Sexual harassment is viewed by the Department as serious misconduct which can result in the offending employee being subject to disciplinary action up to and including termination. The Department will not tolerate sexual harassment.

**Employee's Responsibilities.** All employees are responsible for avoiding situations which involve actual or apparent sexual harassment. Employees who become aware of conduct they believe to be sexual harassment, whether or not the conduct is directed at them, witnessed by them, or related to them by another employee, must report the incident to a supervisor immediately. Employees who do not receive a satisfactory response to their complaint must contact the next level of supervision, the Ombuds Office, or Personnel Division.

All employees may obtain support and guidance when dealing with situations involving sexual harassment. In addition to their supervisors, Ombuds Office, and Personnel Division, employees may also contact the City of Los Angeles Sexual Harassment Coordinator.

**Supervisor's Responsibilities.** Supervisory employees must ensure that each workplace has a working atmosphere free from sexual harassment for all employees. The working environment must be businesslike, assuring fair and courteous treatment for all employees and the public they serve. Supervisors must take prompt and appropriate action whenever they observe or are made aware of any action or conduct that may be interpreted as sexual harassment.

**Commanding Officer's Responsibilities.** Commanding officers are responsible for ensuring that their commands are free of sexual harassment by providing appropriate training and inspection which ensures the existence of a working environment free of sexual harassment. Moreover, commanding officers must ensure that supervisors assigned to their command strictly enforce the policy of this Department against sexual harassment promptly and appropriately.

**285. SEXUAL ORIENTATION DISCRIMINATION.** It is the policy of the Los Angeles Police Department that discrimination in the workplace on the basis of an individual's sexual orientation, gender identity or gender expression is unacceptable and will not be tolerated. Department personnel shall not consider an applicant's or employee's known or perceived sexual orientation, gender identity or gender expression in any pre-employment or employment action or decision, including but not limited to background checking, testing, hiring, assigning, training, transferring, upgrading, promoting, compensating, evaluating, disciplining and discharging.

It is the responsibility of all commanding officers and supervisors to take the necessary steps, including training and appropriate disciplinary action, to ensure and maintain a working environment free from discrimination based on sexual orientation, gender



identity or gender expression. The Department shall prohibit, as a form of discrimination, the creation of or contribution to a hostile, intimidating, threatening, offensive, or abusive work environment on the basis of an individual's known or perceived sexual orientation, gender identity or gender expression. This includes written, spoken, graphic or demonstrative derogatory terms, slurs, comments, gestures, ridicule, threats, rumors, or jokes with respect to an individual's known or perceived sexual orientation, gender identity or gender expression. The Department is committed to eliminating discriminatory conduct in the workplace and will not tolerate or condone any form of discrimination or harassment based on sexual orientation, gender identity or gender expression by any Department or City employee.

**Commanding Officer's Responsibilities.** Commanding officers shall:

- Ensure that the Special Order with the Mayor's Executive Directive is posted in a conspicuous manner on employee bulletin boards throughout his or her command;
- Ensure that the Special Order is discussed at the next scheduled supervisor's meeting; and,
- Ensure that the Special Order is read to employees within his or her command. For assignments that have a roll call period for the watch, the Special Order shall be read, caused to be read, for five consecutive days during the roll call period by the concerned watch commander. The employee reading the Special Order to the watch shall indicate on the face of the Special Order the following information:
  - Watch;
  - Last name and serial number of the person reading the Special Order; and,
  - Date the Special Order is read.

**Note:** Concerned commanding officers shall attend the various roll calls/meetings and be prepared to discuss the details of the Special Order and the importance of investigating all allegations of discrimination based on sexual orientation, gender identity or gender expression.

It is the responsibility of all commanding officers and supervisors to take the necessary steps, including training and appropriate disciplinary action, to ensure and maintain a working environment that is free from discrimination. Discrimination, whether physical, psychological or verbal, based on race, ethnicity, gender, religion, sexual orientation, gender identity, gender expression, accent, age, language, or any other legislatively or judicially prohibited grounds, can subject the Department and City to severe legal consequences, including significant monetary liability. Employees who engage in such acts and supervisors who knowingly fail to act, to prohibit, or prevent them, subject themselves to disciplinary action, up to and including termination.

The Department is committed to eliminating any discriminatory conduct and will not tolerate or condone any form of discriminatory actions or activities by Department employees.

## COMMUNITY RELATIONS

**310. GENERAL PROVISIONS.** Community relations is based upon the principle that in a democratic society the police are an integral and indivisible element of the public they serve. Community relations is manifested by positive interaction between the people and the police and represents their unity and common purpose.

A system of law and its enforcement is not superimposed upon an unwilling public in a free society; the law is created by the people themselves to control the behavior of those who would seek to interfere with the community welfare and existence.

While the primary responsibility for the enforcement of the law lies with the people, the complexities of modern society and the inability of the people to personally cope with crime has required that they create the police service to assist in maintaining social order. The police represent only a portion of the total resources expended by the public to this end; however, this effort, frequently being restrictive of individual freedom, brings the police into contact with members of the public under circumstances which have a far-reaching impact upon the lives of the affected individuals. A citizen's encounter with the police can be a very frightening and emotionally painful experience, and under these circumstances, the risk of a misunderstanding is very great. The minimization of this risk is a challenge intrinsic to each public contact by the Department.

The Department must strive for the establishment of a climate where an officer may perform his or her duties with the acceptance, understanding, and approval of the public. Additionally, the willing and practiced participation of the people in enforcing the law is essential for the preservation of freedom.

**320. INDIVIDUAL DIGNITY.** A recognition of individual dignity is vital in a free system of law. Just as all persons are subject to the law, all persons have a right to dignified treatment under the law, and the protection of this right is a duty which is as binding on the Department as any other. An officer must treat a person with as much respect as that person will allow, and the officer must be constantly mindful that the people with whom he/she is dealing are individuals with human emotions and needs. Such conduct is not a duty imposed in addition to an officer's primary responsibilities, it is inherent in them.

**330. ROLE OF THE INDIVIDUAL OFFICER.** Community relations is manifested in its most common form in the numerous daily encounters between individual officers and citizens. It is at this level that reality is given to the unity of the people and the police and where the greatest burden for strengthening community relations is laid.

In dealing with people each officer must attempt to make his/her contact one which inspires respect for himself/herself as an individual and professional and one which generates the cooperation and approval of the public. While entitled to his/her personal beliefs, an officer cannot allow his/her individual feelings or prejudices to enter into public contacts. However, since an officer's prejudices may be subconsciously

manifested, it is incumbent upon him to strive for the elimination of attitudes which might impair his/her impartiality and effectiveness.

**340. EQUALITY OF ENFORCEMENT.** As one of the world's largest cities, Los Angeles is composed of many different communities, each with its own life-style and each with its own individual crime problems. The cosmopolitan nature of the City is manifested by the diverse ethnic and sociological background of its people. However, all persons in each area of the City have in common the need for the protection which is afforded by fair and impartial law enforcement.

Additionally, as a person moves throughout the City, he or she must be able to expect a similar police response to his behavior wherever it occurs. Where the law is not evenly enforced, there follows a reduction in respect for the law and a resistance to its enforcement.

In order to respond to varying law enforcement needs in the different parts of the City, the Department must have flexibility in deployment and methods of enforcement; however, enforcement policies should be formulated on a Citywide basis, and applied uniformly in all areas.

Implicit in uniform enforcement of law is the element of evenhandedness in its application. The amount of force used or the method employed to secure compliance with the law or to make arrests is governed by the particular situation. Similar circumstances require similar treatment in all areas of the City and for all groups and individuals. To ensure equal treatment in similar circumstances, an officer must be alert to situations where, because of a language barrier or for some other reason, he or she may be called upon to display additional patience and understanding in dealing with what might otherwise appear to be a lack of response.

**345. POLICY PROHIBITING BIASED POLICING.** The Los Angeles Police Department (LAPD or the Department) expressly prohibits all forms of biased policing. This policy re-emphasizes the Department's commitment to serving all members of the public in a just, transparent and equitable manner, consistent with their civil and individual rights, and in accordance with existing policies and procedures.

Discriminatory conduct on the basis of an individual's actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration or employment status, English language fluency or homeless circumstance, is prohibited while performing any law enforcement activity. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state law. Officers shall not initiate police action where the objective is to discover the civil immigration status of any person and shall strictly adhere to the Department's immigration enforcement guidelines as outlined in Department Manual Sections 4/264.50 and 4/264.55.

Department personnel **may not consider or rely on** any of the following actual or perceived characteristics or identifiers in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group:

• Race	• Gender	• Immigration Status
• Religion	• Gender Identity	• Employment Status
• Color	• Gender Expression	• English Language Fluency; or,
• Ethnicity	• Sexual Orientation	• Homeless Circumstance
• National Origin	• Disability (to any extent or degree)	
• Age		

Law enforcement activities include, but are not limited to, traffic or pedestrian stops, actions during a stop, (such as asking questions), frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Department personnel seeking one or more specific persons who have been identified or described in part by one or more of the above characteristics may rely, in part, on the specified identifier or description only in combination with other appropriate identifying factors; and may not grant the specified identifier or description undue weight.

A failure to comply with this policy is counterproductive to professional law enforcement and is considered to be an act of serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established Department procedures.

**350. RESPONSIVENESS TO THE COMMUNITY.** The Department must be responsive to the needs and problems of the community. While the Department's task is governed by the law, the policies formulated to guide the enforcement of the law must include consideration of the public will. This responsiveness must be manifested at all levels of the Department by a willingness to listen and by a genuine concern for the problems of individuals or groups. The total needs of the community must become an integral part of the programs designed to carry out the mission of the Department.

**360. OPENNESS OF OPERATION.** Law enforcement operations in a free society must not be shrouded in secrecy. It is necessary that there be full public disclosure of

policies and an openness in matters of public interest. Consistent with protection of the legal rights of involved individuals and with consideration of the necessity for maintaining the confidentiality of Department records and of other primary Department responsibilities, the Department is to disseminate accurate and factual accounts of occurrences of public interest. Additionally, the Department must strive to make known and accepted its objectives and policies.

**370. INTERPERSONAL COMMUNICATION.** To promote understanding and cooperation there must be interpersonal communication between members of the community and officers at all levels of the Department. Each employee must be aware of the law enforcement needs of the community and his or her particular assigned area of responsibility. Guided by policy, an officer must tailor his or her performance to attain the objectives of the Department and to solve the specific crime problems in the area served. The Department must provide for programs to encourage productive dialogue with the public at all levels and to ensure that the unity of the police and the people is preserved.

**380. TRAINING IN HUMAN AND COMMUNITY RELATIONS.** The selection process for police officers is designed to choose the most qualified and to eliminate those who are physically, emotionally, mentally, or socially unfit. Those selected, however, are representative of the community at large and as such are subject to having the same prejudices and biases found in much of society. Exposure to crime and its aftermath can tend to harden and render insensitive an officer whose sympathetic understanding is needed to properly perform his/her duties. The Department must provide initial and continuing training in human and community relations to help officers avoid this hardening of attitude and to imbue in each officer an understanding of his/her total role in the community.

**390. UNDOCUMENTED IMMIGRANTS.** Undocumented immigrant status in itself is not a matter for police action. It is, therefore, incumbent upon all employees of this Department to make a personal commitment to equal enforcement of the law and service to the public regardless of immigrant status. In addition, the Department will provide special assistance to persons, groups, communities and businesses who, by the nature of the crimes being committed upon them, require individualized services. Since undocumented immigrants, because of their status, are often more vulnerable to victimization, crime prevention assistance will be offered to assist them in safeguarding their property and to lessen their potential to be crime victims.

Police service will be readily available to all persons, including the undocumented immigrant, to ensure a safe and tranquil environment. Participation and involvement of the undocumented immigrant community in police activities will increase the Department's ability to protect and to serve the entire community.

**390.10 LESBIAN, GAY, BISEXUAL, TRANSGENDER AND QUESTIONING INDIVIDUALS.** The Department is committed to working with the diverse communities that it serves. It is incumbent upon all employees to demonstrate equal enforcement of the law and service to the public, regardless of an individual's gender, gender identity, gender expression, or sexual orientation. Employees shall treat all individuals, whether in custody or not, in a respectful and professional manner. Employees shall refrain from

using language that a reasonable person would consider to be demeaning, particularly language that references a person's gender, gender identity, gender expression, or sexual orientation.

The Department will continue fostering partnerships with community stakeholders to enhance mutual understanding, prevent discrimination and conflict, and ensure the just and equitable treatment of all individuals.

### **Definitions.**

**Gender Identity:** A person's deeply held core sense of self in relation to gender. Gender identity does not always correspond to biological sex.

**Assigned Sex at Birth:** The sex assigned to an infant at birth based on the child's visible sex organs, including genitalia and other physical characteristics.

**Transgender:** An individual whose gender identity and assigned sex at birth do not align. A transgender male is a person who was assigned sex at birth as a female, but their gender identity is a male. A transgender female is a person who was assigned sex at birth as a male, but their gender identity is female.

**Non-Binary:** An individual whose gender identity falls outside the binary concepts of man/boy or woman/girl.

**Gender Diverse:** An umbrella term to describe an ever-evolving array of labels people may apply when their gender identity, expression, or even perception does not conform to the norms and stereotypes others expect.

**LGBTQ+:** An acronym that collectively refers to Lesbian, Gay, Bisexual, Transgender and Questioning Individuals. The "+" represents those that are part of this diverse community, but for whom LGBTQ does not accurately reflect or capture their identity.

## **COMMUNITY AFFAIRS**

### **420. NEWS MEDIA RELATIONS**

**420.10 ROLE OF THE NEWS MEDIA.** A well-informed public is essential to the existence of a democratic nation. To effectively exercise his or her franchise, a citizen must be aware of current events and the state of government. A free press serves the public by supplying needed information, by stimulating thought, and by providing a medium for expression. Crime, its results, and the efforts to combat it are all matters of continuing public concern. The Department is regularly involved in events at which members of the news media are properly present and performing their task of gathering information.

**420.20 ROLE OF THE DEPARTMENT.** The Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner which does not hamper police operations. However, certain information must be withheld from the news media in order to protect the constitutional

rights of an accused, to avoid interfering with a Department investigation, or because it is legally privileged.

**420.30 DEPARTMENT PUBLIC INFORMATION OFFICER.** To foster cooperation and mutual respect between the news media and the Department, the Commanding Officer, Media Relations and Community Affairs Group, is designated as the Department's Public Information Officer. His or her personal services are made available to authorized representatives of the news media to assist in solving problems of mutual concern to the press and the Department. Additionally, the Public Information Officer responds to serious police incidents to assist the news media in their function.

**420.40 RESPONSIBILITY FOR THE RELEASE OF INFORMATION.** When an event being investigated is of such a spectacular or unusual nature as to stimulate general community interest, the news media will be notified. Normally, it is the responsibility of an Area or division commanding officer or the senior officer at the scene to make such notifications; however, when there is an event of major proportions, the Public Information Officer will assume responsibility for the release of information.

**420.50 SCOPE AND CONTENT OF THE RELEASE OF INFORMATION.** The scope and content of each release of information must be determined according to the facts of each situation. Generally, a description of the circumstances which is not legally privileged and which will not prejudice the rights of suspects or interfere with an investigation will be made. Such determination is made by the Public Information Officer or by the senior officer at the scene after consultation with the investigating officer or other responsible authority.

**420.55 CRITICAL INCIDENT VIDEO RELEASE POLICY.** It is the policy of the Los Angeles Police Department (LAPD) that video evidence in the Department's possession of "Critical Incidents" involving LAPD officers be released to the public within 45 days of the incident. The Board of Police Commissioners (Commission) or the Chief of Police (COP) may determine that earlier release is in the public interest. This release shall consist of relevant video imagery that depicts the actions and events leading up to and including the "Critical Incident." Relevant video imagery is video and accompanying audio footage that is typically considered by the COP, Commission, and criminal prosecutors to determine the propriety of an officer's conduct during such "Critical Incidents." The release of video shall be accompanied by additional information to provide context based on the evidence available at the time of release.

**Critical Incidents.** This policy applies to video imagery concerning the following types of incidents:

- Officer-involved shootings, regardless of whether a person was hit by gunfire (this does not include unintentional discharges or officer-involved animal shootings);
- A use of force resulting in death or serious bodily injury requiring hospitalization;
- Any other police encounter where the Commission or the COP determines release of video is in the public's interest;
- All deaths while an arrestee/detainee is in the custodial care of the Department unless all of the following conditions exist:

- The Los Angeles County Coroner makes a preliminary determination that the death was caused by natural, accidental or undetermined means;
- The incident did not involve a use of force or evidence of foul play;
- There is no misconduct which would rise to the level of negligence or risk management issues associated with the incident to include: commission of a criminal offense, neglect of duty, violation of Department policies, rules, or procedures, or conduct which may tend to reflect unfavorably upon the employee or the Department;
- The investigation reveals that there were no violations of Department policies or procedures which directly led to the death;
- The toxicology report supports the Coroner's determination; and,
- The investigation reveals no problematic evidence or substantially conflicting witness statements regarding the incident.

**Video Sources.** The sources of video that may be released pursuant to this policy includes, but are not limited to, body-worn camera video, digital in-car video, police facility surveillance video, video captured by the Department's use of a small Unmanned Aircraft System, and video captured by third parties that is in the Department's possession.

**Privacy Protections.** Video shall not be released where prohibited by law or court order. Further, consistent with the protections afforded juveniles and the victims of certain crimes, video imagery shall be redacted or edited to the extent necessary to ensure that the identity of such individual(s) is protected. Where the video cannot be sufficiently redacted or edited to protect the person's identity, it shall be withheld. In addition, video may also be redacted or edited to protect the privacy interests of other individuals who appear in the video. In each instance, such redaction may include removing sound or blurring of faces and other images that would specifically identify involved individuals, sensitive locations, or reveal legally protected information. Further, where possible, such redaction or editing shall not compromise the depiction of what occurred during the incident.

**Delayed Release.** There may be circumstances under which the release of such video must be delayed to protect one or more of the following:

- Safety of the involved individuals, including officers, witnesses, bystanders, or other third parties;
- Integrity of an active investigation (including criminal or administrative);
- Confidential sources or investigative techniques; or,
- Constitutional rights of an accused.

These reasons may not be general; they must have a factual basis and be specific to the individual case. For example, investigators have identified but not yet been able to interview a key witness to the incident. The delay of the release of video, in accordance with this policy, shall be made pursuant only to the unanimous decision of the COP and the Commission's Executive Committee for video release. In the absence of an unanimous decision supporting a delay, the video imagery shall be released. Any



decision to permit a delay shall be re-assessed every 14 days. If the delay in the release continues for more than 28 days, the matter shall be placed on the next regularly-scheduled Commission meeting for consideration of the continued justification for delay, as well as the anticipated time frame for release. The Commission shall make the decision to release or continue the delay. The video imagery in question shall be released as soon as the reason for delay has been resolved.

**Late Discovery of Critical Incidents.** In circumstances when the Department was not aware that there was an incident which met the criteria of a "Critical Incident" until 16 or more days after the incident occurred, the release of video evidence of that incident shall be within 30 days of the date when it was determined that the incident met the criteria.

**Notifications.** Absent exigent circumstances, reasonable attempts shall be made to notify the following individuals or entities 48 hours prior to the release of video imagery:

- Officers depicted in the video and/or significantly involved in the use of force;
- The subject upon whom force was used;
  - If the subject is deceased, the next of kin will be notified.
  - If the subject is a juvenile, the subject's parents or legal guardian will be notified.
  - If the subject is known by the Department to be represented by legal counsel, that representative will be notified.
- The District Attorney's Office and City Attorney's Office;
- The Los Angeles Police Protective League; and,
- Other individuals or entities connected to the incident as deemed appropriate.

**Posting.** All released video shall remain posted on the Department's designated website until 12 months after the Commission adjudicates the incident.

**Release – Limited Waiver.** The release of any specific video imagery does not waive the Department's right to withhold other video imagery or investigative materials in the same case or any other case, as permitted by law. This policy is not intended to displace or supersede any legal right or remedy available to any person or entity, and it is also not intended to prevent or hinder compliance by the Department with respect to any legal disclosure requirements, including but not limited to, any court order or disclosure provisions of the California Public Records Act.

**420.56 SMALL UNMANNED AERIAL SYSTEM PROGRAM DEPLOYMENT GUIDELINES AND PROCEDURES.** Public safety agencies throughout the United States have used Small Unmanned Aerial Systems (sUAS) to provide critical real-time information and situational awareness during volatile and life-threatening incidents. For example, law enforcement agencies have successfully used sUASs to detect explosives, assess hazardous materials incidents, respond to major disasters, assist with hostage rescues, respond to armed and barricaded suspect calls, and find survivors during search and rescue operations.

The deployment of an sUAS will enhance the Department's ability to protect and serve the public. It can be effective as a de-escalation tool in preservation of life situations, to

identify suspect locations that otherwise would be inaccessible without the introduction of an armed officer or K9, and to locate victims in active shooter or mass casualty incidents thus increasing the ability to render assistance more quickly - all of which represent strategic operational goals consistent with the Department's guiding principle of reverence for human life.

The Department conducted an extensive review of existing sUAS policies, procedures and legal restrictions to develop guidelines and procedures that reflect sensitivity to community concerns and privacy interests. The Department remains steadfastly committed to protecting the community and ensuring public safety by adhering to the law and building public trust. Accordingly, this program will be strictly controlled and monitored with appropriate oversight by the Board of Police Commissioners and its Office of the Inspector General.

### **Definitions:**

Small Unmanned Aerial System (sUAS) refers to a remotely-operated, lightweight aircraft and its associated components.

The Special Weapons and Tactics Team (SWAT) is a highly trained and specialized cadre of Department personnel under the command of Metropolitan Division. Special Weapons and Tactics Team personnel respond to high-risk tactical incidents including hostage situations, active shooter incidents, and counterterrorism operations, and are trained to operate specialized equipment and technology to safely resolve incidents.

The Hazardous Devices and Materials Section (HDMS) is a highly trained and specialized cadre of Department personnel under the command of Emergency Services Division. Hazardous Devices and Materials Section is comprised of personnel assigned to the Bomb Squad and the Hazardous Materials Unit. Bomb Squad personnel respond to incidents involving suspected destructive devices in order to remove them or render them safe. Hazardous Materials Unit personnel respond to incidents involving chemical, biological, radiological and nuclear devices, including those that are defined as Weapons of Mass Destruction.

The Multi-Disciplinary Collision Investigation Team (MCIT) is responsible for handling all traffic collisions that involve City of Los Angeles property, which result in serious bodily injury or death and that will likely result in significant liability for the City of Los Angeles.

The Program Manager is a supervisor assigned to Air Support Division (ASD) responsible for ensuring compliance with laws and regulations, acquiring Federal Aviation Administration (FAA) waivers and certificates of authorization, training of sUAS operators, and providing information and assessments for the evaluation of the program.

The Small Unmanned Aerial System Deployment Log is the written documentation report completed by the officer-in-charge (OIC) of SWAT, HDMS, or MCIT after the approval or denial of an sUAS at the scene of a tactical, MCIT, or HDMS incident.

The Remote Pilot in Charge (RPIC) is a specially-trained SWAT, HDMS, or MCIT officer holding a remote pilot certificate with an sUAS rating and who is responsible for the safe operation of the sUAS.

The Office of Special Operations Commission Liaisons are two members of the Board of Police Commissioners designated by the Commission President to review the Department's use and deployment of the sUAS.

**Responsibilities.** The sUAS may only be operated by an RPIC in coordination with the Program Manager from Air Support Division.

Special Weapons and Tactics, Bomb Squad, and Hazardous Materials Unit, and MCIT personnel will be responsible for the safe operation of the sUAS during approved deployments and for documenting the use and deployment of the aircraft.

The Office of Special Operation's Counter-Terrorism and Special Operations Bureau (CTSOB) will be responsible for the oversight and evaluation of the sUAS Program.

**Approval for Deployment.** Any deployment of an sUAS shall be approved by the Bureau Commanding Officer of the entity deploying the sUAS, or in his or her absence, the Acting Commanding Officer of that Bureau. In addition, after deployment is approved by the responsible Bureau Commanding Officer, notification shall be made to the Director (i.e., Assistant Chief), Office of Special Operations, the Chief of Police, and the Office of Special Operations Commission Liaisons.

If an incident is such that it requires the response of personnel assigned to the Bomb Squad and/or the Hazardous Materials Unit, the Commanding Officer, Emergency Services Division, shall also respond to the scene.

If an incident is such that it requires the response of personnel assigned to the MCIT, the Commanding Officer of the concerned Traffic Division shall also respond to the scene.

**Permissible Uses.** An sUAS may be deployed to provide enhanced situational awareness solely during the following circumstances or types of incidents:

- Barricaded suspects;

**Note:** The Incident Commander at a barricaded suspect/hostage incident shall request SWAT when all of the following criteria are met:

1. The suspect is probably armed;
2. Probable cause exists to believe that the suspect has been involve in a criminal act or is a threat to the lives and safety of the community and/or police;
3. Is in a position of advantage, affording cover and/or concealment; or is contained in an open area and the presence or approach of police officers could precipitate an adverse reaction by the suspect; and,
4. The suspect refuses to submit to a lawful arrest.

- Active shooter incidents;
- Assessments of explosive devices and explosions;
- Hostage situations;
- Natural disasters;
- Hazardous materials incidents;
- Search and rescue operations;
- Warrant services;
- Perimeter searches of armed suspects with superior firepower, an extraordinary tactical advantage, or who are wanted for assault with a firearm against a police officer; and,
- Traffic collisions that involve City of Los Angeles property, which result in serious bodily injury or death and will likely result in significant liability for the City of Los Angeles, and requires the response of MCIT.

**Prohibited Uses.** An sUAS shall not be deployed or used in violation of the City of Los Angeles municipal laws, California State laws, or the United States Constitution. Unless a lawful exception applies, Department personnel shall obtain a search warrant or other lawful process when required under the Fourth Amendment or other provision of the law.

An sUAS shall not be deployed when weather conditions or other hazards prevent the safe operation of the aircraft. In addition, an sUAS shall not be deployed in a manner exceeding the manufacturer's recommendations.

**An sUAS shall not be equipped or used with any weapons capabilities including any non-lethal or less-lethal weapon systems.**

**An sUAS shall not be equipped or used with any facial recognition software or analysis capabilities.**

**Protection of Privacy.** The Department shall only collect, use and disseminate information obtained from an sUAS for an authorized purpose.

Department policy ensures that Department personnel with access to such data follow practices that are consistent with the protection of privacy and civil liberties. The unauthorized collection, retention, or dissemination of data is prohibited. Data collected by an sUAS that is retained shall be safeguarded in accordance with current Department policy. Further, existing procedures will be utilized to review, investigate, and address privacy and civil liberties complaints.

**Video Recordings.** Absent exigent or unexpected circumstances, such as a malfunction or technical issue, the RPIC shall ensure that all sUAS operational deployments are video recorded and retained in accordance with the City retention requirements.

**Documentation and Inspection Procedures.** The request and approval or disapproval of an sUAS deployment shall be documented in an sUAS Deployment Log by the assigned SWAT, HDMS, or MCIT OIC.

After each deployment of an sUAS, the assigned SWAT, HDMS, or MCIT OIC shall complete the sUAS Deployment Log and ensure that a copy is forwarded to the appropriate Bureau Commanding Officer, and Director, Office of Special Operations, within two business days after resolution of the incident. The Office of Special Operations will send the original sUAS Deployment Log to the Program Manager and forward a copy to the Office of Special Operations Commission Liaisons and the Office of the Inspector General.

The Program Manager shall conduct a monthly inspection of logged missions comparing data downloaded from the sUAS to ensure all flight time, including training flight time, is accounted for. The inspection will include the total number of missions for the reporting period, total flight time for the reporting period, and matrix of mission purposes. A copy of the monthly inspection report shall be forwarded to the responsible Bureau Commanding Officer, and Director, Office of Special Operations. The Office of Special Operations shall also forward a copy of the inspection report to the Office of Special Operations Commission Liaisons and the Office of the Inspector General.

**Annual Report to the Board of Police Commissioners.** The Department will provide an annual report to the Board of Police Commissioners on the use and deployment of an sUAS. The report shall include:

- An analysis of the use of an sUAS, including results of monthly audits measuring performance relative to the adherence of deployment and accountability rules;
- The number of sUAS deployments;
- The types of situations in which an sUAS was deployed;
- The overall results and effectiveness of an sUAS in resolving incidents;
- Whether an sUAS mitigated the risk of harm to officers, suspects, and the public;
- An overall analysis of the effectiveness when the sUAS was deployed;
- Whether deployment of an sUAS reduced costs associated with responding to similar incidents; and,
- Recommendations on whether the use of an sUAS should be continued and, if so, any modifications to these guidelines or other policies and procedures that should be considered.

**420.60 NEWS MEDIA PASSES.** To assure that the Department is communicating with an authorized news media representative at the scene of a police incident, and to assure the representative that he/she will not be unnecessarily obstructed in the pursuit of his/her functions, the Department issues and honors news media passes. The Board of Police Commissioners is authorized by City ordinance to issue news media credentials. Passes are issued to news reporters from newspapers, news services, news magazines, and radio and television stations which maintain regular news services in Los Angeles and which are legitimate current news disseminators.

Temporary news media passes may be issued for the duration of a police incident to legitimate news media representatives who have been specifically assigned to the incident by their employers. The possession of a news media pass issued by another law

enforcement agency will be persuasive evidence that its possessor is a legitimate news media representative.

**420.70 NEWS REPORTERS ENTERING AN AREA CLOSED PURSUANT TO STATUTE.** According to State law, duly authorized representatives of any news service, newspaper, or radio or television station or network may enter any area closed because of a menace to the public health or safety. Authorization for such entry is based upon the possession of a temporary or permanent Department-issued news media pass. The decision to assume the risk of danger remains with the individual news reporter involved, and it is not the responsibility of officers to provide for the safety of those members of the news media who voluntarily choose to subject themselves to danger.

**420.75 ALLOWING NEWS REPORTERS TO ENTER AREA OF A SERIOUS POLICE INCIDENT OR CRIME SCENE.** Police lines may be established to prevent persons from entering the area of a serious police incident or crime scene. Dependent upon the tactical situation and the likelihood of jeopardizing police operations, members of the news media may be allowed in such areas. Authorization for entry is normally dependent upon the possession of a permanent or temporary Department-issued news media pass; however, if the Department is not issuing temporary passes or does not have the present capability of issuing temporary passes at the scene, and the opportunity of obtaining news coverage appears to be limited in duration, a news media pass issued by another law enforcement agency may be recognized.

**420.80 WHERE A NEWS REPORTER IS NOT AUTHORIZED.** While a news reporter may be permitted in the area of a crime scene or a serious police incident, he/she does not have the authority to be within a crime scene or area which has been secured to preserve evidence or at any location where his/her presence jeopardizes police operations.

**420.85 NEWS MEDIA NOT EXEMPT FROM LAWS.** A news reporter's primary responsibility is to report the news by obtaining information and photographs at news-worthy incidents. His/her opportunity to do so is infrequently momentary at an emergency scene. An officer sharing these circumstances with a news reporter should not unnecessarily obstruct the news reporter in the performance of his/her duty; however, members of the news media are neither impliedly nor expressly exempt from any municipal, state, or federal statute.

**Exception:** News Reporters may enter a closed area as provided for in Section 1/420.70 of the Department Manual.

**420.90 REQUESTING WITHHOLDING OF PUBLICATION.** News reporters may photograph or report anything they observe when legally present at an emergency scene. Where publication of such coverage would interfere with an official investigation or place a victim, suspect, or others in jeopardy, the withholding of publication is dependent upon a cooperative press, not upon censorship by the Department. Under such circumstances officers should advise the news reporters or their superiors of the possible consequences of publication; however, officers may not interfere with news reporter's activities as long as that performance remains within the confines of the law.

**420.95 SEARCH OF NEWS MEDIA FACILITIES.** When there is a need to obtain evidence on the premises of news media organizations, the priorities governing the means by which evidence shall be sought by members of this Department are as follows:

- The Department shall not seek material from the news media that may be obtained in any other manner.
- The Department shall make every effort to obtain evidence by consent of the media through voluntary, cooperative means.
- When the legal process becomes necessary, the Department shall proceed, when at all practicable, by means of a subpoena.
- The Department shall search the premises of a news media facility only as a last resort and only then in a manner consistent with the provisions of this policy.

**Chief of Police Approval to Search.** Because of the extreme gravity of a decision to search a news media facility, any such decision will be made only by the Chief of Police or person designated to act in his/her place if the Chief of Police is out of the jurisdiction. The Chief of Police or the person acting in his/her place shall attempt to notify the President of the Police Commission, or Vice President in the President's absence, before implementing such decision. If neither is available before the decision must be implemented, an attempt will be made to notify them promptly thereafter.

**When Permissible.** Members of this Department shall not under any circumstances seek to obtain a warrant to search, conduct a warrantless search, or participate in a search for any items described in Evidence Code Section 1070. Members of this Department shall not seek a warrant, conduct a warrantless search, or participate in a search on the premises of a news media facility for any other items except where:

- Such other items constitute material evidence that a person or persons in the news organization have committed or are committing a felony unrelated to the news-gathering function.

**Note:** When the evidence sought is physical rather than documentary and there is good cause to believe it may be destroyed unless a search is conducted, asterisks 1-3 of the above priorities need not be exhausted.

- There is an imminent danger of death to a person or catastrophic injury to persons or property and the obtaining of such other items would materially assist the Department in preventing the threatened act. Unsolicited communications which themselves are instrumentalities of a felony shall be subject to the provisions of this paragraph.

Nothing in this policy shall be construed to authorize or condone a warrant less search except as otherwise permitted by law.

**Conducting a Search.** In conducting a search of a news media facility, members of this Department shall not inspect or peruse any material or records except to the extent necessary to locate the items which are specified in a search warrant or for which the search was authorized under this policy. Members of this Department may seize only

those items referred to in the preceding sentence, and such other items, as are discovered during a search conducted in conformance with the provisions of this policy, for which a search could have been authorized under this policy had their existence and location been known at the time the search was authorized. Members of this Department shall not record information observed from materials not authorized to be seized under this policy.

#### **440. PUBLIC INFORMATION**

**440.10 REQUESTS FOR INFORMATION.** The public has an abiding interest in law enforcement and in the activities of the Department. The news media and members of the public frequently direct inquiries to the Department seeking information on a variety of subjects. While it is the aim of the Department to fulfill such requests, it is not always possible to do so. Whether to release information or to grant interviews will be determined according to the facts of each case.

**440.20 PERMISSION FOR USE OF DEPARTMENT FACILITIES.** Normally, the Department will not grant permission for its equipment or the interior of its facilities to be used for television, motion pictures, or other entertainment productions. However, when coverage is required for recording interviews, news documentaries, news releases, or events of an unusual nature, representatives from the news media or public information programs may be allowed to use their equipment inside police facilities.

**440.30 COOPERATION FOR FEATURE ARTICLES OR PROGRAMS.** Requests for Department cooperation in the preparation of articles for newspapers, magazines, and other publications will be individually considered, and, if approved, permission for the interviewing of Department personnel and the photographing of police facilities will be limited to the scope of approval. Officers participating in the preparation of such articles should ascertain the scope of approval and should be cautious not to exceed those limits. In any event, officers should exercise care and discretion so as not to make statements or convey information which, if later quoted, may create a misunderstanding or compromise the effectiveness of the police service.

**440.40 RESPONSIBILITY OF OFFICERS TO SUPPLY INFORMATION.** Frequently, due to public expectations and because of their accessibility, officers are called upon to supply information both related and unrelated to the law enforcement function. Officers should appropriately answer questions put to them or refer the person to the proper individual or agency for such answers. When a request is made for information about a police matter, officers should decide if they are in possession of sufficient facts and are qualified to respond, and whether the person making the request is a proper person to receive the information. Generally, officers should be open in their dealings with the public and, unless there is reason to the contrary, they should supply requested information. They should, however, be cautious to avoid representing as fact that which is their opinion.

**440.50 PUBLIC INFORMATION PROGRAMS AND EDUCATION.** The Department conducts various public information and crime prevention programs to educate the public and to eliminate specific crime problems. In addition, the Department cooperates in developing new programs in those areas where the relationship between any



group, or the public as a whole, and the Department may be improved. In so doing, the probability of crimes being committed may be reduced and the effectiveness of the Department enhanced.

**440.60 TOURS OF POLICE FACILITIES.** Many people rarely have an occasion to enter a police station or to witness activities which support line operations. To acquaint the public with the law enforcement task, the Department will hold "open house" and, upon request, conduct tours of police facilities. The scope of such tours will be dependent upon security requirements and personnel availability.

## **460. LABOR RELATIONS**

**460.10 DEPARTMENT ROLE IN LABOR DISPUTES.** The right to engage in labor related activities is a constitutionally protected right, subject to reasonable restrictions as to time, place, and manner. Through the legally recognized methods of negotiation and collective bargaining, labor disputes are peacefully settled. In such disputes, it is not the function of the Department to deal with the issues involved; rather, it is the role of the Department to protect the rights of the public and the disputants by enforcing the law and by maintaining order. Finding the delicate balance between protecting the Constitutional right to engage in labor related activities and providing for community peace requires informed and sensitive police judgment.

**460.20 IMPARTIALITY OF THE DEPARTMENT IN LABOR DISPUTES.** Strikes and mass or circular picketing are not, in themselves, violations of the law. It is the illegal acts which sometimes arise from such activities which are the concern of the police. The effectiveness of the Department in labor disputes is maintained by its remaining at all times impartial regarding the parties and issues involved and by taking appropriate action whenever criminal violations are observed or reported.

**460.30 ENFORCEMENT OF LAWS AT LABOR DISPUTES.** The Department seeks to minimize criminal violations connected with labor disputes by providing guidelines for the conduct of the parties and the area of the sidewalk to be used. These guidelines are discussed with management and labor officials at which time it is emphasized that the use of public sidewalks and roadways, the free access to public places, and the rights of persons to enter and leave private premises are to be preserved. In instances where there are criminal violations, the Department will take prompt and impartial action to protect the rights of the public and the disputants. However, individual unlawful acts, properly the subject of law enforcement response, may not necessarily warrant stopping an ongoing labor related activity. Violations of court orders and injunctions do not ordinarily constitute criminal offenses for which the Department will take enforcement action.

**460.40 LIAISON WITH LABOR AND MANAGEMENT.** The Department maintains special liaison with management and labor officials to obtain information and to explain the Department's policies and procedures in relation to labor disputes. By seeking the cooperation of the parties involved, tensions are reduced and self-discipline is encouraged so that the parties may police their own conduct.

**460.50 DEPLOYMENT AT LABOR DISPUTES.** Recognizing that misunderstandings and law violations are minimized in an atmosphere of mutual cooperation and trust, the Department created the Labor Relations Unit to coordinate and advise on Department activity relating to labor disputes. Labor Relations Unit gathers information regarding strikes, investigates selected related crimes, and meets with officials of labor, management, and the Department to discuss and alleviate police problems arising from such disputes.

In a labor related demonstration, field commanders shall, with the assistance of Labor Relations Unit, make every attempt to identify the union leadership and maintain on going communication with those leaders through the duration of the demonstration, notifying them of problems if and as they develop, and enlisting their aid in policing the conduct of their own members.

Should it become necessary to declare an unlawful assembly, the dispersal order should be announced in both English and a second language, if the situation is appropriate for those bilingual commands. Upon the declaration of such a dispersal order, the field commander should make every attempt to ensure demonstrators have a sufficient amount of time to disperse in an orderly and lawful fashion.

Police officers will not normally be deployed at strike scenes; however, when such deployment becomes necessary, it is the responsibility of the concerned Area commanding officer to take the necessary police action to deter crime and to keep the peace.

#### **480. LIAISON WITH CRIMINAL JUSTICE SYSTEM**

**480.10 COOPERATION WITH OTHER LAW ENFORCEMENT AGENCIES.** The Department maintains a close working relationship with other law enforcement agencies, and makes available to them information concerning techniques and procedures developed or used by the Department.

**480.20 CRITICISM OF CRIMINAL JUSTICE SYSTEM.** The Department shares responsibility with the Judiciary and other law enforcement and prosecution agencies in the criminal justice system. All elements of the system work toward common objectives and each element is functionally complementary. The cooperative and harmonious working relationships which are essential in attaining those objectives are impaired by unnecessary criticism of others engaged in the administration of criminal justice. For that reason, officers should be aware of the effect upon law enforcement of any comments they make which might be interpreted as being critical of other law enforcement or prosecution agencies or individual members of the Judiciary. However, it is not intended that there be any infringement of an officer's right to express his/her personal views regarding the criminal justice system in general or any trends which seem destructive of its efficacy.

## **490. CONSULAR AND DIPLOMATIC RELATIONS**

**490.10 CONSULAR AND DIPLOMATIC IMMUNITY.** Diplomatic agents, their families, and members of their administrative and technical staff are protected by unlimited immunity from arrest, detention, or prosecution with respect to any civil or criminal offense, this is known as personal inviolability. Officers shall not normally issue traffic or absentee citations to diplomatic agents, their family members, or members of their administrative and technical staff. Officers shall not impound the vehicles of these officials. In those instances where the driving of the official is a danger to others, a supervisor shall be summoned to the scene. With the supervisor's approval, a citation may be issued.

Career consular officers have only official acts or functional immunity in respect to both criminal and civil matters. Career consular officers may be arrested for a felony pursuant to a warrant and may be detained at anytime if the offense involved is an immediate threat to public safety. A career consular officer is not liable to detention or arrest for a misdemeanor. The consular officer shall be informed of the violation and be permitted to continue on his or her way. This is known as consular inviolability. A career consular officer's family and staff have no consular inviolability whatsoever. Officers shall not normally issue traffic or absentee citations to career consular officers. Officers shall not impound the vehicles of these officials. In those instances where the driving of the official is a danger to others, a supervisor shall be summoned to the scene. With the supervisor's approval, a citation may be issued.

Once identified, consular and diplomatic officers will not be unnecessarily detained, and they will at all times be afforded the respect and courtesy that their position demands. To facilitate identification, the Department will, upon request, prepare and issue identification cards to consular and diplomatic officers.

If detained, the diplomatic agent, consular officer, or honorary consular officer should not normally be handcuffed. However, in circumstances where the safety of the public or the police officer is in danger, or it is apparent that a serious crime may be committed, police officers shall take necessary action.

## **LAW ENFORCEMENT OPERATIONS**

**504. THE NATURE OF THE TASK.** Law enforcement operations consist of many diverse activities which are directed toward the attainment of Department objectives. Activities such as patrolling, conducting field interviews, and issuing traffic citations are not objectives in themselves; rather, they are methods of achieving the real objectives of preventing and deterring crime, arresting criminal offenders, and preventing traffic collisions.

Decisions in law enforcement operations frequently must be made in an instant, and the lives of officers and others may depend upon the quality of those decisions. Officers are confronted in stress situations with both criminal and noncriminal behavior, and they must be capable of making a reasonable response in both cases. Officers must base their conduct and action in each instance upon the facts of the situation as they reasonably

appear, relying upon their experience, training, and judgment to guide them toward morally justified and lawful decisions and actions.

**508. POLICE ACTION BASED ON LEGAL JUSTIFICATION.** What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation, and different facts may justify either an investigation, a detention, a search, an arrest, or no action at all. The requirement that legal justification be present imposes a limitation on an officer's action. In every case, officers must act reasonably within the limits of their authority as defined by statute and judicial interpretation, thereby ensuring that the rights of both the individual and the public are protected.

**512. ALTERNATIVES TO PHYSICAL ARREST, BOOKING, OR CONTINUED DETENTION.** Once a violator has been identified, it is the function of the Department to initiate the criminal process; however, there are circumstances when a crime may occur and the Department will not make a physical arrest. There may be a report written and an application for a complaint made; or in some cases, when the offense is of a minor nature, a verbal warning or other direction may be given. The decision not to make an arrest will be guided by Department policy and the factual situation involved, not by the personal feelings of the officer. An arrest does not dictate a booking, and a booking does not dictate continued detention. When circumstances so indicate, an arrestee should be released without being booked and, if booked, should be released from further detention.

**516. CALLED FOR SERVICES.**

**516.10 PROFESSIONAL STANDARD OF SERVICE.** The Department cannot be aware of each circumstance in the City where police action or assistance may be required. The Department is dependent upon members of the community for such information. The people, in return, expect the Department to respond to requests for police service within a reasonable time and to satisfactorily perform the necessary service. A person calling for police assistance expects, as a matter of right, to be provided with a service. As a practical matter, the extent of the service may necessarily be limited, but, regardless of its extent, a professional quality of service must be rendered in all cases.

**516.20 PRIORITY OF HANDLING CALLS FOR SERVICE.** It is not always possible for the Department to respond to every call for service; therefore, the Department must organize available resources to give the highest level of efficient service possible. Priority of call assignment depends on many factors, and it is normally the responsibility of communications personnel to make such assignments; however, an officer in the field may be required to decide whether to continue on an assigned call or handle a citizen's complaint or other observed event and cause his call to be reassigned. Such determination should be based upon the comparative urgency and the risk to life and property of the assigned call and the intervening incident. When it is impossible for an officer to handle a citizen's complaint or an observed event, the officer should, if circumstances permit, either give directions for obtaining such assistance or initiate the necessary notifications himself/herself.

## **520. PRELIMINARY INVESTIGATION.**

**520.10 SCOPE OF PRELIMINARY INVESTIGATION.** The scope of preliminary investigation by a uniformed officer may be very restricted or it may constitute the entire investigation of the crime. In a particular crime, the scope of the preliminary investigation may be limited by investigative policy, and in all cases it is limited by an officer's assignment work load. Consistent with his/her other responsibilities, an officer should continue a preliminary investigation to the point where the delay in investigation caused by the report being processed will not materially jeopardize the investigation.

### **520.20 FOLLOW-UP INVESTIGATION BY UNIFORMED**

**OFFICERS.** Uniformed officers may conduct a limited follow-up investigation upon supervisory approval when there is a reasonable chance of apprehending the suspect, when there is a need for obtaining additional information for the preliminary investigation report, or when there are other compelling circumstances.

**520.30 COURTESY CRIME REPORTS.** Generally, crime reports shall not be completed for occurrences outside the City. Department personnel should impress upon a citizen requesting a crime report the importance of an expeditious investigation and the fact that this can only occur if the crime is reported to the concerned agency. In those cases where exigent circumstances exist that would make it impractical for a person to report the crime to the concerned agency, a courtesy report may be completed, with prior supervisory approval.

## **522. CRIMES OR INCIDENTS MOTIVATED BY HATRED OR**

**PREJUDICE.** The City of Los Angeles values the great diversity of its people and recognizes that a threat against any portion of our community is truly a threat against our diverse way of life. Acts or threats of violence motivated by hatred or prejudice are serious acts, often vicious in nature, which tear at the fabric of our community. These occurrences generate fear and concern among victims as well as the entire community and have the potential of recurring, escalating and possibly causing counter-violence.

It is the policy of the Los Angeles Police Department to ensure that the rights of all people, as guaranteed by the constitutions of the United States and the State of California, are protected. Among those constitutional guarantees is the right of all people to live without fear of attack or threat from an individual or group due to hatred or prejudice. An act or threat of violence motivated by hatred or prejudice threatens this constitutional guarantee and generates fear and concern among victims and the public.

When any act motivated by hatred or prejudice occurs, the Department will ensure that it is dealt with on a priority basis and use every necessary legal resource to rapidly and decisively identify the suspects and bring them to justice.

**524. CIVIL DISPUTES.** The presence of police officers at the scene of a civil dispute can have an intimidating effect upon unsophisticated persons and is a tactic often employed by individuals and establishments seeking to avoid the more cumbersome civil process. The presence of officers at such scenes is primarily to preserve the peace and to

prevent a crime from occurring. Officers shall not become unnecessarily involved in civil disputes.

It is the policy of the Los Angeles Police Department to dispatch a police unit to a civil dispute only in those cases where a crime has been reported or when it appears necessary to prevent criminal activity. Involvement by members of this Department shall be limited to preventing criminal activity and encouraging all parties to pursue appropriate civil remedies. Officers shall scrupulously avoid taking sides in any civil dispute or giving the appearance that this may be the case. Exceptions may be made in the event of a request for assistance by a governmental agency whose responsibilities include executing civil processes.

**528. FIELD SUPERVISION.** Since emergency situations occur without warning, and their duration is often brief, officers must frequently make critical decisions without benefit of on-the-scene direction. In most police operations, however, supervision is available and necessary to provide guidance and training. Supervision gives coherence to the police task and directs the energies of the Department into an organized effort. Proper supervision is essential to maintain a professional level of competence in law enforcement operations.

**528.10 SUPERVISION IN FIELD OPERATIONS.** The Department is an organization with an assignment of responsibility and accountability throughout the rank structure. To the degree that senior officers are responsible and accountable for the performance of their junior officers, they must be granted commensurate authority in order to properly discharge their supervisory responsibility. Field supervision begins with senior officers of the Department, and it is upon them that the primary burden of training and supervising less experienced officers is placed. A field sergeant is the first level of full-time supervision, and it is his or her primary responsibility to guide, train, direct, and motivate those over whom he or she has control. A field sergeant is not normally expected to engage in law enforcement operations except in a command or supervisory capacity.

**532. COMMAND RESPONSIBILITY AT POLICE SITUATIONS.** Command of Department resources at a police situation rests with the field commander or the assigned senior officer. Such person has the authority to direct the operation and is responsible for its outcome. Senior command officers may make suggestions; however, they may not actively direct the operation unless they properly relieve the subordinate of command. A senior command officer at an emergency scene who does not choose to take command may be held accountable for unfavorable developments which they could have prevented by assuming control.

**Exception:** At the scene of a barricaded suspect, the provisions of Section 1/568.20 of the Department Manual apply.

**536. CRIME SCENE SUPERVISION.** The senior investigating officer present is in charge of a crime scene.

## **540. FOLLOW - UP INVESTIGATION**

**540.10 INVESTIGATION OF REPORTED CRIMES.** Follow-up investigation consists of efforts to interview victims and witnesses; locate, identify, and preserve physical evidence; recover stolen property; identify, locate, interview, and arrest suspects; present the case to the prosecutor; and cooperate in the prosecution of the defendant. Such investigations are conducted to produce evidence relating to the guilt or innocence of any suspect and to recover property.

### **540.20 ALLOCATION OF RESOURCES TO FOLLOW - UP**

**INVESTIGATIONS.** As it is not feasible to expend equal time and energy in the investigation of all reported crimes, priority of investigation and allocation of resources must be based upon the relative seriousness of each reported crime. However, reported crimes will be investigated to the fullest extent possible without regard to the status of the victims or the areas of the City in which the crimes occur.

## **544. INFORMANTS**

**544.10 USE OF INFORMANTS.** Often, information from confidential sources is the investigative lead which solves a case and without which there could not be a prosecution.

Information is received by the Department regarding criminal activities and suspects from persons in all walks of life. Many people who give information have been victims or witnesses of crimes, or they may have a strong desire to aid law enforcement. There are others motivated purely by selfish interests. However, regardless of their motivation, the use of informants is a basic weapon in the fight against crime, and they are a judicially recognized source of information. An informant's motivation should be carefully evaluated in determining the extent upon which the information will be relied.

**544.20 INFORMANT'S IMMUNITY FROM PROSECUTION.** Informants will sometimes offer to exchange information for immunity or for their release. Such immunity may properly be granted by a judge in a judicial proceeding; however, neither the Department nor any of its members may grant any person immunity from prosecution.

**544.30 INDIVIDUAL OFFICER'S INFORMANT RESPONSIBILITIES.** Officers shall keep their supervisors informed of their relations and activities involving informants. A commanding officer shall require that the identity of informants be disclosed to him/her. At least two officers shall be present when meeting with an informant in the field and both officers should understand the informant's language.

**546. CONDUCT OF UNDERCOVER ASSIGNMENT OFFICERS.** In order to obtain information and evidence regarding criminal activities, it may be necessary that the Department utilize undercover operators. Such operators shall not become "Agents Provocateurs" or engage in entrapment. The officers shall not commit any act or omit to perform any duty imposed by law which constitutes a crime.

**547. UNDERCOVER ASSIGNMENT OFFICERS POSING AS MEMBERS OF THE NEWS MEDIA.** The use of a news media cover by an officer to obtain

intelligence information is not an acceptable form of undercover activity. Once a police officer is discovered in such a role, particularly in a crowd control situation, legitimate members of the media become suspect and could possibly be exposed to danger. In addition, such undercover activity does damage to the trust which should exist between members of a free society and the news media which serves them.

**548. DEPARTMENT RESPONSE TO IMPENDING RIOT.** When the City is confronted with a situation which may escalate into a riot, the Department must establish control of the situation by reacting quickly and committing sufficient resources to control the situation. Control must be established in all parts of the involved area so that there are no areas into which the Department cannot go. Law violators must be arrested and their prosecution sought. Finally, the Department must remain in the affected area with adequate personnel and equipment for a sufficient period of time after order is restored to convince all concerned that additional outbreaks will not be tolerated.

**552. POLICE ACTION ON SCHOOL CAMPUSES.** It is the policy of this Department to conduct investigations and related police business on school property in conformance with accepted legal practices and in recognition of the authority and responsibility of school officials to manage the school environment.

It is neither the intention nor the desire of the Department to suppress or restrain lawful activity, either on or off campuses. The Department will expend whatever resources are necessary to protect the rights of any person or group to conduct a peaceful and lawful demonstration at any location within the City. However, unlawful activity, whatever its guise, requires prompt and effective action by the Department. The Department will take appropriate legal steps to discourage unlawful acts.

The tactics employed by dissidents engaged in disruptive activities frequently include efforts to draw the police and other public officials into responses likely to produce violence and injury to participants and thus garner support for their cause. It is therefore incumbent upon the Department to cope with disruptive situations in a professional manner which will minimize the potential for violent confrontations.

**554. POLICE CONTACTS WITH THE CLERGY.** Constitutional guarantees of religious freedom have traditionally been viewed as giving a unique status to houses of worship. Religious leaders (bishops, ministers, pastors, priests, rabbis, and others designated as leaders of congregations) are revered as keepers of religious discipline, teachers, counselors, and symbols of religious faith. Because of this, police action should be consistent with the special esteem in which houses of worship and religious leaders are held. Nevertheless, if circumstances require police action, it should be noted that a house of worship is not a sanctuary to be used to harbor law violators.

**554.01 PARTICIPATION OF CHAPLAINS AT DEPARTMENT EVENTS.** It is our policy that prayer or invocation held at Department events be conducted in such a manner as to ensure that the prayer/invocation is non-sectarian, non-proselytizing, and does not advance a particular religious belief or faith over another, or disparage any others.



Prayer/invocation shall be offered by a rotating pool of clergy within the Department's Chaplain Corps in an effort to reflect diverse religious backgrounds and beliefs.

**555. PURSUIT POLICY.** The Department Pursuit Policy is comprised of Manual Volume 1/555, Volume 3/201 and Volume 4/205. Refer to all listed Manual Volumes and Sections for policy, procedures, and administrative review of the Department Pursuit Policy.

**555.01 VEHICLE PURSUIT DEFINED.** The California Highway Patrol defines a vehicular pursuit as, "An event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is attempting to avoid arrest (or detention) by using high speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving in a *legal* manner but willfully failing to yield to the officer's signal to stop" (emphasis added).

**555.05 DRIVER RESPONSIBILITY.** Section 21055 of the California Vehicle Code (CVC) specifies that in emergency situations the driver of an authorized emergency vehicle is exempt from the "Rules of the Road" as specified in Division 11 of the Code, when the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front. Section 21056 CVC, however, specified that this exemption "...does not relieve the driver from the duty to drive with due regard for the safety of all persons using the highway, nor does it protect him from the consequences of an arbitrary exercise of the privileges granted in that Section (21055)."

**555.10 INITIATION OF A VEHICLE PURSUIT.** Officers shall not initiate a pursuit based only on an infraction, misdemeanor evading (including failure to yield), or reckless driving in response to enforcement action taken by Department personnel.

Officers may pursue felons and misdemeanants, including law violators who exhibit behaviors of illegally driving under the influence of drugs or alcohol. If reasonable suspicion or probable cause exists that a misdemeanor (with the exception of misdemeanor evading or reckless driving in response to enforcement action by Department personnel) or felony has occurred, is occurring or is about to occur, employees may pursue a suspect vehicle.

**Note:** Unmarked units shall not engage in a pursuit. Dual-purpose, hybrid vehicles, and motorcycles may engage in a vehicle pursuit, however, the unit shall relinquish the role of primary unit when a marked black and white vehicle arrives on scene.

In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle shall, when practicable, be within close proximity to the vehicle before attempting the stop. When circumstances indicate a high potential for a pursuit, e.g., felony want on vehicle, possible stolen vehicle, felony suspect, officers shall determine the availability and estimated time of arrival of an air unit and, if tactically possible, wait for its arrival prior to initiating the vehicle stop. Additionally, officers should request a back-up unit.

Whenever possible, air units shall assume responsibility for tracking a suspect vehicle. During this tracking mode, authorized ground units shall continue their Code Three

response, but should reduce their speed and, if reasonable, maintain a position out of the line-of-sight of the suspect's vehicle to maximize public safety. The Department shall make every effort to provide immediate supervisory oversight at the beginning of the pursuit and through its termination.

**Factors In Initiating a Pursuit.** Officers must also weigh the seriousness of the offense against the potential dangers to themselves or members of the community and should consider the following factors when assessing whether to initiate a pursuit:

- Whether there is an unreasonable risk to the public's safety, to the pursuing officers' safety or the safety of the occupant(s) in the fleeing vehicle;
- The speed of the fleeing vehicle, relative to other roadway conditions and factors;
- Whether vehicular and/or pedestrian traffic safety is unreasonably compromised;
- The traffic conditions: volume of vehicular traffic, volume of pedestrian traffic, and road conditions;
- Nature of the area of the pursuit: residential, commercial, or rural;
- Whether the suspect can be apprehended at a later time;
- If weather conditions such as rain, fog, snow, etc., create an unreasonable risk of injury to the public or the pursuing officers;
- The seriousness of the crime and its relationship to community safety;
- Whether the lack or quality of communication between the primary unit and Communications Division or the primary unit and a supervisor causes an unreasonable risk to the public; and,
- The familiarity of the primary pursuing unit with the area of the pursuit.

The same liability and potential danger inherent in a vehicle pursuit is also present when following a vehicle. Officers shall not violate the rules of the road, e.g., Division 11 of the California Vehicle Code, when following a vehicle. Exemption from provisions of the Vehicle Code (Division 11) is granted only when officers sound a siren as may be reasonably necessary and the officer's vehicle displays a lighted red lamp visible from the front. The decision whether or not to initiate a pursuit should be made as soon as it is clearly evident that the law violator is intending to flee. Officers shall not use "following" as a substitute for initiating a pursuit.

## **556. USE OF FORCE.**

### **556.10 POLICY ON THE USE OF FORCE.**

**PREAMBLE TO USE OF FORCE.** The use of force by members of law enforcement is a matter of critical concern both to the public and the law enforcement community. It is recognized that some individuals will not comply with the law or submit to control unless compelled to do so by the use of force; therefore, law enforcement officers are sometimes called upon to use force in the performance of their duties. The Los Angeles Police Department also recognizes that members of law enforcement derive their authority from the public and therefore must be ever mindful that they are not only the guardians, but also the servants of the public.

The Department's guiding principle when using force shall be reverence for human life. Officers shall attempt to control an incident by using time, distance, communications, and available resources in an effort to de-escalate the situation, whenever it is safe, feasible, and reasonable to do so. As stated below, when warranted, Department personnel may use objectively reasonable force to carry out their duties. Officers may use deadly force only when they reasonably believe, based on the totality of circumstances, that such force is necessary in defense of human life. Officers who use unreasonable force degrade the confidence of the community we serve, expose fellow officers to physical hazards, violate the law and rights of individuals upon whom unreasonable force or unnecessary deadly force is used, and subject the Department and themselves to potential civil and criminal liability. Conversely, officers who fail to use force when warranted may endanger themselves, the community and fellow officers.

## **POLICY.**

**Use of De-Escalation Techniques.** It is the policy of this Department that, whenever feasible, officers shall use techniques and tools consistent with department de-escalation training to reduce the intensity of any encounter with a suspect and enable an officer to have additional options to mitigate the need to use a higher level of force while maintaining control of the situation.

**Verbal Warnings.** Where feasible, a peace officer shall, prior to the use of any force, make reasonable efforts to identify themselves as a peace officer and to warn that force may be used, unless the officer has objectively reasonable grounds to believe that the person is aware of those facts.

**Proportionality.** Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.

**Fair and Unbiased Policing.** Officers shall carry out their duties, including use of force, in a manner that is fair and unbiased. Discriminatory conduct on the basis of race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, housing status, or disability while performing any law enforcement activity is prohibited.

**Use of Force – Non-Deadly.** It is the policy of this Department that personnel may use only that force which is "objectively reasonable" to:

- Defend themselves;
- Defend others;
- Effect an arrest or detention;
- Prevent escape; or,
- Overcome resistance.

**Factors Used to Determine Objective Reasonableness.** Pursuant to the opinion issued by the United States Supreme Court in *Graham v. Connor*, the Department examines the reasonableness of any particular force used: a) from the perspective of a reasonable Los

Angeles Police Officer with similar training and experience, in the same situation; and b) based on the facts and circumstances of each particular case. Those factors may include, but are not limited to:

- The feasibility of using de-escalation tactics, crisis intervention or other alternatives to force;
- The seriousness of the crime or suspected offense;
- The level of threat or resistance presented by the subject;
- Whether the subject was posing an immediate threat to officers or a danger to the community;
- The potential for injury to citizens, officers or subjects;
- The risk or apparent attempt by the subject to escape;
- The conduct of the subject being confronted (as reasonably perceived by the officer at the time);
- The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;
- The availability of other resources;
- The training and experience of the officer;
- The proximity or access of weapons to the subject;
- Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects;
- The environmental factors and/or other exigent circumstances; and,
- Whether a person is a member of a vulnerable population.

**Drawing or Exhibiting Firearms.** Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm. Any drawing and exhibiting of a firearm shall conform with this policy on the use of firearms. Moreover, any intentional pointing of a firearm at a person by an officer shall be reported. Such reporting will be published in the Department's year-end use of force report.

**Use of Force - Deadly.** It is the policy of this Department that officers shall use deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary for either of the following reasons:

- To defend against an imminent threat of death or serious bodily injury to the officer or to another person; or,
- To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible. Before discharging a firearm, officers

shall consider their surroundings and potential risks to bystanders to the extent reasonable under the circumstances.

**Note:** Because the application of deadly force is limited to the above scenarios, an officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.

**Department's Evaluation of Deadly Force.** The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with California Penal Code Section 835(a), as well as the factors articulated in *Graham v. Connor*.

**Rendering Aid.** After any use of force, officers shall immediately request a rescue ambulance for any person injured. In addition, officers shall promptly provide basic and emergency medical assistance to all members of the community, including victims, witnesses, subjects, suspects, persons in custody, subjects of a use of force and fellow officers:

- To the extent of the officer's training and experience in first aid/CPR/AED; and,
- To the level of equipment available to an officer at the time assistance is needed.

**Warning Shots.** It is the policy of this Department that warning shots shall only be used in exceptional circumstances where it might reasonably be expected to avoid the need to use deadly force. Generally, warning shots shall be directed in a manner that minimizes the risk of injury to innocent persons, ricochet dangers and property damage.

**Shooting at or From Moving Vehicles.** It is the policy of this Department that firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies an officer's use of deadly force. An officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants. Firearms shall not be discharged from a moving vehicle, except in exigent circumstances and consistent with this policy in regard to the use of Deadly Force.

**Note:** It is understood that the policy regarding discharging a firearm at or from a moving vehicle may not cover every situation that may arise. In all situations, officers are expected to act with intelligence and exercise sound judgment, attending to the spirit of this policy. Any deviations from the provisions of this policy shall be examined rigorously on a case by case basis. The involved officer must be able to clearly articulate the reasons for the use of deadly force. Factors that may be considered include whether the officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

**Requirement to Report Potential Excessive Force.** An officer who is present and observes another officer using force that the present and observing officer believes to be

beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer [as delineated in California Penal Code Section 835(a)], shall immediately report such force to a superior officer.

An officer who has a sustained excessive force complaint shall be prohibited from training other officers for a period of at least three years from the date that the complaint was sustained.

**Retaliation for Reporting Potential Excessive Force or Violation of Any Law or Regulation.** Retaliation for reporting potential excessive force or violation of any law or regulation by any employee of this Department is strictly prohibited, shall be reported immediately, and is considered to be serious misconduct

**Requirement to Intercede When Excessive Force is Observed.** An officer shall intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

**Note:** For purposes of this section, "intercede" includes, but is not limited to, physically stopping the excessive force (when safe and reasonable to do so) and recording the excessive force, if equipped with a body worn video (BWV) camera. Officers shall attempt to document on BWV the efforts to intervene, efforts to de-escalate the excessive use of force, and confronting the offending officer about the excessive force during the use of force. If the offending officer continues to use excessive force, the witnessing officer shall immediately report the excessive force to a superior officer.

Any officer who has received all required training on the requirement to intercede and fails to do so when excessive force is observed as described above shall be subject to discipline up to and including in the same manner as the officer who committed the excessive force.

## **DEFINITIONS.**

**Deadly Force.** Deadly Force is defined as any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to, the discharge of a firearm.

**Excessive Force.** Excessive Force means a level of force that is found to have violated Section 835(a) of the California Penal Code (PC) or the requirements of any other law or statute.

**Feasible.** Feasible means reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

**Imminent.** Pursuant to California Penal Code Section 835a(e)(2), “[A] threat of death or serious bodily injury is “imminent” when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.”

**Intercede.** Intercede includes, but is not limited to, physically stopping the excessive force (when safe and reasonable to do so) and recording the excessive force, if equipped with a body worn video (BWV) camera.

**Necessary.** In addition to California Penal Code 835(a), the Department shall evaluate whether deadly force was necessary by looking at : a) the totality of the circumstances from the perspective of a reasonable Los Angeles Police Officer with similar training and experience; b) the factors used to evaluate whether force is objectively reasonable; c) an evaluation of whether the officer exhausted the available and feasible alternatives to deadly force; and d) whether a warning was feasible and/or given.

**Objectively Reasonable.** The legal standard used to determine the lawfulness of a use of force is based on the Fourth Amendment to the United States Constitution. See *Graham v. Connor, 490 U.S. 386 (1989)*. *Graham* states in part, “The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain and rapidly evolving – about the amount of force that is necessary in a particular situation. The test of reasonableness is not capable of precise definition or mechanical application.”

The force must be reasonable under the circumstances known to or reasonably believed by the officer at the time the force was used. Therefore, the Department examines all uses of force from an objective standard rather than a subjective standard.

**Retaliation.** Retaliation means demotion, failure to promote to a higher position when warranted by merit, denial of access to training and professional development opportunities, denial of access to resources necessary for an officer to properly perform their duties, or intimidation, harassment, or threat of injury while on or off-duty.

**Serious Bodily Injury.** Pursuant to California Penal Code Section 243(f)(4), Serious Bodily Injury includes but is not limited to:

- Loss of consciousness;
- Concussion;
- Bone fracture;
- Protracted loss or impairment of function of any bodily member or organ;
- A wound requiring extensive suturing; and,
- Serious disfigurement.

**Totality of the Circumstances.** All facts known to or reasonably perceived by the officer at the time, including the conduct of the officer and the subject leading up to the use of force.

**Vulnerable Population.** Vulnerable populations include, but are not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.

**Warning Shots.** The intentional discharge of a firearm off target not intended to hit a person, to warn others that deadly force is imminent.

**556.80 DRAWING OR EXHIBITING FIREARMS.** Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with this policy on the use of firearms.

**Note:** During a special meeting on September 29, 1977, the Board of Police Commissioners adopted the following as a valid interpretation of this Section:

**"Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm."**

**560. HOSTAGES.** Criminals who use hostages to effect their escape are desperate individuals who, if allowed to escape, will pose a continuing threat to their hostage and to the public at large. Assurance that a hostage will be released unharmed is a meaningless promise. The Department does not have the ability to protect the safety of a hostage who is allowed to be removed from the presence of officers. The safety of hostages can be best assured by keeping them in the presence of officers and by preventing their removal by the suspect. Officers should use every verbal and tactical tool at their disposal to secure the arrest of the suspect without harming the hostage. However, officers should realize that exceptional situations could arise where considered judgment might dictate allowing removal of a hostage, such as where there is imminent and probable danger to a large group of persons.

**564. OFFICERS SURRENDERING WEAPON.** An officer or their partner may be at the mercy of an armed suspect who has the advantage, but experience has shown that the danger to officers is not reduced by them giving up their weapon upon demand. Surrendering their weapon might mean giving away their only chance for survival;



therefore, an officer should use every tactical tool at his disposal to avoid surrendering their weapon.

## **568. BARRICADED SUSPECTS**

**568.10 TACTICAL PLAN.** A barricaded suspect poses an extreme danger not only to officers who seek to arrest him or her, but to other persons as well. Good judgment demands that a tactical plan be developed rather than immediately rushing a barricaded suspect.

Officers should seal avenues of escape and call for assistance. Once the suspect is isolated, time is to the benefit of the officers, and the full resources of the Department are available to assist officers in removing the suspect from his location. To minimize the possibility of injury to officers and others, appropriate special equipment and trained personnel should be requested as needed. If possible, an effort should be made to contact the suspect in an attempt to persuade him or her to voluntarily surrender before force is used.

**568.20 SUPERVISION AT SCENE OF BARRICADED SUSPECT.** When a suspect is located as the result of a follow-up investigation, the senior investigative officer at the scene is in command. In situations which develop from radio calls or spontaneous activities, the senior uniformed officer present is in command.

**570. USE OF FLASHLIGHTS.** The primary use of the flashlight is for illumination purposes. Use of the flashlight as an impact device is discouraged by the Department. However, under exigent circumstances, the flashlight may be used as an impact device when the use of an officer's baton is not feasible. Consistent with the Department's Use of Force Policy, any use of the flashlight as an impact device shall be reported, with an explanation as to why the flashlight was used in lieu of other impact devices. The reason for the use of the flashlight as an impact device will be critically reviewed.

**571. USE OF DEPARTMENT POLICE DOGS.** Police dogs are a multi-functional asset of the Los Angeles Police Department. Police dogs may be used in appropriate circumstances to assist officers in the search for criminal suspects; the detection and location of narcotics and/or explosives; and the location of missing adults or juveniles.

Supervisors or officers at the scene of a police incident may request the assistance of a police dog and shall be responsible for determining if the dog is to be used. When a police dog is deployed, the dog handler shall be solely responsible for the control and direction of the dog.

Police dogs may be used:

- In the detection, control, and apprehension of a suspect when there is a reasonable suspicion of the suspect's involvement in criminal activity;
- In the search of buildings and large areas for suspects;
- In the investigation of a crime or possible crime;

- In searches for narcotics and/or narcotic paraphernalia;
- In searches for explosives and/or explosive devices; or,
- In criminal and non-criminal incidents to assist in the search for missing juveniles or adults.

Police dogs are employed to assist officers in the performance of their duties. In appropriate circumstances, police dogs may be used to defend peace officers and others from imminent danger at the hands of an assailant, and may defend themselves from annoying, harassing, or provoking acts.

**572. USE OF CHEMICAL AGENTS.** To minimize injury to suspects, officers, and others or to avoid property damage, the use of a chemical agent, such as tear gas, may be necessary in circumstances where a serious danger to life and property exists and other methods of control or apprehension would be ineffective or more dangerous.

The field commander at a police situation has the responsibility for determining the need for the use of a chemical agent and the authority to direct its deployment. In no event, however, can authorization for the use of a chemical agent be given by an officer below the rank of Sergeant or Detective. The use of a chemical agent for crowd or riot control must be authorized by an officer of the rank of Commander or higher.

**573. USE OF LESS-LETHAL CONTROL DEVICES.** The TASER, Baton, Beanbag Shotgun, 40mm Less-Lethal Launcher and Oleoresin Capsicum, are only permissible when there is an immediate threat to the safety of the officers or others.

Oleoresin Capsicum spray **shall** be possessed and maintained by all uniformed field personnel who have completed designated training in its use. Undercover and plain clothes personnel may possess chemical irritant spray subject to the same training requirements.

All on-duty uniformed field supervisors and officers who have received the Department's TASER training and who carry a TASER shall do so utilizing a Department-approved holster, unless neither is available, or an exemption is approved by the employee's commanding officer. All on-duty uniformed field officers **shall** carry a TASER. As availability permits, uniformed field supervisors are encouraged, but not mandated, to equip themselves with the TASER.

**574. HIGH - RISK PRONE SEARCH.** The Department has authorized the use of the high-risk prone search to ensure the safety of both officers and suspects. The high-risk prone search shall only be used when the officer has a reasonable suspicion of a risk for serious injury to the officer and/or the public.

**Note:** A "reasonable suspicion" can include an officer's observations of the suspect's activity, the suspect's demeanor during the stop or any other factor that clearly indicates the risk for serious injury. Any or all of these could give an officer a reasonable suspicion that a suspect might be armed. The justification for an extent of the search shall be based on current law applicable to searches.

The goal of any tactic, including search techniques, is to maintain control of the suspect while reducing the potential for violence. The use of the high-risk prone search tactic must be based on the totality of the circumstances that reasonably pose a threat to officers or bystanders. The high-risk prone search tactic shall not be used routinely or as an instrument of intimidation. Officers will be held accountable for the judicious use of discretion in the application of this tactic. Additionally, officers shall be held responsible for explaining to involved parties why this tactic was used.

**576. DEPLOYMENT IN ANTICIPATION OF THE COMMISSION OF A CRIME.** The purpose of deploying officers at the scene of an anticipated crime is to arrest the perpetrator of the attempted or consummated crime; however, since that objective is subordinate to the protection of life, officers should not subject themselves or other innocent persons to unreasonable risks.

**578. UNIFORMED PERSONNEL AT PLANNED ARREST AND SEARCH WARRANT SERVICE OPERATIONS.** During the planning stage for the service of a search warrant (4/742) or an arrest operation which primarily involves undercover and plainclothes personnel, consideration should be given to the deployment of at least one uniformed officer, whenever tactically feasible, in a highly visible position to reduce the possibility or claim of mistaken identity.

## **580. TRAFFIC ENFORCEMENT**

**580.10 TRAFFIC ENFORCEMENT OBJECTIVE.** The traffic enforcement objective of the Department is to reduce traffic collisions and injuries and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through the public's voluntary compliance with traffic regulations. The Department seeks to achieve this objective through a combination of education and enforcement.

The Department seeks to educate the public regarding traffic regulations through programs aimed at exposing specific problems, by publishing traffic collision and injury statistics, and by giving notice and warnings of changes in regulations prior to taking enforcement action.

The Department will take enforcement action upon the detection of an illegal and potentially hazardous act without regard for such factors as attitude, intent, or frivolous excuse. Enforcement action may consist of a warning, citation, application for complaint, or physical arrest.

**580.20 VIOLATOR CONTACT.** Traffic violation enforcement is one of the many routine tasks performed by officers, but for violators it frequently is an emotionally traumatic experience. In many cases this is the only contact that a person has with our Department. Officers should be aware of these conditions and should strive to make each contact educational and to leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

**580.30 NON - RESIDENT VIOLATORS.** The Uniform Vehicle Code has been adopted by a majority of the states, including California. Non-residents are, therefore,

rarely subjected to unfamiliar traffic signs or inconsistent regulations. Unless the traffic regulation violated is one unique to the Los Angeles area, no immunity should be granted because a person is a non-resident.

**580.40 ENFORCEMENT OF PARKING REGULATIONS.** Street parking is restricted in various areas of the City to ensure fair access to parking and to expedite the flow of vehicular traffic. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of the City.

#### **580.50 DEPLOYMENT FOR TRAFFIC ENFORCEMENT**

**580.51 SELECTIVE ENFORCEMENT.** The Department conducts statistical and visual surveys to determine by location, time, and day of week which violations are causing accidents. Based upon the information thus obtained, the Department deploys its personnel to those specific areas to observe violations and to take enforcement action. In addition, when the Department receives complaints of a specific traffic problem in a particular area, it specifically assigns personnel to investigate and take necessary enforcement action.

**580.52 VISIBLE PATROL.** Any tendency of motorists knowingly to violate traffic laws is deterred by open and visible patrol, and the number of traffic collisions is correspondingly reduced. However, when there is an unusual or continuing enforcement problem at a particular location, officers may park in a conspicuous location and observe traffic.

**580.60 COLLISION INVESTIGATION.** The investigation of traffic collisions is necessary, not only to determine traffic law violations, but also to obtain engineering data, to protect the rights of the individuals involved, and to assist in traffic education.

**584. VICE ENFORCEMENT.** The people through their elected representatives have decided that criminal sanctions should be imposed against certain behavior which has been traditionally labeled as "vice." The Department is charged with the enforcement of all criminal statutes including those defining vice offenses. Where vice conditions are allowed to continue, they are soon exploited by organized crime and the money thus obtained is often used to finance other criminal ventures or attempts to corrupt public officials. To prevent the spread of vice conditions, the Department will take aggressive enforcement action against all commercialized vice activities, against those vice activities which have been complained of, and against conspicuous vice conditions which appear on the streets and in the public places of the City.

**588. NARCOTIC ENFORCEMENT.** It is the objective of the Department to enforce all local, State, and federal statutes which prohibit the possession, use, or traffic in narcotics, non-prescription dangerous drugs, and other restricted or prohibited substances. Through a combination of aggressive enforcement and public education, the Department seeks to prevent and deter the use and possession of, and traffic in all such substances within the City. In so doing, the Department may also conduct investigations outside the

City in cooperation with appropriate law enforcement agencies to prevent the flow of such illegal substances into the City.

To prevent the spreading use of narcotics and other dangerous substances, the Department engages in public education programs to inform people about the effects and hazards of drug abuse. Additionally, the Department provides the public with factual information with which to make decisions regarding the use of drugs and to assist members of the public in recognizing symptoms and indications of drug use in others. An understanding and appreciation of the full effect and extent of drug abuse is essential for success in overcoming its threat. By working with and through the community, the Department seeks to engage the people in a cooperative attack on this critical problem.

**590. REPORTING SUSPICIOUS ACTIVITY POTENTIALLY RELATED TO FOREIGN/DOMESTIC TERRORISM OR OTHER CRIMINAL ACTIVITY.** It is the policy of the Los Angeles Police Department to make every effort to accurately and appropriately gather, record and analyze information, of a criminal or non-criminal nature, that could indicate activity or intentions related to foreign/domestic terrorism or other criminal activity. These efforts shall be carried out in a manner that protects the information privacy and legal rights of Americans, and therefore such information shall be recorded and maintained in strict compliance with existing federal, state and Department guidelines regarding Criminal Intelligence Systems (28 Code of Federal Regulations, Part 23 and applicable California State Guidelines).

## **ADMINISTRATION**

**605. GENERAL PROVISIONS.** Department administration involves the efficient and economic management of a large complex organization which performs its functions through the acts of its employees. Department functions involve the interaction of people, not only within its ranks, but in all personal contacts between its employees and members of the public. Department administration is, therefore, occupied to a large extent with improving the ability of its employees to properly perform the police task and with strengthening the relationship which exists between all employees and the public they serve. Thus, recognition of the human factor is an administrative challenge in the Department's effort to provide a consistent and professional police response to the community's law enforcement needs.

Department personnel are required to make decisions involving the public and other employees in response to both administrative and operational problems. The decision process involves more than loyalty; it requires an insight into the objectives and purposes of the Department, its duty under the law and to the people, and the manner and means by which the task is to be performed and the objectives achieved. The decision must be a balance of involved interests, considering what is best for the public, the Department, and any individual involved. That decision must then result in effective action directed toward the accomplishment of the Department's objectives. The requirement that such insight be exercised is implicit in all decision making, and it is the thread which binds the complex and difficult law enforcement task into a coordinated and effective force.

**610. COMMAND RESPONSIBILITY.** Commanding officers have responsibility and accountability for every aspect of their command. Commensurately, within policy guidelines and legal constraints they have the authority to coordinate and direct assigned personnel and other allocated resources in achieving their organizational objectives. In so doing, they must perform the full range of administrative functions, relying upon policy, direction, training, and personal initiative to guide them and their command in achieving the highest level of performance possible.

**610.10 TRANSFER OF COMMAND.** Upon assuming a new assignment and continually thereafter, a commanding officer should critically evaluate all aspects of his or her command. The commanding officer should review existing policies, procedures and programs to determine if the need for which they were enacted remains unchanged. Existing budget requests should be reviewed to ensure that any changes made or contemplated have not rendered the requests obsolete.

Upon a change of command, the commanding officer being replaced has a duty to lend his or her full assistance in making the command transition as smoothly and orderly as possible. Orientation of a new commanding officer should include information concerning unique problems of the command and assistance in continuing community and professional contacts relative to the command.

**610.20 COMMAND CONCERN FOR EMPLOYEE WELFARE.** The nature of command is such that there must be a coexisting loyalty to the management of the Department and to subordinates. The resolution of those loyalties, in a manner which benefits both the Department and the individual, and which avoids conflicts between the two interests requires the exercise of leadership. An interest in employees and their welfare is a responsibility of command, which may extend beyond morale problems and their effect upon an individual's performance. It includes a concern for the personal problems, desires, and interests of employees and positive assistance in resolving those problems or in achieving their goals. However, commanding officers should be cautious to avoid interfering where assistance is not required or desired.

**610.30 COMMUNITY LIAISON BY COMMANDING OFFICERS.** Commanding officers have a responsibility to maintain professional and community contacts as they relate to their command. As a representative of the Department, commanding officers must take an active role in the community of their command, and participate in identifying, and providing for its law enforcement needs.

**615. PLANNING RESPONSIBILITY.** It is essential that there be planning in the police service. From the Chief of Police, who must devise long-range plans involving the entire resources of the Department, to the radio car officer, who must discuss an operational plan with his or her partner while enroute to a call, there exists an imperative for planning which is so great that it merges with the action itself. The requirement that an employee plan his or her action is commensurate with the degree of the officer's responsibility and accountability for the results of the action.

In the performance of their duties, officers are confronted with an infinite variety of circumstances which require police action. In an attempt to utilize collective experience

and research in assisting officers to deal with such diverse situations, the Department formulates procedures to direct action in certain generalized situations. As officers are routinely confronted with the unusual, it is impossible to provide standing procedures for officers to follow in each individual situation; therefore, officers must additionally be provided with policy guidelines to assist them in the necessary exercise of discretion. The combination of policy and procedures, reinforced by training, acts to provide officers with a structurally sound framework within which to function.

In addition to developing standing procedures, the Department must regularly devise single-use plans to accommodate specific needs. These plans may involve a Departmentwide response to a major unusual occurrence or a tactical answer to an isolated police incident. Once initiated, such plans should be evaluated for the development of standing procedures or for future reference in analogous situations.

**620. SCOPE OF PLANNING.** While each plan differs according to the need for which it is developed, each plan should define its need, objective, scope and purpose, the method for its implementation, and a means of evaluating its effectiveness.

**625. USE OF TASK FORCE FOR PLANNING.** When a need develops for a single-use plan affecting more than a single bureau or when it is necessary to develop a major project within a limited time, it may be appropriate to assemble a task force whose staff is provided on loan from various divisions or bureaus. When a task force is assembled, it must be structured with clearly defined objectives, organization, responsibility, and authority. It should be placed under the control of an existing organizational unit, whose commanding officer has responsibility and accountability for its performance.

**630. COMPLETED STAFF WORK.** The result of an effort to research a problem and develop a solution, leaving nothing for the final authority to do except approve or disapprove, is traditionally known as completed staff work. In such projects, it is essential that original instructions include identification of the problem, direction, the desired scope of endeavor, and the time limit for completion. Direction should clearly indicate what is desired by way of the project. The project should include adequate research to accurately define the problem and to examine all reasonable solutions. The assigned employee should include in his or her report a recommendation and a summary of the findings supporting their conclusion. In completed staff work, a final step, prior to obtaining concurrences, is to notify involved organizational components of the findings and recommendations of the project.

**635. DEPARTMENT DIRECTIVES.** In a large and complex organization such as the Department, it is essential that directives communicate desired information to concerned employees as accurately as possible. Directives should be well researched, properly drafted, and subjected to staff review for concurrence. A commanding officer or director may issue a directive as long as it affects his or her command only and does not conflict with Department directives. Ordinarily, where there is more than one bureau affected, directives should be issued by the Chief of Police.

**640. ADMINISTRATION OF DISCIPLINE.** One of the primary tasks of a commanding officer is the administration of discipline. Discipline can be positive or

negative; it may involve encouragement, inspiration, training or imposition of negative sanctions. It has as its immediate purpose the channeling of individual effort into effective and productive action.

The exercise of positive discipline requires foresight and planning rather than merely reaction. It involves an evaluation of the human factor which, when combined with proper training, motivation and recognition of individual and group effort, results in self-discipline.

Disciplinary means may range from a warning, where the immediate effect is on the individual, to termination, where the positive result derived is in the reassurance of other employees as to unacceptable limits of misconduct. In each case care must be exercised to make the proper choice in obtaining a desired and just result.

In the administration of discipline, a commanding officer must consider the totality of the circumstances surrounding the allegation of misconduct in making a determination whether the original action or conduct which prompted the complaint was not only legal but whether, under the circumstances, it was necessary and proper as well. The commanding officer's decision must resolve those factors with the individual's interest and the probable effect of the disciplinary action upon the attainment of Department objectives.

To be effective, discipline must not only be fair in its application, it must also follow within a reasonable time the act which it is intended to correct. Therefore, there must be a prompt resolution of disciplinary cases.

**650. CHAIN OF COMMAND.** The Chief of Police must necessarily limit the number of persons who report to him/her. Therefore, to ensure unity of command, clearly defined lines of authority must be drawn so that there exists a structural relationship between each employee and the Chief of Police. Employees must be aware of their relative position in the organization, to whom they are immediately responsible, and those persons who are accountable to them. Employees should strive at all times to operate within the chain of command and to keep their supervisors informed as to their activities. The Chief of Police is available by appointment to any member of the Department.

**655. FLEXIBILITY OF ORGANIZATION.** The ability of the Department to make organizational adjustments to meet changing needs is essential in obtaining the maximum benefit from the expenditure of assigned resources. However, to ensure stability, the basic Department structure should not be changed in the absence of a demonstrated need or to satisfy temporary requirements. There must be continuing staff inspections to ensure that Department organizational needs are being met. In addition, each commanding officer has the responsibility to maintain the organizational viability of his/her command through constant evaluation.

**660. INSPECTION AND CONTROL.** Management inspection and control is necessary to ascertain if command policies, procedures, and rules are adequate and are being adhered to, whether Department resources are adequate and are being properly utilized, and to evaluate the overall performance and attitude of the Department. The Department



has a formal staff inspection and control system which reports to the Office of the Chief of Police. Additionally, it is the responsibility of each commanding officer to continually conduct inspections within his/her command to ensure the proper performance of assigned personnel and the most efficient use of assigned equipment, material, and facilities. Merely finding fault is not inspecting. Therefore, a commanding officer's responsibility does not end with discovering a deficiency or inadequacy; it includes taking positive measures to correct the problem.

## **665. PERSONNEL**

**665.03 HUMAN RESOURCES DEVELOPMENT.** Human resources development is essential in achieving the goals and objectives of the Department. To this end, the Department maintains human resources development programs to develop and maintain a sense of personal responsibility for the effectiveness and reputation of the Department and its employees. It is the Department's policy that all employees:

- Demonstrate and communicate true **alignment** on the purpose of the Department, which is to protect and to serve the public in a manner which respects the human dignity of each person in the community and each employee of the Department;
- Continually expand personal **responsibility** for the well-being of every employee and every member of the community;
- Continually expand **participation** in Department management, with particular emphasis on open communication, trust and full self-expression to establish an environment that allows talent to continually develop; and,
- Contribute to a people-oriented managerial environment where the ultimate purpose is to produce results through the full development of human resources and improvement in the quality of life for all employees.

**665.10 RECRUITMENT.** To obtain the highest caliber of candidates possible, it is essential that the Department participate in the recruitment process. To this end the Department maintains an active formal recruitment program; however, officers in their daily contact with the public are the Department's best recruiter. By their demeanor and enthusiasm, they favorably impress and attract the type of individual which the police service needs. Because of their experience and knowledge, they are able to counsel persons who show an interest in law enforcement careers and to encourage applications by those who appear qualified.

**665.20 DUTY ASSIGNMENTS.** Allocation of personnel to specific assignments is made with the aim of establishing optimum effectiveness within the Department while recognizing the needs, abilities, and preferences of individual employees.

**665.25 SPECIAL DUTY ASSIGNMENTS.** Special duty assignments are assignments requiring unique and continuous training due to the nature of the assignment and are other than that which would be considered routine (e.g., patrol, detectives, or someone assigned to administrative duties).

**665.30 ADVANCEMENT.** The vitality of the Department is maintained through the selection and promotion of the most qualified personnel to positions of increased

responsibility. The Department must help in the selection process by accurately rating and evaluating employees and candidates for promotion and by advancing the most qualified.

**665.40 LEAVES OF ABSENCE.** With the exception of those leaves of absence which the Department is obligated by City regulations to approve, it is the policy of the Department that leaves of absence may be granted for compelling personal reasons. The review and final decision concerning each request for leave of absence will be based on the merit of the individual request, the effect of the employee's absence on the Department's operation, the availability of replacement personnel who can perform the required duties in a satisfactory manner, the need for retraining the employee upon return, and the employee's compelling personal reasons.

Requests regarding leaves of absence for educational purposes shall be considered when **full-time** enrollment as a student increases the employee's value to the Department, increases the proficiency of duty performance, or enhances the employee's promotional opportunities.

Leaves for personal reasons may be approved when they will not substantially interfere with the concerned command's efficiency nor achievement of the Department goals.

**668. TRAINING EVALUATION AND MANAGEMENT SYSTEM II (TEAMS II)/PERSONNEL HISTORY MANAGEMENT.** TEAMS II is composed of the following:

Contributing Source Systems. The following databases contribute selected data to TEAMS II:

- Canine System (K-9)
- Claims/Lawsuit Information System (CLIS)
- Complaint Management System (CMS)
- Comprehensive Automated Permit System (CAPERS)
- Consolidated Crime Analysis Database (CCAD)
- Department Employees Commendation System (DECS)
- Deployment Planning System (DPS)
- Fleet Safety Reporting (FSR)
- Shooting Qualification and Bonus System (SQUABS)
- System to Organize Pedestrian/Vehicle Stops (STOPS)
- Traffic Information System (TIS)
- Learning Management System (LMS)
- Use of Force System (UOFS)
- Vehicle Pursuit System (VPS)

Access Control. TEAMS II shall provide common access functionality and shall be strictly regulated through the Access Control System, which also gives the Department the ability to perform on-line reporting.

**668.01 RISK MANAGEMENT INFORMATION SYSTEM (RMIS).** RMIS is comprised of selected data from the source systems. The system performs analytical

comparisons, threshold evaluations, and cross-referencing. It also prepares reports and produces action items and notifications.

**AUTOMATED INDIVIDUAL PERFORMANCE ASSESSMENT - ACTION ITEMS (AI).** Risk Management Information System (RMIS) utilizes a number of separate performance related databases that capture employee activity and transmit these selected data to RMIS, as outlined in Special Order No. 20, 2006. The combined data in RMIS is statistically analyzed using peer groups and performance thresholds.

The following employee activity is analyzed by RMIS:

- Personnel Complaints (where an employee is the "Accused")
- Use of Force Incidents (where an employee is an "Involved Officer");
- Claims and Lawsuits (where an employee is a "Defendant");
- Claims;
- Traffic Collisions; and,
- Pursuits.

The following employee productivity is analyzed by RMIS:

- Stops; and,
- Arrests.

**Peer Groups.** All sworn employees are assigned to a peer group based on the type of work the employee performs (e.g., patrol, gang enforcement detail, and vice, etc.) and/or type of frequency of public contacts. An employee's peer group is listed on his or her TEAMS II Report.

**Note:** If an employee believes his/her peer group has been assigned in error, the employee should contact his/her divisional TEAMS II coordinator.

**Performance Thresholds and RMIS AI.** Performance thresholds are calculated by applying a statistical model to the counts of employee activity within each peer group. If an employee engages in a type of activity analyzed by RMIS as outlined above; RMIS compares the employee's recent activity to that employee's peer group performance threshold. If the employee's activity meets or exceeds the employee's peer group performance thresholds, RMIS automatically generates an AI and forwards it to the employee's immediate supervisor. The affected employee will be notified by Electronic Mail System of the AI.

**Action Item on Employee's TEAMS II Report.** All AIs will appear on an employee's TEAMS II report as "Pending" until the AI has been reviewed by the employee's bureau or equivalent. Upon final review and approval, the "Pending" status will change to indicate the final disposition. All AIs, regardless of disposition will appear on the employee's TEAMS II report once completed. No AIs will be displayed on TEAMS II reports for "Promotion/Paygrade Advancement."

## **SUPERVISORS RESPONSIBILITIES - RISK MANAGEMENT INFORMATION SYSTEM GENERATED ACTION ITEM.**

When a supervisor receives a RMIS generated AI in their TEAMS II Personal Worklist for an employee within his/her chain of command, the supervisor shall review the following:

**Review Reports.** Upon receipt of the AI, the supervisor shall open the AI and review the information and reports pertaining to the employee's performance.

**For non-supervisory personnel:** Although, additional reports may be available for an AI, the review, at minimum, shall include the following reports:

- TEAMS II Report; and,
- Summary of Employee Activity.

**For supervisory personnel:** Although, additional reports may be available for an AI, the review, at minimum, shall include the following reports:

- TEAMS II Report;
- Summary of Employee Activity; and,
- Comparison of Employee Average Activity for selected organizations.

**For captains and above:** Although, additional reports may be available for an AI, the review, at minimum, shall include the following reports;

- TEAMS II Report; and,
- Comparison of Employee Average Activity for selected organizations.

**Conduct Performance Assessment.** The supervisor shall analyze all relevant information to detect any pattern or series of incidents that may indicate that employee may be engaging in at-risk behavior. Additionally, the supervisor shall assess the affected employee's performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment.

If the supervisor identifies that at-risk behavior may be occurring, the supervisor shall undertake a more detailed review of the employee's performance. The review may include arrest reports, use of force reports, personnel complaints (pending and adjudicated), traffic collision reports, vehicle pursuit reports, etc. The review of these additional reports should assist the supervisor to determine whether an employee's behavior is outstanding, acceptable, or possibly constitutes at-risk behavior needing further monitoring or action.

**Note:** Upon receipt of an AI, supervisors shall complete their review and document the proposed action taken as a result of the review in a timely manner. The Risk Management Information System will automatically assign a due date to the AI. Before modifying the due date for an AI, the commanding officer with the rank of captain or above shall approve the extension request.

**Document the Results.** In the "Investigative Narrative" section of the AI, document the performance assessment conducted as mentioned before. The narrative shall include, but is not limited to, the following:

- Brief summary of each Use of Force (UOF), Complaint, Claim/Lawsuit, Vehicle Pursuit, or Traffic Collision occurring within the evaluation period.
- Analysis of the events as a whole and determine if there's a "pattern of conduct."
- Comparison of the employee's performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment and explain any significant differences between the affected employee's performance and that of similar employees.
- Justification for the disposition selected, including any decision to take no action.
- Brief summary of the discussion with the affected employee regarding the supervisor's review and selection of disposition.

**Disposition of the Action Item.** In order to complete an AI, the supervisor must choose from one or more of the following listed in the "Conclusion/Recommendation" section of the AI:

- No Action;
- Further Action Not Required (see "Narrative");
- Commendation;
- Informal Meeting;
- Training;
- Special Evaluation Reports;
- Modified Field Duties;
- Assigned to Non-Field Duties;
- Risk Management Executive Committee (RMEC) Referral;
- Directed Behavioral Science Services (BSS) Referral;
- Comment Card;
- Notice to Correct (NTC); and/or,
- Complaint.

**No Action.** Used when no pattern of behavior posing potential risk was identified. If a significant difference in comparison with the employee's peer group was identified, further review verified that the difference was justified and did not require further action.

**Further Action Not Required.** This disposition selection is used if some action was taken in connection with the same triggering incident/event before the AI was activated and no further action is required. In such an instance, the "Investigative Narrative" shall include an explanation as to what action was previously taken.

**Note:** A Further Action Not Required disposition will be electronically forwarded through the chain of command for review.

**Commendation.** Used when the assessment determined that the behavior deserves a commendation. In such cases, the supervisor shall complete a commendation.

**Informal Meeting.** Used when a supervisor meets with the employee and conducts an informal counseling session that does not result in any further action.

**Training.** Used when the assessment identified a need for formal training. The supervisor shall document the type of training and the reason for the training in the "Investigative Narrative" section of the AI. It is the supervisor's responsibility to ensure training is scheduled. All formal training shall be entered into the Department's Learning Management System (LMS) by the respective entity providing the training.

**Special Evaluation Reports.** Used when the assessment determined an employee needs mentoring and that special evaluation reports are required. The supervisor shall ensure reports are completed for the time period and frequency determined by the supervisor and the employee's commanding officer.

**Modified Field Duties.** Used when the supervisor identifies a need for modified field duties.

**Assignment to Non-Field Duties.** Used when the supervisor determines that the employee should be removed from the field and placed in a non-field duty assignment. The date identified for the next performance assessment should be included in the "Investigative Narrative" section. The supervisor shall contact the on-duty timekeeper to ensure the employee's duty is modified in the Deployment Planning System (DPS) to indicate a non-field duty assignment.

**Risk Management Executive Committee Referral.** Used when the supervisor determines that the employee should be referred to the RMEC. In the "Investigative Narrative" section of the AI, the supervisor shall document "Confidential" when referral to RMEC is recommended.

**Direct BSS Referral.** Used when the supervisor determines that the employee should be referred to BSS. In the "Investigative Narrative" section of the AI, the supervisor shall document "Confidential" when a directed referral to BSS is issued.

**Comment Card.** Used when the supervisor determines that a comment card is appropriate. The supervisor shall also record the AI number on the comment card.

**Notice to Correct.** Used when the supervisor determined that a NTC, Form General 78, is necessary. The supervisor shall also record the AI number on the NTC.

**Complaint.** Used in the event misconduct is identified and a personnel complaint initiated. A printout of the AI shall be attached as an addenda item to the complaint and the AI number shall be listed as a related report in that complaint. The supervisor shall also record the Complaint Form (CF) number in the "Investigative Narrative."

**Note:** All complaints shall be governed by any and all Department rules, procedures, or guidelines existing at the time the AI is completed. The disposition of an AI is to reflect the action being taken as a result of the AI. If action was taken prior to the activation of the AI (e.g., training was already provided), and no further action is required, the "No

Action" disposition should be selected. In such an instance, the "Investigative Narrative" shall include an explanation as to what action was previously taken.

**Employee Review of Action Item.** Prior to completing an AI, the investigating supervisor shall meet with the employee to explain the disposition selected and provide the affected employee an opportunity to review the AI. The investigating supervisor must record the date of this employee meeting in the AI section title "Required Tasks" by selecting the appropriate date using the calendar icon provided on the AI screen.

**Chain of Command Review.** Once the AI is completed, the supervisor shall forward the AI to his/her Chain of Command (COC) review and approval. Reviewers shall review the AI for thoroughness and "kickback" the AI for correction or additional information if necessary. Commanding Officers shall complete their review in a timely manner. The Action Item is not deemed complete until the bureau has received, reviewed, and approved the AI.

**Bureau Review.** All Action Items shall be reviewed by the affected employee's bureau or equivalent reviewing command.

**Note:** Upon completion of bureau review of the AI, the employee shall be given 30 days to provide a written response to any adverse comments, if the employee so chooses. The commanding officer shall ensure that the employee has been notified of the start of 30-day response period upon completion of bureau review. The employee's response shall be filed in the Divisional Employee Folder, Form 01.01.00.

**SUPERVISOR RESPONSIBILITIES – SUPERVISOR GENERATED INDIVIDUAL PERFORMANCE ASSESSMENT – SUPERVISOR ACTION ITEMS (SAI).** The Risk Management Information System allows supervisors and managers to generate a SAI to review a subordinate's performance. A Supervisory Action Item can be generated to document reviews for periodic monitoring. In addition, a supervisor is required to generate a SAI if the result of a subordinate's annual performance evaluation (as documented in the Performance Evaluation Report Action Item) warrants further action.

**Supervisor's Responsibility** When Generating a Supervisory Action Item. Supervisors shall use the RMIS function in TEAMS II to generate a SAI.

- 1. Conduct Performance Assessment.** Supervisor shall be responsible for conducting a performance assessment as deemed necessary by the supervisor.
- 2. Document the Results. Document the extent of the inquiry and provide justification for any further course of action taken, in the "Investigative Narrative" section of the SAI.**
- 3. Disposition of Supervisory Action Item.** The Supervisory Action Item disposition shall be selected according to *Section II/D – Disposition of Action Item* of this Order. Below listed dispositions are available in SAIs in addition to those listed in *Section II/D*.

**Note:** The following SAIs will appear on an employee's TEAMS II Report depending on the disposition selected.

- **"Cancel" and "No Action" Disposition.** If a SAI is closed as "Cancel" or "No Action," no COC approval is required and the SAI will not appear on an employee's TEAMS II Report. Use "Cancel" when the SAI is generated unnecessarily or in error;
- **"Informal Meeting" Disposition.** If a SAI is closed as "Informal Meeting," no COC approval is required. However, the SAI will appear on an employee's TEAMS II Report; and,
- **All Other Disposition.** All other disposition on a SAI shall be electronically forwarded through the COC review. These Supervisory Action Items will appear on an employee's TEAMS II Report.

**4. Employee Notification of the Supervisory Action Item.** Prior to completing a SAI with a disposition other than "Cancel" or "No Action," the supervisor shall meet with the employee and provide the employee an opportunity to review the SAI. The supervisor must record the date of this meeting in the SAI section titled "Required Tasks" by selecting the appropriate date using the calendar icon provided on the SAI screen.

**5. Chain of Command Review.** In the event the SAI is required to be reviewed within the COC, the review shall:

- Review it for thoroughness, and "kickback" the SAI for correction or additional information only, if necessary; and,
- Ensure that the supervisor has met with the affected employee to discuss the course of action and that the date of the discussion was documented in the SAI.

**Note:** Upon completion of the COC review of the SAI, the employee shall be given 30 days to provide a written response to any adverse comments, if the employee so chooses. The commanding officer shall ensure that the employee has been notified of the start of the 30-day response period upon completion of bureau review. The employee's response shall be filed in the Divisional Employee Folder.

**TRAINING EVALUATION AND MANAGEMENT SYSTEM II (TEAMS II) AND POLICE APPLICATIONS SECTION RESPONSIBILITIES.** TEAMS II and Police Applications Section shall be available for supervisors who have questions regarding the disposition of any AI or SAI. TEAMS II and Police Applications Section shall periodically review and where necessary, modify the RMIS automated performance thresholds and peer group settings. Department personnel shall be notified of all such modifications.

Any adjustments to the AI or SAI, including the disposition or investigative narrative after the AI or SAI has been through bureau review shall be modified only by TEAMS II and Police Applications Section upon written request of concerned commanding officer.



**MISUSE OR ABUSE OF ACTION ITEM INFORMATION.** All employees are reminded that any misuse or abuse of information contained within RMIS or other TEAMS II systems may result in disciplinary action. Department Manual Section 3/405 outlines the Department's policy regarding confidential files, documents, records, and reports in the custody of Department employees. The unauthorized use of information obtained through employment with the Department can subject the employee to possible disciplinary action and/or criminal prosecution. This includes information obtained from automated records (e.g., Risk Management Information System).

**668.02 USE OF TEAMS II.** The Training Evaluation and Management System II (TEAMS II) is a "pointer" system to be used not only to obtain a complete or modified personnel summary report, but to identify those employees and organizational entities whose performance is well outside that of their respective peer group average, and encourage appropriate supervisory recognition or mentoring.

It is the responsibility of managers and supervisors to regularly review an employee's personnel file and other document(s) which are source documents for a TEAMS II entry. It is only from actual review of such documents that a conclusion may be made as to whether or not a problem exists and what, if anything, should be done. In no case shall a TEAMS II report be used as a substitute for an employee's personnel file or any other document(s) which is the source for a TEAMS II entry.

**TEAMS II Employee Summary Report.** The TEAMS II Employee Summary Report contains personnel summary information. Currently, a TEAMS II Employee Summary Report includes the following personnel information categories:

- Arrest/Crime Reports summary
- Attendance data summary
- Citations data summary
- Civil Litigation data summary
- Major and Minor Commendations summary
- Discipline data summary
- In-Service Training Courses summary
- Pursuit data summary
- Rank/Assignment summary
- STOPS data summary
- Traffic Collisions data summary
- Use of Force (all) data summary
- Work Permit data summary

An inquiry to obtain a TEAMS II Employee Summary Report will not only provide summary data, but will also allow the operator to select a specific entry and view associated reports in RMIS and in the case of UOF or complaints, the completed investigation.

**Note:** Attendance data will not be displayed on the initial Teams II Employee Summary Reports; it will be added in the future.

**TEAMS II Performance Assessment.** Individual performance assessments are accomplished using the new Teams II Summary Report and the appropriate RMIS Reports.

**MISUSE OR ABUSE OF ACTION ITEM INFORMATION.** Employees are reminded that any misuse or abuse of information contained within the Risk Management Information System (RMIS) or other TEAMS II Systems may result in disciplinary action. LAPD Manual Section 3/405 outlines the Department's policy regarding confidential files, documents, records and reports in the custody of Department employees. The unauthorized use of information obtained through employment with the Department can subject the employee to possible disciplinary action and/or criminal prosecution. This includes information obtained from manually stored records, as well as information obtained from automated records (e.g., RMIS).

**668.04 TYPES OF TEAMS II REPORTS.** The TEAMS II report provides Department employees with various degrees of personnel information, which is presented in different report formats or views. In other words, each report format includes a different combination of personnel summary information appropriate for its specific use. The following is a list of available reports:

- **Monitoring Purposes - Supervisory/Management Review.** This contains all occurrences in each of the personnel summary information categories and is used by a supervisor or manager who is reviewing the activities of an assigned subordinate.
- **Performance Review - Reference for Performance Evaluation.** This is used as a reference when completing an employee's performance evaluation. The system will prompt for the range of dates (only containing information for the period that is being evaluated, up to a 15-month history) to be reflected in the performance evaluation.
- **Employee Request - Request of Employee's Own TEAMS II Report.** This is used when an employee wishes to review his/her own TEAMS II report and contains all occurrences in each of the personnel summary information categories.
- **Promotion/Paygrade Advancement - Used by Interview Panel.** This is used by a panel during the interview portion of the civil service or advanced paygrade selection process. This report is filtered to display only sustained and guilty complaints. Additionally, the report does not display sick or Injured on Duty (IOD) time.
- **Final Selection Process/Transfer - For Commanding Officer's Use.** This is used by the commanding officer as a part of the final selection process for job opportunities and promotions once a candidate is placed in a selection pool. It is also used by a commanding officer when considering the transfer of an employee. The report is filtered to eliminate certain information as required by law.
- **TEAMS Evaluation Report, Form 01.78.04, Used for personnel transferring into or loaned to Professional Standards Bureau (PSB), Force Investigation Division (FID), Gang Enforcement Detail (GED), Community Law**

**Enforcement and Recovery (CLEAR) Program, Narcotics Enforcement Detail (NED), Gang and Narcotics Division (GND), Narco Section, or the position of Field Training Officer (FTO).** The Department has established specific criteria for selecting sworn personnel to specialized or sensitive assignments. This information is to be used to ensure that all mandated selection criteria for these assignments are appropriately addressed.

- **Disciplinary Review - Used for Complaint Investigations.** This is used as a part of the complaint investigation process, and may be used during both the investigation and adjudication of a complaint. The report is filtered to display only the dispositions of complaints as allowed by law.
- **Customized TEAMS II Report. Occasionally, a customized TEAMS II report may be required.** Such requests may be made only by a Department employee at the rank of captain or above by contacting the Commanding Officer, Legal Affairs Division (LAD).
- Risk Management Executive Committee (RMEC) Profile Review.
- Professional Standards Bureau (PSB)/Force Investigation Division (FID)/Office of Inspector General (OIG) Review.
- Risk Management Information System Threshold View.

**OTHER REPORTS.** TEAMS II will also provide a number of standardized reports that provide a summary of an employee's performance in comparison to their peer group, their co-workers, watch, division, area, bureau, etc. There are similar reports for supervisors as well as organizational comparisons.

**668.06 AUTHORIZED ACCESS TO TEAMS II REPORT.** Each employee has access to his/her own TEAMS II information. With that exception, only managers, supervisors, the Board of Police Commissioners, and the Inspector General, or their approved designees, shall have access to other employee's TEAMS II information. Their levels of access will vary based on the criteria and procedure established by the Department and mandated by State law. Managers and supervisors are automatically granted access to TEAMS II information for employees below their rank/class and paygrade within their Area, division or bureau of command.

In some cases it may be necessary for a commanding officer to delegate TEAMS II information access to a Department employee of a lower rank/class and paygrade, e.g., an adjutant or complaint sergeant. When a commanding officer has determined that an alternate authorized user is necessary, he/she shall complete a TEAMS II Authorization Form, Form 01.43.00, and forward it to the Commanding Officer, Application Development and Support Division, for approval.

A commanding officer may request Departmentwide access for an employee by completing a TEAMS II Authorization Form and submitting it to the Commanding Officer, Application Development and Support Division, with an Intradepartmental Correspondence, Form 15.02.00. The Form 15.02.00 shall include justification for the request, the name of a contact person, and a telephone number.

When an employee is granted a higher or broader level of access, his/her access is reverted to its original status when one of the following occurs:

- The status of the employee changes (e.g., transfer, change in rank, or resignation);
- The status of his/her commanding officer changes (e.g., transfer, change in rank, or resignation); or,
- The authorized access expires one year after approval by Application Development and Support Division or sooner if a shorter expiration date is indicated on the TEAMS II Authorization Form.

**ACCESS AND PROXY DELEGATION.** TEAMS II has the ability to allow an authorized user to delegate access rights to other users depending upon the employee's rank, pay grade, organization, function, and duty assignment. Delegation of access rights is the process of limiting or permitting a user's access to various RMIS reports and information. Proper delegation of access rights ensures that each user can only access information to which that user has a right and a need to know.

An authorized user may also delegate proxy rights to a subordinate that allows the subordinate to act for the authorized user. This includes approving reports such as Use of Force reports, action items, and complaints that require a commanding officer's signature for approval. A commanding officer can give proxy rights to their assistant commanding officer or a member of their staff such as an adjutant, who could then sign off for the commanding officer, when he/she is not available to access the system and has at least verbally approved the report. Granting proxy rights shall be closely monitored by a commanding officer and should be rarely used.

A commanding officer is responsible for the actions taken by their proxy. The system will always record the name of the actual person taking the action if the approval is by an authorized proxy, similar to signing your name with the word "for" over the signature block of another person on paper documents.

Access control is dependent upon the DPS system and it is critical that all commands keep the DPS up to date. Access and proxy delegation may only be made to personnel within the delegating person's chain of command, where the delegated rights will remain in effect until one of the following occurs:

- The status of the employee changes (e.g., transfer, change in rank, or resignation);
- The status of the person delegating changes (e.g., transfer, change in rank, resignation);
- The matter requiring the delegated access was completed (e.g., a captain delegated their access rights to their adjutant to complete a specific project generated by the TEAMS II system. Upon completing the project, the adjutant reverts back to their personal access rights); or,
- Application Development and Support Division rescinds the access rights.

**GUIDELINES.** This access will be controlled by the following general guidelines:

- All employees shall have the ability to view their own TEAMS Report;

- All employees shall have the ability to view the event detail reports associated with the items on their TEAMS Report, but not such information as might compromise other security aspects of the system (e.g., complaint information pending an investigation);
- All supervisors shall have the ability to view the TEAMS information pertaining to the employees who report to that supervisor or are otherwise in the supervisors downward Chain of Command;
- Managers and supervisors in an Area or organizational unit shall have the ability to view the TEAMS information for employees within their respective Area or organization, so long as those employees are of a rank below that of the manager or supervisor;
- Management may elect to restrict visibility to files of individuals assigned to undercover investigations or operations ("special assignment") for all Department employees. Such visibility shall not be restricted, however, from supervisors two levels up in the employee's Chain of Command;
- The Chief of Police shall have the ability to view the TEAMS information for all Department employees, except those working for the Police Commission or the Inspector General;
- The Inspector General shall have the ability to view the TEAMS information for all Department employees;
- The Police Commission, acting through either its Executive Officer or the Inspector General's Office, shall have the ability to request TEAMS information for any Department employee;
- Staff Officers of the Department (Deputy Chiefs, Commanders and Captains) shall have the ability to view TEAMS information for Department employees outside of their Chain of Command, so long as those employees are of a rank below that of the Staff Officer;
- Managers and supervisors may delegate their access roles to their subordinates, but shall remain responsible for any breaches of security;
- Managers and supervisors may reassign the work of those in their downward Chain of Command to another individual, remove items from worklists of unavailable subordinates, and take other appropriate action to ensure the prompt completion of work items during periods of employee absence;
- The TEAMS administrative staff shall be empowered to access the TEAMS information pertaining to all Department employees, revise individual employee access as consistent with these guidelines, or take such other actions as may be appropriate to administer the system; and,
- For organizational units provided with "organizational worklists" within the TEAMS application, the Officer in Charge of each organization shall determine which organization employees shall have access to the worklist and the transactions sent thereto.

**668.08 RESPONSIBILITY FOR MAINTAINING TEAMS II.** The Department entities responsible for the data entry/maintenance of the specific categories are as follows:

<b>CATEGORY</b>	<b>RESPONSIBLE DEPARTMENT ENTITY</b>
Arrest/Crime Reports**	Area Records Unit
Attendance	Fiscal Group
Citations	Information Technology Division
Civil Litigation	Legal Affairs Division
Commendations-Major	Personnel Division
Commendations-Minor	Employee's Command
Discipline	Internal Affairs Division
In-Service Training	Training Division
Pursuits	Emergency Operations Division
Rank/Assignment	Personnel Division
Traffic Collision	Special Operations Division
Use of Force (All)	Critical Incident Review Division
Work Permit	Personnel Division

**\*\* Note:** Specialized Units who process reports through Specialized Reports Distribution Unit (SRDU), R& I should forward their requests for corrections (Arrest/Crime Reports) to SRDU.

**668.10 PROCEDURE TO DISPUTE INFORMATION CONTAINED IN TEAMS II.**

The procedure to dispute information contained in TEAMS II remains the same as required by Department Manual Section 3/791.

**668.12 CONFIDENTIALITY OF TEAMS II INFORMATION.** Although computerization makes TEAMS II data more readily available, it is critical that each employee understands the confidential nature of such information. Breaches of such confidentiality will not be tolerated.

The information contained in TEAMS II is confidential personnel information and should be treated as such. The fact that this information is accessible to certain select individuals on a "NEED TO KNOW/RIGHT TO KNOW" basis does not diminish the confidential nature of this material. Because it may contain information obtained from police officer personnel records concerning discipline, use of force, attendance, medical information or injured on duty status, whether in cursory form or in detail, said information is subject to protection as confidential personnel documents under Penal Code Sections 832.7, 832.8, Government Code Section 6254(C) and (G), Government Code Section 6255, and Article 1, Section 1 of the California Constitution, as well as Department Manual Section 3/405.

In addition, the information in TEAMS II must be used in compliance with all applicable laws such as Section 832.5 of the California Penal Code which precludes using a

complaint, or any portion of a complaint, that has been determined to be frivolous, unfounded, or exonerated, when considering promotion, transfer, or disciplinary action.

**Note:** TEAMS II contains a monitoring feature that allows managers to monitor an employee's access of TEAMS II data.

**Information Technology Division's Responsibility.** The requirement for Information Technology Division to process TEAMS II access authorization requests is rescinded. TEAMS II access control provides managers with the ability to delegate and restrict access authority based on the information maintained in the Deployment Period System.

**Legal Affairs Division's Responsibility.** Monitoring responsibilities assigned to Legal Affairs Division relative to TEAMS remains unchanged for TEAMS II.

**Employees' Responsibility.** Employees are responsible for reviewing his/her TEAMS II Employee Summary Report to ensure the information is accurate and complete. Any discrepancies will be brought to the attention of the appropriate entity.

**Supervisors' Responsibility.** Supervisors must ensure that access rights to the TEAMS II/RMIS, which they have granted or delegated to other employees, has been done so only on a "NEED TO KNOW/RIGHT TO KNOW" basis. The TEAMS II query may contain information obtained from police officer personnel records concerning discipline, use of force, attendance, medical information or injured on duty status, whether in cursory form or in detail, said information is subject to protection as confidential personnel documents under Penal Code Sections 832.7, 832.8, Government Code Sections 6254(C), 6254(G), and 6255, and Article 1, Section 1 of the California Constitution, as well as Department Manual Section 3/405.

**Commanding Officers' Responsibility.** Commanding officers must ensure that access rights to TEAMS II/RMIS have been granted or delegated to employees within their command only on a "NEED TO KNOW/RIGHT TO KNOW" basis. Because this query may contain information obtained from police officer personnel records concerning discipline, uses of force, attendance, medical information or injured on duty status, whether in cursory form or in detail, said information is subject to protection as confidential personnel documents under Penal Code Sections 832.7, 832.8, Government Code Sections 6254(C), 6254(G), and 6255, and Article 1, Section 1 of the California Constitution, as well as Department Manual Section 3/405. Commanding officers must ensure that access rights for all employees within their command are appropriately granted, delegated, revised, or rescinded. Commanding officers must ensure supervisory personnel provide a TEAMS II Employee Summary Report to each employee in conjunction with the service of the employee's annual (post-probationary) Performance Evaluation Report.

**670. TRAINING.** The Department has an obligation to provide a professional standard of law enforcement service to the community. In fulfilling that responsibility, it is essential that Department personnel be properly trained. This is true not only at the entrance level where officers must receive basic training prior to their assumption of police responsibilities, but it is a continuous process throughout their careers. Training is

provided to accommodate Department needs and to actualize the interest and concern which the Department has for the self-improvement and personal development of its employees.

**670.10 RECRUIT TRAINING.** The training provided to recruit officers is a continuation of the selection process whereby efforts are made to screen out those who are lacking in police aptitude. In all recruit training, emphasis is placed on developing the reasoning ability and judgment of each officer.

**670.20 ON - THE - JOB TRAINING.** An officer's training continues after graduation through his assignment with training officers, roll call training, and supervision. It is the responsibility of all officers to teach those with whom they work the skills and knowledge necessary to perform the job at hand. Supervisory and commanding officers of all ranks have the responsibility not only to train subordinates to perform assigned tasks, but also to familiarize all subordinates with their supervisor's job as well, so that employees are prepared to assume additional responsibilities should the need arise.

**670.30 IN - SERVICE TRAINING.** Refresher training is periodically provided to experienced officers to update their training and to evaluate the effectiveness of their prior recruit and in-service training.

**670.40 PROMOTIONAL TRAINING.** Once the selection process has resulted in promotion, the Department provides training to prepare newly appointed supervisors and commanding officers for their added responsibilities. Dependent upon the level of supervision or management involved, an attempt is made to familiarize individuals with problems which they may face and to assist them in developing suitable responses to those problems.

**670.50 SPECIALIZED TRAINING.** To prepare employees for new assignments, the Department provides specialized training in those areas where a need has developed. Such schools have as their goal the development of specialized skills and knowledge within the framework of a police generalist.

**670.51 TRAINING REQUIREMENT FOR AREA JUVENILE/SCHOOL CAR OFFICERS.** In addition to the juvenile training received at the Los Angeles Police Academy, all officers selected for assignment to the Area Juvenile Car or Area School Car shall attend the Department's Juvenile Procedures School, or a Department approved substitute, within 60 days of their appointment to their position.

**Commanding Officer's Responsibility.** Each commanding officer shall ensure that newly appointed Juvenile and School Car officers attend the Department's Juvenile Procedure School, or a Department approved substitute, within 60 days of their appointment to their position. Commanding officers of personnel currently assigned to the Juvenile or School Car who have not attended the Department's Juvenile Procedure School, or a Department approved substitute, shall ensure that those officers are scheduled for attendance within the next 60 days.



**670.60 SUPERVISORS AS TEACHERS.** The ongoing training of working employees is the responsibility of their supervisors. Supervisors are expected to be familiar with the mechanics of the learning process and to routinely apply them in their supervisory tasks.

**670.70 PARTICIPATION OF COMMAND AND STAFF OFFICERS IN FORMAL TRAINING.** To assure that policy is disseminated as accurately as possible and to allow the Department and its employees to benefit from the experience, knowledge, and attitudes of commanding and staff officers on a policy-making level, it is desirable that such officers participate in the formal training process to the greatest extent possible.

**670.80 DETACHED DUTY FOR ADVANCED EDUCATION OR TRAINING.** The Department engages in programs whereby selected officers are granted leave with full salary to participate in advanced education or training programs. The selection process for such courses is designed to choose the most qualified while, at the same time, assuring that the Department receives the value of the individuals' acquired knowledge by selecting from among the most qualified, those officers whose careers have sufficient length of time remaining to benefit the Department.

**670.90 ENCOURAGEMENT TO FURTHER EDUCATION.** In fulfilling its commitment to provide professional police service, the Department encourages all employees to further their education to the highest level possible. Therefore, consistent with its basic responsibilities, the Department cooperates with employees in arranging duty schedules and assignments to facilitate and encourage such individual effort.

**672. PARTICIPATION IN DEPARTMENT-AFFILIATED ORGANIZATIONS.** Employees are encouraged to participate in the management of Department-affiliated service organizations. By contributing their time to such activities, employees not only achieve personal development and growth, but enhance their value to the Department and make a vital contribution toward harmonious employee-management relations.

**675. CIVILIAN EMPLOYEES.** Law enforcement professionalism is enhanced when officers perform only those tasks where there is an identified need for police knowledge and skills. To this end, the Department employs civilians in those positions where there is no such demonstrated need. In addition to releasing officers for more traditional tasks, the use of civilians makes it possible to hire employees for their specialized skills, thus resulting in greater efficiency.

**680. BUDGETING.** The budgetary process is required by the City Charter and is an essential planning tool which enables the Department to organize its financial resources in an objective-directed effort to derive the maximum return for the tax dollars expended.

The Department Budget represents an evaluation of relative needs within the Department based upon quantitative and qualitative data. It involves a decision regarding objective priorities with consideration given to the volume and type of work required and the costs involved.

Budgeting is a continuous process which is the responsibility of each commanding officer. It involves the identification of objectives and the determination of organizational needs based upon a reasonable evaluation of future requirements.

Commanding officers communicate their organizational needs by means of budget requests. Such requests should be limited to those items which are necessary to continue the present standard of service, materially improve the standard of service, or reduce the cost of service. It is the responsibility of commanding officers to weigh their needs carefully and to present budget estimates which incorporate reasonable and economically sound requests. If an item is requested on the basis that it will improve the standard of service, the justification should show conclusively that this objective will be reached and that the cost of the item will be returned in some concrete manner, such as the rendering of decidedly superior service to the public or by an actual saving of money over a period of time.

## **SUPPORT SERVICES**

### **710. COMMUNICATIONS**

**710.10 TELEPHONE COMMUNICATIONS WITH THE PUBLIC.** The telephone is the primary method by which the services of the Department are requested. All incoming telephone calls must be answered as promptly as possible to determine if a need for police service exists and, if so, to provide the required service.

**710.20 TELEPHONE COURTESY.** In answering telephone calls, employees should courteously greet the caller, identify their units and themselves, and ask to be of assistance. Employees should make every reasonable attempt to either supply requested information and assistance or to promptly refer the party to the proper Department unit or other public or private agency for assistance.

**710.30 INTRA-DEPARTMENT COMMUNICATIONS.** The Department maintains and constantly strives to improve its intra-Department communications network to provide for rapid and efficient police response and to facilitate management control. All Department communications including radio, telephone, teletype, e-mail, facsimile and mail are reserved for official business and are not to be used for personal purposes.

**720. RECORDS.** Records are maintained by the Department in compliance with statutes, as a public service, as an investigative and administrative aid, and to provide statistical data. Department records are confidential; however, criminal records and arrest information will be released, upon approval, to those persons who qualify as peace officers under the Penal Code or to other public agencies. In addition, the Department will provide, for a fee, crime and traffic reports and traffic photographs to crime victims, parties to accidents and other sufficiently interested parties. Except for approved government agencies, the Department will not release criminal and arrest information from its files to prospective employers.

**730. ARRESTEES.** The Department maintains custody of arrestees following their arrest until they are arraigned, transferred to the custody of the Sheriff or other law enforcement agency, or released from custody on fixed bail, their own recognizance, or

without being charged. Except in unusual circumstances, the Department does not maintain custody of arraigned arrestees. Arrestees will be treated with as much dignity as possible and with a minimum of embarrassment. They will be kept in clean, sanitary, and habitable quarters and provided with nourishing and palatable meals.

It is the intent of the Department to minimize the time which an arrestee spends in the custody of the Department. Arrestees are transferred to the custody of the Sheriff at the earliest opportunity, investigations are completed as rapidly as possible, and eligible misdemeanor arrestees are released upon their own recognizance or on fixed bail as quickly as practicable.

**740. PROPERTY.** The Department will safeguard and properly dispose of all property which comes into its custody. The Department strives to maintain property in the same condition as received and to preserve the evidentiary integrity of property which has been received for possible court presentation. Unless property is contraband or must be presented into court, every reasonable effort will be made to ensure its return to its rightful owner. Property which cannot be returned to its owner will be disposed of by public auction or, in the case of contraband not retained for Department use, be destroyed.

**750. TRANSPORTATION.** In the highly mobile environment in which the Department operates, vehicular transportation is essential, and, because of its extensive use, it is an expensive item in the Department budget. The essential function of the transportation system is to provide the proper type of vehicle at the time and place there is a need for it and to provide the vehicle at the minimum possible cost. The Department depends upon a study of requirements and a comprehensive testing program to determine specifications for the type of vehicle needed for each function within the Department. Thereafter, through a process of inspection, maintenance, and repair, vehicles are kept in such condition as to be capable of safe performance and operation, consistent with their assigned use. Additionally, as law enforcement situations frequently and unexpectedly arise, even basic transportation units must be capable of performance greater than that required for transportation alone. While a vehicle is in the possession of the Department, its most efficient and effective use is achieved by a system of rotation, assignment and sale.

**750.10 FLEET SAFETY.** Not only because they are engaged in traffic enforcement, but because they are the most visible representatives of local government, Department employees have a duty to operate Department vehicles in a legal, safe, and courteous manner. This responsibility is especially great in view of the tactical situations and traffic conditions in which Department vehicles are operated. Vehicle safety involves the establishment of standards, vehicle testing and selection, regular inspections, preventive maintenance, and defensive driving. Defensive driving is a matter of personal practice which involves proper motivation and the development of a positive mental attitude toward driving. The Department reinforces safe driving habits through roll call training, defensive-driving and driver-training courses, supervision, and discipline.