

VOLUME 4

Line Procedures

COMMUNICATIONS

105. DEPARTMENT COMMUNICATIONS SYSTEM.

105.10 RESTRICTED USE OF DEPARTMENTAL COMMUNICATION SYSTEM. The Departmental communications system consists of the Emergency Command Control Communications System (ECCCS) Division, radio, microwave, closed-circuit television, telephone, gamewell, mail, computer, and messenger service.

The Department's communication system shall be used only for official police communications. Employees shall not use the system for transmitting messages of a personal nature, disseminating commercial advertising, or for the purpose of promoting any commercial or business interests.

105.15 AUTHORIZED USE OF ELECTRONIC MAIL (E-MAIL). The use of E-mail involves the creation or receipt of electronic communications over the Department's Wide Area Computer Network (WAN). E-mail is available to Department employees to facilitate communication and assist them in their work-related duties. It is offered as a tool to enable employees to work more efficiently in advancing the Department's mission.

Employees shall use E-mail only for official police communication. E-mail shall not be used for transmitting messages of a personal nature, for playing computer games, or for unprofessional communications such as disseminating material or messages which are defamatory, sexually oriented, threatening, hateful or bigoted, or for the purpose of promoting any political, religious, or non-Departmental business interest. Employees shall not attempt to gain unauthorized access to another person's E-mail, copy the E-mail of other employees, or send E-mail masquerading as another employee. The Department reserves the right to monitor E-mail correspondence to prevent abuse. The Department also reserves all rights to read, copy, or remove files from any drive or directory, or to revoke, suspend, or limit an employee's access to the WAN.

Audit Division (AD) Responsibility. Audit Division shall be responsible for auditing activity on the electronic mail (E-mail) network Department-wide.

105.20 MONITORING DEPARTMENT RADIO FREQUENCIES. Communications Division shall monitor Department radio frequencies and shall publish a quarterly report on radio frequency abuse. Specific violations shall be brought to the attention of concerned commanding officers.

Note: Administrative Unit, Detective Support and Vice Division, shall also monitor tactical frequencies and shall report any frequency abuse to the Commanding Officer, Communications Division.

105.30 EMERGENCY COMMAND CONTROL COMMUNICATIONS SYSTEM (ECCCS) SPECIAL LOCATIONS/PREMISE HAZARD FILE.

The Special Locations/Premise Hazard File is an important and valuable part of the Emergency Command Control Communications System (ECCCS), and is designed to allow for input of pertinent information regarding a particular location. Such information provides critical assistance when dispatching calls for service to a location and also provides additional insight to the responding units. The importance of maintaining the Special Locations/Premise Hazard File includes, but is not limited to, the identification of the following:

- High risk locations, such as prior uses of force or officer-involved shootings;
- Possible ambush locations;
- Locations housing high-risk mentally ill persons;
- Consulate buildings;
- Faith Center locations;
- "Code-5" locations;
- Residences belonging to high-profile individuals;
- Chronic 9-1-1 abusers; and,
- Entertainment industry filming locations.

Employee's Responsibilities. Department employees having information which would assist in the dispatching of calls for service or provide further insight to units responding to a particular location must complete the Special Locations/Premise Hazard Request, Form 15.93.00, and provide this information to the watch commander of the concerned Area prior to the employee's end of watch.

Watch Commander's Responsibilities. Area watch commanders receiving information regarding a location suitable for inclusion into the Special Locations/Premise Hazard File shall:

- Review the Special Locations/Premise Hazard Request for accuracy and relevance;
- Approve or disapprove the request;
- Send the Special Locations/Premise Hazard Request via fax or electronic mail (e-mail) to the Communications Division (CD) watch commander;
- Follow-up to ensure that CD received the Special Locations/Premise Hazard Request to be entered into the Special Locations/Premise Hazard File; and,
- Ensure that the reporting employee and watch commander's names and serial numbers are documented on the Special Locations/Premise Hazard Request.

Communications Division's Responsibilities.

Communications Division shall:

- Ensure information from the Special Locations/Premise Hazard Request is entered into the Special Locations/Premise Hazard File; and,
- Send an e-mail notification to the Area watch commander advising that the location was entered into the Special Locations/Premise Hazard File.

Note: The inputting employee and CD watch commander's names and serial numbers will respectively appear under the "Entry Completed By" and "Entry Verified by Communications Division WC" fields of the Special Locations/Premise Hazard Request.

Application Development and Support Division's Responsibilities. Application Development and Support Division (ADSD), Information Technology Bureau, is responsible for the maintenance of the Special Locations/Premise Hazard File and shall:

- Generate a complete list of all Special Locations/Premise Hazard File locations and provide the information to the Office of Operations (OO) for validation annually; and,
- Remove Special Locations/Premise Hazard File locations from the system upon receipt of an e-mail or via an Intradepartmental Correspondence, Form 15.02.00.

Note: Each year, the OO will distribute the Special Locations/Premise Hazard File list to the geographic bureaus to determine the need to maintain or remove particular locations from the Special Locations/Premise Hazard File.

Area Commanding Officer's Responsibilities. Area commanding officers shall:

- After receiving the annual report, ensure that all listings are reviewed for accuracy;

Note: Nothing precludes Areas from conducting routine inspections, in addition to the annual reviews.

- Validate the need for a location to remain as a Special Location/Premise Hazard;
- Request the removal of a Special Location/Premise Hazard that no longer meets the criteria, via an e-mail or an Intradepartmental Correspondence to ADSD; and,
- Retain hard copies of all Special Locations/Premise Hazard Requests in a file.

Note: Nothing in this Order precludes Areas from requesting locations to be entered for periods of less than a year. In addition, the responsibility remains with the Areas to ensure short term locations are removed in a timely manner by submitting an e-mail or an Intradepartmental Correspondence to the ADSD.

Mental Evaluation Unit's Responsibilities. The Case Assessment Management Program of the Mental Evaluation Unit (MEU), Detective Support and Vice Division, shall be responsible for ensuring the locations of high-risk mentally ill persons are accurately and promptly inputted into the Special Locations/Premise Hazard File. The MEU will contact CD and the concerned Area watch commander to inform them of the new location. An annual review of the Special

Locations/Premise Hazard File shall be conducted by MEU to determine if a location should be removed as a Special Location/Premise Hazard.

110. RADIO UNIT DESIGNATIONS.

110.10 STAFF UNIT DESIGNATIONS. Staff radio designations are not reflective of staff succession of command. Staff units shall be identified as follows:

Executive 1	Mayor
Executive Security 1	Mayor's Security Detail
Executive 1A	Deputy Mayor
Executive 1B	Executive Assistant to the Mayor
Executive 2	City Attorney
Executive Security 2	City Attorney's Security Detail
Commissioner 1	President, Board of Police Commissioners
Commissioner 2	Vice President, Board of Police Commissioners
Commissioner 3,4, or 5	Members, Board of Police Commissioners
Commission Staff 1	Executive Director, Police Commission
Commission Staff 2	Inspector General, Police Commission
Council 1-15	Council Member Council Districts 1-15
Staff 1	Chief of Police
Staff 1 Security	Chief's Security Detail
Staff 1A	Chief of Staff
Staff 1B	Commanding Officer, Community Safety Partnership Bureau
Staff 1C	Assistant Commanding Officer, Community Safety Partnership Bureau
Staff 1E	Director, Public Communications Group
Staff 1F	Employee Relations Administrator
Staff 1G	Commanding Officer, Professional Standards Bureau
Staff 1I	Commanding Officer, Internal Affairs Group
Staff 1L	Director, Office of Constitutional Policing and Policy
Staff 1M	Commanding Officer; Risk Management

	Legal Affairs Group
Staff 2	Director, Office of Operations
Staff 2A	Assistant to the Director, Office of Operations
Staff 2 B	Department Homeless Coordinator
Staff 2C	Commanding Officer, Community Engagement Group
Staff 3	Director, Office of Support Services
Staff 3A	Assistant to the Director, Office of Support Services
Staff 3B	Commanding Officer, Administrative Services Bureau
Staff 3C	Commanding Officer, Support Services Group
Staff 3D	Commanding Officer, Fiscal Group
Staff 3I	Commanding Officer, Police Training and Education
Staff 3J	Commanding Officer, Behavioral Science Services
Staff 3K	Commanding Officer, Training Bureau
Staff 4B	Commanding Officer, Force Investigation Division
Staff 8	Director, Office of Special Operations
Staff 8A	Assistant to the Director, Office of Special Operations
Staff 8B	Commanding Officer, Counter Terrorism and Special Operations Bureau
Staff 8C	Commanding Officer, Counter-Terrorism Group
Staff 8D	Commanding Officer, Special Operations Group
Staff 8E	Chief of Detectives, Detective Bureau
Staff 8F	Commanding Officer, Detective Services Group
Staff 8H	Commanding Officer, Information Technology Bureau
Staff 24 A	Commanding Officer, Operations-Central Bureau
Staff 24B	Assistant Commanding Officer, Operations-

	Central Bureau
Staff 24C	Assistant Commanding Officer, Operations-Central Bureau
Staff 25A	Commanding Officer, Operations-South Bureau
Staff 25B	Assistant Commanding Officer, Operations-South Bureau
Staff 25C	Assistant Commanding Officer, Operations-South Bureau
Staff 26A	Commanding Officer, Operations-Valley Bureau
Staff 26B	Assistant Commanding Officer, Operations-Valley Bureau
Staff 26C	Assistant Commanding Officer, Operations-Valley Bureau
Staff 27A	Commanding Officer, Operations-West Bureau
Staff 27B	Assistant Commanding Officer, Operations-West Bureau
Staff 27C	Assistant Commanding Officer, Operations-West Bureau
Staff 31	Commanding Officer, Transit Services Bureau
Staff 31A	Commanding Officer, Transit Services Group
Staff 31B	Commanding Officer, Traffic Group

110.20 NONGEOGRAPHIC DIVISION UNIT DESIGNATIONS. Division commanding officer units will be identified by the word “Commander” followed by the number and/or letter(s) of the respective Area/division. All other personnel will be identified by the number and/or letter(s) of their respective Area/division followed by the numerical designation assigned by the Commanding Officer.

***Chief of Police**

- 24I: Personnel assigned to the Office of the Chief of Police.

***Police Commission**

- 1PC: Personnel assigned to Commission Investigation Division.

***Chief of Staff**

- 8D: Personnel assigned to Chief of Staff.
- 2I: Personnel assigned to Public Communications Group and Media Relations

- 17H: Personnel assigned to Employee Relations Group.
- 23I: Personnel assigned to Governmental Liaison.

*** Office of Constitutional Policing and Policy**

- 7I: Personnel assigned to Diversity, Equity and Inclusion Officer.
- 10I: Personnel assigned to Audit Division.
- 15H: Personnel assigned to Risk Management and Legal Affairs Division.
- 18I: Personnel assigned to OMBUDS.
- 22I: Personnel assigned to the Office of Constitutional Policing and Policy.

***Office of Operations**

- 20: Personnel assigned to Office of Operations.

***Office of Special Operations**

- 30H: Personnel assigned to the Office of Special Operations.

*** Office of Support Services**

- 6I: Personnel assigned to the Office of Support Services.
- 7H: Personnel assigned to Critical Incident Review Division.
- 21I: Personnel assigned to the Director, Office of Support Services.
- 32H: Personnel assigned to Behavioral Science Services.

***Administrative Services Bureau**

- 1H: Personnel assigned to Custody Services Division.
- 5H: Personnel assigned to Personnel Division.
- 8H: Personnel assigned to Fiscal Group.
- 9H: Personnel assigned to Evidence and Property Management Division.
- 10H: Personnel assigned to Communication Division.
- 11H: Personnel assigned to Facilities Management Division.
- 24H: Personnel assigned to Records and Identification Division.
- 27H: Personnel assigned to Administrative Services Bureau.
- 35H: Personnel assigned to Motor Transport Division.

***Detective Bureau**

- 1K: Personnel assigned to Detective Support and Vice Division.
- 2H: Personnel assigned to Technical Investigation Division.
- 2K: Personnel assigned to Commercial Crimes Division.
- 4K: Personnel assigned to Robbery-Homicide Division.
- 5D: Personnel assigned to Investigative Analysis Section/Detective Bureau Administrative Staff.

- 5I: Personnel assigned to Detective Support and Vice Division, Vice Section.
- 5K: Personnel assigned to Gang and Narcotics Division, Gang Section.
- 6H: Personnel assigned to Forensic Science Division.
- 7Y: Personnel assigned to Gang and Narcotics Division, Narcotics Section.
- 8K: Personnel assigned to Juvenile Division.
- 8Y: Personnel assigned to Gang and Narcotics Division, Narcotics Section.
- 9Y: Personnel assigned to Gang and Narcotics Division, Narcotics Section.
- 70D: Personnel assigned to Gang and Narcotics Division.
- 28H: Personnel assigned to COMPSTAT.

***Counter-Terrorism and Special Operations Bureau**

- R: Personnel assigned to Metropolitan Division.
- 2D: Personnel assigned to Air Support Division.
- 3D: Personnel assigned to Emergency Services Division.
- 6K: Personnel assigned to Major Crimes Division.
- 10Y: Personnel assigned to Counter-Terrorism and Special Operations Bureau.
- 36: Personnel assigned to Security Services Division.

***Training Bureau**

- 16I: Personnel assigned to Employee Assistance Unit.
- 22H: Personnel assigned to Officer Representation Unit.
- 26H: Personnel assigned to Training Bureau.
- 31H: Personnel assigned to Recruitment and Employment Division.
- 33H: Personnel assigned to Police Training and Education.
- 34H: Personnel assigned to Training Division.

***Professional Standards Bureau**

- 1G: Commanding Officer.
- 1I: Assistant commanding Officer.
- 4I: Personnel assigned to Internal Affairs Division.
- 7D: Personnel assigned to Force Investigation Division.
- 15I: Personnel assigned to Special Operations Division.

***Community Safety Partnership Bureau**

- 18H: Personnel assigned to Bureau.
- Commander 18HA and 18HB: Captains.
- 18H10 and 18H110: Lieutenants assigned to Operations.
- 4B; 12B; 13B; 16B; and, 18B: Personnel assigned to Divisional Operations.

***Information Technology Bureau**

- 3H: Personnel assigned to Information Technology Division.
- 7K: Personnel assigned to Innovation Management Division.
- 29I: Personnel assigned to Application Development and Support Division.

- 30I: Personnel assigned to Emergency Command Control Communication System Division.

***Transit Services Bureau**

- 3I: Personnel assigned to Transit Services Division.
- 31D: Personnel Assigned to Traffic Group.
- 36O: Personnel assigned to DASH Bus Detail.

110.30 GEOGRAPHIC COMMANDING OFFICER UNIT DESIGNATIONS.

Commands Within Geographic Areas. Commanding officers within geographic Areas shall be identified by the word "Commander" followed by the number of the Area and the letter "A" "B" or "C." The letter "A" shall indicate Area commanding officer, "B" shall indicate the patrol division commanding officer, and "C" shall indicate the Area detective division commanding officer.

Note: The Commanding Officer, LAX Field Services Division shall be identified as "Commander 14D"

Geographic Bureaus and Bureau Unit Assignments.

- 24: Operations-Central Bureau.
- 25: Operations-South Bureau.
- 26: Operations-Valley Bureau.
- 27: Operations-West Bureau.

Operations-Central Bureau

- 24G: Gang Units.
- 24P: Sexual Assault Detail and Administrative Support.
- 24V: Vice Units.

Operations-South Bureau

- 25G: Gang Units.
- 25P: Task Force and Administrative Support.
- 25V: Human Trafficking Units.
- 25W: South Bureau Homicide Division.

Operations-Valley Bureau.

- 26P: Task Force.
- 26V: Vice Units.
- 26W: Homicide Units.

Traffic Divisions. Line traffic division commanding officer units shall be identified by the word "Commander" followed by the number and/or letters of their respective divisions of assignment:

- 24T: Central Traffic Division
- 25T: South Traffic Division
- 27T: West Traffic Division
- 26T: Valley Traffic Division

110.40 FIELD UNIT DESIGNATIONS. Unit designations shall be stated by all units at the beginning of each transmission:

- **Patrol Unit Designations.** Patrol units shall be identified by the number of the Area with the applicable service letter (Department Manual Section 4/110.50), and a unit number corresponding to one of the numbered reporting districts associated with the command.
- **Traffic Unit Designations.** Traffic units shall be identified by the number of the traffic division of assignment with the applicable service letter (Department Manual Section 4/110.50), and unit numbers assigned in consecutive order beginning with the number "1."
- **Non-geographic Division Unit Designations.** Non-geographic division units shall be identified by the number and/or letter of the division (Department Manual Section 4/110.20) and the unit numbers assigned by the concerned commanding officer.
- **Watch Commanders.** Watch commanders shall be assigned the unit number "10."
- **Community Relations Officer.** The Area community relations officer shall be assigned the unit number "80" with the service identifier of CR.
- **Air Support Unit Designations.** Regular air flights shall be designated by the word "Air," followed by the corresponding Area number to which the flight is primarily committed (e.g., Air 3 would be assigned to an air flight with primary commitment in Southwest Area).

Special air flights will be designated "Air 20" through "Air 100" by the Commanding Officer, Air Support Division.

Note: The Air Support Division Air Operations/Downlink Vehicle, when assigned to a command post, landing zone or any other location, shall be designated "2D100."

- **Metropolitan Division Units.** Metropolitan Division units shall be identified by the letter "R" and unit numbers assigned in consecutive order beginning with the number "1."
- **Base Stations.** Base stations shall be identified by the number of the division or Area, the applicable service letter (Department Manual Section 4/110.50), a team number, if applicable, and the unit number "90."

Exception: Pacific Area airport substation shall be known as "Airport Base."

- **Portable Radio Unit Designations.** Officers using portable radio equipment shall use a designation consistent with their division of assignment unless other designations are authorized by the commanding officer.
- **Supervisors.** Supervisors, other than those assigned to an Area, shall be assigned a unit number ending in "zero" exclusive of the numbers "10" and "90."
- **Watch Supervisor.** Watch supervisory units shall be identified by the number of the respective Area, the letter "L," and a two digit number ending in "zero." The number "10" shall designate the watch commander.
- **Detective Units.** Detective units shall be identified by the number of the Area/division, the letter "W," and the unit's numerical designation. Detective Division supervisory units shall be assigned numbers ending in "zero."

110.50 SERVICE IDENTIFICATION LETTERS. The following letters indicate the type of service to which mobile radio units are assigned:

A	Basic Car Unit
Air	Air patrol Unit
B	Community Safety Partnership Unit
BRT	Bus Riding Team
C	Bicycle Detail
CP	Command Post
CR	Area Community Relations Officer or Unit
DV	Domestic Abuse Response Team (DART) Unit
E	Traffic Enforcement Automobile Unit
F	Specialized Investigative Unit, or Crime Task Force Unit
FB	Uniformed Foot-Beat Patrol
FM	Motor Task Force
FP	Security Services Division Fixed Security Post
G	Bureau Gang Coordinator, Gang Unit, or Area Gang Impact Team, Gang Enforcement Detail
HOPE	Homeless Outreach Proactive Engagement Unit
J	Juvenile Unit
K9	Police Dog

L	One-Officer Unit. ("X" or "T" units shall use the letter "L" following the regular service letter when applicable.) Also used as the geographic field services division base Station designation, and supervisory personnel
M	Traffic Enforcement Motorcycle Unit
MQ	Specialized Motorcycle Unit
MV	Vice Task Force Motorcycle Unit
MX	Specialized Motorcycle Unit
N	Narcotics Unit
OP	Observation Post Assignment during special event or unusual occurrence
P	Unit assigned to an operations bureau who may perform administrative or law enforcement duties (e.g., task force units)
Q	Special Event or Unusual Occurrence Unit

Note: The activation of the designation and the coordination of assigning specific identification numbers shall be through Communications Division.

R	Metropolitan Division Unit
RP	Security Services Division Mobile Security Patrol
RA	Fire Department Rescue Ambulance Unit
S	Two-Officer Senior Lead Officer Unit
SL	One-Officer Senior Lead Officer Unit
T	Collision Investigation Unit
U	Report-taking Unit
V	Bureau or Area Vice Unit
VCP	Volunteer Citizen Patrol Engagement Units
W	Bureau or Area Detective Unit
X	Additional Patrol Unit in an assignment district
Z	Geographic Uniformed Unit assigned to a special detail, or a Career Criminal Detail

110.60 MOBILE COMMAND FLEET UNIT DESIGNATIONS. The mobile command fleet shall be identified as follows:

Mobile One	Command Post Truck
Mobile Two	Command Post Truck
Mobile Three	Command Post Truck
Mobile Nine	Command Post Truck
Sound One	Truck with high-volume public address system
Sound Two	Truck with high-volume public address system
Mobile Canteen	Used to prepare and serve food to officers at the command post

110.70 COMMAND POST DESIGNATIONS.

Department Operations Center. The Department Operations Center, or any other location or facility activated for overall Department control during an emergency, shall be identified as Department Command.

Field Command Post. A field command post shall be identified as "Command Post." If more than one post is needed, the numerical designations shall be established by "Department Command."

110.80 OUTSIDE AGENCY UNIT DESIGNATIONS. Units operated by outside agencies shall be identified as follows:

Federal Bureau of Investigation Units. Numbers in the "400" and "500" series.

University of California, Los Angeles Campus Units. "8UC" and unit numbers in the "50" series.

California State University, Northridge - Department of Police Services (CSUN-DPS) Radio Unit Designations.

- The CSUN-DPS Chief of Police shall use "17 University Commander";
- The CSUN-DPS Watch Commander shall use "17 University 90";
- The CSUN-DPS Supervisors shall use "17 University 10, 20, 30, etc.";
- The CSUN-DPS Detectives shall use "17 University 21, 22, 23, etc."; and,
- The CSUN-DPS Radio Cars shall use "17 University 1, 3, 5, etc."

**California State University, Los Angeles - Department of Public Safety (CSULA-DPS)
Radio Unit Designations.**

- The CSULA-DPS Chief of Police shall use "4 University Commander";
- The CSULA-DPS Watch Commander shall use "4 University 90";
- The CSULA-DPS Supervisors shall use "4 University 10, 20, 30, etc.";
- The CSULA-DPS Detectives shall use "4 University 21, 22, 23, etc."; and,
- The CSULA-DPS Radio Cars shall use "4 University 1, 3, 5, etc."

Military Police Units. "Special Agent 51" and "Special Agent 52."

Traffic Signal Repair Units. Traffic Signal Repair unit numbers shall be assigned in consecutive order beginning with the number "1."

Comprehensive Cleaning and Rapid Engagement (CARE) Team Radio Unit Designations. Individual CARE teams shall be identified by each Department Bureau as follows:

- Central Bureau:
 - The CARE Team Supervisors shall use "CARE 110, 120, 130, etc.": and,
 - The CARE Team Units shall use "CARE 101, 102, 103, etc."
- Valley Bureau:
 - The CARE Team Supervisors shall use "CARE 210, 220, 230, etc.": and,
 - The CARE Team Units shall use "CARE 201, 202, 203, etc."
- South Bureau:
 - The CARE Team Supervisors shall use "CARE 310, 320, 330, etc.": and,
 - The CARE Team Units shall use "CARE 301, 302, 303, etc."
- West Bureau:
 - The CARE Team Supervisors shall use "CARE 410, 420, 430, etc.": and,
 - The CARE Team Units shall use "CARE 401, 402, 403, etc."

The Unified Homeless Response Center (UHRC) shall be identified as "CARE 90" and the Officer in Charge of the UHRC shall be identified as "CARE 10."

120. RADIO TERMINOLOGY, CODES AND CRIME BROADCASTS.

120.10 RADIO CALL LETTERS. The call letters, "KJC-625," shall be used by the Department's fixed radio stations.

120.20 USE OF RADIO CALL LETTERS.

By All Radio Operators. Radio operators shall not call either a fixed station or a mobile unit by its' call letters. The unit designation shall be used when addressing a fixed station.

By Controls. All controls shall broadcast the station-call letters once each fifteen minutes. They need not do so at the end of each transmission.

120.30 ASSOCIATION OF PUBLIC SAFETY COMMUNICATION OFFICERS (APCO) CODE WORD LIST. The following code words shall be used, when applicable, in local radio transmissions:

A Adam	H Henry	O Ocean	V Victor
B Boy	I Ida	P Paul	W William
C Charles	J John	Q Queen	X X-ray
D David	K King	R Robert	Y Young
E Edward	L Lincoln	S Sam	Z Zebra
F Frank	M Mary	T Tom	
G George	N Nora	U Union	

120.40 RADIO CODES AND PROCEDURES. The following codes and phrases shall be used, when applicable, in local radio transmissions:

- **Emergency Call.** A radio call accompanied by a "Code Three" designation is an emergency call. It shall be answered immediately, but in a manner that will enable the unit to reach the scene as quickly and safely as possible. A specific unit shall be dispatched "Code Three" and ALL additional responding units may also respond "Code Three."
- **Officer Needs Help.** An emergency call shall be broadcast when an officer requires immediate aid for a life-threatening incident or an incident that requires immediate aid because of serious bodily injury, death, or a serious threat to public safety is imminent. The officer requesting shall include the location, followed if possible, by the unit identification and all other pertinent information. A specific unit shall be dispatched "Code Three" and ALL additional responding units may also respond "Code Three."
- **Firefighter Needs Help.** An emergency call shall be broadcast when immediate police assistance is required because firefighters are being attacked, attack is imminent, or other emergency exists. A specific unit shall be dispatched "Code Three" and ALL additional responding units may also respond "Code Three."
- **Firefighter Needs Assistance.** An emergency call shall be broadcast when police assistance is required due to hostile crowd action or other incident. A specific unit shall be dispatched "Code Three" and ALL additional responding units may also respond "Code Three."
- **CARE Unit Needs Help.** An emergency call shall be broadcast when immediate police assistance is required because CARE personnel are being attacked, attack is

imminent, or another emergency exists. A specific unit shall be dispatched "Code Three" and ALL additional responding units may also respond "Code Three."

- **CARE Unit Requests Back-up.** An emergency call shall be broadcast when CARE personnel require police assistance immediately, but the situation does not rise to the level where serious bodily injury, death, or serious threat to public safety is imminent. A specific unit shall be dispatched "Code Three."
- **CARE Unit Requests Additional Unit.** An "additional Unit" shall be broadcast when a CARE unit requires police assistance for an urgent, but non-emergency situation. An "Additional Unit" request is not an emergency call and responding officers shall obey all traffic laws when responding.

Note: Homeless Outreach Proactive Engagement (HOPE) officers shall be the primary assigned unit for any emergency service calls generated by CARE Units. If HOPE officers are unavailable, police resources from within the geographic Area shall be assigned by Communications Division to respond to any CARE emergency service.

- **Back-up Unit Request.** An emergency call shall be broadcast when an officer requires additional units immediately, but the situation does not rise to the level where serious bodily injury, death or serious threat to public safety is imminent.

Example: Active perimeter, foot pursuit, 415 group, a crime-in-progress, etc.

All officers who broadcast a "back-up" request shall include their unit location, followed by their unit designation and all other pertinent information, including the reason for the request. A specific unit shall be dispatched "Code Three."

- **Additional Unit Request.** An "Additional Unit" broadcast is when an officer requires an additional unit for a non-emergency situation. The officer requesting shall include the location, followed by the unit identification and all other pertinent information. An "additional unit" request is not an emergency call and responding officers shall obey all traffic laws when responding.

Examples: "Code 6 George" with no indication of violence toward the officers, L-Unit involved in a traffic stop, follow up for a criminal investigation, etc.

- **"Pursuit" Procedure.** A unit announcing a "Pursuit" shall begin the message by stating that the unit is in "Pursuit" and giving the location, followed, if possible, by the unit identification, description of pursued vehicle, and/or suspects, direction taken, and reason for pursuit. The pursuing unit shall give frequent and comprehensive progress reports as conditions permit. Any unit having information regarding the "Pursuit" may transmit. Communications Division will broadcast advisory information concerning pursuits by the CHP within the City. Department personnel shall not become involved in CHP pursuits on the freeways unless for serious felonies committed within the City of Los Angeles.
 - Officers engaged in a pursuit should request a back-up unit; and,

- Responding back-up units may respond “Code Three.” However, once all authorized units have joined the pursuit, all other units shall discontinue their "Code Three" response.
- **Code One.** When the control operator fails to receive an acknowledgment of a communication, a "Code One" shall be given. The unit to which a "Code One" is directed shall acknowledge immediately upon hearing a "Code One."
- **Code Two.** A radio call accompanied by a "Code Two" designation is an urgent call and shall be answered immediately. The red light and siren shall not be used, and all traffic laws shall be observed.

Note. Officers responding to a "Code Two" radio call shall only interrupt the Code Two call to perform police work of major importance (Manual Section 0/030).

Officer's Responsibility. Officers who interrupt their response to a Code Two call due to police work of major importance, delay, or other exigent circumstances shall immediately notify Communications Division. Officers who interrupt their response to a Code Two call **for more than a brief delay** to evaluate the comparative urgency of an intervening incident shall also request Communications Division to reassign the call and shall **immediately** notify a concerned Department supervisor. No notification is required when a Code Two call is interrupted at the direction of either Communications Division or a Department supervisor. Officers shall document the reason for the interruption with an appropriate log entry on their Daily Field Activities Report (DFAR), Form 15.52.00 or 15.52.01.

Note: Officers should consider notification via the Department's Mobile Data Computer so as not to interfere with any emergency radio broadcast.

Supervisor's Responsibility. Concerned supervisors **shall** ensure that each interrupted response which resulted in reassignment of a Code Two call is evaluated for appropriateness. In making this evaluation, the concerned supervisor should consider monitoring the divisional radio frequency, reviewing relevant log entries, responding to the scene of the interruption, or other appropriate action.

- **Code Three.** A radio call accompanied by a "Code Three" designation is an emergency call. It shall be answered immediately, but in a manner which will enable the unit to reach the scene as quickly as possible with safety. Exemption from provisions of the California Vehicle Code (Division 11), section 21055, is granted only when officers sound a siren as reasonably necessary and the officers' vehicle displays a lighted red lamp visible from the front.

OFFICER RESPONSIBILITY. An officer may initiate a “Code Three” response to any emergency. An emergency exists when one or more of the following elements are present:

- A serious public hazard;
- An immediate pursuit;
- The preservation of life;
- A serious crime in progress;

- The prevention of a serious crime; and,
- Officer requests another unit “Code Three.”

Officers responding “Code Three” should notify Communications Division of their “Code Three” response and their starting point. The notification should be given, if feasible, with consideration to radio congestion or other factors that occur during emergency situations.

Should the vehicle operator decide not to initiate a “Code Three” response, he/she shall obey all traffic laws.

SUPERVISORY RESPONSIBILITY. Supervisors are obligated to assess the appropriateness of officers’ requests and to manage the “Code Three” response of other units. Supervisors shall immediately intervene when necessary to coordinate the response of sufficient units, minimize the risk to officers and the public, and ensure that the patrol force is not unnecessarily depleted. Feedback, training, counseling or a complaint investigation should be provided/initiated, as appropriate.

Upon the broadcast of a “Code Four,” supervisors shall evaluate continued “Code Three” responses for appropriateness. In addition, supervisors shall direct units back into service as applicable to ensure response to “Code Two” and non-coded calls.

“CODE THREE” RESPONSES DURING MOBILE FIELD FORCE SITUATIONS. The policy and procedures as outlined in the Department Manual concerning “Code Three” responses during mobile field force operations remains unchanged.

DUE REGARD FOR SAFETY. The “Code Three” response policy does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway and other responding officers. Officers who unreasonably engage in an arbitrary exercise of the “Code Three” response policy may be subject to disciplinary action, personal civil liability, and criminal prosecution.

COMMANDING OFFICERS’ RESPONSIBILITIES. Commanding officers shall ensure the following:

- Ensure employees are aware of the revisions to the “Code Three” Response Policy.
- Maintain a signed Acknowledgement of Receipt of this Special Order regarding "Code Three" Response Policy - Revised.

Exception: Whenever officers activate their Code Three equipment in conjunction with mobile field tactics at the scene of a riotous incident, a "Code Three" notification to Communications Division is not required.

Note: Officers traveling to the scene of a riotous incident in a mobile field force configuration with their Code Three equipment activated shall still notify Communications Division that they are traveling Code Three.

When the "Code Three" has been terminated, the officer shall notify Communications Division as soon as practicable.

When more than one unit is "Code Three" in the same general area, they shall be notified by Communications Division that other units are "Code Three" in the vicinity.

- **Code Four.** When additional assistance is not needed at the scene of an "All Units" call, a "Code Four," followed by the location of the call, shall be broadcast. Radio units which are not assigned to the call and which are not at the scene shall return to their assigned patrol area when a "Code Four" is broadcast. Officers shall use discretion and downgrade their responses based on the arrival of other units at the requesting officer's location or if a "Code Four" is broadcast.
- **Code Four Adam.** When additional assistance is not needed at the scene of an "All Units," call but the suspect is still in the vicinity, a "Code Four Adam," followed by the location of the call, shall be broadcast. This should then be followed by a description of the suspect. Radio units which are not assigned to the call but which are on the way to the scene shall, when a "Code Four Adam" is broadcast, patrol or post themselves at strategic locations near the scene.
- **Code Five.** A unit intending to "stakeout" shall notify the control operator of the location and request a "Code Five." The control operator, upon receipt of the message, shall immediately broadcast that there is a "Code Five" at the particular location. All units shall avoid the vicinity except in an emergency or in response to a call.
- **Clearing Code Five.** When the need for a "Code Five" no longer exists, the originating unit, or the last unit to leave the scene, shall request the control operator to clear the "Code Five" at the particular location.
- **Code Five Edward.** A "Code Five Edward" shall be used to notify Air Support Division (ASD) personnel of an explosive hazard to low-altitude aircraft. All units shall avoid the vicinity except in an emergency or in a response to a call for service.

Officer's Responsibility. An officer determining that an explosive hazard exists to low-altitude aircraft shall immediately notify Communications Division of a "Code Five Edward" via telephone or radio.

Note: Radio or Mobil Data Terminal (MDT) communications may detonate an explosive device. All radio or MDT communications should be made approximately one block (500 feet) away from the "Code Five Edward" location.

The officer shall inform Communications Division of the "Code Five Edward" location, and the area of the established perimeter (as measured in feet) around the bomb device/explosive hazard.

Note: If personnel from the Hazardous Devices Section, Emergency Services Division, determine that the established perimeter is insufficient for the potential hazard rendered from a suspected explosive device, they shall immediately notify Communications Division of the expanded perimeter as measured in feet.

A "Code Five Edward" notification shall be made in addition to all the other Department requirements for investigations involving explosives (Manual Section 4/212.50), when the following circumstances exist:

- Incident involving an explosive device which is in an exposed (open air) area or will be moved to an exposed area;
- Incident where the Hazardous Devices Section intends to "render-safe" any explosive item in an exposed area; and,
- Incidents involving any explosives (indoors or outdoors) where the explosion could result in blast pressures that may be hazardous to aircraft operations.

Supervisor's Responsibility. The concerned supervisor shall ensure that Communications Division is notified of any perimeter adjustment. When the need for a "Code Five Edward" no longer exists, the concerned supervisor shall ensure that Communications Division is notified to clear the "Code Five Edward."

Communication Division's Responsibility. Upon receiving notification of a "Code Five Edward," the Radio Telephone Operator (RTO) shall immediately broadcast the "Code Five Edward" notification and the location.

The Watch Commander, Communications Division, shall ensure that the Watch Commander, ASD, is notified of the "Code Five Edward" broadcast and any adjusted perimeter throughout the incident.

Watch Commander, ASD's Responsibility. Upon notification of the "Code Five Edward" location, the Watch commander, ASD, shall ensure that deployed Department aircraft are notified of the "Code Five Edward" location and any adjusted perimeter throughout the incident. The Watch Commander, ASD, shall further ensure that similar broadcasts are provided to media aircraft in the area.

Note: Department pilots shall determine a safe altitude for any Department aircraft responding to a "Code Five Edward" location upon notification of any perimeter adjustment.

- **Code Six.** When a unit is conducting a field investigation and no assistance is anticipated, a "Code Six," followed by the location, shall be broadcast. A unit shall not go "Code Six" until it arrives at the scene of a call.

Units on "Code Six" status shall remain available for reassignment to priority calls by monitoring their radio frequencies. A unit on "Code Six" status may indicate to the dispatcher additional circumstances which will make the unit unavailable for assignment to a priority call. These circumstances may include:

- Suspect in custody;
- Primary unit at a crime scene; and/or,
- Required at a back-up, assistance, or help location.

Note: The unit shall notify the dispatcher as soon as it is again available for radio calls.

- **Code Six Adam.** When an officer may need assistance in conducting an investigation, the officer should broadcast "Code Six Adam" with his or her location. Other radio units in the vicinity should then patrol in the general direction of the given location. Officers should not ordinarily leave their assigned districts but should deploy to an advantageous position in the event that assistance is later requested. When a unit broadcasts "Code Six Adam" and later finds that assistance will not be needed, a "Code Four" and the location shall be given without delay.
- **Code Six Charles.** When a one-officer unit receives a "Code Six Charles" in answer to a request for information on a suspect, the officer shall place himself or herself in a position of advantage over the suspect while awaiting arrival of assistance. When control is obtained, the one-officer unit may request and receive the want/warrant information from the Radio Telephone Operator (RTO). When a "Code Six Charles" is received by a two-officer unit, the officers shall immediately place themselves in positions of advantage over the suspect. When control is obtained, the unit shall request the want/warrant information from the RTO.
- **Code Six George.** When an officer may need assistance in conducting an investigation concerning possible gang activity, the officer should broadcast "Code Six George" and the location. An available Gang Enforcement Detail Unit should respond, while other radio units in the vicinity should then patrol in the general direction of the location given. Officers should not ordinarily leave their assigned districts but should deploy to an advantageous position in the event that assistance is later requested. When a unit broadcasts "Code Six George" and later finds that assistance will not be needed, a "Code Four" and the location shall be given without delay.
- **Code Six Mary.** When an officer may need assistance in conducting an investigation concerning possible militant activity, he/she should broadcast "Code Six Mary" with his or her location. Other radio units in the vicinity should then patrol in the general direction of the given location. Officers should not ordinarily leave their assigned districts but should deploy to an advantageous position in the event that assistance is later requested. When a unit broadcasts "Code Six Mary" and later finds that assistance will not be needed, a "Code Four" and the location shall be given without delay.
- **Code Seven.** When a unit desires to go out of service for free time, a request for "Code Seven," accompanied by the location his/her assigned vehicle will be parked, shall be transmitted to the control. The control operator shall instruct the unit to "Stand By" until it can be determined whether the request can be immediately granted. If the request cannot be granted, the control operator shall instruct the unit to "Continue Patrol." If the request is granted, the control operator shall inform the unit "OK for Seven."
- **Code Eight.** This call is broadcast for general information when a fire has been reported at a specific location where there is a high fire hazard or a threat of personal danger to firefighters from hostile groups. Units in the vicinity should respond to the call but remain on the air available for calls unless it is necessary to assist or investigate. "Code Six" shall be used when it is necessary to go off the air.

- **Code Eight Adam.** This call is broadcast when Communications Division has received notification from the Fire Department confirming an active, verified fire at a specific location and the senior officer at the scene has requested additional fire units. A specific police unit shall be assigned the call to assist with traffic or crowd control.
- **Code Ten.** This call is broadcast when a clear frequency is required to check a suspect for wants and/or warrants. When an officer desires a clear frequency to check a suspect for wants and/or warrants, he/she shall:
 - Determine that the frequency is not in use;
 - Identify himself/herself with his or her unit number;
 - Request "Code Ten," and state the number of suspects to be checked; and,
 - Indicate whether suspects are juveniles.

Note: A "Code Ten" designation shall not be used to request a clear frequency for crime information broadcasts or any other information, except as specified above.

- **Code Twelve.** An officer who responds to a "Code Thirty," "Code Thirty Adam," "Code Thirty-Ringer," "Code Thirty Victor," or a 211 silent, and determines that there is no evidence of a burglary or robbery, and it appears that the false alarm was caused by equipment malfunction or subscriber error, shall broadcast "Code Twelve," the address, and firm name, if any.

Note: A "Code Twelve" shall be broadcast, in addition to any crime information, when a 211 silent alarm is used to summon the police for reasons other than a robbery.

- **Code Twenty.** When a traffic crash or other event being investigated is of such a spectacular nature or is sufficiently unusual that accounts of it would stimulate general public interest, the phrase "Code Twenty," accompanied by the location of the crash or event, shall be transmitted to the control.
- **Code Thirty.** This call is broadcast for general information when a silent burglar alarm has been reported by an alarm company or by an automatic tape message. Units in the vicinity should respond to the call but remain available for calls unless it is necessary to go "Code Six" for the purpose of assistance or investigation.

Note: Watch Commanders and supervisors should encourage officers to respond to unverified burglar alarm calls in their Basic Car Area whenever possible, or when an available unit is in the area of an unverified burglar alarm call.

- **Code Thirty Adam.** This call is broadcast when a silent burglar alarm has been reported by an alarm company and the location is being monitored audibly. Units in the vicinity should respond to the call but remain available for calls unless it is necessary to go "Code Six" for the purpose of assistance or investigation.

Note: If the location appears to be secure, officers shall ascertain, via Communications, whether the alarm company is monitoring any activity within the location.

- **Code Thirty-Ringer.** This call is broadcast when a Communications dispatcher receives information that a ringing burglar alarm has been activated. Units in the vicinity should respond to the call but remain available for calls unless it is necessary to go "Code Six" for the purpose of assistance or investigation.
- **Code Thirty Victor.** This call is broadcast when a visual verification alarm has been activated. Upon receipt of the alarm activation and the display of photographs depicting an intruder, the alarm company will notify Communications Division. A unit shall be dispatched to respond to the call immediately. Officers responding shall only be interrupted to perform police work of major importance or to respond to a higher priority radio call.

Note: If the location appears to be secure, officers shall ascertain, via Communications, whether the alarm company is monitoring any activity within the location.

- **Code Thirty-Seven.** Communications Division Radio Telephone Operators running want/warrant information for field personnel shall broadcast a "Code Thirty-Seven" when stolen vehicle information is returned on vehicle license numbers. Field personnel shall employ appropriate defensive tactics and/or report pertinent information such as location, direction of travel, vehicle description, until control is assured.

When the suspect(s) are under the complete control of SWORN PERSONNEL or additional assistance is not required, field employees shall broadcast a "Code Four" in response to a "Code Thirty Seven."

Note: Communications Division shall continue to broadcast "Code Six Charles" in cases of vehicle license numbers connected with high risk suspects or vehicles, such as armed and dangerous, felony want or warrant. For example, if a vehicle license number is associated with a stolen vehicle used in connection with an armed robbery, a "Code Six Charles" will be broadcast, NOT "Code Thirty Seven."

- **Code Robert-Rifle.** When an employee needs a Patrol Rifle or the employee shall broadcast the unit designation, location, and "Code Robert-Rifle".
- **Code Robert-Slug.** When an employee needs Slug Ammunition the employee shall broadcast the unit designation, location, and "Code Robert-Slug"
- **Code Sam.** When an employee needs a Beanbag Shotgun, the employee shall broadcast the unit designation, location, and "Code Sam."
- **Code Sam-40.** When an employee needs a 40mm Less-Lethal Launcher, the employee shall broadcast the unit designation, location, and "Code Sam-40."
- **Code Tom.** When an employee needs a TASER, the employee shall broadcast the unit designation, location and "Code Tom."
- **Code 100.** This code shall be broadcast by a field unit to notify other units that a possible escape route of a suspect from a crime scene is under temporary surveillance. The term "Code 100" shall be broadcast in the following sequence: Unit identification; "Code 100;" and, the location.

Radio Communication Terms	
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AC	Aircraft crash
FB	Fallen Balloon
QT	Secrecy required regarding location
211	Robbery
311	Indecent exposure
390	Drunk male
390W	Drunk female
415	Disturbance
459	Burglary
484	Theft
484PS	Purse Snatching
502	Under-the-influence driver
507	Minor disturbance
507FC	Firecrackers
586	Illegal parking
586E	Car parked in driveway
Roger	Message received; will comply
Come In	You are being called
Stand By	Wait until a suitable answer is determined-or do not transmit
Go Ahead	Proceed with your message
Repeat	Repeat your message
Out	Out of service; not available for call (used when no other specific code applies and shall be followed by the reason)
Clear	No calls outstanding against unit; available for call

Note: When reporting on-duty, units equipped with two-way radios and engaged in either uniformed or plainclothes patrol shall report “Clear” and indicate the watch to which they are assigned.

Want	Determine whether a vehicle is wanted or is to be held
No Want	No want or hold on subject or vehicle of inquiry
Warrant	Vehicle warrant information
DMV	Information regarding vehicle registration
Juvenile Check	Determine whether there is want, hold, or criminal record for juvenile subject
End of Watch	Unit has completed tour of duty

Note: When a unit goes off-duty, the control operator shall be notified of the location and that the unit is "End of Watch." When a unit has worked beyond the normal tour of duty, the watch to which the unit is assigned shall also be reported.

120.41 INITIAL BROADCASTS OF CRIME DESCRIPTION. The first officers to arrive at the scene of a crime shall conduct a brief interview with the victim or witnesses. Information, when applicable, shall be transmitted in the following sequence to the communications operator, without delay:

- Type of Crime;
- Occurred _____ Minutes Ago;
- Location;
- Vehicle Used (or left on foot);
- Direction Taken;
- Number, Sex, Descent of Suspects;
- Outstanding Features;
- Weapon; and,
- General Type of Property taken.

120.42 SUPPLEMENTAL BROADCAST OF CRIME DESCRIPTION. As soon as practicable after the initial brief information concerning the occurrence of a crime has been relayed to a communications operator for broadcast (Manual Section 4/120.41), supplemental information, including a detailed description of the suspect, shall be relayed to the operator. These suspects' descriptions shall follow the sequence as outlined in the related crime report.

120.50 DISPOSITION GUIDELINES FOR COMPUTER AIDED DISPATCH

(CAD). Upon completion of a "Code 6" incident and prior to sending a disposition, officers shall select one of the following disposition options from the drop-down menu located on the incident disposition screen of the Mobile Data Computer (MDC):

- C6PED —Pedestrian Stop;

- C6TS —Traffic Stop;
- C6INV—Investigation;
- C6FU—Follow up Investigation;
- C6CZN—Citizen Call;
- C6QL — Firearms Qualification;
- C6CM—Community Meeting;
- C6STM—Station Meeting;
- C6ADM—Administrative;
- C6EX —Extra Patrol;
- C6SD —Special Detail;
- C6SC5 —Surveillance/Code 5;
- C6STA —Station Call;
- C6ZC —Court; or,
- C6ME —Community Engagement.

The “Recap” option selected when completing a “Code 6” disposition should reflect the initial intended actions of the officers.

Community Engagement. For the purposes of this section only, any community contact that a member of the public or officer initiates resulting in an action or conversation beyond what is minimally required during a radio call is considered, “Community Engagement” (e.g., providing counsel/advice, resources, or participating in a spontaneous sporting activity). Officers shall indicate the time spent in minutes engaging with the community. The CAD captures community engagement in the following three ways:

- **Code 6** - When officers place themselves Code 6 solely for the purposes of community engagement, upon completion of the incident, an officer shall:
 - Select the appropriate disposition code;
 - Select “CME - Community Engagement” in the "Recap" option; and,
 - Indicate the amount of engagement time in minutes within the "Recap" comment section (e.g., 1 hour and 10 minutes would be denoted as “70”);
- **Radio Call** - When an officer engages with the community during a radio call, the officer shall select “CME - Community Engagement” in the “Recap” option and indicate the time spent in minutes in the “Recap” comment section; or,
- **Status Change** - When an officer conducts a status change for Community Engagement, the time spent will be automatically captured by the system.

Note: Units without an MDC shall verbally notify Communications Division over the air of the call disposition and "Recap" code according to the above categories.

Incident Update. The CAD has the ability to update an incident by adding information to the comment section of an incident prior to and after an incident disposition. To ensure accuracy with accountability, the user performing the update on an incident shall indicate his or her serial number in the “User Performing the Update” section. An officer shall not input a serial number other than his or her own when completing an incident update. Doing so may result in disciplinary action.

120.60 REPORTING OUT OF SERVICE. When it is necessary for a unit to go out of service for any reason, except in response to an assignment given to them by a control operator, the reason and the location shall be transmitted to the control operator.

Note: If practicable, a unit remaining out of service shall notify the control operator of the reason and the location (once each hour) that it is out of service. This shall be done even though the unit may be working beyond the normal tour of duty.

120.70 AVAILABILITY WHILE ON NON-PRIORITY CALLS. Field units assigned non-priority calls, as well as units on "Code Six" status, shall remain available for reassignment to priority calls by monitoring their radio frequencies.

Units reassigned to a priority call shall be responsible for the completion of their non-priority call(s). Officers shall explain their change in status to the reporting person. Communications Division shall be notified when officers are prepared to resume the handling of their non-priority call(s). Officers unable to resume the handling of their non-priority call(s) shall notify Communications Division.

If officers assigned to a non-priority call determine that additional circumstances exist which preclude their reassignment to a priority call, they shall broadcast a "Code Six" indicating the circumstances.

Note: A priority call is a call for service which is of an emergency or urgent nature causing a unit to respond "Code 3" or "Code 2," respectively. Non-priority calls are all other calls for routine service.

120.75 ASSIGNMENT OF PRIORITY CALLS-NO AVAILABLE UNITS.

Communications Division shall handle priority calls in the following manner whenever there are no units available in the Area of occurrence:

- The call shall be broadcast for "any available unit," with the nature of the call, the address, and the code;
- If no units respond to the "any available unit" broadcast, the dispatcher shall broadcast one long electronic tone signal on the concerned Area's radio frequency. The tone signal alerts units assigned non-priority calls to stand by for possible reassignment to a priority call; and,
- The dispatcher shall assign the priority call to the appropriate unit.

120.77 INCIDENTS MOTIVATED BY HATRED OR PREJUDICE. Communications Division **shall** dispatch a unit whenever a call for service involves any incident motivated by hatred or prejudice.

120.79 ASSIGNMENT OF UNITS TO ALARM CALLS. Communications Division personnel who receive a call from an alarm company or private person, generated by the activation of a robbery or burglary alarm, shall:

- Determine the type of alarm being reported;
- Request the Board of Police Commissioners (BOPC) permit number from the caller; and,
- Dispatch a unit to the alarm location.

Note: If the caller was unable to provide a valid BOPC permit number, Communications Division shall notify Commission Investigation Division.

120.80 REQUESTING BICYCLE INFORMATION. When requesting information about a bicycle, the following information, when known, shall be given:

- Frame number of bicycle;
- License number;
- Expiration date of license; and,
- Make of bicycle.

130. RADIO MESSAGE PRIORITY.

Emergency Radio Messages. This classification has priority over all other messages and consists of requests for "Help," information regarding "Pursuits," and messages necessary for the preservation of life.

Special Radio Messages. This classification has priority over "Routine" radio messages and consists of:

- Immediate field broadcasts of descriptions of suspects and/or vehicles involved in crimes when the time element is important;
- Reporting fires;
- Requesting ambulances; and/or,
- Any other message requiring immediate attention.

A unit with a "Special" message shall begin transmission by notifying the control operator that the unit has a "Special" message. The unit may precede the message with a request for a clear frequency for a "Special" message. When the concerned frequency is on "Stand By" for a "Special" message, only broadcasts regarding the "Special" message shall be transmitted, except an "Emergency" message or another "Special" message.

Note: Upon receiving a "Special" message, the control operator shall immediately place the concerned frequencies on "Stand By," when necessary, and handle the messages in the order of their priority. The control operator shall immediately clear concerned frequencies when the "Special" message is completed.

"Routine" Message Procedures. A unit with a "Routine" message may broadcast only when the concerned frequency is clear. This classification consists of normal radio messages and has no priority.

130.30 CLEAR FREQUENCY PROCEDURE. Before transmitting a lengthy message, such as a report of a major crime, a unit shall contact the control, request a clear frequency, and state the reason for the request.

Exception: When an officer desires a clear frequency to check a suspect for wants and/or warrants, he/she shall request "Code Ten."

The control operator, upon receipt of the request, shall advise all other units on the same frequency to "Stand By" and instruct the concerned unit to "Go Ahead." Upon completion of the message, the control operator shall announce to all units that the frequency is clear. Units advised to "Stand By" shall not attempt to transmit unless their message is of higher priority than the message being transmitted (Manual Section 4/130).

Note: A clear frequency shall not be requested in order to obtain a "Want" or a "DMV" on a vehicle.

150. TELETYPES - GENERAL.

150.05 REQUESTS FOR TELETYPE MESSAGES. A request for a teletype message shall indicate the coverage desired by including the specific point(s) for a directed message or the specific section for a broadcast bulletin.

When proper names are included in teletype messages, they shall be transmitted as follows:

"SURNAME, FIRST NAME, (and) MIDDLE NAME (or) INITIAL."

150.08 CANCELLATIONS, CORRECTIONS, OR SUPPLEMENTS TO BROADCASTS. When cancellation, correction, or supplement to broadcast is requested, the message request given to the teletype operator shall include the following:

- Date, time, message number, and call letter of the original and all subsequent related messages;
- Title of the original message;
- Names of persons who were the subject of the original message;
- All available reference numbers;
- Any "special attentions" included in previous related broadcasts; and,
- The property or vehicles mentioned in previous messages, with a brief description and current status.

150.10 CLASSIFICATION. Teletype messages shall be classified as:

- **Directed Messages.** Directed messages are those addressed to one or more specific points throughout the State network (CLETS) or nationally (NLETS) through the California Department of Justice.
- **Broadcast Bulletins.** Broadcast bulletins are messages addressed to one of the following specific sections within the network facilities available to the Department:
 - Local (Citywide);
 - Local and Sheriff's Local (Countywide);
 - Area (directed to either one or more of the six broadcast areas into which California is divided); and,
 - All Points Bulletin (directed to all participating enforcement agencies in California). Extended coverage to all other states, except Alaska and Hawaii, is accomplished by direction of the originating agency.

150.12 ALL POINTS BULLETINS - ACCEPTANCE OF MESSAGES. Prior to requesting the transmittal of an All Points Bulletin (APB) broadcast via NECS, officers shall verify that the agencies which the messages are addressed to are participants of the APB system. Area/division records units shall maintain a list of current APB system subscribers. For broadcasts within Los Angeles County to non-subscribing agencies, a message should be directed to the Los Angeles County Sheriff's local broadcast system. Out-of-county messages to a non-subscribing agency should be sent directly to that agency.

To qualify for rebroadcast on the State Teletype System, a message must meet the following requirements:

Robbery Teletypes.

- Suspects used or simulated a gun; OR,
- There is reason to believe the suspects are operating in more than one county; OR,
- The modus operandi is distinctive or similar to that previously reported in other jurisdictions; OR,
- The property taken is valued in excess of \$5,000.

Burglary Teletypes.

- A large amount of distinctive property which could connect a suspect with the crime is stolen. (Do not itemize. Give only the general type of property taken and the note "is/is not" identifiable); OR,
- A safe is attacked; OR,
- The modus operandi is distinctive or similar to that previously reported in other jurisdictions, AND there is reason to believe the suspect may be operating in more than one county; OR,
- A large amount of property is taken, part or all of which is identifiable: (Do not itemize. Give only the general type of property taken and the note "is identifiable.")

Felony Suspect Wanted Teletypes.

- There is reason to believe the suspect may be traveling outside the local area; AND a felony warrant has been issued for his/her arrest, excluding violation of parole or probation unless wanted for an additional felony; OR,
- There is reasonable cause to believe the suspect committed a felony.

Note: Unless a warrant has been issued, the teletype must contain sufficient information to establish in the mind of the receiving officer reasonable cause to believe the suspect committed a felony.

In Custody Teletypes.

- The suspect has been operating for a long period of time, AND there is reason to believe the suspect committed a crime outside the local jurisdiction.

Property Under Observation Teletypes.

- A large amount of identifiable property has been located, AND there is reason to believe it has been stolen outside the local jurisdiction.

Crime Warning Teletypes.

- When circumstances are such that it may be possible to prevent crime by alerting agencies outside the local jurisdiction; OR,
- When checks or check writers have been stolen, AND it is probable that an attempt will be made to cash the checks outside the local jurisdiction.

Missing Person Teletype.

- When the circumstances indicate that the missing person, either adult or juvenile, is the victim of a serious crime or emergency conditions exist, such as senility, suspected foul play, or when the missing person is at a very young age.

Note: Teletyping of a missing person area broadcast does not fulfill the two-hour notification requirement to the National Crime Information Center (NCIC) when a person under 21 years of age is reported missing or the missing person is the subject of exceptional circumstances (e.g., missing under suspicious circumstances, or persons mentally or physically handicapped).

155. TELETYPES - VEHICLE REGISTRATION AND DRIVER'S LICENSE INFORMATION.

155.05 REQUESTS FOR VEHICLE REGISTRATION INFORMATION. A teletype requesting vehicle registration information from DMV shall be sent in the following form:

- IV; and,
- Information code, vehicle license number or vehicle identification number.

A request for out-of-state vehicle information shall include:

- Motor Vehicle Bureau (city and state);
- Year for which the information is desired;
- Complete record request (including registered owner and legal owner); and,
- License number (including all dashes, as it appears on the plate)

Note: All other vehicle teletypes shall be prepared and sent by the concerned Area records unit.

155.15 REQUESTS FOR DRIVER LICENSE INFORMATION. A teletype requesting driver license information from DMV may be sent, using either the driver license number or the full name of the licensee. When using the driver license number, the teletype shall be sent in the following form:

- ID; and,
- Information code, driver license number.

When using the licensee's name only, the teletype shall be sent in the following form:

- IN; and,
- Information code, name (last, first, middle).

Note: A separate teletype shall be sent for each person.

155.20 TELETYPES-BICYCLE INFORMATION. A teletype requesting information from the Automated Property System (APS) shall be sent as provided in the CJIS Manual.

165. TELETYPES - JAIL PROCEDURES.

165.02 ARREST BOOKING INFORMATION. The following procedures shall be used in the transmission of arrest booking information:

All Areas/divisions shall teletype juvenile arrest booking information to the Juvenile Records Unit, Records and Identification Division, Detective Support and Vice Division, and the responsible investigative unit within thirty minutes after obtaining the booking numbers, when DABIS processing is not used to book a juvenile or a person 18 years of age or older arrested and booked for a crime committed when the arrestee was a juvenile. The information contained in the first nine lines of the Booking and Identification Records, Form 05.01.00, shall be used as a format for the teletype.

In addition, all Areas/divisions shall include the following additional information on the juvenile arrest booking information teletype:

- Juvenile's parents and/or legal guardian;
- J number; and,

- DR number.

The last line of the teletype shall contain the information in the box labeled "Juvenile Detained At."

Note: When a juvenile arrested for an offense which will be investigated by Gang and Narcotics Division is to be released immediately after booking, the arresting officer shall cause the date and time the subject is to be cited to return for further investigation and disposition to be included in the booking teletype.

Booking Areas/divisions with Livescan Network capability shall send adult and juvenile arrest booking information to Records and Identification Division within thirty minutes after obtaining booking numbers, when DABIS processing is not used to book a juvenile or a person 18 years of age or older arrested and booked for a crime committed when the arrestee was a juvenile.

Booking divisions shall transmit required booking documents to the Inmate Reception Center, County Central Jail.

165.03 ARRESTEES BOOKED INTO COUNTY CUSTODY. Teletype abstracts containing booking information shall not be sent on adult arrestees booked directly into Los Angeles County jail facilities.

Exception: Teletype abstracts containing the booking information contained in the first nine lines of the Booking and Identification Record, Form 05.01.00, shall be sent on adult arrestees booked directly into the Jail Ward of the Los Angeles County-USC Medical Center.

An officer booking an adult arrestee directly into a Los Angeles County jail facility shall complete the Booking and Identification Record, Form 05.01.00, in the normal manner. In addition, the booking officer shall:

- Telephonically obtain an LAPD generated booking number from Records and Identification Division; AND,
- Request to be transferred to the Supervisor of the Booking Records Update Unit, Records and Identification Division; AND,
- Give the booking information contained in the first nine lines of the Booking and Identification Record, Form 05.01.00, to the supervisor. Record that person's name, and title in the narrative portion of the arrest report.

Note: The above notification to the supervisor of the Criminal Information Unit, Records and Identification Division, is not necessary when booking arrestees directly into Los Angeles County Jail.

165.04 SUPPLEMENTAL CHARGE TELETYPES. A Supplemental Charge Teletype shall be sent without delay to Los Angeles County Jail when the arrestee is an adult female, in the following sequence:

- Inmates booking number and name, original charge, SUPP CHG, and date charge placed; and,
- NEW CHG: List supplemental charge. When the supplemental charge is a warrant, the information shall include the System ID number, warrant number, court, and bail including penalty assessment.

Note: When a felony complaint against an arrestee is rejected and a related misdemeanor warrant is obtained, the words "Reduction Booking" shall be placed in the heading of the teletype.

When the supplemental charge is placed as the result of a court order for the delay of a felony arraignment (Manual Section 4/750.20), the following information shall be included:

- The warrant information;
- The date and time of the court order;
- The court issuing the order;
- The concerned investigative unit; and,
- The statement, "Court ordered inmate held until his physical condition permits his arraignment."

165.06 SUPPLEMENTAL CHARGE AUTHORIZATION TELETYPES-VIOLATION OF PROBATION OR PAROLE. A teletype abstract authorizing a supplemental charge for violation of probation or parole against a person in the custody of the Department shall be sent to the division of custody in the following sequence:

- ATTN DETENTION OFFICER OR LASD;
- State parole charge authority and date;
- Booking number, name, and prison number;
- "THIS IS AUTHORIZATION FOR DETAINING AGENCY LASD AND ANY PEACE OFFICER IN THE STATE OF CALIFORNIA TO ARREST AND BOOK PER (charge) AND TRANSPORT TO LOS ANGELES MAIN COUNTY JAIL;" and,
- AUTH: Name and title of officer authorizing the supplemental charge.

165.15 REQUEST FOR BAIL INFORMATION TELETYPE. A Request for Bail Information Teletype is used to request information regarding the release on bail of a misdemeanor inmate in the custody of the Los Angeles County Sheriff's Department. The teletype shall be sent to the custodial detention officer and shall contain the inmates booking number, name, and "REQ. FOR BAIL INFO."

165.20 BAIL INFORMATION TELETYPE. Information regarding an inmate eligible for release on bail shall be sent by the custodial detention officer in the following sequence:

- Inmates booking number, name, and BAIL INFO;
- Each charge (code section and title), listed separately, followed by the amount of bail, plus penalty assessment;

Note: Name on each additional charge, if different than original booking name, shall precede the charge or warrant number.

- Each warrant number or court case number, if any, and issuing court, listed separately, followed by the amount of bail, plus penalty assessment;
- Time, day of week, date, court, and street address of court appearance for each charge; and,
- Arrest location, arresting agency, division and unit, and arresting officer's name and serial number.

165.26 FELONY BOOKING DISPOSITION AND SUPPLEMENTAL CHARGE

TELETYPE. A Felony Booking Disposition and Supplemental Charge Teletype directing a custodial detention officer to record the release of a charge against an inmate and to place a supplemental charge shall be sent in the following sequence:

- Inmates booking number, name, FEL DISPO/ SUPP CHG, and date of felony disposition;
- Charge released and AUTH: Felony booking disposition as indicated in the Investigator's Final Report, Form 05.10.00;
- NEW CHG: Supplemental charge. When the supplemental charge is a warrant, an abstract of the warrant shall be included in the teletype;
- Inmates name on supplemental charge if different from that on the original booking; and,
- Division, name, and serial number of authorizing officer.

Note: When the inmate is in a Los Angeles County jail facility, other than Los Angeles County Jail, a Felony Booking Disposition and Supplemental Charge Teletype shall also be sent to the Sheriff's Warrant Detainer Section.

165.30 ORDER TO RELEASE INMATE TELETYPE. An Order to Release Inmate Teletype is used to direct a custodial detention officer to release an inmate from the custody of the Department, or to direct another agency to release from custody an inmate detained for this Department. This teletype shall be sent in the following sequence:

- ATTN DETENTION OFFICER;
- Inmates booking number and name, and ORDER TO RELEASE; and,
- The charge released and AUTH: Reason for release.

Note: Name on each additional charge, if different than original booking name, shall precede the charge or warrant number.

- Details:

- When the charge released is a felony, include the booking disposition indicated on the Investigator's Final Report, Form 05.10.00;
- When the reason for release is bail posted, include the amount of cash bail posted or an identification of the surety bond;
- The time, day of week, date, and street address of court appearance for each charge; and,

Note: When the arrestee was intoxicated at the time of arrest, a teletype directing an O.R. release shall include "O.R. when able to care for self."

- Division, name, and serial number of officer ordering release.

165.31 ORDER TO RELEASE JUVENILE TELETYPE. An Order to Release Juvenile Teletype is used to direct a custodial detention officer to release a detained juvenile from the custody of the Department. This teletype shall be sent in the following sequence:

- Juvenile's booking number and name, and ORDER TO RELEASE;
- Charge released and AUTH: Reason for release (i.e., Exonerated, Court Order, 602-626 WIC, etc.);
- Release to: (Relationship and full name);
- Location detained; and,
- Division, name, and serial number of officer ordering the release.

165.32 NOTIFICATION OF INMATE RELEASE TELETYPE. A computer generated message reporting the release of an inmate from LAPD custody shall be sent **immediately** to the Automated Justice Information System (AJIS) via the Network Communication System (NECS) RL13 format. The message, when appropriate, shall also be directed to:

- The concerned division or Sheriff's station when the release is the result of an Order to Release Inmate Teletype; and,
- Detective Support and Vice Division and the concerned investigating officer when either an adult arrestee was booked on a felony charge or the arrestee is a juvenile.

Notification of Inmate Release messages sent to locations other than AJIS shall contain the following information:

- Inmates booking number;
- Inmates last name, first name, middle initial;
- Date of birth;
- Booking location;
- Reason for release;
- Originating agency;
- Name of officer releasing inmate; and,
- Serial number of officer releasing inmate.

Note: When an inmate is released to the Los Angeles County Sheriff's Department's transportation unit, a notification to AJIS shall be sent via the Network Communication System (NECS).

165.33 NOTIFICATION OF WRIT OF HABEAS CORPUS OR FIXED - BAIL RELEASE OF FELONY INMATE TELETYPE. A teletype announcing the release of a felony inmate when fixed-bail is posted or on a Writ of Habeas Corpus shall, in addition to a teletype to the AJIS file, be sent to:

- Detective Support and Vice Division; and,
- The concerned probable investigating unit listed on the Booking and Identification Record, Form 05.01.00.

Notification of Writ of Habeas Corpus or Fixed-Bail Release of Felony Inmate Teletype shall be sent in the following sequence:

- Release information as sent to AJIS (i.e., booking number, last name, first name, middle initial, birth date, numerical code of booking location);
- Date released;
- Booking charge;
- Amount of cash bail posted or an identification of the surety bond;
- Citing instructions for court appearance; and,
- Division, name, and serial number of officer releasing the inmate.

165.34 NOTIFICATION OF AVAILABILITY FOR RELEASE TELETYPE. When an arrestee is booked on a foreign California adult misdemeanor warrant and is not wanted on a local charge, the custodial detention officer shall send a Notification of Availability for Release Teletype to the demanding jurisdiction in the following sequence:

- ATTENTION WARRANT DETAIL;
- Name of arrestee (first, middle, last) and booking number;
- ARRESTED (date arrested) ON YOUR WARRANT (warrant number, issuing court charge, and code). ADVISE BY RETURN TELETYPE DATE AND TIME YOU WILL ACCEPT CUSTODY. NOTIFICATION WILL BE MADE OF ANY CHANGE IN CUSTODY STATUS; AND,
- Division of detention, address, officer's name, and serial number.

165.35 NOTIFICATION OF FORWARDED WARRANT TELETYPE. When warrants or warrant information teletypes have been forwarded with an inmate to other than the originating agency, the City jail facility having custody of the inmate shall send a teletype notification to the originating agency in the following sequence:

- ATTENTION: Agency, warrant number, and charge;
- Name of inmate (first name first) and booking number;
- RELEASED TO (Agency inmate released to), date, and time; and,

- YOUR WARRANTS (or warrant information teletypes) HAVE BEEN FORWARDED WITH INMATE. CONTACT agency DIRECTLY FOR FURTHER INFORMATION.

Note: When warrants or warrant information teletypes from two or more agencies are forwarded, a joint teletype format shall be used.

165.60 INMATE ESCAPE TELETYPES. An Inmate Escape Teletype shall be sent as LOCAL BC AND SHERIFF'S LOCAL in the following sequence:

- NOTICE OF INMATE ESCAPE;
- Name of escapee;
- Booking number, charge, and LA number;
- Description of suspect and clothing;
- Location of escape; and,
- Fingerprint classification (available at Records and Identification Division).

Note: Supplemental teletypes may be sent at the discretion of investigating officers responsible for apprehension.

165.70 ORDER TO PICK-UP. Regular Order to Pick-Up Teletypes shall be sent on each court day not later than:

- 0430 hours for *morning* court; and,
- 0900 hours for *afternoon* court.

Teletypes shall be sent to the Los Angeles Sheriff's Department, Bureau of Transportation as in the following examples:

- Hollywood has four male and one female arrestees for Division 59, and two female arrestees for Division 51; and,
- Harbor Area has two male and three female arrestees for Division 61.

165.80 IMPERATIVE RELEASE MESSAGE TELETYPE. The Imperative Release Message is a daily teletype notification generated by the Automated Justice Information System (AJIS) to all Areas of the Department and Metropolitan Jail Section, 77th Street Jail Section, and Van Nuys Jail Section with the names of those persons who must soon be arraigned or released from Department custody in accordance with 825 P.C.

170. TELETYPES - INVESTIGATIVE PROCEDURES.

170.04 TELETYPE NOTIFICATION OF "SHOW - UP" APPEARANCE. A teletype notification regarding a suspect appearing in a "show-up" shall be sent in the following form:

FOLLOWING SUSPECT WILL BE IN SHOW-UP: (location); (date and time); (name and description of suspect); (modus operandi, including any information which may aid in connecting suspect with a crime); (name, serial number, and detail of investigating officer)

170.08 TELETYPE NOTIFICATION OF "SHOW - UP" RESULTS.

Suspect Identified. A teletype regarding identification of a suspect in a "show-up" shall be sent in the following sequence:

- "Show-up" number of identified suspect;
- Name of suspect identified;
- Offense for which suspect was booked;
- Crime with which suspect was identified;
- Name of person who made identification;
- DR number of report of crime with which suspect was identified;
- Name of the concerned law enforcement agency and the case number, when suspect identified with a crime committed in another jurisdiction;
- Names of victims and witnesses attending the "show-up;"
- Names of suspect's defense attorneys and deputy district attorneys attending the "show-up;"
- Name and serial number of the officer who selected the participants for the "show-up;"
- Unusual actions which the investigating officer requested the suspect to perform during the "show-up;" and,
- Name, serial number, and detail of officer conducting the "show-up."

Suspect Not Identified. When no suspects are identified in a "show-up," the teletype notification shall contain the following:

- NO SUSPECTS IDENTIFIED;
- (Names of victims and witnesses attending the "show-up"); and,
- (Name, serial number, and detail of officer conducting the "show-up".)

170.45 PROPERTY RELEASE TELETYPES. A teletype authorizing release of property shall be sent in the following form:

- THIS IS YOUR AUTHORITY TO RELEASE THE BELOW LISTED PROPERTY BOOKED UNDER DR (number) TO (name of person to whom property is booked) ON (date of booking) TO (name and address of person to whom property is to be released). (List of property, including item numbers). RELEASE AUTHORIZED BY (name and serial number of authorizing officer), (date and time release authorization).

170.55 REQUEST FOR CERTIFIED COPY OF LASD FINGERPRINT CARDS TELETYPE. The following format shall be used to obtain certified copies of Los Angeles Sheriff's Department fingerprint cards from the Bureau of Identification:

- BI;

- SUPERVISOR, FINGERPRINT SECTION;
- REQUEST CERTIFIED COPY OF THE FINGERPRINT CARD OF:
- NAME AND ANY AKA USED AT TIME OF BOOKING;
- DATE OF BIRTH;
- CII NO.;
- LA NO. AND LASD NO.;
- DATE OF ARREST;
- CHARGE; and,
- DIRECT REPLY TO LAPD: _____ DIVISION: _____ ATTN: _____

175. TELETYPE-SUPERVISORY PROCEDURES.

175.10 SUBPOENA TELETYPES. A teletype notifying an officer of the existence of a subpoena shall be sent in the following form:

- WATCH COMMANDER, (division/Area of assignment). THE FOLLOWING OFFICERS ARE SUBPOENAED: (officer's name), (serial number), DIVISION OR DEPARTMENT (number), (place of address), (date), (time), (defendant's full name), DR (number).

175.14 DECLARATION FOR CONTINUANCE TELETYPES. A Declaration for Continuance teletype shall be sent in the following form:

- DECLARATION FOR CONTINUANCE: (defendant's last name), (court division number), (case number), (Officer's name and serial number), (date of trial), (to what officer can testify), (reason for inability to appear), (date officer will be able to appear).

175.70 WEATHER FORECAST TELETYPES. A teletype regarding the weather forecast shall be sent in the following sequence:

- METROPOLITAN-COAST AREA-temperature, precipitation
- VALLEY AREA-temperature, precipitation.

180. MESSENGER SERVICE AND MAILING INSTRUCTIONS.

180.10 DEPARTMENT MAIL TO BE FORWARDED BY MESSENGER SERVICES.

Mail to be forwarded to Department offices, all City offices, and all Los Angeles County offices by messenger service shall be enclosed in Multi-use Interoffice Correspondence Envelopes, Form General 100B. When the Form General 100B is used to forward mail to a City office other than a Police Department office, the address shall include the correspondence "stop" number for the concerned office.

Exception: When the use of the Multi-use Interoffice Correspondence Envelope is inappropriate to the subject matter to be forwarded or the material to be forwarded is of a confidential nature, the correspondence shall be enclosed in a plain manila envelope.

180.20 UNITED STATES MAIL DELIVERY. All correspondence to be delivered by United States mail shall be placed in appropriate containers. When practicable, white envelopes shall be used with the Department's return address typed or printed in the upper left corner along with the correspondence reference number:

LOS ANGELES POLICE DEPARTMENT

P.O. BOX 30158

LOS ANGELES, CA 90030

Reference # _____

The correspondence reference number shall appear one line below the return address, in a centered position, as "Reference # _____." The sender's name may be substituted when necessary for security reasons.

When reference is made regarding the return address of the Department within any correspondence to other government agencies or the general public, the above return address shall be shown.

180.30 DELIVERY OF PERSONAL MAIL. The address of the Department or any of its offices shall not be used by employees for the purpose of receiving personal mail or merchandise.

190. TELEPHONES, USE OF DEPARTMENT.

190.10 ANSWERING DEPARTMENT TELEPHONES An employee answering a public Department telephone (usually those connected to the City Centrex System) will state the following:

- "Good morning," "Good afternoon" or "Good evening," as applicable;
- His/her office, group, bureau, division, section, unit or, Community Outreach Center or if the location is a community police station, the name of the geographic command followed by the phrase "Community Police Station," i.e., "Rampart Community Police Station."
- His/her rank or title, and last name, and,
- "May I help you?"

When answering other Department telephones (outside, private or non-Centrex), the employee may answer by giving the number of the telephone only. However, an Area/division commanding officer (CO) may authorize some other response for non-public telephones, which are used for undercover operations.

To ensure continuous and quality service to the hearing-impaired community, Area commanding officers will:

- Ensure that the Area/division NexTalk-Telephone (TTY) application is launched and active on at least one front desk computer;
- Ensure that sufficient personnel at each Area station are trained in the proper use of the NexTalk TTY application;
- Cause Area training coordinators to assume responsibility for training of personnel in the use of the NexTalk TTY application; and,
- Ensure all references to (TDD) are replaced with TTY for hearing-impaired (the telephone numbers remain unchanged), to the next and all subsequent printings of Area/division business cards.

190.15 TELEPHONE CALLS PLACED TO GEOGRAPHIC AREAS/DIVISIONS VIA NEX TALK TTY APPLICATION FOR THE HEARING-IMPAIRED. The Americans with Disability Act (ADA) prohibits discrimination against qualified individuals with disabilities in all programs, activities and services of public entities. Thus, individuals with disabilities must be afforded telephonic access to all Area/division stations as is the hearing community. The Department utilizes the NexTalk TTY application at Area/division front desks, to receive calls from the hearing-impaired community.

OFFICER'S RESPONSIBILITIES. Officers at each Area/division are responsible for answering, handling and completing calls for service from the hearing-impaired community. Calls for service received at Areas/divisions via the NexTalk TTY application, which are not answered within the first five rings, will be forwarded to the Communications Division (CD) non-emergency line. Area/division front desk officers or the Emergency Board Operator (EBO) answering the call will determine whether the call is of an emergency nature, and if so, will dispatch a unit to the scene. All other telephone calls will be screened by personnel, who must determine the appropriate routing.

COMMUNICATIONS DIVISION'S RESPONSIBILITIES. Personnel assigned to CD **will** adhere to the following procedure when receiving a call for service from any member of the hearing-impaired community. Upon receipt of a call, CD personnel will determine the nature of the call. The majority of calls will fall within the following categories:

- Emergency call for service;
- Non-emergency call for service;
- General information;
- Telephonic report; or,
- Attempt to contact Department personnel at the Area/divisional level (e.g., detective, watch commander, Area commanding officer, etc.).

In all cases in which CD personnel respond to a call for service from a member of the hearing-impaired community, which requires follow-up action by a Department employee (e.g., radio call, police report, etc.), an incident number **must** be generated. An incident number is not required if no further action is required, such as requests for general information.

After determining the nature of the call, CD personnel will take the following appropriate action:

- Emergency and non-emergency calls for service from hearing-impaired callers will be handled in the same manner as any other call for service and a radio car will be dispatched to the location. Specific comments must be included in the incident log that the reporting party is hearing-impaired;
- General information questions should be answered by the EBO, whenever possible. When questions are more appropriately directed to the Area/division, the EBO will notify the watch commander and/or a supervisor at the concerned Area/division, and include the notification information in the comments of the incident log, prior to closing out the incident; and,
- For telephonic reports or calls requiring a response from Area/division personnel, the EBO will notify the watch commander and/or a supervisor at the concerned Area/division, and include the notification information in the comments of the call prior to closing out the incident.

WATCH COMMANDER'S RESPONSIBILITIES. All personnel assigned as Area/divisional watch commanders **must** adhere to the following procedures when receiving notification from CD regarding a call from a hearing-impaired caller assigned to them:

- Determine the nature of the call. Calls from CD will be either non-emergency calls requiring the desk officer to complete a report, or calls for a specific Department member (e.g., detective, watch commander, or Area commanding officer) to contact the hearing-impaired caller via the station's NexTalk TTY application;
- Ensure incoming calls are logged. A "Special Investigator Assignment/Control Log," Form 15.60.00, commonly referred to as a System To Optimize Radio Car Manpower (STORM) log, must be used to record incoming STORM calls. All calls from CD will have a corresponding incident number and must be logged on the STORM log as either the specific type of report being taken, or as "Other" in the "Type of Call" box, if it requires a specific Department member to contact the hearing-impaired caller;
- Ensure the hearing-impaired caller is contacted within an hour. All calls from CD will require that the desk officer or specific Department member contact the initiating caller. Officers assigned to the front desk may either complete the necessary report via the Area's/division's NexTalk TTY application or, if requested by the hearing-impaired caller, assign an **available** patrol unit to respond to the caller's location;
- Ensure that the incident is updated on the STORM log and that a disposition code and any other pertinent information is entered on the STORM log prior to end of watch; and,
- Ensure that all problems with Area/division NexTalk TTY application are documented in the Watch Commander's Daily Report, Form 15.80.00, and are reported to the Information Technologies Division Help desk, or via self-ticketing.

Note: All calls, regardless of type, **must** be addressed utilizing the aforementioned guidelines within **one hour** of the watch commander being contacted by CD. In the event that a report

cannot be completed within an hour or the requested Department personnel are unavailable, the watch commander or his/her designee must contact the hearing-impaired caller and provide them with an estimated time at which they can expect to have their call addressed.

190.20 ANSWERING COMPLAINT BOARD OR RECORDS AND IDENTIFICATION DIVISION TELEPHONES. Employees answering complaint board telephones or Records and Identification Division telephones subject to extremely heavy use may answer with an approved shortened identification as directed by the division commanding officer.

190.30 TELEPHONE CALLS - IMMEDIATE SERVICE REQUIRED. Employees who receive a telephonic report which demands immediate police action shall:

- Obtain the location of occurrence and other pertinent information; and,
- Relay the information to the concerned unit, if available; or,
- Relay the information to the complaint board.

Employees relaying the information to the complaint board shall:

- Give their name and division of assignment;
- Give the location where service is requested;
- State the nature of the complaint;
- Obtain the name and telephone number of the caller;
- Inform caller that his/her call will be returned, as soon as practicable;
- Obtain the information desired; and,
- Return the call.

If the persons are calling from a pay telephone, they shall be advised to remain at that station to await the return call.

190.50 TRANSFERRING TELEPHONE CALLS. When an employee receives a telephone call which should be handled by some other unit, or which has been misdirected, he/she shall:

- Ascertain the nature of the call;
- Advise the caller as to the Department unit, or person to whom he/she should speak; and,
- Transfer the call.

If the caller does not wish to have his/her call transferred, or is calling from within the CENTREX system, he/she shall be given the telephone number and name of the unit to call for service.

190.60 TELEPHONIC REQUESTS FOR REPORT INFORMATION. When an employee receives a telephonic request for information contained in police reports, he/she shall handle the request as prescribed in Manual Sections 3/406, 3/407, 3/408 and 3/410.

190.70 REFERRAL TO THE CALIFORNIA HIGHWAY PATROL.

Metropolitan Area and Harbor, Venice, and West Los Angeles Divisions. Calls for services of an emergency nature within the area of the California Highway Patrol responsibility shall be transferred by land line to the California Highway Patrol dispatcher when practicable. When the line is in use, the employee receiving the call shall obtain the necessary information and relay it to the California Highway Patrol Dispatcher.

San Fernando Valley Area. The employee receiving a call for service of an emergency nature within the area of the California Highway Patrol responsibility shall obtain the necessary information and relay it to the California Highway Patrol Dispatcher.

Note: Persons requesting non-emergency service or information shall be advised to call the California Highway Patrol.

192. LONG - DISTANCE, LOCAL, AND EXTENDED - AREA TELEPHONE CALLS.

192.10 LONG - DISTANCE CALLS - DEFINED. All calls to any point outside Area Code 213, 310, 323, and 818 are long-distance calls.

192.20 LOCAL - AREA CALLS - DEFINED. A local call is any call which is not a multi-message-unit call.

192.30 EXTENDED - AREA CALLS - DEFINED. All toll calls to any point within Area Code 213 that must be placed through a City Hall operator are extended area calls.

Note: These calls are calls that cannot be dialed using a dial code shown on the Guide For Placing Business Calls (marked with * on the guide).

192.50 LONG - DISTANCE TELEPHONE CALLS, INCOMING. When an employee receives a long-distance call that is not for the employee, the employee shall:

- If the call is paid, transfer it to the concerned person or unit; or,
- If the call is directed to the Department only, or to the Chief of Police, transfer it to Detective Support and Vice Division.

192.60 COLLECT TELEPHONE CALLS, INCOMING. Department employees may accept collect calls for emergency services and for matters of importance to the City of Los Angeles and to the Department. After receiving an incoming, collect telephone call, the person accepting the call shall immediately notify the Administrative Unit, Detective Support and Vice Division and provide the following information:

- The origin of the call;
- The name of the caller;
- The name of the person who accepted the call;
- The extension on which the call was received; and,

- The time the call was accepted.

Note: Department employees shall not accept *personal*, collect telephone calls except in cases of emergency.

192.70 PLACING LOCAL - AREA CALLS. Prior to placing an outside business call, an employee shall determine whether the call is a local call by referring to the City of Los Angeles telephone directory. If the call is local, it may be placed over an outside line. If no outside line is provided, the employee shall use the appropriate City Hall trunk line as shown on the Guide for Placing City Business Calls.

192.80 EXTENDED - AREA TELEPHONE CALLS. An employee placing a call over a Department telephone into the extended area shall:

- Obtain approval from his/her division commanding officer or watch commander before or after placing a call, as circumstances of the case may dictate; and,
- Place the call over the appropriate City Hall trunk line.

192.90 TELEPHONIC NOTIFICATION TO FAMILY WHEN WORKING

OVERTIME. When a duty assignment requires an employee to work unexpected overtime, the employee may notify his/her family over a Department telephone. Such calls shall be considered police business and shall be made in the same manner as any other business call.

195. RESIDENCE TELEPHONE REQUIREMENT. All sworn and civilian personnel designated by their commanding officer are subject to recall during off-duty hours. Department personnel must be available to be reached by either a residential telephone (landline) or cellular telephone while off-duty and must keep the Department advised of their most current landline and/or cellular telephone number(s).

FIELD ACTIVITIES

201. NOTIFICATIONS TO INVESTIGATING OFFICERS.

Officer's Responsibility. The senior officer at the scene shall immediately notify the watch commander of the Area of occurrence of the following:

- A homicide or suspected homicide;
- A crime of violence where the victim is likely to die;
- An extortion or extortion threat;
- A kidnapping;
- Any crime which has the potential for attracting major press coverage;
- Any crime where the facts indicate a connection to a Citywide problem; or,
- Any information regarding a crime, wanted person, or arrest which requires an immediate follow-up investigation.

Note: If possible, these notifications shall be made either by telephone or mobile digital terminal.

Watch Commander's Responsibility. When notified of any of the above, the watch commander shall assess the information and immediately make the appropriate notifications as follows:

- The Commanding Officer, Robbery-Homicide Division, when there is a kidnapping with the potential for serious bodily injury or death;
- The commanding officer of the concerned Area Detective Division;
- The commanding officer of the division responsible for investigating the crime; or,
- Detective Support and Vice Division when the concerned investigating division is closed.

Area Detective Division, Commanding Officer's Responsibility. The Area Detective Division commanding officer, after consulting with the Area commanding officer, shall be responsible for contacting the appropriate specialized detective division commanding officer to discuss responsibility for the investigation of a crime when:

- The investigation may exceed the personnel resources or expertise available within the division;
- The crime may attract major press coverage; or,
- The circumstances indicate a connection to a major Citywide problem.

201.30 IMMEDIATE FOLLOW - UP INVESTIGATION. The concerned investigating division shall be notified immediately if information regarding a crime, wanted person, or arrest requires an immediate follow-up investigation. When a telephonic notification should be made to an investigative unit and that unit is not available, the notification shall be made to Detective Support and Vice Division.

201.35 ARREST NOTIFICATION. The investigating supervisor advising a felony booking shall, without unnecessary delay, notify the responsible investigative unit of such booking by telephone or teletype unless:

- The arrest report is completed in the division where the responsible investigative unit is located; OR,
- The booking is advised by an investigating supervisor assigned to the responsible investigative unit.

201.37 NOTIFICATION TO PAROLE AGENCY AND REQUEST FOR HOLD.

Notification. When a parolee is to be booked on a felony charge, the arrestee's parole officer or, if unavailable, parole agency shall be promptly notified by the watch commander approving the booking.

Note: Notification to California Youth Authority is necessary only when a hold is requested.

When it is discovered *after* booking that a felony inmate is on parole, the jail supervisor shall immediately notify the first available officer in the following sequence, who shall be responsible for the notification:

- The investigating officer;
- The investigating officer's supervisor; and,
- The watch commander of the arresting officer's Area/division.

Detective Support and Vice Division shall, when notified by the Los Angeles Sheriff's Department that an inmate arrested by LAPD is on parole, notify one of the above officers in the proper sequence.

Request for Hold. Any information which would tend to justify the placing of a hold shall be relayed to the parole officer at the time of notification.

Reports. The officer responsible for notification shall cause the parole status, notification, and the hold information to be recorded on the Arrest Report, Form 05.02.00, or on a Follow-up Report, Form 03.14.00, if the arrest report has been distributed.

Subsequent Request for Parole Hold. When a request for parole hold is initially denied by the parole agency, additional requests may be made based on additional information. Such requests shall be recorded on a Follow-up Report, Form 03.14.00.

201.60 DISTRIBUTION OF ARREST AND EVIDENCE REPORTS-NARCOTICS INVOLVED. When an arrest or seizure of evidence resulting from a narcotics-involved investigation is made by officers outside their bureau of assignment, they shall cause a copy of the arrest and/or evidence reports to be delivered to the respective Gang and Narcotics Division, Field Enforcement Section based in the Operations Bureau of their assignment.

201.65 PROPERTY SEIZED SUBJECT TO FORFEITURE. Officers who seize property for forfeiture in accordance with Section 11470 of the Health and Safety Code must notify the Asset Forfeiture Coordinator, Gang and Narcotics Division (GND).

Currency Appears to be Less Than \$10,000 or Personal Property of Any Value.

Officer's Responsibilities. When an officer seizes narcotics-related currency less than \$10,000 or personal property, the officer will:

- Request a supervisor;
- Contact Asset Forfeiture Investigative Detail (AFID) during office hours. If AFID is closed, they can be contacted through Department Operations Center (DOC);
- Photograph the currency at the location(s) where the currency was discovered (e.g., inside a kitchen drawer, on a desk inside the master bedroom);
- Conduct a money count in the presence of a supervisor;

- Make an effort to determine ownership of the seized asset or currency;
- Complete a Field Interview Report, Form 15.43.00, on all persons who are present, including minors;
- If possible, determine how the possessor obtained the seized asset (e.g., holding for a friend, making a purchase)
- Ensure that a Receipt for Property Taken Into Custody, Form 10.10.00, is issued;
- Include the name and serial number of the supervisor that responded to the scene on all reports;
- Include the name and serial number of the AFID employee contacted for advice on all reports;
- **Forward a copy of the entire completed Arrest Report/Property Report (including search warrant if applicable) to AFID by completing the "extra copies" section and write "Asset Forfeiture, GND" on the left margin; and,**
- Complete booking into evidence as advised by the AFID employee.

Note: With all non-currency seizures, contact AFID prior to moving the seized property. Vehicles subject to forfeiture require AFID approval and should not be impounded, but transported to an AFID approved secure location.

Supervisor's Responsibilities. A supervisor will respond when an officer reports narcotics-related currency, and will ensure the following:

- If the currency appears to be less than \$10,000, witness the money count;
- Ensure that currency found in separate locations are not commingled (to preserve trace narcotics evidence); and,
- Ensure that each found currency location is documented in the completed Arrest Report/Property Report.

Value of Currency Appears to be in Excess of \$10,000.

Officer's Responsibility. Officers seizing narcotics-related currency having value that appears to be in excess of \$10,000 will:

- Not disturb or count the currency;

Note: Generally, AFID will not respond if the currency has been disturbed or counted.

- Immediately request a lieutenant to respond to the scene and notify the on-duty watch commander;

Note: Although the presence of a lieutenant is encouraged, it is understood they are not always available. At a minimum, the on-duty watch commander (sergeant or lieutenant) should respond to the scene. Adhering to this practice minimizes the potential for impropriety and serious allegations of misconduct. If the seizure is made pursuant to a search warrant, the seized assets must not be released, transferred or returned without advice from AFID.

- Immediately notify AFID who will respond, if necessary, and may take custody of the currency;
- Ensure a Receipt for Property Taken Into Custody, Form 10.10.00, is issued.
- Make an effort to determine ownership of the seized asset or currency;
- Complete a Field Interview Report, Form 15.43.00, on all persons who are present, including minors;
- Photograph the currency at the location(s) where the currency was discovered (e.g., inside a kitchen drawer, on a desk inside the master bedroom);
- If possible, determine how the possessor obtained the seized currency (holding for a friend, making a purchase);
- Include the name and serial number of the responding lieutenant/watch commander on all reports;
- Include the name and serial number of the notified and/or responding AFID employee on all reports;
- When AFID employees transport currency to AFID, officers from the investigative entity must accompany them; and,
- **Forward a copy of the entire completed Arrest Report/Property Report (including search warrant if applicable) to AFID by completing the "extra copies" section and write "Asset Forfeiture, GND" on the left margin.**

Supervisor's Responsibilities. A supervisor will respond when an officer reports narcotics-related currency, and will ensure the following:

- If the value of the currency appears to be in excess of \$10,000, ensure the currency is not disturbed or counted; and,
- Immediately notify a lieutenant or the acting watch commander for their required response to the scene.

Note: Should the responding supervisor determine it is unsafe to remain at scene, AFID should be contacted and will provide advice on how to minimize the potential for the destruction of evidence. The supervisor will bulk transport currency to the Area station. The supervisor must secure the currency in the trunk of his/her vehicle and the investigating officers will escort the supervisor to the station.

Watch Commander's Responsibility. The watch commander will respond to all scenes involving the seizure of narcotics-related currency which appears to be in excess of \$10,000.

201.70 COMPLAINTS MADE AGAINST ARMED FORCES PERSONNEL. A complaint against a member of the Armed Forces shall be reported on an Employee's Report, Form 15.07.00, except when the complaint results in an arrest or crime report. The Employee's Report shall be forwarded to the Liaison Officer, Detective Support and Vice Division.

201.73 REPORTING THE ATTEMPT SUICIDE, DEATH OR SERIOUS ILLNESS/INJURY OF ARMED FORCES PERSONNEL. When a deceased or seriously ill or injured person requiring hospitalization is identified as a member of the Armed Forces of the United States (Manual Section 4/615.10), or when a member of the Armed Forces of the

United States attempts suicide, a telephonic notification shall be made to the Department Command Post, Department Operations Center (DOC), by the officer reporting. The notification shall, when practicable, include:

- Division reporting;
- Reporting officer's name and serial number;
- Location where reports were made;
- Name, rank, and serial number of the service member;
- Branch of service;
- Name and location of service member's organization;
- Location, date, and time of death, illness, or injury;
- Whether wearing civilian clothes or uniform; and,
- Location to which service member was removed.

The foregoing information shall also be included, when practicable, in the Death Report, Form 03.11.00.

201.75 ARMED FORCES PERSONNEL NOT BOOKED-RELEASED TO ARMED FORCES POLICE UNITS. When officers release Armed Forces personnel directly to Armed Forces police units without making a booking, a telephonic notification shall be made to the Department Command Post, Department Operations Center (DOC), giving the reason for detention and release, the Armed Forces police unit receiving, and the service member's:

- Name, rank, and serial number;
- Branch of service;
- Organizational unit and location;
- Dress (uniform or civilian clothes); and,
- Duty status (on pass, on order, AWOL, deserter).

201.80 LAW ENFORCEMENT OFFICERS VISITING FROM OTHER JURISDICTIONS. Officers of this Department shall telephonically notify the Department Command Post, Department Operations Center (DOC), when they become aware that a law enforcement officer in one of the below categories is conducting police business within the City:

- Law enforcement officers assigned to jurisdictions outside the State who are conducting police business within the City; and,
- Law enforcement officers assigned to jurisdictions within the State, but outside of Los Angeles County, who will be conducting police business within the City in excess of 24 hours.

The following information concerning an officer from another jurisdiction shall be furnished to the Department Command Post, Department Operations Center (DOC):

- Officer's name, agency, and detail;
- Officer's local address and phone number;

- Officer's business address and phone number;
- Los Angeles Police Department officer's name, unit of assignment, and extension;
- Purpose of officer's visit; and,
- Estimated date and time of officer's departure.

Note: Recordation of an officer's information, does not fulfill the requirement of out-of-jurisdiction officers who request authority to act as peace officers within the City (Manual Section 4/215).

202. FIELD INTERROGATION.

202.01 FIELD INTERVIEWS. When an officer questions a person in the field, the officer may record the details of that interview on a Field Interview Report (FI Card), Form 15.43.00, only in any of the following circumstances:

- When officers have reasonable suspicion that the subject is involved with, or possesses knowledge of, criminal activity;
- To document criminal activity, including on going or unsolved criminal activity that may be used in a later investigation;
- To memorialize a consensual encounter relating to either of the above two bullets;
- To document contact with a probationer or parolee;
- To document contact with an arrestee; and/or,
- To document contact for a non-criminal detention such as 5150 WIC or 300 WIC.

Note: Criminal activity may include, but is not limited to, suspected violations of the Los Angeles Municipal Code, as well as the California Vehicle Code and Penal Code.

The completion of an FI Card should be neither a routine task completed during all stops nor one completed in a random, arbitrary, or biased way. Moreover, because the Department has ceased using the CalGang database, **officers shall not complete an FI Card for every encounter with a suspected gang member unless its completion is consistent with at least one of the provisions above.**

The information captured on a FI Card should be relevant to an official investigation (initiated at the time or on-going). Completion of a FI Card shall not unnecessarily prolong a stop. The FI Card should be completed as soon as practicable after the stop has ended in order to maximize accuracy of the documented information. When completing an FI Card, officers should document relevant specific facts and observations including, but not limited to:

- The date, time and location of the interview;
- Details concerning how the subject being interviewed is dressed;
- Visible physical characteristics (e.g., tattoos or scars) of the subject being interviewed;
- Statements made by the subject at the time of the contact including any references made to gang membership); and,
- Any specific statements or facts relating the subject's knowledge of or involvement in criminal activity.

Note: The FI Card is meant to record **facts**. Officers shall not document opinions, including an opinion that the person is a member or affiliate of a gang, without also documenting on the back of the FI Card the specific and articulable facts upon which they base that opinion.

Except in conjunction with arrests or conditions of parole or probation (where required), an individual is not obligated to answer questions for the sole purpose of completing an FI Card.

Additionally, only officers assigned to a Gang Enforcement Detail (GED) may request to view obscured tattoos, scars or other marks of a person (e.g., a tattoo underneath a person's shirt and not otherwise visible). In such instances, officers shall be guided by the Department's Consent to Search Policy, as outlined in Administrative Order No. 22, dated November 20, 2020.

Officers who are not assigned to a GED shall not request to view obscured tattoos, scars or other marks of a person unless that person is arrested or legally detained.

Officers' contacts with the public shall be captured on Body Worn Video (BWV), as per Department Manual Section 3/579.15, Objectives of Body Worn video. Additionally, officers are reminded and encouraged to utilize their BWV equipment to capture facts and the pertinent visual perspectives pertaining to encounters and interactions during stops and detentions. For example, officers can use BWV to capture additional details regarding a person's clothing, tattoos, or physical description that may not fit in the limited space provided on the FI Card.

Limitation on Place of Birth Inquiries. Some members of the public may misperceive the purpose of inquiring about a person's birthplace when questioned during a law enforcement contact, especially when contacting the police as a victim or witness. To minimize the potential misperception and possible degradation of public trust, the following procedures shall be followed:

- **Victims, Witnesses and Temporarily-Detained Persons.** Officers shall not ask a victim, witness, or temporarily-detained person for their place of birth unless particular circumstances make it necessary in order to investigate a criminal offense.
- **Arrestees.** Department personnel may ask for and record an arrestee's place of birth in the narrative section of the FI Card when it is:
 - Required to book or process the arrestee for a criminal offense;
 - Required to comply with consular notification obligations;
 - Required to investigate a criminal offense; or,
 - Otherwise required by law.

Exception: When persons are arrested for public intoxication [Penal Code (PC) Section 647(f)], begging [PC Section 647(e)], or a misdemeanor traffic warrant, an FI Card need not be completed, unless there are indications of possible involvement in additional criminal activity.

Social Security Numbers. Social Security Numbers shall not be requested from subjects or witnesses interviewed and shall not be noted on an FI Card.

SUBJ INFO Field. Officers shall circle the "Homeless" category in the SUBJ INFO Field when a subject of an FI Card meets the definition of "Homeless" and officers shall document the specific and articulable facts upon which they base that conclusion, as defined in Department Manual Section 1/240.07, Police Contact with Persons Experiencing Homelessness. Officers shall also circle this category when a subject self-identifies to the officer at the time of completion of the FI Card that he or she is homeless or experiencing homelessness.

MULTIPLE SOURCE Box. Officers shall mark the "MULTIPLE SOURCE" box when information on the FI Card comes from a source other than the person contacted. Examples of additional sources include but are not limited to: prior contacts with the person, information from additional persons, roll call briefings, crime flyers, computer database inquiries, or social media. If officers check this box, they shall document the details regarding the additional source in the narrative portion of the FI Card. [i.e., name(s) of person's in the case of information from additional person(s); date(s) of prior contact(s) in the case of information from prior contact(s)].

DESTRUCTION OF ORIGINAL FI CARDS. The destruction for both original hard copy and electronic versions of the completed FI Card shall follow the same schedule as specified in Department Manual Section 3/203.10, Field Interview Report Procedures.

SUPERVISOR'S RESPONSIBILITIES. As part of their report processing procedures, field supervisors shall ensure that sworn personnel are utilizing the most current (active) Form 15.43.00 and that each FI Card is completed appropriately.

TRAINING DIVISION'S RESPONSIBILITY. Training Division shall provide sworn personnel, periodic training on the proper completion of Form 15.43.00.

RECORDS AND IDENTIFICATION DIVISION'S RESPONSIBILITIES. Records and Identification Division shall be responsible for the purging and destruction schedule for the original, hard copies of the FI Cards in accordance with Department Manual Section 3/203.10.

INFORMATION TECHNOLOGY DIVISION'S RESPONSIBILITIES. Information Technology Division shall be responsible for the purging and destruction schedule of the electronic versions of the FI Cards in accordance with Department Manual Section 3/203.10.

Note: As noted in Department Manual Section 3/203.10, "The number of FIs an officer produces should not be used as the sole measure of the officer's productivity." In addition, there shall not be an expectation of a certain number or type of FI Cards to be produced by an officer or a unit.

202.02 AUTOMATED FIELD DATA REPORTS/COMPLETION AND TRACKING.

Officer's Responsibilities. Sworn personnel assigned to any field, specialized, or investigative assignment (e.g., patrol, task force, detective, and plain clothes assignments) **shall** complete an

Automated Field Data Report (AFDR), Form 15.52.00, for **every person detained or searched** regardless of the initial reason for the encounter (e.g., traffic stop, pretextual stop, radio call, officer's observation, task force). All AFDR reports **shall** be completed immediately after the encounter. If exigent circumstances exist, the AFDR shall be completed as as soon as practicable, but no later than the end of watch.

Note: Personnel involved in a categorical use of force (CUOF) incident shall complete an AFDR for the incident pursuant to the direction of Force Investigation Division (FID).

Note: Incidents where an officer intentionally pointed a firearm at an individual shall be documented in the "Action Taken" box of the AFDR.

Overtime and Off-Duty Assignments. The same AFDR completion requirements also apply to officers working any:

- Overtime assignment to include but not limited to Cash Overtime Allotment for Scheduling and Timekeeping (COAST), Metropolitan Transit Authority (MTA), or bureau/Area/division overtime details; and,
- Off-duty uniformed assignment that is pursuant to a Memorandum of Understanding or other contractual relationship with the Department. These off-duty, uniformed assignments include, but are not limited to, Dodger games, Crypto.com Arena events, and the USC or NFL football game details.

Exceptions to Completion Requirements. Officers are not required to complete an AFDR in the following circumstances:

- Detentions that occur during public safety mass evacuations, including bomb threats, gas leaks, flooding, earthquakes, and other similar critical incidents;
- Detentions that occur during an active shooter incident, such as when an individual is actively engaged in killing or attempting to kill people in a populated area;
- Detentions or searches that occur during or as a result of routine security screenings required of all persons to enter a building, school or special event, including metal detector screenings and any secondary searches that result from that screening;
- Detentions that occur during a crowd control situation in which pedestrians are directed to remain at a location or routed to a different location for public safety purposes;
- Interactions during which persons are detained at a residence only, so that officers may check for proof of age for purposes of investigating underage drinking;
- Checkpoints or roadblocks in which an officer detains a person as the result of a blanket regulatory activity that is not based on an individualized suspicion or personal characteristic;
- Passenger(s) of traffic stops who are not the subject of an investigation or enforcement action [e.g., any person(s) being asked to exit the vehicle simply because it is being impounded];

- The targeted subject(s) of a warrant, search condition, home detention, or house arrest while in their residence; or,
- Consensual encounters that do not result in a search.

Perception. As set forth below, officers shall report their perceptions of specified characteristics regarding the person stopped, detained, or searched. Perception is considered to be the process through which an officer recognizes and interprets sensory information to draw a conclusion about the person being detained or searched. An officer's perception shall be based on personal observations only; he or she shall not ask another person for input or refer to an identification document or other written form to verify information about an individual. Perception can be decided prior to, during, or after the detention.

With respect to the person being detained or searched, the officer shall report his or her own perception regarding the following:

- Perceived race or ethnicity of the person detained;
- Perceived age of the person detained;
- Perceived gender of the person detained;
- Whether the person detained is perceived to be lesbian, gay, bisexual or transgender or questioning;
- Whether the person detained is perceived to have limited or no English fluency; and,
- Whether the person detained is perceived or known to have a disability.

Multiple Officers. When there are multiple officers at the scene and interacting with the detained or searched person(s):

- Only one officer shall submit the AFDR;
- The officer with the highest level of engagement (i.e., contact or interaction) is responsible for completing the AFDR; and,
- All actions taken by each officer in the detention or search shall be included in the AFDR.

Note: The primary unit of a call for service or self-initiated contact with a member of the public shall ensure that an AFDR is completed for the incident.

Multiple Agencies. If more than one agency is involved in the detention or search, the primary agency shall complete all of the AFDRs. If a non-reporting agency, such as the Federal Bureau of Investigation or Los Angeles County Probation Department, is the primary agency involved, a reporting agency, such as the Los Angeles Police Department or Los Angeles Sheriff's Department, is responsible for completing the AFDR(s).

Completion Requirements. Officers shall complete an AFDR electronically on the Department's Local Area Network (LAN), mobile phone application, or Mobile Digital Computer (MDC). Current electronic versions of the Officer AFDR Completion Guide and the

Supervisor AFDR Completion Guide are available on the LAN to provide guidance in completing the AFDR.

Note: Refer to Department Manual Section 4/296.01 for business cards completion requirements.

Note: If it is determined that an AFDR requires removal from the system, after the AFDR has been uploaded into the server, an Intradepartmental Correspondence, Form 15.02.00, shall be sent to the Commanding Officer, Application Development and Support Division.

If the AFDR system is inoperable or the officer is unable to access the AFDR system, the officer shall complete the California Department of Justice (Cal DOJ) Stop Data Collection Form. The purpose of this form is to document the AFDR detention or search data, so that the officer can accurately input this information into the AFDR System at a later time when access is gained, or at the officer's next regularly scheduled start of watch. Officers are encouraged to reference the Officer AFDR Completion Guide, when completing the delayed entry AFDR, for accuracy. Officers shall retain the hard copy Cal DOJ Stop Data Collection Form until the data is entered into the AFDR System. Once the data is entered into the AFDR System, the hard copy Cal DOJ Stop Data Collection Form shall be disposed of in a Department shredder.

Note: The AFDR Completion Guides and the Cal DOJ Stop Data Collection Form are accessible in the AFDR/Incident Tracking System link within the Applications setting on the Department's LAN or within the AFDR folder in the LAPD Applications Launcher (LAN or MDC).

Recording AFDR Information on Various Activity Reports and Logs. Officers completing an Electronic Daily Field Activities Report (e-DFAR) shall document the number of the AFDR (if any are required to be completed) for each incident.

Officers completing a Daily Field Activities Report (DFAR) or Traffic Daily Field Activities Report (TDFAR), Form 15.52.01, or appropriate log used by specialized divisions to record field activities shall record:

- The number of persons contacted during the stop. For example, the C# field on the DFAR/TDFAR shall indicate the number "1" if a single person is contacted;
- The number of AFDRs completed during the activity/incident. For example, the F# field on the DFAR/TDFAR shall indicate the number "1" if one AFDR is completed; and,
- The AFDR number generated by the system. For example, the Disposition field on the DFAR/TDFAR shall indicate "AFDR #12345678."

Supervisor's Responsibilities. Supervisors shall be responsible for:

Reviewing AFDRs in a timely manner to ensure that officers are properly completing the AFDR in accordance with the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide; and,
Editing or directing the completing officer to revise the narrative portions of the AFDR, when appropriate.

The new AFDR system includes data fields that require Department personnel to complete a narrative as it relates to the reason for the stop and basis for the search. The supervisor shall ensure that a legal basis for the detention and search (if applicable) is adequately articulated, as well as ensure the stop is accurately denoted as pretextual, when the explanation for the stop supports such a determination. In addition, the supervisor shall protect the anonymity of all parties involved by:

Ensuring there are no identifying characteristics listed of the person(s) or suspect(s) being stopped (e.g., name of individual, license plate number, date of birth, booking number); and,
Ensuring there are no identifying characteristics listed of the officer(s) involved (e.g., name, serial number, badge number).

Watch Commander's Responsibilities. Watch commanders shall be responsible for ensuring that supervisors review AFDRs for completeness and accuracy **in a timely manner**.

Commanding Officer's Responsibilities. Commanding officers shall be responsible for ensuring that:

- All employees in their command adhere to established guidelines for the completion of the AFDRs; and,
- **All AFDRs are reviewed by a supervisor in a timely manner.**

Force Investigation Division's Responsibilities. During the investigation of a CUOF incident, FID shall provide direction to the officer(s) involved to ensure the timely completion of the AFDR for the incident.

Application Development and Support Division's Responsibilities. Application Development and Support Division shall process and maintain the AFDR data in an electronic database.

Diversity Equity and Inclusion Division's Responsibilities. Diversity Equity and Inclusion Division shall maintain and update the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide, as necessary.

202.07 FEDERAL PRIVACY ACT - SOCIAL SECURITY NUMBER DISCLOSURE STATEMENT DURING FIELD DETENTION. When the Social Security number is requested in field situations, the following disclosure statement shall be made to the subject:

Federal law requires that you be informed, when asked for your Social Security number, that it must be provided for use in identification. Authority for requiring this information is based upon field interview procedures operational prior to January 1, 1975.

Note: If impractical to give before, this statement may be given after the Social Security number has been obtained.

Exception: In release-from-custody (RFC) situations, the statement is not required. (It is preprinted on the arrestee's copy.)

202.10 INTERROGATION OF SUSPECTS - ADMONITION OF MIRANDA RIGHTS.

Generally, Department employees should not conduct a custodial interrogation once a suspect in custody unequivocally invokes either the right to silence or the right to an attorney.

Note: If the suspect only invokes silence, this does not preclude investigators from seeking a waiver at a later time, as allowed by law.

When a major crime is involved, an officer shall not read the Miranda admonition to a suspect or question a suspect prior to consulting with the investigating officer (I/O) conducting the criminal investigation. Such cases include, but are not limited to, the following:

- Homicides;
- Crimes against persons resulting in injuries that require hospitalization of the victim;
- Crimes, excluding narcotics, that are the responsibility of a specialized detective division (e.g., bank robbery, arson, child abuse);
- Major narcotics cases that require specialized expertise (e.g., methamphetamine labs);
- Felony warrants/warrants, including fugitives; and,
- Any crimes that require extensive follow-up investigations.

For all other crimes, the arresting officer(s) or other assigned employee(s) should attempt to obtain a statement from an in-custody suspect after providing the Miranda admonition, unless otherwise directed by his or her watch commander or commanding officer.

Interrogating Officers – Responsibilities. When officers are conducting a custodial interrogation, the following procedures shall be followed:

- Officers shall read the Miranda admonition verbatim as delineated in the Officer's Notebook, Form 15.03.00

Note: Courtroom testimony shall also reflect that the Miranda admonition was read verbatim to the suspect.

- Officers shall document the suspect's responses to the Miranda admonition in the appropriate report;

- If the suspect does not unequivocally invoke his or her rights to silence and/or an attorney, the I/O shall conduct a non-coercive interrogation;
- If the suspect unequivocally invokes his or her rights to silence and/or an attorney at any time during the custodial interrogation, the officer should stop any questioning regarding the crime for which the suspect is in custody; and/or,

Exception: An I/O may conduct non-coercive questioning on matters related to public safety, e.g., location of a victim during a kidnapping or medical condition, location of a weapon, etc; or, matters unrelated to the crime for which the suspect is in custody, e.g., crimes in the area, local gang activity, etc.

- Any statements made by the suspect shall be documented in the appropriate report.

Commanding Officer's Responsibility. Area Commanding Officers shall be responsible for compliance with this Manual section.

202.20 INTERVIEWING ADULT AND JUVENILE ARRESTEES FOR ADMINISTRATIVE INVESTIGATIONS. The criminal investigation shall take precedence over the administrative investigation, e.g., use of force, vehicle pursuit, personnel complaint investigation, etc.; nevertheless, a Department employee conducting an administrative investigation should attempt to interview the suspect for administrative investigations.

When conducting a custodial interview of a suspect for an administrative investigation, the following procedures shall be followed:

- When a major crime is involved, as identified in Manual Section 4/202.10, the administrative I/O shall coordinate with the criminal I/O to conduct the administrative interview. If no major crime is involved, the administrative I/O should proceed, when practical;
- Prior to any questioning, the administrative I/O shall determine if the suspect had been read the Miranda admonition and the suspect's responses;
- If the suspect had not been read the Miranda admonition, the administrative I/O shall read the Miranda admonition verbatim as delineated in the Officer's Notebook and document the suspect's responses to the Miranda admonition in the appropriate report;
- If the suspect does not unequivocally invoke his/her right to silence and/or an attorney, the I/O shall conduct a non-coercive administrative interview;
- If the suspect does unequivocally invoke his/her right to silence and/or an attorney, the administrative I/O should advise the suspect that the interview is for a Department administrative investigation, ask the suspect if he/she will answer questions for the administrative investigation, and conduct a non-coercive administrative interview only if the suspect agrees to be interviewed; and,
- The administrative I/O shall document any statements made by the suspect in the appropriate administrative report or in a Follow-Up Investigation, Form 03.14.00, if the interview occurs after the completion of the initial reports.

Note: The report shall include the date and time of the interview, the name of the person(s) interviewed and the name of the Department employee who conducted the interview. The report shall also include when the statements were given, e.g., after the Miranda admonition, after the administrative interview advisement, etc. This report shall be provided to the criminal I/O and shall list the original crime/arrest Division of Records number as a related report.

202.30 INTERROGATION OF JUVENILES. When an officer takes a person 17 years of age or younger into temporary custody for a 601 or 602 Welfare and Institution Code (WIC) offense, the officer shall take immediate steps to notify the minor's parent, guardian, or a responsible adult that the juvenile is in custody and the place where the juvenile is being held. Additionally, officers shall advise the juvenile as follows:

- “You have the right to remain silent;”
- “Anything you say may be used against you in court;”
- “You have the right to the presence of an attorney before and during any questioning;”
- “If you cannot afford an attorney, one will be appointed for you, free of charge, before any questioning, if you want;” and,
- “You must seek legal counsel in person, by telephone, or by video conference prior to waiving your rights.”

This consultation may not be waived.

Officers shall provide juveniles with telephone access and the telephone number of the Los Angeles County Public Defender's Office, if the juvenile does not have their own attorney.

Note: If no interrogation is sought, only read the admonition. Do not ask the question: “Do you understand?”

Note: An interrogation prior to legal counsel may only be conducted in exigent circumstances where an officer reasonably believes that information sought is necessary to protect life or property and the questioning is reasonably necessary to obtain that information. Circumstances shall be documented in the appropriate Department reports, including in the “Comments” section of the Juvenile Arrest Supplemental Report, Form 05.02.06.

Officers **shall not** seek a waiver unless they intend to interrogate, and the juvenile has consulted legal counsel in person, by telephone, or by video conference. The 625 WIC advisement may be given anytime during the period that the juvenile is in police custody. Officers shall be aware of the six-hour rule when conducting the interrogation of a juvenile in custody (see Department Manual Section 4/202.10).

Note: Providing the Miranda admonition for interrogation purposes will fulfill the 625 WIC requirement.

An advisement per 625 WIC shall be given in, but is not limited to, the following situations:

- Any juvenile taken into temporary custody/arrested by the Los Angeles Police Department on a 602 WIC offense where investigative responsibility lies with another division or police agency;
- Any juvenile arrested on a 601/602 WIC warrant or 602 WIC offense, wherein the investigator assigned to that case would be unable to interrogate the juvenile prior to the expiration of the six-hour rule; and,
- Any juvenile detained on a 601/602 WIC offense who is not booked but is placed in handcuffs, placed in the back of a police vehicle, transported by a police officer, or placed in some other situation that would indicate a restraint on the freedom of movement of such degree associated with a formal arrest.

Officers shall not employ threats, physical harm, deception, or psychologically manipulative interrogation tactics during a custodial interrogation of a juvenile 17 years of age or younger, related to the commission of a misdemeanor or felony.

For the purposes of this section, “deception” includes, but is not limited to the following:

- The intentional communication of false facts about evidence;
- The intentional misrepresentation of the accuracy of the facts; or,
- Providing false statements to the juvenile regarding leniency.

For the purposes of this section, “psychologically manipulative interrogation tactics” include, but are not limited to the following:

- Maximization, which includes techniques to scare or intimidate the person by repetitively asserting the person is guilty despite denials or exaggerating the magnitude of the charges or strength of the evidence; or,
- Minimization, which involves making light of the moral seriousness of the offense;

Note: Minimization falsely communicates that the juvenile’s alleged conduct is justified, excusable, or accidental.

- Making direct or indirect promises of leniency, such as indicating the person will be released if the person cooperates; and,
- Employing a false or forced choice strategy, where the juvenile is encouraged to select one of two incriminating options, but one is characterized as morally or legally justified or excusable.

Example: Investigators present the detained juvenile with the option of:

1. Confessing to a crime (even though the juvenile did not commit the crime) in exchange for a lighter sentence; or,

2. The juvenile maintains their innocence, and the investigator threatens to conduct a lengthy investigation which could take months during which time the juvenile would remain in custody (i.e., facing potential harm from other inmates).

Exception: This section does not apply to interrogations of a person 17 years of age or younger if the officer who questions the juvenile reasonably believes the information sought is necessary to protect life or property from an imminent threat and the questions asked by the officer are limited and are reasonably necessary to obtain information related to the imminent threat.

Documentation. Officers shall document in the narrative portion of the arrest report, “The juvenile was advised per 625 WIC,” as well as document whether an attorney was contacted. If the juvenile was detained and issued a (Traffic) Notice To Appear, Form 04.50.00, “625 WIC” must be printed on the bottom left-hand corner of the narrative portion of the citation. If the juvenile was detained and no formal arrest was made nor a citation issued, then the 625 WIC advisement may be documented on the Daily Field Activities Report, Form 15.52.00; Sergeant’s Daily Report, Form 15.48.00; Watch Commander’s Daily Report, Form 15.80.00; or, in the investigating officer’s Detective Case Tracking System (DCTS) notes.

Note: If a person 17 years of age or younger is transported to the station, the 625 WIC advisement shall be documented on a Form 09.05.00, Secure Juvenile Detention Log, or Form 09.06.00, Non-Secure Detention Log.

Gladys R. Admonition. If a juvenile under the age of 14 years is suspected of committing a crime, the juvenile shall not be asked any questions from the Gladys R. Questionnaire unless the juvenile has consulted legal counsel in person, by telephone, or by video conference (See Department Manual Section 4/202.10).

If the officer plans on interrogating the juvenile, the juvenile section of the Gladys R. Questionnaire shall be completed after the Miranda admonition has been given, but before the questioning begins. The parent, guardian, or other responsible adult section may be completed any time prior to filing the case with the District Attorney’s Office. The purpose of the Gladys R. Questionnaire is to assist the District Attorney’s Office in proving that the juvenile understood the wrongfulness of their act.

Every effort should be made to locate and interview the parent, guardian or other responsible adult having contact with the juvenile to complete their section of the Gladys R. Questionnaire prior to filing a criminal case with the District Attorney’s office.

If a parent or guardian refuses to be interviewed or cooperate, and no other responsible adult having contact with the juvenile can be located and/or refuses to be interviewed, the word “Refused” should be written next to the parent/guardian name on the form, and the circumstances surrounding the refusal shall be documented on a Follow-up Investigation, Form 03.14.00. A copy of the Follow-up Investigation report shall be submitted to the District Attorney’s Office at the time of filing.

Note: A Gladys R. Questionnaire is **not** required if the juvenile is only being admonished per 625 WIC.

Documentation of Custodial and Non-Custodial Interrogation – Adults and Juveniles.

Custodial interrogations, or any statement that requires a signature, shall be documented on the Investigative Action/Statement Form, Form 3.11.20. Non-custodial statements shall be documented on a Continuation Sheet, Form 15.09.00, or a blank sheet of paper.

Note: Officers shall refer to the General Reporting Instructions, Field Notebook Divider, Form 18.30.00, for directions on completing Investigative Action/Statement Forms.

Watch Commander's Responsibilities. In circumstances when an officer has detained or taken a juvenile 17 years of age or younger into custody, the watch commander shall:

- Confirm the juvenile was properly advised per Section 625 WIC;
- Ensure arresting/detaining officers complete Form 09.05.00, Secure Juvenile Detention Log, or Form 09.06.00, Non-Secure Juvenile Detention Log;
- Confirm sworn personnel adhere to Section 625.6 WIC;
- Verify that the above information has been properly documented under the Arrest heading of the arrest report; and,
- Ensure that the arresting/detaining officers took immediate steps to notify a minor's parent, guardian, or a responsible adult that the juvenile is in custody and the location where the juvenile is being held.

Commanding Officer's Responsibility. Area Commanding Officers shall be responsible for compliance with this Manual Section.

202.60 IDENTIFICATION NECESSARY TO OBTAIN RECORDS AND

IDENTIFICATION INFORMATION. An officer requesting information from Records and Identification Division by telephone shall identify himself by name and serial number and shall obtain the name of the person to whom he/she speaks.

202.64 WANT, RECORD, AND VEHICLE REGISTRATION INFORMATION. The following words shall be used in requesting information concerning suspects and vehicles:

Want (Suspect): To determine any want or hold on the suspect.

Record: To determine any want, hold, or criminal record on the suspect.

Want (Vehicle): To determine whether a vehicle has been stolen, impounded, or is wanted by the police for any reason.

DMV (Department of Motor Vehicles): To obtain information regarding the registration of the vehicle.

202.80 DUE DILIGENCE REQUIREMENT.

Arresting Officer's Responsibility. Whenever a suspect is arrested, it shall be the responsibility of the arresting officer, prior to booking, to verify whether the arrestee is the subject of an arrest warrant.

Exception: It shall be the responsibility of the personnel at the concerned jail facility to check arrestees for warrants, subsequent to booking, when an arrestee is:

- Booked at a field jail unit; or,
- Transported to Metropolitan Jail Section via a "B" wagon and booked 647f P.C. (Plain Drunk).

Arresting officers shall determine whether the information given to the detention officer by an arrestee is the same information used by the arresting officer who checked the arrestee for warrants. When any discrepancy is noted, the arresting officer shall use the new information to recheck the arrestee for warrants (Manual Section 4/725.09).

203. PRELIMINARY FIELD INVESTIGATION AND REPORTS.

203.05 CRIME SCENE LOG. This form is used to record information regarding all persons entering or assigned to a major crime scene. The form will be initiated by the first unit at the scene and continued by the unit handling the call.

Upon completion, the form shall be given to the concerned investigating officer.

203.10 POLICE CUSTODY ADVICE FOR SERIOUSLY ILL OR INJURED FELONY SUSPECTS WHO ARE HOSPITALIZED AT A LOCATION OTHER THAN LAC - USC MEDICAL CENTER. When a felony suspect is hospitalized and his condition prevents a transfer to the Jail Ward of the LAC-USC Medical Center, the investigating officers shall immediately conduct a preliminary investigation to determine whether it is imperative that the arrestee be placed in police custody. If police custody is determined to be necessary, the investigative watch commander shall be notified for the purpose of ensuring that such custody is provided. An additional notification to the Department Command Post shall be made for the purpose of completing the 24-Hour Occurrence Log.

Note: When the investigating officers are not available, the investigative watch commander shall cause the preliminary investigation and determination to be made. (See also Manual Section 4/602.10)

203.12 CITY ATTORNEY DISCLOSURE STATEMENT. Officers shall complete a City Attorney Disclosure Statement, Form 05.02.09, for every adult felony and misdemeanor arrest report completed.

Exception: Officers involved in an investigation resulting in the completion of a juvenile arrest report or a homicide arrest report are exempt from these requirements. Acceptable exemptions are limited to:

- Threats or possible danger to the safety of a victim or witness;
- Possible loss or destruction of evidence; or,
- Possible compromise of other investigations by law enforcement.

Officers' Responsibility. Only officers **completing** felony or misdemeanor arrest reports shall read and sign the City Attorney Disclosure Statement, Form 05.02.09. Other officers involved in the arrest shall be listed under part five of the Form 05.02.09.

Note: Mere presence at the scene of an incident does not require the listing of an officer's name. An involved officer is one who can offer substantive testimony regarding the matters specified in the Disclosure Statement. If there is any doubt as to whether or not an officer or any other witness should be listed, they should always be listed.

The Disclosure Statement shall be attached (not stapled) to the arrest report; however, it shall not be a page of the arrest report.

Officers completing the Disclosure Statement shall not alter or modify the form in any way.

Supervisor's Responsibility. Supervisors shall ensure that a City Attorney Disclosure Statement is signed and attached (not stapled) to all arrest reports, and that the Disclosure Statement has not been altered or modified in any way.

Detectives' Responsibility. When detectives receive a felony arrest report, they shall keep the Disclosure Statement in the Detective's Case Envelope, Form 15.15.00, or other appropriate case envelope.

Note: The City Attorney Disclosure Statement shall not be included in reports presented to the District Attorney for felony filings.

If the arrest is for a felony, but at the time of filing the District Attorney refers the case to the City Attorney or the case is otherwise reduced to misdemeanor status, the detective shall remove the Disclosure Statement from the case envelope and submit it with the arrest report to the City Attorney for filing.

203.15 COMBINED REPORTING. An employee conducting a preliminary investigation may combine the following reports, as appropriate:

- Combined Crime and Arrest Report (Manual Section 4/216.14);

- Combined Evidence and Arrest Report (Manual Section 4/216.15); and/or,
- Combined Evidence and Investigative Report when up to three items of evidence are booked, the reporting employee shall:
 - Check the "Combined Evidence" checkbox at the top of the Investigative Report;
 - Complete the "Combined Evidence Report" section on the face of the report;
 - Enter details relating to the evidence in the narrative of the Investigative Report; and,
 - Forward a copy of the Investigative Report face sheet with the evidence.
- Combined Evidence and Investigative Report when a firearm or more than three items of evidence are booked, the reporting employee shall:
 - Check the "Combined Evidence" checkbox at the top of the Investigative Report;
 - Complete the shaded areas of the Property Report, including details and listing of the evidence;
 - Number the Property Report as the last page of the Investigative Report; and,
 - Forward a copy of the Property Report, stapled to the Investigative Report face sheet, with the evidence.

Exceptions: A Combined Evidence and Investigative Report shall not be used when:

- The Evidence is related to previously booked evidence.

Note: In this case, a separate Property Report shall be completed in its entirety. The original DR number shall be used, and the items shall be numbered starting with the next sequential item number.

- The evidence is booked to other than the primary victim of the Investigative Report (i.e., the victim listed at the top of the Investigative Report.);
- Reporting additional license plates.

Note: One plate, or set of plates, may be reported using the combined procedure. Each additional plate, or set of plates, requires a separate report with a separate DR number. (Manual Section 5/040.56)

- The booking employee's supervisor determines that the use of a separate complete Property Report would be a more expedient means of booking the evidence under the given circumstances.

203.20 INVESTIGATION BY FIELD UNITS. Field units assigned to calls or discovering incidents requiring reports, except as prescribed in Manual Section 4/203.30, are responsible for the preliminary investigation and the preparation of all necessary reports. The preliminary investigation must include, whenever applicable, canvassing the area for additional witnesses. Additionally, the canvassing efforts and results must be documented under the "Canvassing" heading in the narrative of the report. In those instances where concerned

investigating officers or specialized units respond to the scene and desire to conduct the preliminary investigation, they will notify the assigned unit that they are taking over at that time and will prepare all necessary reports. The unit thus relieved will then:

- Give the investigative unit all pertinent evidence or information in their possession;
- Prepare an Investigative Action/Statement Form and provide it to the primary unit, if required;
- Assist the investigating officers where necessary or requested;
- Assist in the preparation of the reports when necessary to maintain continuity of evidence, or, when requested by the investigating officers, to assure complete and accurate reporting;
- Make appropriate entries on the Daily Field Activities Report, Form 15.52.00, as to the disposition of the call and the identity of the investigative unit relieving them; and,
- Return to their prior assignment when no further assistance is required by the investigative unit.

Note: If the area has not been canvassed and concerned investigating officers or specialized units respond to the scene and take responsibility for conducting the preliminary investigation then they will be responsible for canvassing the area.

Note: Dead-body calls (except traffic) must be handled as prescribed in Manual Sections 4/238.40 and 4/238.83. Abortion investigation-calls must be handled as prescribed in Manual Section 4/212.12.

203.21 INVESTIGATIVE ACTIONS

Sworn Personnel Responsibilities. Sworn personnel making separate significant contributions to an investigation (other than primary officer) shall:

- Document their actions and observations on an Investigative Action/Statement Form, Form 03.11.20; and,
- Upon completion, provide the Investigative Action/Statement Form to the primary officer, to be included with and numbered as a page of the original report.

Note: If two partner officers are involved in a situation in which their individual actions / observations that are indistinguishable (e.g., same time, place, etc.), a single form is appropriate. If additional space is needed, a Continuation Sheet, Form 15.09.00, shall be used.

Exception: If the officer is not responsible for any significant portion of the investigation (i.e., the officer stood a perimeter guard post), no officer statement is needed. The at-scene supervisor shall have the final decision as to whether a responding officer, regardless of division of assignment, shall complete an Investigative Action / Statement Form.

Primary / Arresting Officer's Responsibilities. When documenting the statement of an officer's actions/ observations, it is not necessary to re-write everything contained within the statement. Any information elemental to the crime and/or arrest shall be briefly paraphrased

with a reference to the statement where the detailed information can be found. The officer completing the report shall ensure that all Investigative Action/Statement Forms are included with and numbered as a page of the original report.

Example: Officer Smith observed the handgun in the suspect's waistband (See statement of Officer Smith, page no. 3).

Officers are reminded that, at the time of arrest, arresting officers must have specific knowledge of all elements of the crime for which the suspect has been arrested. Officers should be able to articulate that knowledge, including how and when it was obtained, and shall document it within the report narrative.

Note: Investigative Action/Statement Forms completed after distribution of the initial investigative report shall be attached to a Follow-Up Report, Form 03.14.00, and submitted to the concerned Records personnel for distribution to Records and Identification Division.

Exception: Debriefing of suspects for intelligence purposes (not related to the investigation) shall be documented on a separate Investigative Action/ Statement Form, Form 03.11.20. The debriefing statement shall be forwarded to the concerned investigative division and shall not be included as a page of the original report.

203.22 CASE SCREENING FACTORS. An employee conducting a preliminary investigation of an incident reportable on an Investigative Report, Form 03.01.00, shall check the applicable boxes under the Case Screening Factor Section of the report. If all of the factors are present (all of the boxes are checked), "Short-Form" reporting applies.

A Short-Form Investigative Report may be taken when all of the following conditions exist:

- Suspect/vehicle was not seen;
- Prints or other evidence were not present;
- MO was not distinct;
- Property lost was less than \$5000;
- There was no serious injury to the victim; and,
- There was only one victim.

If any of these conditions are not present, the Investigative Report shall be completed in its entirety.

Exception: A "Sort-Form" Investigative Report shall not be completed for domestic violence-related investigations. A narrative is required.

203.23 STATEMENT DOCUMENTATION. When documenting statements, either within the narrative of the associated report, on the Investigative Action/Statement Form, Form 03.11.20, or CHP Form 556 Supplemental Report, officers shall adhere to the following guidelines:

Verbatim Statements. Verbatim statements shall be written in the first person and should resemble the wording of the interviewed individual as closely as possible.

Paraphrased Statements. Paraphrased statements shall be written in the third person. The interviewing officer may specifically quote words or phrases within a paraphrased statement by enclosing the words or phrases with quotation marks.

Additional Information. Information not included elsewhere on the form should follow the statement narrative if not already covered in other areas of the report. This information may include, but not be limited to: LA, MAIN, CII Nos. (rap sheets may be attached), description of interviewee's vehicle, gang affiliation, the interviewee's connection with the case, etc. If additional space is needed, a Continuation Sheet, Form 15.09.00, shall be used.

Signature of Person Providing Statement. Investigating officers should, when appropriate, have the person (non-Departmental personnel) providing a statement sign and date the interview statement. The following notation shall be included at the end of each statement prior to the signature:

"I have read my entire statement and to the best of my knowledge it is correct. I made this statement freely and voluntarily."

The officer shall have the person providing a statement initial before and after any corrections made to the text of the statement and at the end of the last sentence on each page used to record the statement.

203.25 REPORTING INCIDENTS MOTIVATED BY HATRED OR PREJUDICE. It is the policy of the Department to safeguard the rights of all individuals irrespective of their race or ethnicity, nationality, immigration status, religion, sexual orientation, gender, gender identity or gender expression, disability (whether temporary, permanent, congenital and no matter how it is acquired), and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence motivated by hate or bias, including property damage, harassment, intimidation, or other crimes shall be viewed very seriously and given high priority.

Hate Crime-Defined. Pursuant to Penal Code Sections 422.55 and 422.56, a hate crime is any criminal act or attempted criminal act directed against a person(s), public agency, or private institution based in whole or in part on the victim's actual or perceived race or ethnicity, nationality, religion, sexual orientation, disability, or gender; or, because the victim is associated with a person or group with one of those actual or perceived protected characteristics.

As stated in Penal Code Section 422.87, a "**bias motivation**" is a pre-existing negative attitude toward actual or perceived characteristics referenced in Penal Code Section 422.55 (see characteristics from Hate Crime Definition above). Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, discriminatory selection of victims (i.e., targeting), resentment, revulsion, contempt, unreasonable fear,

paranoia, callousness, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim's actual or perceived protected characteristic, or association with a person with an actual or perceived protected characteristic, including – but not limited to – disability or gender.

A hate crime includes the following types of conduct motivated by bias:

- Any willful act that by force or threat of force injures, intimidates, threatens, or oppresses any other person, or interferes with the person's free exercise or enjoyment of any legal right(s) or privilege(s);
- Any willful act that defaces, damages, or destroys the real or personal property of any other person or entity for the purpose of intimidating or interfering with the free exercise or enjoyment of any legal right(s) or privilege(s); or,
- Hanging a noose, placing or displaying a sign or symbol (such as a Nazi swastika), or burning or desecrating a religious symbol (such as a cross) on the private property of another without authorization, or at a school, for the purpose of terrorizing a person, as provided in Penal Code Section 11411.

Statutory Definitions. California Penal Code Section 422.56 defines the following terms and phrases:

“Association with a person or group with [the] actual or perceived characteristics,” includes advocacy for, identification with, or being on the property owned, rented by, or adjacent to the individual, family, community center, educational facility, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person which has, or is identified with the person who has the characteristic targeted.

“Disability” includes mental and/or physical disability, as defined in Government Code Section 12926, regardless of whether said disability is temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

“Gender” means sex and includes a person's gender identity and gender expression.

“Gender expression” means a person's gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

“In whole or in part because of,” means that the bias motivation must be a cause in fact of the offense, whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that the crime would not have been committed but for the actual or perceived characteristic. This subdivision does not constitute a change in, but is declaratory of, existing law under *In re M.S.* (1995) 10 Cal. 698 and *People v. Superior Court (Aishman)* (1995) 10 Cal. 4th 735.

“Nationality” includes country of origin, immigration status, including citizenship, and national origin.

“**Race or ethnicity**” includes ancestry, color, and ethnic background.

“**Religion**” includes all aspects of religious belief, observance and practice and includes agnosticism and atheism.

“**Sexual orientation**” means heterosexuality, homosexuality, or bisexuality.

“**Terrorize**” means to cause a person of ordinary emotions and sensibilities to fear for their personal safety.

“**Victim**” includes but is not limited to, a person, individual, family, group, entity, community center, educational facility, office, meeting hall, place of worship, private institution, public agency, library, or other victim or intended victim of the offense.

Hate Incident-Defined. A hate incident is any non-criminal act, including words, directed against a person(s) based on that person’s actual or perceived protected characteristics. Hate incidents are differentiated from hate crimes because they do not violate and are not punishable under criminal law statutes. Rather, such incidents are generally protected free speech under the First Amendment of the U.S. Constitution.

Hate incidents include, but are not limited to, epithets, distribution of hate material in public places, posting of hate material on public property that does not result in property damage, and the display of hate material on one’s own property. However, if over an extended period of time a person directs numerous bigoted, biased, or prejudiced statements to the same person, such a pattern of conduct could rise to the level of unlawful criminal harassment or stalking under certain state laws, including but not limited to California Penal Code Section 646.9 – Stalking.

In compliance with California Penal Code Section 422.87, officers shall specifically evaluate the following when investigating a **crime or incident of suspected disability-bias**:

- Whether there is any indication that the suspect was motivated by hostility or other bias, occasioned by factors such as, but not limited to:
 - Dislike of persons who arouse fear or guilt;
 - A perception that persons with disabilities are inferior and therefore “deserving victims”;
 - A fear of persons whose visible traits are perceived as being disturbing to others;
 - Resentment of those who need, demand, or receive alternative educational, physical, or social accommodations; and,
- Whether there is any indication that the suspect perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes, but is not limited to, if a suspect targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those

circumstances could be evidence that the suspect's motivations included bias against persons with the perceived disability of the victim and that the crime shall therefore be reported as a suspected hate crime and not a mere crime of opportunity.

In compliance with California Penal Code Section 422.87, when investigating **a crime or incident of suspected religious-bias**, officers shall specifically evaluate whether there were targeted attacks on, or biased references to, symbols of importance or articles considered of spiritual significance in a particular religion. Examples of religions and such symbols and articles include, but are not limited to:

- In Buddhism, statues of the Buddha;
- In Christianity, crosses;
- In Hinduism, forehead markings, known as bindis and tilaks, Aum/Om symbols, and images of deities known as murtis;
- In Islam, hijabs;
- In Judaism, Stars of David, menorahs, and yarmulke; and,
- In Sikhism, turbans, head coverings, and unshorn hair, including beards.

The general underreporting of hate crimes, especially anti-disability and anti-gender crimes is an identified issue in California. Underreporting is caused by victims not reporting hate crimes or hate incidents due to a number of factors, including fear of reprisal and the belief that law enforcement will not properly investigate them. The Department recognizes the prevalence of underreporting of hate crimes in the City, and its commitment to vigilantly identify, document, investigate, and pursue prosecution of hate crimes is one of its strategic enforcement goals.

The bias motivation, or "**Hatred or Prejudice**" need not be the main, sole, or a major factor when classifying a crime or incident to be motivated by hatred or prejudice. Department personnel will classify reports as motivated by hatred or prejudice when evidence of such motivation, whether direct or circumstantial, is present.

As a result of community engagement efforts, the Department has developed an additional reporting option for **Hate Incidents**, through its Community Online Reporting Service (CORS) within the public facing website.

Note: Online reporting of hate incidents does not require the completion of supplemental forms at the time of reporting. A hate incident/crime resource pamphlet will be automatically sent to the individual filing the report via e-mail upon submission of an online hate incident report.

The following delineates Department personnel's specific responsibilities for at scene/in person and CORS online reporting.

Employee's Responsibilities. A Department employee (either civilian or sworn) who becomes aware of a crime or incident motivated by hatred or prejudice shall:

- Investigate the crime or incident in a timely manner directly, or by way of notification to the appropriate personnel, entity, and/or agency if:

- The employee is personally involved in the incident; or,
- The employee is made aware of the incident while off-duty.
- Notify the watch commander of the Area of occurrence;
- Notify the Department Operations Center (DOC), Communications Division, and document the notification in the related report;
- Complete the appropriate incident, crime, or arrest report(s) and check the “MOTIVATED BY HATRED/PREJUDICE” box. If the incident does not constitute a specific crime, the Investigative Report (IR), Form 03.01.00, shall be titled “Hate Incident;”
- Enter the protected characteristic, along with the specific hate crime/incident facts into the Modus Operandi (MO) box for coding purposes;
- Complete the Hate Crime Supplemental Report, Form 03.01.05;
- Complete the Request for Confidentiality of Information, Form 03.02.00 (not required for **Hate Incidents or if the victim is a business**);
- Provide the victim with a Hate Crime Resource Pamphlet, Form 15.91.00, and a Marsy’s Law pamphlet; and,
- Ensure that every available resource, including but not limited to, language interpreters, Crisis Response Teams, information on local advocacy groups, etc., is provided to victims of Hate Crimes and Hate Incidents. Department employees shall also be guided by Training Bulletin Volume XLIX, Issue 12, dated November 2020, and titled, “Foreign Language Interpreters and Resources,” when an individual speaks a foreign language.

Investigation by Field Units. Field units assigned to calls or discovering crimes or incidents motivated by hatred or prejudice shall:

- Investigate the crime or incident and take appropriate action;
- Telephonically notify the watch commander of the crime or incident;
- Request a field supervisor to their location;
- Complete an IR and/or Arrest Report, Form 05.02.00, on all crimes or incidents motivated by hatred or prejudice and check the “MOTIVATED BY HATRED/PREJUDICE” box;

Note: An IR shall be completed whenever an officer becomes aware of any incident, whether criminal or non-criminal which meets the criteria of an incident motivated by hatred or prejudice. Officers shall not direct a reporting person to the CORS platform to make a report. The unwillingness of the victim related to an incident motivated by hatred or prejudice to sign a report, or the absence of a victim to the incident, does not exempt officers from the requirement to complete an IR regarding the incident.

- Enter the protected characteristic along with the specific hate crime/incident facts into the Modus Operandi (MO) box for coding purposes;
- Complete the Hate Crime Supplemental Report and attach it as the last two pages of the IR and/or Arrest Report;
- Complete the Request for Confidentiality of Information (not required for **Hate Incidents or if the victim is a business**); and,

- Provide the victim with a Hate Crime Resource Pamphlet and a Marsy's Law Resource Pamphlet.

If the circumstances of an incident do not provide the corpus delicti of a specific crime, officers shall complete a short form IR titled "Hate Incident." In cases where there is no specific crime, officers shall not list persons possibly responsible for the incident as suspects, rather such persons shall be listed in the "Involved Persons" section of the IR.

Note: Absent reasonable suspicion of a crime, officers do not have the legal authority to detain persons involved in a Hate Incident, where the individual is exercising their constitutional right to free speech.

When investigating a crime, officers should remain mindful that there are, at times, individuals who call the police and make false or ill-informed claims of misconduct about persons they dislike or are biased against (e.g., ethnic and religious minorities, immigrants, disabled individuals, homeless people). California Assembly Bill 1775 (enacted on September 30, 2020), reiterates the Ralph Civil Rights Act of 1976, whereby it not only prohibits, but also assesses civil and criminal penalties for instances when an individual knowingly and willfully threatens to notify, contacts, or files a false claim with law enforcement personnel in furtherance of their bias(es) against another.

Therefore, Department personnel must be vigilant in their investigations with presumptive victims and witnesses, so as not to engage in bias-motivated detentions, interrogations, or arrests. As in all situations, officers are reminded to act professionally and accurately evaluate the facts and risks of each individual case. A biased individual who makes a report to the police can generate accusatory claims by police and outraged denials of wrongdoing by the accused all of which can lead to unjust outcomes.

Supervisor's Responsibilities. A supervisor assigned to the scene of an incident motivated by hatred or prejudice shall document their response and actions on a Sergeants Daily Report, Form 15.48.00. The supervisor shall:

- Immediately respond to the scene;
- Ensure that an IR, and/or Arrest Report, along with the Hate Crime Supplemental Report, and Request for Confidentiality of Information (where appropriate) are completed for crimes or incidents motivated by hatred or prejudice; and,
- Ensure the victim was provided a Hate Crime Resource Pamphlet and a Marsy's Law Resource Pamphlet.

Watch Commander's Responsibilities. Upon notification that a crime or incident motivated by hatred or prejudice has occurred, the watch commander shall:

- Direct a supervisor to immediately respond to the scene of a crime or incident motivated by hatred such as where there is major property damage involved, injury to a victim, or vandalism to a house of worship;

- Notify the DOC, for inclusion of the crime or incident in the Chief of Police 24-Hour Occurrence Log;
- Notify Criminal Conspiracy Section (CCS), Major Crimes Division (MCD), of any incident involving a place of worship;
- Review all reports for completeness and accuracy (e.g., hate crime vs. hate incident):
- Ensure that the “MOTIVATED BY HATRED/PREJUDICE” box is checked;
- Ensure that the Hate Crime Supplemental Report is completed;
- Ensure that the reporting officers have completed the Request for Confidentiality of Information where appropriate;
- Ensure that the victim has been provided a Hate Crime Resource Pamphlet and a Marsy’s Law Resource pamphlet;
- Make an entry regarding the matter in the Watch Commander’s Daily Report, Form 15.80.00;
- Forward a copy of the Watch Commander’s Daily Report entry along with a copy of the Sergeant’s Daily Report, Form 15.48.00, documenting the contact with the victim to the Area Hate Crime Coordinator;
- Cause the reports to be distributed as soon as possible via the Records Unit, but no later than the end of watch;
- Forward a copy of the report to the DOC; and,
- Notify the Community Relations Officer (CRO) to liaise with the affected community in the Area and document the notification on the Watch Commander’s Daily Report.

Records Unit’s Responsibilities. Upon receipt of a crime or incident report in which the suspect’s actions were motivated by a hatred or prejudice, Area Records Unit personnel shall:

- Enter the information into the Consolidated Crime Analysis Database (CCAD);
- Ensure that the appropriate crime code for a hate crime report/arrest, or hate incident has been correctly denoted;
- Process and Approve the CORS Hate Incident report, by assigning a DR number;
- Ensure that the appropriate crime code (999) for an online hate incident has been correctly denoted;
- Denote the appropriate corresponding Modus Operandi (MO) code of 0903 in CCAD for hate crime reports and arrests;
- Denote the Uniform Crime Reporting (UCR) crime code of 999 with an MO code of 0921 for Hate Incident reports;
- Denote the appropriate corresponding Bias and Sub Bias MO codes; and,
- Distribute the report(s) as soon as possible, but no later than 24 hours after the report is taken. In addition to the established distribution, an extra copy of the IR and Arrest report shall be distributed to:

- 1 – Detective Bureau;
- 1 – CCS, MCD;
- 1 – Public Engagement Section (PES), Office of Operations;
- 1 – Hate Crimes Coordinator’s investigative designee, Robbery-Homicide Division (RHD); and,
- 1 – DOC.

Area Crime and Community Intelligence Center Responsibilities. Area Crime and Community Intelligence Center personnel shall:

- Review all area crime, arrest, and follow-up reports to determine whether any incidents were motivated by hatred or prejudice;
- Verify that the information entered into CCAD for any incident motivated by hatred or prejudice is accurate;
- Ensure the appropriate crime code as well as the corresponding MO code for a hate crime report/arrest, or a hate incident has been correctly denoted in CCAD;
- Ensure the appropriate enhancement MO codes for Victim Targeted and bias have been correctly denoted in CCAD;
- Notify the assigned investigator to complete a Follow-Up Report, reclassifying the case as a Hate Crime or Hate Incident if needed;
- Provide Crime Analysis Mapping System (CAMS) browser on hate crime report/arrest or a hate incident to the Area Hate Crime Coordinator.

Detective's Responsibilities. A detective assigned to investigate a crime or incident motivated by hatred or prejudice shall:

- Contact the victim within 10 days of a hate crime and 30 business days (not including MOU holidays) of a hate incident and, assure the victim of the Department's commitment to identifying the suspect, and obtain and/or provide follow-up information and resources;
- Provide the Department's Hate Crime Coordinator or their designee with a copy of all reports related to the incident within, 10 business days for a hate crime and 30 business days for a hate incident, of completion;
- Enter the report information including the victim, suspect, and location information into the Department of Justice database;
- If the crime/incident being investigated is determined to not have been motivated by hatred and/or prejudice, complete a Follow-up Investigation, Form 03.14.00, correcting/removing the CCAD MO code related to the hate crime or hate incident;
- Document any additional information and complete the follow-up within 10 days of the hate crime or 30 business days (not including MOU holidays) of the hate incident; and,
- Present all felony and misdemeanor hate crime investigations in which the suspect is identified to the Los Angeles County District Attorney's (DA) Organized Crime Division, Hate Crime Section and, as appropriate, to the Civil Rights Division, Department of Justice (DOJ), for filing consideration

Area Hate Crime Coordinator's Responsibilities. The Commanding Officer, Area Detective Division, is the Hate Crime Coordinator (HCC) for their command and shall:

- Assign a specific detective supervisor to coordinate the investigation of all hate crimes and incidents for the Area;
- Ensure that a specific detective is assigned to investigate each crime or incident and that an appropriate response is provided to each victim including, but not limited to,

compliance with the mandated follow up within 10 days of the hate crime or 30 business day of the hate incident;

- Ensure that each crime or incident is entered into the CCAD properly;
- Ensure that all hate crimes are entered into the Hate Crime Analysis Evaluation System DOJ database (i.e., HATE database) at the end of the month;
- Ensure that all hate crime and hate incident data are inputted on the detective profile page and reported to Detective Bureau;
- Prepare a detailed monthly summary of all hate crimes or incidents on an Intradepartmental Correspondence, Form 15.02.00, and forward the report to the commanding officer, RHD, via the Area commanding officer, within 10 calendar days of the following month. The Intradepartmental Correspondence shall include the number of hate crimes and/or hate incidents for the month, CCAD print outs for the hate crimes and hate incidents, and a DOJ Bias Motivation (Table 1) printout for the current month. Unredacted and redacted copies of each hate crime and hate incidents shall be attached to the Intradepartmental Correspondence, including investigative reports, arrest reports, follow-up reports, confidentiality reports, Detective Case Tracking System (DCTS) notes, and Watch Commander's Daily Reports. These reports shall be delivered, faxed, and/or emailed to the RHD Hate Crimes Coordinator (HCC); and,
- Ensure the case has been entered into the DOJ database for each case in their command.

Note: The Area HCC shall be responsible for entering all incidents which occur in their Area into the DOJ system regardless of the investigating entity for the incident.

Note: Upon receipt of a Follow-Up Investigation or investigative determination, indicating that a previously reported incident has been determined to not, in fact have been motivated by hatred or prejudice, that incident **shall not** be included in the Area's reporting statistics. The MO code 0921 and 0903 shall be removed from the CCAD.

Area Community Relations Office and Senior Lead Office. All Area Community Relations Officers (CRO) and Senior Lead Officers (SLO) shall:

- Liaise with each Area's hate crime affected community/victim to affirm the Department's conviction to deter hate crimes and encourage hate crime reporting;
- Meet with the public to build and strengthen relationships with the community;
- Liaise and engage with each Area's most vulnerable individuals to hate crimes (especially anti-disability and anti-gender hate crimes) and the groups representing those communities, and in turn inform the Department about the issues and concerns specific to those communities;
- Provide the community members in their Area with information regarding Department policy and enforcement efforts;
- Provide the community members in their Area with information regarding safety, security, and crime prevention; and,
- Document all contacts and actions regarding the Area's hate crime community policing efforts on an approved Department form.

Note: In the aftermath of a hate crime or hate incident, the Area CRO shall work constructively with segments of the larger targeted community, who also were impacted. Their focus in those circumstances shall be to: reduce fear, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to come forward and report such incidents.

Area Detective Commanding Officer Responsibilities. Area Detective Commanding Officers (CO) shall ensure that misdemeanor and felony Hate Crime arrests and IRs are assigned to the appropriate table for investigation, follow-up, and filing. Area Filing Teams shall not route misdemeanor Hate Crime arrests directly to the CAO; misdemeanor arrests shall be assigned to an investigator for follow-up investigation and filing. Area Detective CO's shall also ensure:

- All Hate Crime investigations and arrests (misdemeanor and felony) are assigned to and handled by the corresponding table detectives;
- All Hate Crime investigations (misdemeanor and felony) are presented to the DA's Office, Hate Crimes Section, for filing consideration.
- Ensure the Area Hate Crime Coordinator has been notified and provided with copies should a report be reclassified to, or from, a Hate Crime; and,
- Verify that all hate crimes and hate incidents are accurately reflected on the Area COMPSTAT report based on date of occurrence.

Area Commanding Officer's Responsibilities. The Area commanding officer shall:

- Use all available resources in responding to community needs in combating hate crimes and incidents; and,
- Review and forward the monthly summary of hate crimes or incidents to the bureau commanding officer within two business days of receiving the monthly summary.

Bureau Commanding Officer's Responsibilities. The bureau commanding officer shall:

- Review each subordinate command's monthly summary of hate crimes or incidents;
- Forward a copy of the monthly summaries to Detective Bureau (DB), CCS, MCD and RHD within two business days of receiving the reports; and,
- Initiate a semi-annual inspection to verify the accuracy of each monthly hate crime summary submitted by subordinate commands and forward a copy of the audit to DB.

Department Hate Crime Coordinator. The Department HCC is the Commanding Officer of Detective Bureau, or their designee.

Department Hate Crime Coordinator's Responsibilities. The Chief of Police has directed the Department HCC to ensure the Department produces and disseminates a Hate Crime Brochure as required by California Penal Code Section 422.87(a)(8), and to ensure that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons. In addition, the Department HCC or their designee shall:

- Provide a quarterly hate crime report to the CO, DB, and the Department Diversity, Equity, and Inclusion Officer (DEIO);
- Provide copies of reports and documents to any agencies working in partnership with the Department via a Memorandum of Understanding (MOU);
- Provide quarterly training for all Area HCCs;
- Ensure all hate crime cases are entered into the DOJ hate crime database;
- Ensure that copies of all hate crime reports are forwarded to DOJ; and,
- Liaise between Department training entities to ensure hate crime training accuracy and uniformity.

Public Engagement Section, Office of Operations Responsibilities. Public Engagement Section shall:

- Continually meet with the public to build and strengthen relationships with the community;
- Liaise with the DEIO;
- Liaise and engage with each communities' most vulnerable individuals to hate crimes (especially anti-disability and anti-gender hate crimes) and the groups representing those communities, and in-turn inform the Department about the issues and concerns specific to those communities;
- Provide the public with information regarding Department policy and enforcement efforts;
- Provide the public with information regarding safety, security, and crime prevention;
- Provide the public with cultural diversity education; and,
- Document all contacts and actions regarding the Area's hate crime community policing efforts on an approved Department form.

In the aftermath of a hate crime or hate incident, PES shall work constructively with segments of the larger community, who have also been impacted. Their focus in those circumstances shall be to: reduce fear, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to come forward and report such incidents.

Department Operations Center's Responsibilities. The DOC shall:

- Ensure notification has been made to MCD for all hate crimes or incidents involving a place of worship;
- Document all hate crimes and hate incidents in the Chief of Police 24-Hour Occurrence Log;
- Notify the Department HCC or their designee and forward a copy of the report to the HCC or designee; and,
- Notify the DEIO or their designee and forward a copy of the report to the DEIO or designee.

For **CORS-initiated** hate incident reporting, the DOC shall:

- Process each hate incident report through the first and second CORS preapproval

process;

- During the review process, should a hate incident report be identified as a hate crime report, the DOC shall implement the following response procedure:
 - During the review process, if DOC personnel identify the need for immediate response, the DOC shall dispatch a unit immediately;
 - Absent immediate response, DOC personnel shall contact the victim, create a call for service, and responding officer(s) shall take the hate crime report.
 - If the DOC cannot make contact with the victim (at least three phone calls attempted), the DOC shall generate a CORS report rejection email message, indicating the following: As a result of multiple attempts to contact you via phone, the Los Angeles Police Department advises to contact your local Area police station or call 1-(877) ASK-LAPD for police response; and,
- Once the CORS hate incident report returns from Area records with a Division of Records (DR) No., the DOC shall add it to their notifications to the Chief of Police 24-hour occurrence log.

Professional Standards Bureau's Responsibilities. Professional Standards Bureau shall:

- Assume primary investigative responsibility of all criminal complaints against sworn personnel alleging a hate crime under Color of Authority while on-duty, or occurring within the City limits - on or off duty;
- Audit complaints made against Department personnel for instances of alleged biased policing and/or alleged criminal misconduct under Color of Authority pursuant to California Penal Code Sections 149 and 422.6, or Title 18 United States Code Section 242; and,
- Notify the Chief of Police, Inspector General's Office, and the CAO or DA's Office of all complaints of alleged hate crimes under Color of Authority by sworn personnel.

Training Bureau's Responsibilities. Training Bureau is responsible for providing Department personnel with training pertaining to the distribution of Hate Crimes Resource Pamphlet. Through the Department's Learning Management System (LMS) and in conjunction with the Commission on Peace Officer Standards and Training's (POST) continuing education requirements, personnel are also regularly provided training on state, federal, and Department policy as they relate to hate crime investigations.

Application Development and Support Division's Responsibilities. Application Development and Support Division (ADSD) will create a weekly autorun program, that pulls data from the CCAD system and is sorted by crime type and MO code. This program will create a chart displaying a weekly year-to-date (YTD) total of hate crimes by crime type and bias motivation. The automated reports will include the following:

- The two automated reports will collate YTD hate crime information compared to the previous year and corresponding change.
- The reports will update the current YTD numbers and will not compare weekly totals;

- Report No. 1 displays hate crimes by crime category.
- Report No. 2 displays hate crimes by bias and sub-bias. Each protected characteristic has independent sub-biases that are categorized.
- Application Development and Support Division will forward the data to COMPSTAT Division on a weekly basis for review.

COMPSTAT Division's Responsibilities. COMPSTAT Division will compare CCAD hate crime data received from ADSD and CAMS, for accuracy on a weekly basis.

- COMPSTAT Division will format the ADSD charts in a .pdf type document; and,
- COMPSTAT Division will upload the two reports into a Media Relations Division (MRD) shared network drive with the approval to display the information.

Media Relations Division Responsibilities. Media Relations Division (MRD) manages the Department's public facing website. Upon receipt of the weekly hate crime charts from COMPSTAT Division, MRD will post the document on the Department's public facing website on a weekly basis.

Media Relations Division will liaise with the Department Hate Crime Coordinator to ensure the monthly reporting of hate crimes and hate incidents on the Department's external publishing website.

Note: In accordance with Assembly Bill 485 (2022), local law enforcement agencies shall post information relative to hate crimes sent to the California Department of Justice, on their internet website on a monthly basis.

203.30 REPORT UNITS. Report units shall be requested and dispatched when practical:

- On *report* calls at contract hospitals; and,
- Upon the request of a radio unit assigned an *A.D.W.* report or *211* report call after the assigned radio unit has made the determination that a *report* only is required and that a report unit is available to take the appropriate report. The assigned radio unit shall cause any required initial broadcast of the crime to be made.

Radio units shall not request a report unit to complete the appropriate report when:

- The perpetrator is apprehended; OR,
- The robbery victim is a bank; OR,
- It is impractical for the victim to remain at the scene for a report unit.

203.33 NOTIFICATION TO VICTIMS OF CRIMINAL ACTIVITY.

Officer's Responsibility. When officers become aware of a threat or information affecting the safety of a witness or victim who is to testify in a criminal prosecution, they shall immediately:

- Notify the investigating officer (I/O) who is assigned to the case, or the I/O's immediate supervisor or, in their absence, the Area watch commander; and,
- Complete a Investigative Report (IR), Form 03.01.00 titled "Dissuading a Witness," containing the following information:
 - Date and time the information was received;
 - Name, address, and telephone number of the witness or victim being threatened;
 - Identity of the defendant in the case; and,
 - Identity of the person making the threat, and the nature of the threat, if known.

When the threat or information involves a witness or victim who is to testify in a criminal prosecution for which no I/O is assigned, officers shall immediately:

- Ensure that the witness or victim is informed of the threat to his/her safety as soon as possible;
- Document the threat on a IR containing the relevant information; and,
- Document the date and time that the witness or victim was notified on a IR or a Follow-up Investigation, Form 03.14.00.

Note: The identity of the person(s) from whom the information was received shall not be noted on the IR if, in the opinion of the officer, a serious threat to their safety could ensue. The identity of the person(s) providing the information, and other relevant facts not included on the IR shall be documented on an Employee's Report, Form 15.07.00, stamped "Confidential" and forwarded with the IR. This does not preclude officers from disclosing to their commanding officer the identities of informants from whom the officers have received information, in accordance with Department Manual Section 4/733.10.

Investigating Officer's Responsibilities. When investigating officers become aware of a threat, or information relating to the safety of a witness or victim who is to testify in a criminal prosecution, they shall immediately:

- Ensure that the witness or victim is notified of the threat or information relating to his/her safety;
- Inform the witness or victim of the District Attorney's CAL WRAP; and,

Note: The witness or victim shall not be advised of his/her eligibility for the program. The Bureau of Investigative Services, Los Angeles County District Attorney's Office, determines eligibility. If the witness or victim does not meet the eligibility requirements set forth by the Bureau of Investigative Services, the I/O shall contact the Department's CAL WRAP Coordinator (Assistant Commanding Officer, Chief of Detectives) for advice and assistance.

- Document the notification and other relevant information on a Follow-up Investigation report or other appropriate report.

Watch Commander's Responsibility. When an Area watch commander is advised of threats or information relating to the safety of a witness or victim who is to testify in a criminal prosecution, he/she shall immediately:

- Ensure that the assigned I/O or the I/O's immediate supervisor is notified;
- Ensure that the witness or victim is promptly notified of the potential threat to his/her safety; and,
- Ensure that the incident, including time of notification of the affected witness or victim, is properly documented on an IR.

203.34 MARSY'S LAW AND VICTIM PROTECTIONS AND RESOURCES.

Officers Responsibilities. When officers complete an Investigative Report (IR), they shall ensure the victim(s) or person reporting receives the person reporting's copy and a Victim Protections and Resources brochure.

Note: If officers complete a crime report that is not documented on an IR (e.g., Stolen Vehicle Report, CHP Form 180; combined crime/arrest report), officers shall provide a Victim Protections and Resources brochure to the person reporting.

If officers complete a crime report telephonically, they shall mail, fax, or e-mail a Victim Protections and Resources brochure to the person reporting.

If officers complete a crime report through the Record Management System (RMS) and the victim does not have access to receive an email or the ability to scan a QR code, officers shall provide a paper copy of the Victim Protections and Resources brochure to the person reporting.

Officers shall document in the report whether a Victim Protections and Resources brochure was provided to the victim(s) or person reporting at the time of the report, and whether it was handed, mailed, faxed, or e-mailed to the victim. The information shall be documented by either checking the appropriate box on the face sheet of the IR or Arrest Report, or documenting it under the "Additional" heading of any crime report.

Watch Commander's Responsibility. When reviewing IRs, Arrest Reports, or any crime reports, watch commanders shall:

- Ensure that the officer(s) document whether a Victim Protections and Resources brochure was provided to the victim(s) or person reporting; and,
- Ensure that officers check the appropriate box on the IR or Crime and Arrest Report face sheet, or include a statement under the "Additional" heading of the IR, Arrest Report, or crime report that a brochure was provided.

Area and Specialized Detective's Responsibility. Area and specialized detectives shall verify

a Victim Protections and Resources brochure was provided to the victim(s) or person reporting during the initial contact. If Area or specialized detectives determine a Victim Protections and Resources brochure was not provided, they shall provide the brochure during the follow-up investigation and document it on a Follow-Up Investigation Report, Form 03.14.00.

Commanding Officer's Responsibility. Commanding officers shall ensure that patrol, detective, or administrative personnel provide a Victim Protections and Resources brochure to all crime victims or persons reporting a crime.

Commanding Officer, Detective Bureau, Responsibility. The Commanding Officer, Detective Bureau, is the California Victim Compensation Board (CalVCB) liaison officer. The CalVCB liaison officer, or their designee, shall communicate and distribute information regarding resources available to crime victims to the Department.

203.35 NOTIFICATION TO VICTIMS OF VIOLENT CRIMES. When a person is a victim of a violent crime (1), the report officer shall:

- Issue the victim or member of the victim's family a completed Victim's Report Memo, Form 03.17.00, advising the victim, or family member, of the indemnification program, and of the City and District Attorney's Victim-Witness Assistance Programs; and,

Note: Department employees providing indemnification information to victims or their families shall only inform them of the program's existence and refer them to the appropriate agencies. Employees shall not advise victims regarding their eligibility for the program.

- Enter in the narrative portion of the report, the date and time the notification was made and the name, address, and relationship of the person notified.

Note: When the notification is not made, the reasons shall be included in the narrative of the report with any information which may aid an investigating officer in making this notification.

When a crime or traffic report indicates that the indemnification notification has not been made, the investigating officer shall:

- Ensure that the victim or a member of the victim's family is issued a completed copy of the appropriate Victim's Report Memo; and,
- Enter in the narrative portion of the Follow-up Report, Form 03.14.00, or the Traffic Collision-Status Report, Form 04.16.00, the date, time, place, name, address, and relationship of the person notified.

[(1)The term "Crime of Violence" shall mean any crime committed by the use of force or fear OR any death or injury resulting from the operation of a motor vehicle, aircraft or water craft when such death or injury is:

- *Intentionally inflicted upon another, OR*

- *Sustained by another as a result of a driver in violation of 20001 V.C., 23152 V.C., or 23153 V.C.]*

203.36 DOMESTIC VIOLENCE/VICTIM INFORMATION NOTIFICATION EVERYDAY (DVV) PAMPHLET.

Officer's Responsibility. Officers shall issue a DVV pamphlet to victims of violent crimes and all victims of domestic violence.

When an arrest is made for a violent or domestic violence crime, the arresting officer(s) shall advise the victim of the following:

- The DVV information regarding the arrestee(s) will not be accessible until the arrestee(s) is booked into the Automated Justice Information System (AJIS);
- Utilization of the DVV program by the victim is voluntary;
- **Not** to depend solely upon the DVV program for their safety; and,
- The arrestee's booking number as soon as possible when the arrestee has a common name.

Exception: If an arrestee is released without booking, **the arresting officer shall** notify the victim of the release immediately.

Watch Commander's Responsibility.

Report Narratives. When reviewing violent crime-related arrest reports and/or domestic violence reports, watch commanders shall ensure that the arresting/reporting officer(s) documents that a DVV pamphlet was provided to the victim, under the heading of "Additional Information" or indicated by marking the appropriate check box (e.g., Domestic Violence Supplemental Report).

Release from Custody. When an arrestee is eligible for release from custody, either by bail, bond, citation, 825 PC, 849(b)(1) PC, or a Notice to Appear/Release from Custody, the watch commander shall ensure the arrestee's status is processed electronically through the AJIS prior to the arrestee's physical release.

Release Prior to Booking. When an arrestee of a violent crime is released without booking, the watch commander shall ensure the arresting officer(s) notifies the victim immediately.

Assistant Commanding Officer, Administrative Services Bureau's (ASB), Responsibility.

The Assistant Commanding Officer, ASB, shall ensure that when any jail facility detention officer prepares a release from custody, whether it be via bail, bond, citation, 825 PC, 849(b)(1) PC, or a Notice to Appear/Release from Custody, the arrestee's release is processed electronically through AJIS, prior to the arrestee's physical release.

203.37 REQUESTING A SIGN LANGUAGE INTERPRETER. When coming in contact with a deaf or hard of hearing person, Department employees are required to provide effective

communication. The length, importance, and complexity of the communication must be considered in determining how to achieve effective communication in a given situation. Use of pen and paper or gestures may suffice in establishing communication. When pen and paper or gestures is not effective, employees should request a professional Sign Language Interpreter (SLI). The City has contracted with an outside provider to furnish qualified professional SLIs who will usually respond within 45 minutes of a request.

Employee's Responsibility.

Minor Incident. An employee coming into contact with a deaf or hard of hearing person when the contact is of a minor nature (e.g., traffic stop, completion of a basic crime report, etc.) should attempt to communicate effectively with the deaf or hard of hearing person by using a pen or paper, gestures, or by requesting a SLI via Communications Division.

Note: Generally, family members or friends of the deaf or hard of hearing person should not be used as an interpreter except in incidents that present a clear and immediate threat to the employee or public safety.

Serious/Complex Incident. An employee investigating a serious incident (e.g., a complex investigation, investigation requiring Miranda admonition, test measuring alcohol consumption, arrest, etc.) involving a deaf or hard of hearing person should request a professional SLI via Communications Division to ensure effective communication.

Note: An SLI is not needed to effect an arrest. However, if an SLI is determined to be necessary to communicate effectively, a professional SLI shall be requested to the scene, or to a follow-up location (e.g., police station, Custody Services Division).

Mandatory Use. Regardless of the complexity of the incident, officers shall request a professional SLI via Communications Division when one of the following conditions exist:

- Efforts fail to establish effective communication; or,
- The deaf or hard of hearing person requests a professional SLI.

Scheduled Events. For scheduled events, employees may request a professional SLI via the City's Department on Disability, 72 hours prior to the event.

Sign Language Interpreter Response/Arrest Advisement. Anytime an employee requests a professional SLI, the requesting employee should complete and issue the Deaf/Hard of Hearing Communication Card advising the deaf or hard of hearing person that an SLI is responding to assist with communication.

When an officer arrests a deaf or hard of hearing person, and the arresting officer requests a professional SLI, the officer should complete and issue the Deaf/Hard of Hearing Communication Card advising the deaf or hard of hearing person that they are under arrest and being transported, and that an SLI has been requested.

Employees shall document the issuance of the Deaf/Hard of Hearing Card on their Daily Field Activities Report, Form 15.52.00 or equivalent, and any related report(s).

Communication Division's Responsibility. Upon receiving a request for a sign language communicator, Communications Division personnel shall notify a Department contracted SLI.

Professional SLI Requested. Upon receiving a request for a professional SLI, Communications Division shall contact the outside provider, who will cause a qualified professional SLI to respond to the location designated by the requesting employee.

203.38 HUMAN SERVICES REFERRAL. The Information and Referral Federation of Los Angeles County (INFO LINE) is an independent, nonprofit corporation that provides a one-source referral for persons in need of human services. These services include food, shelter, counseling, hotlines and health services. Info Line does not provide these services directly. It is a telephone bank staffed on a 24-hour basis by personnel familiar with the capabilities of private, governmental, and charitable agencies within Los Angeles County.

Employees coming in contact with persons in need of human services information shall:

- Obtain human services information via the ACC service directory command (SD; ICSHELTERS); or,
- Obtain human services information by telephonically contacting Communications Division.

In addition, employees shall provide persons in need of human services with the telephone numbers to the INFO LINE.

Note: Employees who come into contact with a homeless person seeking shelter, who is suspected of being mentally ill, shall contact the Mental Evaluation Unit, Detective Support and Vice Division, for advice (Manual Section 4/260.20).

Cold Weather Emergency Shelter Notifications. During the activation of cold weather emergency shelters Communications Division shall:

- Maintain liaison with Los Angeles Homeless Services Authority (LAHSA);
- Provide the Winter Shelter Hot Line telephone number(s) and locations to Area watch commanders; and,
- Disseminate cold weather emergency shelter information to Department employees via a Department-wide broadcast, teletype, and through the ACC.

203.40 SUBMITTING REPORTS FOR APPROVAL. Completed reports shall be submitted to a supervisor for approval:

Reports that shall be completed immediately include:

- Investigative Reports (IR), Form 03.01.00, of robbery, Rape, Kidnap, Homicide, Hate-motivated Incident or Crime, Human Trafficking (commercial sex and involuntary servitude);

Note: Robbery reports where a gun was used shall be redlined.

- Injury Investigation Report, Form 03.15.00;
- Missing/Found Persons Investigation Report, Form 03.16.00;
- Investigator's Final Report, Form 05.10.00; and/or,
- Follow-up Investigation, Form 03.14.00, relating to any of the above.

Reports that may be completed by the end of an employee's watch include:

- Any arrest report or crime report with a named suspect;
- Any Vehicle Report, CHP Form 180;

Note: An officer initiating a Stolen Vehicle or Lost/Missing License Plate report shall immediately notify the Vehicle and Warrant Section, Records and Identification Division, of the vehicle or plate information and obtain a Division of Records (DR) number; however, the Vehicle Report itself does not have to be completed until the officer's end of watch (Department Manual Section 4/220.40).

- Traffic Crash Reports, CHP Form 555, with a serious or fatal injury;
- Aggravated Assault (e.g., ADW, Intimate Partner Violence with injury - Aggravated Assault, Brandishing Weapon, Mayhem, Poisoning); and,
- Death Investigation, Form 03.11.00

All other reports may be held until the following day, at the watch commander's discretion, if the primary officers are scheduled to work the following day.

Field Interview (FI) Reports, Form 15.43.00, shall be completed and turned in at the officer's end of watch with the Daily Field Activities Report (DFAR), Form 15.52.00. Officers who do not complete a Computer Aided Dispatch (CAD) Summary Report shall submit their FI reports to a supervisor's inbox designated by their commanding officer.

Gang Member Arrests. An officer submitting a report to a supervisor for approval, which involves the arrest of "verified" gang members, shall ensure that the face sheet of each report (i.e., Arrest Report, Follow-up Investigation, Property Report) is stamped "GANG MEMBER ARREST" in red ink.

Note: An arrestee is a verified gang member when the arrestee is listed in Department gang files. Verification shall be obtained through the respective Area Gang Enforcement Detail. During off hours, verification can be obtained through the Department Operations Center, Communications Division.

The stamp may also be used on reports when the arrestee has been approved for inclusion into the gang file, but has not been added to the file at the time of inquiry.

Note: Replacement stamps may be reordered through Supply Section, Fiscal Group, using the Supply Order Form, Form 15.11.00.

Narcotics Arrests. Officers completing narcotics related reports (e.g., Arrest Reports, Property Report, IR) shall write on the left margin of the first page, “distribute one copy to Area NED” on the report.

Area Records Unit’s Responsibilities. Area Records Units shall distribute copies of narcotics related reports as follows:

- One copy to the Narcotics Enforcement Detail (NED) of the Area of occurrence; and,
- One copy to be stored in their Area files.

203.50 IDENTIFICATION OF SUSPECTS IN THE FIELD. A suspect may be transported to a victim or witness for the purpose of identification when:

- An officer is conducting a preliminary investigation and a field confrontation is necessary to determine if the suspect is the perpetrator of the offense; and,
- Probable cause exists to arrest the suspect for the offense; or,
- Exigent circumstances exist that make it unreasonable for the victim or witness to be transported to the suspect; or,
- The officer obtains the free and voluntary consent of the suspect.

An officer who intends to conduct a field confrontation shall inform the victim or witness that:

- The person is in temporary custody as a possible suspect only; and,
- The fact the person is in police custody does not indicate his/her guilt or innocence; and,
- The purpose of the confrontation is either to eliminate or identify the person as the perpetrator.

203.60 ALARM NOTIFICATION.

VERIFIED BURGLAR ALARM - DEFINED. A **verified** burglar alarm is an alarm activation where an unauthorized entry or attempted unauthorized entry upon the premises, building, or structure protected by the system, has been independently verified. Verification shall be accomplished by a confirmation by the alarm system user or other person at or near the scene of the activation, a private guard responder or alarm company operator. Verification must be based on a physical observation or inspection of the premises, or by remote visual inspection of the premises.

Note: An open door, broken window, or other activity consistent with a burglary is considered a verified activation.

Officer's Responsibility. Officers dispatched to a burglar alarm call must conduct an investigation in accordance with current Department procedures outlined in this Section. If the alarm is false or the officer's investigation determines that the alarm was erroneously reported as a verified alarm or firearms business, the officer must record that information on his/her Daily Field Activities Report, Form 15.52.00, Mobile Digital Terminal and Notice of False Alarm, Form 02.90.00, and inform Communications Division of their findings. The officer must verify that a valid BOPC permit number is on file. The officer must place a check in the applicable box on the Notice of False Alarm when the location does not have a permit. The completed Notice of False Alarm must be issued to the subscriber/owner or other responsible person at the location.

Note: Officers can obtain the BOPC permit number via the Mobile Data Terminal (MDT), listed under the Incident's Comments.

Officers not required to maintain a DFAR must record the name of the person to whom the completed Form 02.90.00 was issued in the Radio Call Incident Comments by using their Mobile Data Terminal (MDT) or through the Radio-Telephone Operator (RTO).

Closed Business or Unoccupied Residence. When an Officer has responded to a false alarm at a closed business or unoccupied residence, the officer must verify that a valid BOPC permit number is on file, and leave the Notice of False Alarm at the premises. The notification must be left in such a manner that it is conspicuous to the subscriber/owner, but concealed from passersby. The officer must record on the DFAR that a completed Notice of False Alarm was left at the scene.

Note: Officers not required to maintain a DFAR must record the issuance of Form 02.90.00 in the Radio Call Incident Comments by using their MDT or through the RTO.

203.70 BOARD-UP PROCEDURE - COMMERCIAL LOCATIONS. The board-up procedure applies only to a commercial location when an officer finds the location unoccupied and unsecured.

Officer's Responsibilities. When an officer finds a commercial location unoccupied and unsecured, the officer shall attempt to contact a responsible party (R/P) to assume responsibility for safeguarding the premises. If the officer is unable to locate an R/P's telephone number on or within the premises, from an alarm company, City Business Tax Registration Certificate, the watch commander's office, or some other available resource, the officer shall request that Communications Division attempt to obtain an emergency telephone number from the Fire Department. The officer shall maintain a record of these efforts in the Computer Aided Dispatch (CAD) Summary Report Incident Disposition comments or the Daily Field Activities Report (DFAR), Form 15.52.00.

After an hour of attempting to contact an R/P or if an R/P is contacted but cannot respond within an hour, the officer shall contact a supervisor to determine if a board-up vendor should be requested. With supervisor approval, the officer shall:

- Request that Communications Division contact and dispatch a board-up vendor;
- In addition to any crime or arrest reports, complete the Board-Up Report, Form 16.29.05, and document on the report all efforts made to contact an R/P or, if an R/P was contacted, the R/P's delay in responding;
- Ensure the board-up vendor completes his or her portion of the Board-Up Report;
- Obtain a Department supervisor's signature on the form and provide the supervisor with the original and one copy of the form; and,
- Leave the victim's copy of the Board-Up Report in a conspicuous place inside the business location.

Officers **SHALL NOT** offer board-up service to an R/P who is already at the scene. Officers may refer the R/P to the local telephone book for a board-up vendor. Officers shall notify the R/P that once an officer makes a request to Communications Division and the board-up vendor begins responding, the business will be assessed the surcharge imposed by the City. Additionally, the R/P may be charged some or all of the board-up fees, even if the R/P arrives at the scene prior to the board-up vendor and cancels the board-up vendor's response.

Officers shall remain at the scene until the board-up service has secured the location.

Supervisor's Responsibilities. A supervisor shall respond to the location where a board-up service request is being considered to determine if board-up services should be requested. If the supervisor determines that board-up service is appropriate, the supervisor shall approve the request and direct the officer to request board-up vendor response via Communications Division. Additionally, the supervisor shall:

- Review and approve the Board-Up Report at the scene, so the victim's copy of the form can be left inside the business location;
- Summarize the incident in the Sergeant's Daily Report, Form 15.48.00, and include the total amount of standby time provided by the Department; and,
- Submit the original and Area copies of the Board-Up Report to the watch commander along with copies of the following documents:
 - Sergeant's Daily Report with all other unrelated entries redacted from the log;
 - Completed Incident History printout for the call;
 - Any crime and/or arrest report; and,
 - Any other related reports or documents that may assist during an appeal hearing.

Watch Commander's Responsibilities. Upon receiving the original and Area copies of the Board-Up Report, the watch commander shall:

- Review the form and attachments for completeness;
- Forward the original form to the Board-Up Coordinator, Fiscal Group (FG); and,
- Submit the Area copy and attachments to the Area office for review and retention.

Note: All Board-Up Reports and attachments shall be maintained in the Area for no less than three years, and shall be submitted to the Board-Up Coordinator, FG, within 10 business days of FG's request.

203.75 BOARD-UP PROCEDURES – RESIDENTIAL LOCATIONS. The following procedure applies to securing a residential location.

Officer's Responsibilities. An officer responding to an incident involving an unsecured residential location shall attempt to locate or telephonically contact a responsible party (R/P). If attempts to contact an R/P are unsuccessful, or when the R/P is present but unable to secure the location due to exigent circumstances, the officer shall notify a supervisor and be guided by the supervisor's advice.

Supervisor's Responsibilities. When notified, a supervisor shall respond to the location and ensure that reasonable attempts have been made to locate the R/P of the residence.

When all options have been exhausted and an R/P is not located, the supervisor shall determine if a unit should remain at the scene or if minor repairs will secure the location. Where an R/P is present and unable to secure the location due to exigent circumstances, the supervisor may, at his or her discretion, opt to direct the officers to make minor repairs to secure the location. When the supervisor opts to direct the officers to make minor repairs, and/or materials or tools are not available at the location, the supervisor should:

- Dispatch a unit to Evidence and Property Management Division, 180 N. Los Angeles Street or Valley Property Section, 6240 Sylmar Ave, to retrieve the appropriate supplies (i.e., plywood, nails, hammer, and saw);
- Present a Board-Up Procedures Waiver and Release, Form 15.90.00, for the R/P's and Department Supervisor's signature and provide a copy to the R/P;
- Ensure that officers have made the necessary repairs to secure the location and returned the unused supplies to Evidence and Property Management Division or Valley Property Section;
- Ensure that a copy of the completed Board-Up Procedures Waiver and Release is left at the location in a conspicuous place, preferably within the residence, if an R/P is unavailable;
- Document the incident on the Sergeant's Daily Report Form 15.48.00; and.
- Attach the original completed Board-Up Procedures Waiver and Release to the Sergeant's Daily Report, which the Area will forward to the watch commander from the Area of occurrence for review and retention.

203.80 BOARD-UP PROCEDURES - ADMINISTRATIVE APPEAL HEARING. The Board-Up Ordinance allows a business owner or representative to appeal a board-up to determine if the board-up was necessary and/or if the officer(s) adhered to the board-up procedure. The request for appeal must occur within 10 calendar days of the board-up service.

Watch Commander's Responsibilities. The administrative hearing for a board-up service shall be heard by a watch commander from the Area of occurrence. Whenever practical, the hearing should be adjudicated by the watch commander on duty at the time of the incident; however, the hearing shall **not** be held by the supervisor who approved the board-up. The watch commander conducting the hearing shall:

- Schedule a hearing date, preferably within two days of the request (excluding weekends and holidays), but in no event later than seven calendar days after the request is made;
- Notify Fiscal Group (FG) of the appeal request and the date and time of the hearing;
- Collect and review all documentation for the incident;
- Conduct the board-up appeal hearing to determine if the officers followed the procedures outlined in Department Manual Section 4/203.70 and inform the responsible party (R/P) of the decision;
- Summarize the facts of the incident and the hearing in an Employee's Report, Form 15.07.00, including the reason for the appeal, the reason for any extension beyond the two day hearing requirement, and the rationale for the decision; and,
- Forward the Employee's Report, along with a copy of any related reports (e.g., Crime Report, Sergeant's Daily Report, Form 15.48.00, and Incident History) to the Area commanding officer.

If an appeal is successful, the appellant does not need to pay the board-up fee. Fiscal Group shall notify the Office of Finance. A successful appeal results in a waiver of the board-up cost for the business requiring the City to pay the cost.

Note: Any issue regarding the proper identity of the person billed (owner, landlord, tenant, etc.) shall be referred to FG.

Commanding Officer's Responsibilities. When the Area commanding officer receives a Board-Up Appeal Report, the commanding officer shall review the report for completeness and forward the original report to FG. The Area shall retain a copy of the appeal report in its files.

204. CASES INVOLVING ANIMALS.

204.20 DEAD ANIMALS. When dead animals are found in the street, the Dead Animal Dispatcher of the nearest section of the Refuse Collection Division, Department of Public Works, shall be notified. Field units may make such notification by radio to the communications control operator.

204.40 ANIMAL BITES. When a fowl or an animal (except reptiles) bites a person, a telephonic report shall be made to the Rabies Control Division, County Health Department. If the office is closed, the emergency operator at the Hall of Justice will connect the officer with the proper person to be notified, who shall be given the following information:

- Name, address, telephone number, and age of the victim;
- Name, address, and telephone number of the owner of the animal;
- Description of the animal (breed, color, and sex);

- Circumstances of the attack;
- Nature of treatment, when, and by whom given;
- Location of wound on the body; and,
- Date the bite occurred.

204.60 SICK OR INJURED ANIMALS. When a sick or an injured animal is found on the street, the nearest shelter of the Department of Animal Services shall be notified immediately. Units in the field may make this notification by means of radio to the communications control operator.

204.65 RESPONSIBILITY OF THE ANIMAL CRUELTY TASK FORCE. Detective Support and Vice Division (DSVD), Animal Cruelty Task Force (ACTF) is comprised of personnel from the Los Angeles Police Department (LAPD) and the Los Angeles Animal Services (LAAS) Department. The ACTF works with the Office of the City Attorney and the Office of the Los Angeles County District Attorney to prosecute animal cruelty crimes.

The ACTF may assist or handle an investigation, or arrest, when requested by first responders who are conducting an animal cruelty investigation. The ACTF shall provide investigative advice and support when animal cruelty is associated with other crimes, including aggravated assaults.

The ACTF is responsible for the investigation of the following crimes:

- Dogfighting;
- Cockfighting;
- Aggravated animal abuse resulting in serious injury or death;
- Severe animal neglect (felony cases);
- Bestiality;
- Animal poisoning; and,
- Animal sacrifice and mutilation.

The LAAS has investigative responsibility for handling most animal neglect, animal cruelty and hoarding cases. The LAAS also has the authority and responsibility for the collection of animal evidence and the sole authority to approve medical treatment for animals, per Penal Code Section 597.1.

Note: The evidence chain of custody applies to animal evidence; therefore, animal evidence dead or alive, shall not be left unattended.

Animal Cruelty - Defined. Animal cruelty is defined as any malicious and intentional maiming, mutilating, torturing, or wounding of a living animal or malicious killing of an animal.

Officer's Responsibilities. During business hours, officers shall contact the ACTF when they respond to an incident where animal cruelty is observed, suspected, or confirmed. The ACTF

shall provide investigative assistance and booking advice. During off-hours, officers shall contact the ACTF and/or LAAS via Department Operations Center (DOC).

Officers shall have the following responsibilities:

- Refer to the Animal Cruelty Investigation - Field Notebook Divider, Form 18.48.00, for assistance in conducting a thorough animal cruelty investigation;
- Conduct the preliminary investigation;
- Establish the elements of the crime;
- Protect the scene and locate items which could identify the suspect or show how the crime was committed;
- Locate and identify witnesses;
- Secure evidence (instruments of the crime);
- Cause photographs to be taken of the crime scene by Area personnel, or by a Forensic Science Division (FSD) photographer, depending upon availability;

Note: In accordance with existing procedures for processing crime scene photographs taken by FSD Photographic Section, the reporting officer shall enter the photographer's name and serial number in the "Notifications" box, and the FSD Photographic Section Control Number ("D" number) in the "Connected Reports" box of the Investigative Report. Once a DR number has been obtained, the reporting officer shall advise FSD Photographic Section of the DR number so that it may be referenced on the D form. Complete Investigative Report (IR), Form 03.01.00, enter the applicable titles (e.g., Animal Cruelty, Animal Neglect, Bestiality, Cock Fighting, Dog Fighting or Animal Sacrifice) and enter "ACTF" in the investigative box.

- Notify LAAS through DOC to impound live/dead animal evidence; Request LAAS to provide the medical reports for the criminal investigation;
- Indicate in the left margin of the IR that an extra copy of the report shall be forwarded to the ACTF; Ensure that related crime scene photographs taken by Area personnel are attached to the IR and submitted to the concerned Area records unit; and,
- Contact the ACTF prior to providing the media with information on an animal cruelty incident or an open investigation.

Note: Crimes involving cruelty to animals fall under the legal category of crimes against property. Cruelty to animals is covered by Penal Code Section 597, which generally makes such conduct a misdemeanor. However, it can be a felony to maliciously maim, wound, torture, or mutilate a living animal. Officers shall contact the LAAS for any animal in need of immediate medical treatment and be guided by their advice. The LAAS may, at their direction, authorize an approved veterinarian to provide medical care during off-hours. The Bureau of Sanitation, Refuse Collection, can be contacted through DOC for dead animal pick up in cases where there is no evidence that a crime occurred.

When officers make an arrest for cruelty to animals or animal sacrifice, they shall:

- Obtain booking advice from the ACTF;
- Obtain booking approval from the Area watch commander and book the arrestee;

- Complete the Arrest Report, Form 05.02.00, in the usual manner; and,
- Indicate in the left margin of the Arrest Report that an extra copy of the report shall be forwarded to the ACTF.

Area Records Unit's Responsibilities. When receiving a crime report or a Combined Crime and Arrest Report titled "Animal Cruelty," "Animal Neglect," "Bestiality," "Cockfighting," "Dogfighting," or "Animal Sacrifice," Area Records Unit personnel shall:

- Process the report using the new crime class code of 943 for reports titled Cruelty to Animals and the new modus operandi code of 0909, if the crime involves "Animal Sacrifice"; and,
- Forward a copy to DSVD, ACTF:

204.70 LOST ANIMALS. A person requesting that a report be taken of a lost animal shall be referred to the nearest City animal shelter.

204.75 FOUND ANIMALS. An officer receiving information regarding a found and/or abandoned animal shall, without delay, notify the Los Angeles Animal Services (LAAS) to take possession of the animal. Officers shall not maintain or assume ownership of a found and/or abandoned animal, nor shall they solicit or otherwise compel the owner and/or custodian to surrender their legal property rights to the LAPD.

An officer shall not request/cause any rescue group and/or any private party to assume care and control of a found animal. The LAAS has sole responsibility and authority to accept and assume care and control of a found and/or abandoned animal and must be contacted in those incidents.

Found and/or abandoned animals shall be treated as found property and released into the custody of LAAS, which has primary responsibility to take custody of the animal, locate the legal owner and seek the relinquishment of ownership, if appropriate. Many animals are micro-chipped with the legal owner's contact information and the LAAS has the equipment to obtain that information from the microchips. Under no circumstances shall an officer maintain personal custody of a found animal beyond the time needed for LAAS response.

204.80 ANIMAL SHOOTINGS. Under certain circumstances officers are authorized to use a firearm to stop an animal as listed below, when a local Los Angeles Animal Services (LAAS) representative is not readily available.

Vicious or Rabid Animal. Officers **may** use a firearm to stop a vicious, potentially dangerous, or rabid animal when a delay would expose persons to danger.

Note: Animals suspected of being rabid **should not** be shot in the head except in an emergency.

Predatory Animals. Provisions for stopping predatory animals from attacking people, domestic animals or livestock, under certain circumstances, are outlined in the California Food and Agriculture Code, and the California Fish and Game Code.

Venomous/Poisonous Animals. Officers **may** use a firearm to stop venomous or poisonous animals, which pose an **immediate** danger.

Note: The use of a firearm should be considered only if other methods are impractical or unsafe to use (e.g., use of a shovel, hoe or other tool).

Animal Shooting Reporting Requirements. When one of these incidents occurs involving on-duty or off-duty officers, Force Investigation Division (FID) shall conduct an investigation (Department Manual Section 3/794.10).

Officer's Responsibility. The following reporting procedures shall be followed when an **on duty** or **off-duty** officer is involved in an animal shooting. Employee's shall:

- Secure and holster their weapon when safe (without reloading or altering the condition of the weapon, if possible);
- Notify, or cause to be notified, without delay, his or her Area/ division watch commander or a supervisor. If a watch commander or a supervisor is unavailable, notify the Department Operations Center (DOC) and his or her Area/division of assignment as soon as practicable. If the incident occurs outside the City, the employee shall also contact the local law enforcement agency having jurisdiction and inform that agency of the circumstances surrounding the incident and request a report.
- Preserve and contain the scene; and,
- Provide a public safety statement to the first responding supervisor.

In the case of an animal shooting, if the animal has sustained an injury, the owner shall be allowed to transport the animal to a veterinarian of his or her choice. If the owner cannot be located, refuses or is otherwise unable to obtain veterinary treatment for the animal, officers should request the response of LAAS, via Communications Division, to respond and transport the animal for veterinary treatment. If LAAS is not available to respond or there is an extended delay for their response, officers may, if **safe and practicable** to do so, transport the animal to an approved emergency veterinary facility for veterinary treatment.

Note: Officers who elect to transport the animal shall contact Communications Division to obtain information on the approved emergency veterinary facility. Communications Division will provide the phone number to the approved emergency veterinary facility, when available. Officers who elect to transport the animal are encouraged to call the approved emergency veterinary facility in advance of their arrival in order to provide the attending staff with as much information as possible.

Note: If the incident occurs outside of the City, officer(s), upon notifying the local law enforcement agency, may request local veterinary services to treat the injured animal.

Officers shall document the owner's refusal or inability to obtain medical treatment for the animal in the appropriate Department report(s) or in the Daily Field Activities Report, Form 15.52.00.

First Responding Supervisor's Responsibility. The first responding supervisor to an on-duty animal shooting incident shall:

- Respond to the scene;
- Ensure the employee's weapon is safely secured and holstered;
- Obtain a public safety statement from the involved employee(s);
- Ensure the scene is preserved and the area is canvassed for witnesses;
- Ensure all possible evidence is located and secured;
- Notify the DOC and follow existing Categorical Use of Force protocols; and,
- Ensure veterinary treatment for the animal is obtained, when applicable, as delineated above. Supervisors shall ensure that any transportation of animals by the officers to an approved emergency veterinary facility is done so in compliance with Department Manual Section 3/795, pertaining to the separation and monitoring of employees following a Categorical Use of Force. Any deviation from this policy shall be documented in the Sergeant's Daily Report, Form 15.48.00, and the Watch Commander's Daily Report, Form 15.80.00.

Note: All information pertaining to the animal's veterinary treatment, including the location of the LAAS center where the animal was transported to, shall be provided to Force Investigation division (FID).

Watch Commander or Officer in Charge Responsibility. When a watch commander or officer in charge (OIC) becomes aware that an animal shooting has occurred, the watch commander/OIC, shall:

- Notify FID and determine the appropriate type of animal shooting investigation to be conducted;
- Make the appropriate chain of command notifications, including DOC;
- Respond to the scene if inside the City; and,
- Follow existing Categorical Use of Force protocols.

Note: For any officer involved animal shooting where Department personnel obtained veterinary treatment for the animal, the Department shall reimburse LAAS or the approved emergency veterinary facility via Fiscal Group (FG) for medical costs not to exceed \$500.00. The entity who provides the emergency veterinary services will submit an itemized invoice of medical services rendered to FG.

204.85 CARE OF ANIMALS, OWNER ARRESTED. When a person having an animal in his/her possession is arrested, the arresting officer shall, if unable to make any other arrangements for its care:

- Deliver the animal to the nearest Department of Animal Services shelter and obtain a completed copy of the Animal Relinquishment and Impound Record, Form 30, from the shelter employee; and,

Note: When an animal is to be held as evidence, the shelter employee shall be notified and an entry to that effect will be made on the Form 30.

- Place the copy of the Animal Relinquishment and Impound Record, Form 30, with the arrestee's personal property.

205. VEHICLE PURSUIT PROCEDURES.

205.01 NOTIFYING COMMUNICATIONS DIVISION. When a unit goes in pursuit, it shall advise Communications Division that it is "in pursuit" and give the unit's identification, location, a description of the pursued vehicle and/or suspects, directions taken, and reason for pursuit. Communications Division will be responsible for requesting and assigning to the pursuit a back-up, air unit and an available uniformed supervisor in close proximity to the pursuit. The pursuing unit shall give frequent and comprehensive progress reports.

Any unit having pertinent information regarding the pursuit may advise Communications Division. The secondary unit shall also notify Communications Division, as soon as possible, of the secondary unit's involvement in the pursuit by stating that it is "in pursuit" and its unit identification and location. Once a supervisor is assigned to a pursuit, he/she shall respond immediately and upon arrival, declare himself/herself as Incident Commander via broadcast to Communications Division.

Unmarked Units. Unmarked units without emergency equipment shall not engage in a pursuit. However, officers in unmarked units without emergency equipment may become involved in emergency activities involving a serious crime or a life-endangering situation. In those rare instances, it may be necessary to follow a suspect vehicle while summoning assistance from a black-and-white, four-wheeled unit equipped with external roof-mounted emergency lights. Officers in an unmarked unit without emergency equipment shall not violate the rules of the road as defined in Division 11 of the California Vehicle Code.

When officers in an unmarked unit without emergency equipment become aware that a unit with emergency equipment has arrived and will attempt to stop the suspect vehicle, the unmarked unit shall disengage.

Note: A hybrid unit is a marked, emergency-equipped vehicle and may engage in vehicular pursuit. However, a hybrid is bound by the same restrictions as a motorcycle unit or a dual-purpose unit.

205.10 CONTROL OF A VEHICLE PURSUIT.

General Guidelines. Communications Division will be responsible for requesting and assigning to the pursuit a back-up unit, air unit and an available uniformed supervisor in close proximity to the pursuit. Responding back-up units may respond "Code Three." However, once all authorized units have joined the pursuit, all other units shall discontinue their "Code Three" response. Officers in all other units shall stay clear of the pursuit, but remain alert to its progress and location.

Note: When available, any unit in a pursuit should be a two-officer unit. Tactically, two officers (driver and passenger) are better able to evaluate and control activities in a pursuit.

If the unit initiating the pursuit cannot continue as the primary unit, the secondary unit shall become the primary unit. The secondary unit shall advise Communications Division that it is the primary unit. Another unit may then enter the pursuit and shall advise Communications Division that it is the secondary unit.

In the event a pursuit is initiated by an officer on a motorcycle or in a hybrid or dual purpose vehicle, the pursuing motor officer or driver of the hybrid or dual purpose vehicle shall relinquish the role as the primary unit when a four-wheeled, black-and-white unit equipped with external roof-mounted emergency lights has joined the pursuit. Absent exigent circumstances, officers on a motorcycle or in a hybrid or dual purpose vehicle shall not become a secondary unit after they become aware of the arrival of a secondary black-and-white, four-wheeled unit equipped with external roof-mounted emergency lights.

Primary Unit's Responsibilities. The responsibility of the officers in the primary unit is the apprehension of the suspect without unreasonably endangering themselves or others. The senior officer of the primary unit shall be the Incident Commander and will be responsible for maintaining management and control of the pursuit until a supervisor arrives.

The senior officer's responsibilities also include the decision to become involved in a pursuit, whether more than two units should join the pursuit, and whether the pursuit should be terminated.

Secondary Unit's Responsibility. The secondary unit shall be responsible for backing up the primary unit and broadcasting pertinent information at the termination of the pursuit.

Supervisor's Responsibilities. Once a supervisor is assigned to a pursuit, he/she shall respond immediately and upon arrival, declare themselves as Incident Commander via broadcast to Communications Division. As Incident Commander, he/she shall be responsible for the management and control of the pursuit and post incident management.

The Incident Commander shall monitor the pursuit and continuously assess the situation and ensure that the pursuit is conducted within Department guidelines. If necessary, the supervisor shall direct specific units out of the pursuit, reassign the primary or secondary units, assign an available air unit, terminate the pursuit, or determine the necessity of employing a VIT. Code

Three vehicle operation is authorized for the supervisor, at the supervisor's discretion, to properly monitor and direct the pursuit.

Watch Commander's Responsibility. The watch commander of the primary unit has the authority to assume incident command or transfer command of a pursuit at any time. If that watch commander transfers command of a pursuit (e.g., to another Area watch commander, the California Highway Patrol, etc.), he/she shall immediately notify Communications Division, other involved units, and any on-scene air unit of the transfer of command. If he/she assumes incident command, the Watch Commander shall immediately notify Communications Division and the involved field supervisor of his/her assumption of command. The involved supervisor and all concerned units shall be guided by the Incident Commander's direction.

Communication Division's Responsibility. Upon notification of a unit going in pursuit Communications Division shall ensure that an air unit, back-up (secondary) unit, and any available uniformed supervisor in close proximity to the pursuit are assigned to the pursuit. When an outside pursuing agency requests assistance, Communications Division **shall** contact the requesting agency to determine the nature of the pursuit (i.e., traffic infraction, felony evading, wanted for robbery, driving under the influence, etc.).

205.15 AIR SUPPORT/TRACKING A PURSUIT. The use of an air unit to track a suspect vehicle is a valuable law enforcement tool intended to enhance public and officer safety by encouraging a fleeing suspect(s) to operate his/her vehicle responsibly and/or terminate the pursuit.

Note: Upon the air unit's arrival at the scene of a pursuit, the air unit will assess the situation, advise the Incident Commander of the number of police units in the pursuit, and request if tracking should be initiated. Exigent circumstances may preclude tracking.

Whenever possible, air units shall assume responsibility for tracking a suspect vehicle. In the absence of exigent circumstances (e.g., armed suspect, murder suspect, hostage situation, etc.), which may require pursuing units to remain in pursuit of the suspect's vehicle, authorized ground units shall continue Code Three, and attempt to remain out of the suspect's line of sight, but remain in close proximity to the suspect's vehicle. Authorized ground units shall broadcast whatever information is necessary to assist the air unit.

To assist the Incident Commander in controlling the pursuit, the air unit shall:

- Assume pursuit broadcast responsibilities during the tracking mode;
- Advise the Incident Commander regarding suspect actions and applicable tactical considerations;
- Identify all law enforcement vehicles involved in the pursuit and record the corresponding shop numbers (or vehicle descriptions when shop numbers are not available); and,
- Respond, as practicable, to any other requests from the Incident Commander.

Note: An air unit assigned to the pursuit shall, if necessary, advise non-Department aircraft monitoring the pursuit that the Department's air unit is in tracking mode.

Re-engaging a Pursued Vehicle. When tracking does not produce the desired result of slowing the suspect's driving or the suspect's driving actions are contributing to an increasingly hazardous situation, the Incident Commander, at his/her discretion may direct units to re-engage the suspect vehicle. Absent exigent circumstances, Incident Commander approval during the tracking mode is required by the primary and/or secondary unit to re-engage the pursuit of the vehicle. Should the situation dictate the air unit's discontinuance of the tracking mode, (e.g., visibility, restricted air space, aircraft mechanical issues, etc.), the air unit shall notify Communications Division and the Incident Commander of the circumstances.

205.17 CONTINUATION/TERMINATION OF THE PURSUIT. Officers involved in a pursuit shall continually evaluate the necessity for continuing the pursuit. Officers must determine whether the seriousness of the initial violation or any subsequent violations reasonably warrants continuance of the pursuit. The following factors should be considered when evaluating speeds throughout a pursuit and assessing whether to continue or terminate a pursuit:

- Whether there is an unreasonable risk of injury to the public's safety, the pursuing officers' safety or the safety of the occupant(s) in the fleeing vehicle;
- Whether speeds dangerously exceed the normal flow of traffic;
- Whether vehicular and/or pedestrian traffic safety is unreasonably compromised;
- Whether the suspects can be apprehended at a later time;
- If the weather conditions such as rain, fog, snow, etc., create an unreasonable risk of injury to the public or the pursuing officers;
- The suspect is not responding to the emergency equipment, e.g., siren and red lights of the police vehicle; is not accelerating to get away from the officer; and the only known reason for initiating a pursuit is a minor traffic infraction;
- The seriousness of the crime and its relationship to community safety;
- 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 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;
- The familiarity of the primary pursuing officer with the area;
- The availability of an air unit; and,
- The loss of the pursued vehicle, or unknown location of the pursued vehicle.

All officers involved in a vehicle pursuit will be held accountable for the continuation of a pursuit when circumstances indicate it should have been discontinued. Since driver officers are usually concentrating on the safe operation of the police vehicle, passenger officers are

particularly responsible for advising drivers when they feel the pursuit is exceeding reasonable limits.

205.18 LOSS OF PURSUED VEHICLE. When a pursued vehicle is lost, officers in the primary unit shall immediately broadcast the necessary information to Communications Division. The primary unit shall broadcast supplemental information on the appropriate tactical frequency and coordinate the search as needed. When an air unit is assisting, descriptive and directional information shall be specifically broadcast to the air unit. If it is determined that the location of the pursued vehicle is unknown or the vehicle has been lost, the pursuit shall be discontinued.

205.19 VEHICLE PURSUIT DRIVING TACTICS. During the course of the pursuit, officers shall continuously assess the road conditions and the actions of the suspect. Primary responsibility for pursuit activities shall be restricted to the primary unit, secondary unit, and assigned supervisor. All other units **shall remain clear of the pursuit**, but shall remain alert to the location and progress of the pursuit. Units remaining clear of the pursuit shall follow the rules of the road and shall not drive Code Three. Units other than the primary unit, secondary unit, or assigned supervisor shall not become involved in the pursuit unless requested by officers in the primary unit or directed by a supervisor.

Paralleling. Units shall not parallel nor pass units engaged in the pursuit and shall follow the rules of the road as required by Section 21052 V.C. for purposes of this order, paralleling is defined as any law enforcement vehicle positioned alongside a pursued or pursuing vehicle, or along an adjacent street so as to be parallel to the suspect's or pursuing vehicle's position.

Tactics employed to stop a pursued suspect, such as establishing a physical barricade (road block), boxing in, heading off, ramming, or driving alongside the pursued vehicle are strongly discouraged. These tactics are extremely hazardous and should only be considered in those rare instances when warranted to save a life, and then only as a last resort.

Wrong-way Traffic. Generally, officers shall not pursue a vehicle the wrong way on a freeway, nor shall officers pursue the wrong way on a one-way street. In the event a pursued suspect enters the freeway the wrong way, the following options should be considered:

- Requesting an air unit to assist and coordinate field activities;
- The Estimated Time of Arrival (ETA) of the air unit;
- Maintaining visual contact with the suspect vehicle by driving on the correct side of the freeway;
- Requesting other units to observe the exits available to the suspect vehicle; and,
- Notifying the California Highway Patrol and other police agencies as appropriate.

205.20 VEHICLE INTERVENTION TECHNIQUES. Officers shall obtain approval from a supervisor prior to deploying a Vehicle Intervention Technique (VIT), unless exigent circumstances exist that require immediate action and preclude officers from seeking prior supervisor approval.

A VIT may be deployed when the officer believes that the continued movement of the vehicle would place persons in imminent danger of great bodily harm or death and/or the risk of harm to persons outweighs any risks created by the application of a VIT. The decision to deploy a VIT shall be based on careful consideration of the situation, while maintaining a significant regard for public and officer safety. Only officers who have successfully completed Department approved practical application training taught by Emergency Vehicle Operations personnel are authorized to deploy these methods. Currently, the Department has authorized the following:

A. Tire Deflation Devices. A Tire Deflation Device (TDD), commonly referred to as a “Spike Strip” is used to impede or stop the movement of vehicles by deflating the tires.

The TDD normally should not be deployed for a pursued vehicle traveling at speeds in excess of 65 mph.

Absent exigent circumstances, the TDD should generally not be used in adverse terrain or where geographic configurations increase the risk of injury to the suspect (e.g., on roadways bounded by steep descending embankments, curves), or at any location where safety of proceeding or opposing traffic cannot be assured. Absent exigent circumstances where lethal force is authorized, officers shall not use a TDD on two or three wheeled vehicles.

B. Pursuit Intervention Technique. The Pursuit Intervention Technique (PIT) is designed to be executed by a pursuing police vehicle. The PIT is a technique in which the officer’s vehicle makes contact with the rear quarter panel of the suspect’s vehicle, causing it to rotate and come to a stop. If the technique is properly executed, damage to the officer’s vehicle should be minor or negligible. The location chosen to implement a PIT is of paramount importance. The area should be clear of pedestrians and other occupied vehicles, and road conditions should be in good condition (e.g., free from loose gravel, significant road repair). Unless exigent circumstances exist, the PIT **should not** be attempted when the following exists:

- The pursued vehicle is traveling in excess of 35 mph;
- The size of the pursued vehicle is significantly heavier than the primary unit's police vehicle (e.g., buses, motor homes, semi-trucks, dual-rear-wheel pickup trucks);
- Vehicles with a higher center of gravity;
- The pursued vehicle is transporting hazardous material;
- Since deploying the PIT will cause officers to be in close proximity to the suspect, a PIT should not be used on a suspect who is known to be armed; and,
- The pursued vehicle is a motorcycle, motor scooter or three-wheeled cycle.

205.21 HOSTAGE - INVOLVED VEHICLE PURSUIT. It must be emphasized that the safety of the hostage must be the primary consideration in determining the tactics that will be employed to effect the release of the hostage and apprehend the suspect(s).

Initial Notification. When a member of the Department becomes aware that a hostage is, or may be, in a pursued vehicle, Communications Division shall be advised immediately. All

available information shall be reported, including a physical description of the hostage, manner of dress, and the exact location of the hostage within the vehicle (when known).

Communications Division's Responsibility. Communications Division shall ensure all hostage-related information is immediately broadcast. The fact that a hostage may be involved in a pursuit shall be periodically transmitted during the subsequent pursuit status broadcasts. In instances where the taking of a hostage has not been confirmed, Communications Division shall attempt to obtain additional information from the original reporting person via telephone. If a callback number is not available, or the reporting person cannot be contacted, Communications Division shall assign a specific unit to respond to the scene of the initial occurrence to verify the taking of a hostage.

Primary Unit's Responsibility. The primary unit shall broadcast any known information regarding the hostage's position within the vehicle, a description of the hostage, suspect information, and information regarding the suspect's weaponry. The presence of a hostage in the pursuit magnifies the importance of the primary unit maintaining maximum control and ensuring that nonessential units do not become involved in the pursuit.

205.23 SPECIAL WEAPONS AND TACTICS VEHICLE PURSUIT INTERDICTION.

Vehicle Intervention Techniques (VIT) readily available to officers are not always feasible, advisable, or effective based on the suspect(s)' actions or potential actions. When conventional VITs are undeployable or ineffective, Special Weapons and Tactics (SWAT) team resources may be considered as they deploy specialized equipment and tactics not generally implemented by other Department entities. Some techniques deployable by SWAT include, but are not limited to, the following:

- The Pursuit Intervention Technique (PIT);
- PIT maneuver of a suspect known or believed to be armed;
- Establishment of a physical barricade (road block);
- Establishment of a physical barrier (boxing in);
- Heading off the suspect(s)' vehicle;
- Driving alongside the suspect's vehicle;
- Ramming the suspect's vehicle with intent to disable it and prevent drivability; and/or,
- Other vehicle interdiction techniques.

Consideration for Special Weapons and Tactics Requests During Vehicle Pursuits. The Incident Commander may consider, the following criteria prior to requesting SWAT during a vehicle pursuit:

- The suspect(s) is armed or believed to be armed, and the propensity for violence exists either during, or at the termination of the pursuit (e.g. shots fired at the police or public, brandishing a weapon(s) at officers, or threats of a violent confrontation or suicide conveyed to a third-party);
- There is, or believed to be, a hostage in the pursued vehicle;
- The size or perceived weight of the suspect's vehicle would prevent pursuing units from engaging with conventional VIT tactics;

- The suspect(s) is actively using his or her vehicle as a weapon to harm the public or there is credible information that the suspect(s) is driving to a location to intentionally cause harm to others by using the vehicle as a weapon or delivering a potentially harmful payload in order to cause mass casualties (e.g. explosives or weaponized hazardous material);
- The suspect(s) is driving at a speed, direction, or in a manner where SWAT equipment can successfully engage the suspect vehicle;
- The pursuit has drawn sufficient public attention such that bystander interference or involvement has significantly jeopardized public safety or presents increased risks to the pursuing officers; and,
- The suspect is driving in a predictable, roundabout, or indirect route.

Special Weapons and Tactics Deployment. In circumstances where SWAT has been requested for vehicle pursuit interdiction, the Incident Commander shall continuously monitor the circumstances of the incident for any changes that may negate the need for SWAT (e.g. pursued vehicle collides and/or the suspect(s) abandon the vehicle and flee on foot, or the CHP has assumed responsibility for the pursuit).

If SWAT is unable to remain actively engaged with the suspect(s)' vehicle, responsibility and control for the pursuit shall be relinquished back to the primary unit, secondary unit, assigned supervisor, and any other authorized unit(s). Special Weapons and Tactics shall disengage from the pursuit but remain available to re-engage or respond to the pursuit termination as requested by the Incident Commander if practicable.

Incident Commander's Responsibilities. The Incident Commander should continuously assess the situation to determine if appropriate circumstances exist for SWAT intervention. If it is determined that the circumstances exist, the Incident Commander shall notify his or her watch commander and contact Metropolitan Division's Watch Commander to request SWAT. The Incident Commander should be prepared to answer questions needed to determine if SWAT's response is warranted: who, what, why, when, where, and how.

Watch Commander's Responsibilities. The watch commander shall ensure the appropriate circumstances for SWAT intervention exist and shall notify his or her respective Area/division commanding officer (CO) of the request.

Commanding Officer's Responsibilities. The Area/division CO shall confirm the existence of appropriate circumstances for SWAT intervention during the vehicle pursuit. If SWAT intervention is requested, the Area/division CO shall obtain approval from his or her bureau CO.

Special Weapons and Tactics Responsibilities. If a SWAT response to a vehicle pursuit is requested, the on-duty/standby SWAT Lieutenant shall notify the CO, Metropolitan Division, and the CO (or designee), Counter-Terrorism and Special Operations Bureau.

Note: While notification and the approval for the Vehicle Intervention Techniques is routed through the chain of command, the Incident Commander is not precluded from contacting

Metropolitan Desk to brief/consult with the on-duty SWAT Lieutenant who may direct the planning, assembly of equipment, and staging of on-duty SWAT personnel in preparation for an approval of intervention by the bureau CO.

205.25 PURSUITS REQUIRING OUTSIDE RESPONSE. When a pursuit leaves the primary unit's Area of assignment, the primary unit shall:

- Notify Communications Division that the pursuit is entering another geographic Area; This assists Communications Division in broadcasting pursuit information on the appropriate radio frequencies; and,
- Notify Communications Division when the pursuit is entering another city. This assists Communications Division in contacting the appropriate agency to coordinate the exchange of information between involved agencies.

The primary unit shall notify Communications Division of the presence of other law enforcement agencies and relay any request for assistance from or to another law enforcement agency unit through Communications Division.

205.30 VEHICLE PURSUITS BY OTHER LAW ENFORCEMENT AGENCIES. When a pursuit initiated by another law enforcement agency occurs in the City, the initiating unit and jurisdiction shall be responsible for the progress of the pursuit. The Los Angeles Police Department (LAPD) units shall not attempt to assist with the pursuit unless specifically requested to do so by the pursuing agency or unless it is clearly demonstrated that assistance from this Department is required. Officers shall seek approval from their watch commander prior to becoming involved in another agency's pursuit. In the event an LAPD unit becomes involved in another agency's pursuit, this Department's vehicle pursuit policy shall apply.

Generally, it is a poor practice to co-mingle ground units from different agencies during a pursuit. Therefore, when the Department accepts responsibility for a pursuit initiated by another agency, the other agency should be directed to completely disengage from the pursuit. Similarly, when a Department pursuit is turned over to another agency, LAPD ground units should completely disengage. The Incident Commander shall verify control of the pursuit by requesting, via Communications Division, that the appropriate agency units disengage from the pursuit.

Trailing a Department-initiated pursuit which has been turned over to another agency is a decision to be made by the Incident Commander and is usually based upon the necessity for the Department to accept custody of the offender at termination. However, distance from the City is a factor to be considered in the decision to trail. The Incident Commander shall make appropriate notifications to officers to ensure effective post-pursuit discipline and avoid co-mingling different agency ground units at the termination of the pursuit.

205.35 POST - PURSUIT DISCIPLINE. Safety is critical at the termination of a pursuit, therefore, the need for decisive action, self-control, and strict personal discipline is essential. The responsibility for maintaining control and directing activities at the termination point of a vehicle pursuit must remain with the Incident Commander. The officers in the

secondary unit shall be responsible for backing up the primary unit and broadcasting pertinent information at the termination of the pursuit.

Note: Responding plainclothes personnel shall ensure that they are readily identifiable as police officers by affixing proper identification on their outer garment.

When the pursuit is terminated and the suspect(s) flees on foot, the air unit, when involved, shall broadcast any information which may assist in the deployment of ground units.

When Communications Division broadcasts the location and other information indicating that the vehicle pursuit is terminated, involved units shall temporarily switch their radios to the appropriate tactical frequency. The tactical frequency shall be used to coordinate the search for a suspect(s) fleeing on foot.

205.40 APPREHENSION OF THE SUSPECT AT PURSUIT TERMINATION. At the end of a pursuit, officers shall rely on Department approved tactics and training in taking the suspect(s) into custody, and shall abide by the Department's Use of Force Policy if force is necessary to effect the arrest.

Note: Officers shall take special note and be familiar with Section 1/556.40, *Shooting At Or From A Moving Vehicle*.

205.45 VEHICLE PURSUIT REPORT GUIDELINES. In the event that a PIT or deployment of a tire deflation device is **attempted**, the Vehicle Pursuit Report shall include the heading, "**Pursuit Intervention.**" It shall be included in the report immediately following the, "Circumstances of Pursuit Termination" section. Additionally, the following information shall be provided:

- Who authorized the deployment;
- The date and time of the deployment;
- The specific location of the deployment;
- The direction of the suspect's travel;
- The estimated speed of the suspect's vehicle at the time of deployment;
- The results of the deployment;
- Any damage to any vehicle resulting from an intervention;
- A description of where in the roadway the deflation device was placed;
- Any unintended traffic crashES that occurred; and,
- Any injuries observed or complained of that are or could be related to the intervention.

Note: Since the PIT maneuver is an intentional act, it is not considered a traffic crash unless a third party is struck in the process.

Supervisor's Responsibility. The Incident Commander controlling the pursuit is responsible for managing, and when possible, approving a PIT or the deployment of a tire deflation device. In

the event a VIT is employed, the controlling supervisor shall ensure that a detailed description of the method used is contained in the Vehicle Pursuit Report, Form 01.14.00.

- Photographs shall be taken of all vehicles affected by any intervention attempt;
- Photographs and/or the original floppy diskette containing digital images shall be attached to the Vehicle Pursuit Report. Photographs are intended to show any damage resulting from the intervention or the lack thereof; and,
- In the event damage occurs to Department vehicles, it shall be recorded in accordance with establish guidelines.

Note: Photographs of the injuries shall be obtained and medical treatment shall be provided to the injured parties.

205.50 TRAFFIC CRASH REPORTING GUIDELINES. The application of a pursuit intervention technique (PIT) or tire deflation device is not a traffic crash. However, in the event that either of these causes an *unintended* crash between any vehicle and any other object or person, it is reportable as a traffic crash.

- The geographic bureau in which the pursuit was initiated shall be contacted to conduct the investigation and prepare the appropriate reports; and,
- The Department's Multi-Disciplinary Collision Investigation Team (MCIT) shall be contacted in the event of any fatal or serious injury related to the deployment of a tire deflation device or PIT.

205.55 SUPERVISOR'S RESPONSIBILITY AT TERMINATION OF PURSUIT. When a supervisor from the pursuing officer's Area or division of assignment has not responded to the termination point of the pursuit, Communications Division shall dispatch a supervisor from the primary unit's Area or division of assignment to the location. Upon arrival at the termination point, the supervisor shall immediately assume responsibility for controlling police action at the scene and ensuring adherence to Departmental policies. The supervisor shall retain these responsibilities until the suspect is booked or released and all reports are completed. The supervisor shall also submit a Vehicle Pursuit Report, Form 01.14.00, and a California Highway Patrol Pursuit Report, Form CHP 187, to the involved officer's commanding officer.

All Vehicle Pursuit Reports require a DR number. If a pursuit results in the completion of other related reports the DR number for the related reports shall also be used for the Vehicle Pursuit Report. Copies of all related reports shall be distributed with the Vehicle Pursuit Report. If a pursuit is terminated without police action that requires other reports, a miscellaneous DR number shall be obtained for the Vehicle Pursuit Report. Only Section I of the Form CHP 187 shall be completed by a supervisor. The DR number shall be placed in the lower box in the upper right hand corner of the Form.

A supervisor from the Area in which the pursuit terminates, or a supervisor from the closest Area if the termination point is outside the City, shall respond immediately to the scene and remain in charge until relieved by a supervisor from the pursuing officers' Area or division of

assignment. When a supervisor from the pursuing officers' Area or division is unable to respond, the supervisor-in-charge at the scene shall assume all the prescribed responsibilities.

Supervisory personnel shall take appropriate action when they become aware of violations of the Department's pursuit policy. The supervisor-in-charge shall contact Air Support Division (ASD) to identify all vehicles in the pursuit. The name of the ASD officer contacted and the identity of all officers in the pursuit shall be included in the Vehicle Pursuit Report, Form 01.14.00. When it is determined that unauthorized units are involved, corrective action shall be recommended in the Form 01.14.00.

205.60 REQUIRED ADMINISTRATIVE NOTIFICATION OF PURSUIT. Only vehicle pursuits amounting to an Unusual Incident, as outlined in Manual Section 4/214.50, require an administrative notification to Communications Division, Department Operations Center (DOC).

205.65 VEHICLE PURSUIT - REPORTING.

Supervisor's Responsibility. The supervisor completing the Vehicle Pursuit Report shall include an attached narrative using the following headings:

- Incident Overview;
- Tracking;
- Supervisory Oversight;
- Reason for Initiation;
- Circumstances of Pursuit Termination;
- Pursuit Intervention (if applicable);
- Additional Units in Pursuit;
- Hostage Information;
- General Route of Pursuit;
- Outside Areas/Agencies Involved;
- Injuries/Medical Treatment (to include how the injuries were sustained); and,
- Arrest Information.

The supervisor conducting the investigation shall not include an opinion or a policy recommendation in the Vehicle Pursuit Report.

Watch Commander/Officer in Charge's Responsibility. The involved officer's watch commander/officer in charge shall include his or her insight and a policy recommendation at the end of the supervisor's narrative under a separate heading of "Watch Commander/OIC Evaluation and Insight."

205.70 DOCUMENTATION REQUIREMENTS. In an effort to accurately assess the potential impact of the proposed changes to our pursuit policy, Department personnel shall document their findings in the following manner:

Loss of Pursued Vehicle. An assigned supervisor handling a lost pursued vehicle shall, when completing a Vehicle Pursuit Report, Form 01.14.00, include any insight into what caused the Department to lose the suspect (e.g., distance too great between patrol and suspect vehicle, etc.) under the Incident/Overview heading.

Failures to Yield. If a unit attempts to stop a vehicle for an infraction, misdemeanor evading, or reckless driving in response to enforcement action taken by Department personnel, and the driver fails to yield, a pursuit shall not be initiated.

Instead, officers shall generate an incident number and complete a Investigative Report (IR), Form 03.01.00, titled, *Failure to Yield*, listing the City of Los Angeles as the victim and the involved officer(s) as a witness. Additionally, officers shall indicate under the “MO” section of the IR what served as the basis of their decision not to pursue (i.e., infraction, misdemeanor evading, or reckless driving in response to enforcement action taken by Department personnel).

Note: Officers may, with supervisory approval, conduct a limited follow-up investigation (e.g., to the registered owner’s residence).

205.75 COMMANDING OFFICER, CONCERNED BUREAU TRAFFIC DIVISION, RESPONSIBILITY. All *Failure to Yield* reports shall be forwarded to and investigated by the Bureau Traffic Division, Area of occurrence. Commanding officers shall ensure that each *Failure to Yield* case is investigated with due diligence.

205.80 AREA RECORDS PERSONNEL RESPONSIBILITY. *Failure to Yield* reports shall be processed and investigated similar to *Misdemeanor Hit-and-Run* reports, but with an assigned class code of 890. Additionally, Area records personnel shall review the MO section of the report and assign the appropriate code to each report, as follows:

MO Code

- Infraction 1315
- Misdemeanor Evading 1316
- Reckless Driving 1317

All *Failure to Yield* reports shall be distributed as follows:

- 1- Original, Investigating Traffic Division
- 2- Copy Emergency Operations Division
- 3- **TOTAL**

205.90 VEHICLE PURSUIT SAFETY INSPECTION. Officers involved in a vehicle pursuit shall notify the appropriate Motor Transport Division facility for a required vehicle inspection after the pursuit. The primary vehicle involved in the pursuit shall be taken out of service until such an inspection has been performed.

205.95 ANNUAL VEHICLE PURSUIT POLICY TRAINING AND ELECTRONIC SENATE BILL 719 PURSUIT POLICY TRAINING ATTESTATION. All sworn personnel shall comply with the State of California's Vehicle Code Section 17004.7, which mandates that in order to obtain immunity for vehicle pursuits, all California law enforcement officers must receive Annual Vehicle Pursuit Policy Training and certify that they have "received, read, and understand" the pursuit policy on an annual basis. Accordingly, all sworn personnel shall complete and sign the Annual Vehicle Pursuit Policy Training and SB 719 Pursuit Policy Training Attestation (Attestation) by the **administrative due date of September 30 of each calendar year.**

Sworn Personnel Responsibilities. All sworn personnel shall:

- Complete the Annual Vehicle Pursuit Policy Training and sign the Attestation by the **administrative due date of September 30 of each calendar year.**

Training Coordinator's Responsibilities. The training coordinator shall:

- Ensure that all sworn personnel within their command complete the Annual Pursuit Policy Training and sign the Attestation by the **administrative due date of September 30 of each calendar year;** and,
- Notify his or her commanding officer identifying all sworn personnel who have not completed the vehicle pursuit training and Attestation.

Commanding Officer's Responsibilities. A commanding officer shall:

- Ensure that his or her training coordinator completes the above responsibilities;
- Ensure that an Intradepartmental Correspondence, Form 15.02.00, is completed, identifying all sworn personnel who are unable to complete the Annual Vehicle Pursuit Policy Training and Attestation due to unforeseen circumstances (e.g. Injured on Duty or on military leave status) by the administrative due date; and,
- Ensure that the Intradepartmental Correspondence is forwarded via their chain of command by the **administrative due date of November 30 of each calendar year.**

206. AIRCRAFT INVOLVED IN ACCIDENT.

206.05 AIRCRAFT ACCIDENT NOTIFICATION. The officer receiving the initial call to the scene of an aircraft accident shall, without delay, request a supervisor, and notify the Watch Commander at Detective Support and Vice Division, of the following information:

- Time and location of the accident;
- Identification number of the aircraft;
- Type and class of the aircraft;
- Owner of the aircraft;
- Name and address of the pilot;
- Whether United States mail was being carried;
- Extent of damage to the aircraft or other property;

- Number of casualties;
- Circumstances of the accident; and,
- The unit and officer reporting.

When an aircraft accident involves DEPARTMENT aircraft, the Aircraft Mishap Investigation Team (AMIT), Air Support Division, shall be notified.

Upon notification of a DEPARTMENT aircraft accident, the AMIT shall:

- Respond to the scene and conduct an investigation to determine the causes and factors contributing to the accident; and,
- Prepare a report of the investigation together with any other required reports for death, injury, or City property damaged, which shall be forwarded through channels to the Chief of Police.

Note: The National Transportation Safety Board (NTSB) and the Federal Aviation Administration (FAA) have the statutory responsibility for investigating all civil aviation accidents.

When the concerned investigating follow-up unit is closed, a notification shall be made to Administrative Unit, Detective Support and Vice Division.

206.10 INVESTIGATING AND REPORTING AIRCRAFT ACCIDENTS. Officers directed to an aircraft accident within the City shall protect the scene until relieved by the appropriate entity responsible for investigating the aircraft accident.

Note: Officers shall conduct a preliminary investigation and take appropriate action (Manual Section 4/206.18) whenever a pilot is suspected of operating an aircraft while under the influence of alcohol, drugs, or any combination thereof.

When Department aircraft are not involved, officers assigned to the accident scene shall complete required reports for City property damaged.

Damaged City property (other than aircraft) and the pilot, if possible, shall be identified in an Employee's Report, Form 15.07.00. One copy of the Department report detailing City property involved (CPI) shall be forwarded to the "City Attorney-Civil Liability Section."

Note: The crash between conveyances and an aircraft crashing onto a highway is not classified as a traffic crash. However, once an accident has stabilized, any subsequent crash of a conveyance into the wreckage would constitute a traffic crash and a Traffic Crash Report would be required.

206.15 VIOLATION INVOLVED IN AIRCRAFT ACCIDENT. When an aircraft accident appears to have been caused by a violation of law, the investigating officer shall include the elements of the offense in the required report (Manual Section 4/206.10).

206.18 OPERATING AIRCRAFT UNDER-THE-INFLUENCE (OAUI) ARRESTS.

Persons arrested for operating an aircraft while under-the-influence of alcohol or drugs, or any combination thereof, are required by the California Public Utilities Code to submit to and complete a chemical test of their blood, breath, or urine. The Driving-Under-the-Influence (DUI) Arrest Report (Continuation), Form 05.02.05, shall be used to document the arrest. When using the Form 05.02.05, officers shall:

- Delete all references to driving and insert "Operating an Aircraft" on the Form 05.02.05; and,
- Delete paragraph three, Chemical Test Admonition (23157 VC) and substitute the following admonition:
 - "Failure to submit to or complete the required chemical testing, or conviction of operating an aircraft while under the influence of alcohol, drugs, or any combination thereof, may result in the California Public Utilities Commission prohibiting you from operating an aircraft in this State for up to one year."

Note: The report narrative shall include this admonition verbatim and the name of the officer admonishing the arrestee.

All procedures pertaining to Under-the-Influence Drivers (Manual Section 4/343), with the exception of those specifically outlined in this Section, shall be completed for each OAUI arrest. A copy of every report involving the improper operation of a Federal Aviation Administration (FAA) regulated aircraft shall be sent to Air Support Division. The filing of criminal charges involving the operation of an aircraft while under-the-influence shall be handled the same as vehicle DUI filings.

206.20 VIOLATIONS OF AIRCRAFT LAWS, REPORTING. An officer who receives a report of, or observes, the reckless or unsafe operation of an aircraft shall complete an Investigative Report (IR), Form 03.01.00, and forward a copy to Air Support Division. The IR shall be titled "Reckless" or "Unsafe Operation of an Aircraft." The report shall include:

- The "N" number which appears on the under side of the aircraft;
- The color and markings of the aircraft;
- The general type of the aircraft, such as single-engine, multi-engine, high-wing, or low-wing;
- An estimate of the altitude of the aircraft above the ground;
- A description of the manner in which the aircraft was being operated, such as climbing, diving, acrobatics, or racing motor;
- Names, addresses, and telephone numbers of witnesses;
- Exact time of occurrence; and,
- Location of occurrence.

When an aircraft is involved in a situation which could cause an immediate danger to the public, the officer should notify the nearest air unit or Air Support Division.

Air Support Division's Responsibility. Upon receipt of any report involving the reckless or unsafe operation of an aircraft, or the arrest of any person operating an aircraft while under the influence of alcohol or drugs, or combination thereof, Air Support Division shall:

- Review the report for completeness;
- Conduct a follow-up investigation when the report received is a IR;
- Telephonically notify the Federal Aviation Administration (FAA) of the reported violation; and,
- Forward a copy of the appropriate report(s) to:

Federal Aviation Administration
Flight Standards District Office
5885 West Imperial Highway
Los Angeles, CA 90045

207. LASER STRIKE ON AIRCRAFT — DEFINITIONS.

Aircraft – Defined. Per California Public Utilities Code 21012, Aircraft means any manned contrivance used or designed for navigation of or flight in, the air requiring certification and registration as prescribed by federal statute or regulation. Per Section 21012, manned lighter-than-air balloons and ultralight vehicles as defined in the regulations of the Federal Aviation Administration (14 Code of Federal Regulations Part 103), whether or not certificated by the Federal Aviation Administration, shall not be considered to be aircraft for purposes of this pan.

Note: As used in this section, “aircraft” includes any contrivance intended for, and capable of transporting persons through airspace, such as airplanes and helicopters.

Laser – Defined. A device that utilizes the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible, or infrared region of the spectrum, and when discharged exceeds one milliwatt continuous wave.

Laser Pointer – Defined. Any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item or object.

Laser Strike on Aircraft – Defined. A willfull and knowing act of discharging a laser at an aircraft, whether in motion or in flight, while occupied.

207.05 VIOLATION INVOLVED IN LASER STRIKE ON AIRCRAFT. When a Laser Strike on Aircraft appears to have been in violation of the law (e.g., California Penal Code §248 or 18 U.S. Code §39A), the responding officer shall take appropriate action, complete an Investigative Report, Form 03.01.00, titled “Discharging a Laser at an Aircraft,” include the

elements of the offense, and shall immediately contact the Criminal Investigation Section, Major Crimes Division (MCD).

Note: During off hours, MCD can be reached via the Department Operations Center, Communications Division.

207.10 LASER STRIKE ON AIRCRAFT PROCEDURES. Major Crimes Division (MCD) shall be designated as the responsible entity for investigating incidents where lasers or concentrated amplified light-emitting devices are maliciously used on private, commercial, government, or Department aircraft. When MCD is unavailable, a notification shall be made to the Department Operations Center (DOC).

If an officer witnesses a Laser Strike on Aircraft (LSOA), or an attempt to commit an LSOA, he or she shall notify Air Support Division (ASD). Officers shall coordinate with ASD to attempt to detect or apprehend the suspect(s).

Note: Air Support Division personnel shall complete their own Investigative Report (IR), Form 03.01.00, if they become a victim of an LSOA.

Area Watch Commander's Responsibilities. Area watch commanders shall ensure that **if MCD personnel have indicated that MCD cannot respond to the Area of occurrence**, an officer shall complete an IR with the title “Discharging a Laser at an Aircraft,” and make sure to utilize either the Uniform Crime Reporting Crime Class (CC) Code 230, Aggravated Assault; or, CC Code 231, Aggravated Assault on Police Officer, based on whether a civilian/government aircraft or a police aircraft was involved. The Modus Operandi (MO) Code 0388 shall be used which states “Suspect Points Laser at Plane/Helicopter.” The officer shall mark the checkbox “Extra Copies” on the left side of the IR and write “MCD” and “ASD.”

Area Records Unit Responsibilities. Area Records Unit personnel shall ensure that the indicated IR CC Code 230, Aggravated Assault; or, CC Code 231, Aggravated Assault on Police Officer, is entered into the Consolidated Crime Analysis Database (CCAD); and that the MO Code 0388, “Suspect Points Laser at Plane/Helicopter” is entered into the CCAD, along with extra copies to MCD, Stop 400, and ASD, Stop 428.

207.15 LASER STRIKE ON AIRCRAFT ARRESTS. The Criminal Investigation Section, Major Crimes Division, is responsible for investigating conducting follow-up, and arresting individuals involved in Laser Strike on Aircraft (LSOA) incident(s), booking evidence, and having any evidence tested. The filing of criminal charges involving an LSOA shall be handled in the same manner as other misdemeanor or felony case filings.

Note: A copy of any Investigative Report, Form 03.01.00, or Arrest Report, Form 05.02.00, involving an LSOA shall be forwarded to Air Support Division.

207.20 LASER STRIKE ON AIRCRAFT NOTIFICATION. The responding patrol officers receiving the initial call to the scene of a Laser Strike on Aircraft shall, without delay, notify Major Crimes Division with the following information:

- Time and location of the laser strike;
- Identification number of the victim aircraft;
- Type and class of the aircraft;
- Owner of the aircraft or affiliated governmental agency;
- Name and address of the pilot, co-pilot, and crew;
- Extent of injuries or complained of injuries to the crew or passengers;
- Damage to the aircraft or other property;
- Approximate location or Global Positioning System coordinates of the incident, if available;
- Circumstances of the laser strike;
- Suspect(s) description, including vehicles or vessels used; and,
- The unit and officer reporting.

207.25 LASER STRIKE ON AIRCRAFT REPORTING. An officer who receives a report of or observes an aircraft being illuminated by a high-powered focused beam of light (laser strike) or other concentrated amplified light-emitting device shall complete an Investigative Report (IR), Form 03.01.00, and forward a copy of the report to Major Crimes Division (MCD) and Air Support Division (ASD). The IR shall be titled “Discharging a Laser at an Aircraft.” The report shall include:

- The “N” number or registration number which appears on the aircraft;
- The color and markings of the aircraft;
- The general type of the aircraft, such as helicopter, fixed-wing, single-engine, multi-engine, high-wing, or low-wing;
- An estimate of the altitude of the aircraft above the ground;
- A description of the manner in which the aircraft was being illuminated by the laser or focused light, and what actions were initiated by the crew to avoid the illumination, such as climbing, diving, aerobatics, or motor acceleration;
- Any injuries, medical treatment, or temporary visual disruptions (blindness, pain, burning etc.) sustained by the victim(s);
- Approximate location or Global Positioning System coordinates of the incident, if available;
- A description of the involved suspect(s) and/or suspect(s) vehicle/vessel;
- Names, addresses, and telephone numbers of witnesses; and,
- Date, time, and location of occurrence.

When an aircraft is involved in a situation that could cause an immediate danger to the public, the officer shall notify the nearest air unit or ASD and the Department Operation Center.

Major Crimes Division's Responsibilities. Upon receipt of any report involving a Laser Strike on Aircraft (LSOA), MCD shall assume primary investigative responsibility for LSOA cases that involve aircraft in motion or in flight.

The CO, MCD, shall have the final authority in determining which cases MCD shall investigate.

208. INVESTIGATION OF HAZARDOUS CONDITIONS.

208.10 ISOLATION OF SCENE OF HAZARD. If a hazardous condition is observed which endangers life or property, or which might create a civil liability to the City, the scene shall be isolated.

Police Vehicle. A police vehicle shall not be illegally parked to protect the scene of a hazard.

208.20 EMERGENCY STREET REPAIRS. Requests for emergency street service and/or barricades shall be made for the following hazards:

- Damaged street and sidewalks;
- Broken guard rails;
- Oil spills, glass, or other debris constituting a hazard in the street;
- Landslides on the street;
- Fallen trees on the street; or,
- Any other hazard on the street which might create a civil liability to the City.

Requests for emergency street service shall be made to the branch of the Street Maintenance Division, Department of Public Works, located nearest the hazard, or by radio through the communications control operator. Requests for this service shall state:

- The type of hazard; and,
- The specific location of the hazard, including the side of the street.

208.30 RESPONSIBILITY FOR REMOVING DEBRIS. Debris in the street which constitutes a hazard shall be removed by:

- The person responsible (1);
- Requesting the services of the Street Maintenance Division, Department of Public Works;
- Requesting the services of the Fire Department for removal of spilled gasoline, oil, or other liquids which create a fire hazard; or,
- The officer.

[(1) Los Angeles Municipal Code Section 62.130.]

208.40 SEWER MANHOLE OR STORM DRAIN. Requests for emergency service shall be made when:

- Gas is escaping from a manhole or a drain inlet;
- The manhole cover is missing from a sewer manhole; or,
- An explosion occurs in a sewer manhole or a storm drain.

Requests for the emergency service shall be made by telephone to the Fire Department (when fire or fire hazard exists); the Sewer Maintenance Division, Department of Public Works; or by radio to the communications control operator. If the Sewer Maintenance Division is closed, the name and telephone number of the employee of the Sewer Maintenance Division then on-duty shall be obtained from the City Hall telephone switchboard operator. Officers shall telephone the responsible person and inform them of the condition.

The Administrative Unit, Detective Support and Vice Division, shall be notified in each case involving a gas leak, break, or explosion.

208.45 METRO RED, BLUE, GOLD AND GREEN LINES - ELECTROCUTION

HAZARD. Due to the extreme risk of electrocution, absent exigent circumstances, personnel who have not completed the Rail Safety Course shall not enter the Los Angeles County Metropolitan Transit Authority (LACMTA) Metro Red line track-way beyond the passenger platforms. Personnel, whether trained or not in the Rail Safety Course, shall not, under any circumstances, climb on the roofs of the rail cars of the LACMTA Metro Blue, Gold and Green Lines. There is an extreme risk of electrocution from overhead power sources with these rail cars.

208.50 TREES OBSTRUCTING MOTORIST'S VIEW. A tree or shrub that obstructs a motorist's view of an intersection or traffic control device shall be reported telephonically to the Bureau of Street Maintenance. This activity, along with the name of the person notified, shall be recorded on the employee's Daily Field Activities Report, Form 15.52.00.

208.60 POLICE RADIO TOWERS. If light replacements are needed on a police radio tower, the Monitor Control shall be notified.

208.70 EXCAVATIONS ON PRIVATE PROPERTY. When a dangerous and unprotected excavation on private property is observed, the condition shall be reported by telephone to one of the following:

- The Grading Division, Department of Building and Safety, if the excavation is in any manner connected with construction or demolition; or,
- The General Services Division, Bureau of Environmental Sanitation, County Health Department, when the hazard is not associated with construction or demolition.

When possible, notification shall be made on weekdays during normal business hours. When immediate notification is necessary at a time when the Grading Division is closed, the City Hall switchboard operator shall be requested to contact the duty inspector. If the General Services Division is closed, the County switchboard operator shall be contacted.

208.80 BROKEN POWER OR TRANSMISSION LINES. A power or transmission line which is broken or creates a hazardous condition shall be reported to the agency responsible for correcting the condition. The agencies are:

- Department of Water and Power;
- Wire and Signal Division, Department of General Services;
- Los Angeles County Metropolitan Transit Authority;
- Pacific Bell Telephone; and,
- Southern California Edison Company.

If the agency responsible for correcting the condition is unknown, the Transmission and Trouble Section, Department of Water and Power, shall be notified.

208.85 BROKEN WATER FACILITIES. Any public water distribution conduit or outlet which is broken or creates a hazardous condition shall be reported by:

- Telephone to the Water Trouble Section, Department of Water and Power; OR,
- Radio to the communications control operator.

208.90 DEPARTMENT EMPLOYEE'S RESPONSIBILITY. Department employees may use Department of Water and Power (DWP) facilities on a temporary basis as a booking or processing center, or for surveillance purposes. Requests for temporary use of DWP facilities shall be made by a staff officer (Commander or higher). Requests for DWP services or assistance on matters not related to surveillance, investigation, arrests, or related law enforcement activities shall be handled in a manner similar to requests for DWP services from any other City agency. These requests are subject to availability of DWP personnel and equipment. Department employees using DWP facilities or equipment are **prohibited from:**

- Wearing uniforms, or other articles of clothing which would identify them as DWP employees while actively engaged in surveillance, investigation, arrest, or related law enforcement activities;
- Using DWP identified equipment, or vehicles, while actively engaged in surveillance, investigation, arrest, or related law enforcement activities; and,
- Allowing DWP employees to actively participate in any surveillance, investigation, arrest, or related law enforcement activities.

Staff Officer's Responsibility. Staff officers shall be responsible for preparing correspondence and approving requests for the temporary use of DWP facilities or installation of surveillance, monitoring, and communication equipment, or other devices on DWP poles. All requests for the temporary use of DWP facilities must be submitted on Department letterhead to the concerned DWP Division Head. All requests for installation of devices on DWP poles shall be submitted to a DWP System Head or his/her designee.

In cases of extreme emergency, where immediate assistance is requested and it is not possible to secure advanced written approval, a telephonic request may be made to the highest ranking

senior-level DWP manager available. A written follow-up, acknowledging approval of the telephonic request, shall be submitted to DWP in a timely manner.

Note: Use of electronic surveillance equipment shall be in compliance with Department Manual Sections 3/568.10 and 3/568.15.

208.95 "SIG-ALERT" BROADCASTS. Officers detecting disasters or emergencies which will involve a large segment of the population or cause them major inconveniences shall:

- Make a reconnaissance of the area;
- Determine the nature, extent, and possible duration of the disaster or emergency; and,
- Telephone or transmit to the Communications Division all pertinent data and request a "Sig-Alert" message.

Note: The officer in command at the scene when the emergency condition no longer exists shall be responsible for forwarding the "All-clear."

Except in emergency situations, the CHP will be responsible for the initiation and cancellation of Sig-Alerts on the freeway system.

209. ELDER ABUSE.

209.01 ELDER/DEPENDENT ADULT PHYSICAL AND FINANCIAL ABUSE - DEFINITIONS.

Elder - Any person 65 years of age or older;

Dependent Adult – Any person between the ages of 18 and 64 years, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. A “dependent adult” includes any person who has been admitted as an in-patient to a 24-hour health care facility, as defined in Health and Safety Code Section 1250, 1250.2, and 1250.3.

Care Custodian – Any person who has the care, custody, control of, or who stands in a position of trust, with an elder or a dependent adult.

Elder/Dependent Adult Abuse (General) – Elder/dependent adult abuse is defined as physical abuse, neglect, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering; or, the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering; or financial abuse.

The terms “abandonment,” “abduction,” “financial abuse,” “goods and services necessary to avoid physical harm or mental suffering,” “isolation,” “mental suffering,” “neglect,” and “physical abuse” have the same meanings as in Welfare and Institutions Code Sections 15610, et seq.

Elder/Dependent Adult Abuse (Great Bodily Injury Not Likely). A person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered, is in violation of California Penal Code Section 368(c).

False Imprisonment of an Elder/Dependent Adult. A person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is in violation of California Penal Code Section 368(f).

Elder/Dependent Adult Financial Abuse – When any person violates any provision of law prohibiting theft or embezzlement of any property that they know, or should know, belongs to an elder/dependent adult.

Note: Local law enforcement agencies have the responsibility for criminal investigations of elder/dependent adult abuse and criminal neglect. Adult Protective Services (APS) and the Long-Term Care Ombudsman Program (LTCOP) have the authority to investigate incidents of elder/dependent adult abuse and neglect. If requested, APS or the LTCOP may assist enforcement agencies with criminal investigations.

209.05

209.05 SUSPECTED ELDER/DEPENDENT ADULT ABUSE REPORTED BY DEPARTMENT EMPLOYEES.

Officer's Responsibilities. In all cases of suspected elder/dependent adult abuse, officers shall:

- Conduct a preliminary investigation; Complete a State of California 341 Department of Social Services, “Report of Suspected Dependent Adult/Elder Abuse” State of California (SOC) 341;
- Complete the required Department report(s) (e.g., Investigative Report, Form 03.01.00; Arrest Report, Form 05.02.00; and/or Injury Investigation, Form 03.15.00);
- Document in the narrative of all reports that a SOC 341 was completed Send the completed SOC 341 to the appropriate agency(ies) prior to the officer’s end of watch;
- Document in the narrative of all reports the name(s) of the mandated agency(ies) notified;
- Ensure that victims have transportation to an appropriate emergency shelter and/or referral information to the appropriate service agencies; and,

- Initiate commitment of victims pursuant to Section 5150 of the Welfare and Institutions Code (WIC), when necessary.

Note: All elder/dependent adult abuse reports involving serious bodily injury must be completed and approved within two hours after completing the investigation. Reports for elder abuse that do not involve serious bodily injury shall be completed and approved within 24 hours after completing the investigation.

Community Settings. Officers who encounter or are informed of cases of suspected elder/dependent adult abuse and neglect in **community settings** (e.g., homes, apartments, independent living senior housing) shall, in addition to the requirements listed in “Officer’s Responsibilities,” immediately notify Adult Protective Services (APS) of the incident, mail the completed SOC 341 to APS and assist APS in gaining access to the possible victim if there is probable cause to suspect the victim’s life is endangered.

Note: Officers shall document in all related reports the APS six-digit intake number provided by APS.

Health Facility Involved. Officers who encounter or are informed of cases of suspected elder/dependent adult abuse and neglect in a **health facility** (e.g., nursing homes, intermediate care facilities for developmentally disabled, adult day healthcare facilities) shall, in addition to the requirements listed under “Officer’s Responsibilities,” notify and forward the completed SOC 341 to the:

- Long-Term Care Ombudsman Program;
- Department of Public Health Licensing and Certification; and,
- Department of Justice (DOJ) Bureau of Medi-Cal Fraud and Elder Abuse.

Notes: The requirement to report to the Ombudsman Program, regulatory agency and DOJ is pursuant to subparagraphs (c), (d), and (e) of Section 15640 of the WIC.

Community Care Facility Involved. Officers who encounter or are informed of cases of suspected elder/dependent adult abuse and neglect in a **community care facility** [e.g., non-medical facilities such as adult residential facilities, residential care facilities for the elderly (assisted living or board and care facilities), and adult day care facilities] shall, in addition to the requirements listed under “Officer’s Responsibilities,” notify and forward the completed SOC 341 to the:

- Long-Term Care Ombudsman Program;
- Department of Social Services (Community Care Licensing Division); and,
- Department of Justice Bureau of Medi-Cal Fraud and Elder Abuse.

Note: Investigative responsibility of an ongoing elder abuse crime is usually determined by the location of the victim’s residence.

Supervisor's Responsibilities. Prior to approving any report of possible elder/dependent adult abuse, supervisors shall ensure:

- Completion of SOC 341 and verify that this has been documented in the narrative portion of all reports;
- The completed SOC 341 was sent to the appropriate government agency(ies) and to the Area Detective Division or the responsible law enforcement agency; and,
- The appropriate government agency(ies) was/were notified of the incident.

Area Detective Division's Responsibilities. Area detectives shall ensure:

- The Major Assault Crimes (MAC) Coordinator provides consultation and booking advice for physical abuse cases and establishes liaison with the APS office(s) serving its respective Area;
- The completed SOC 341 is reviewed by the MAC Coordinator, and a criminal investigation is conducted when necessary;
- Copies of the completed SOC 341 were forwarded to the appropriate government agency(ies) within **two working days** and a copy is retained by the MAC Coordinator for a minimum of three years;
- The Burglary Coordinator provides case assignment and booking advice on financial abuse cases;
- Roll call training and training materials are provided to Area personnel; and,
- When available, a representative from APS, the Ombudsman Program, the Public Guardian, and the Los Angeles City and District Attorneys' Office, present roll call training associated with elder/dependent adult abuse.

Area Records Supervisor's Responsibility. Each Area records supervisor shall:

- Ensure that all SOC 341 forms are forwarded to the appropriate Area Detective Division investigative unit, or outside law enforcement agency responsible for investigating the case; and,
- Enter code "1202" into the Consolidated Crime Analysis Database data entry screen next to "Modus Operandi" for tracking purposes.

Detective Support and Vice Division's Responsibilities. Detective Support and Vice Division (DSVD) shall maintain a current list of the APS area office locations and phone numbers.

Commercial Crimes Division's Responsibilities. Commercial Crimes Division (CCD) shall:

- Provide advice and assistance to Area Detective Division personnel with elder/dependent adult financial abuse investigations;
- Act as the Department liaison for elder/dependent adult financial abuse with other law enforcement agencies, government agencies, and community groups;
- Maintain information on current and proposed elder/dependent adult financial abuse legislation;

- Provide elder/dependent adult financial abuse training materials to Area Elder Financial Abuse Coordinators to assist in training; and,
- Investigate complex elder/dependent adult financial crimes that have resulted in a substantial monetary loss of the victim's entire estate.

Note: The Commanding Officer, Commercial Crimes Division, has the responsibility for determining which complex elder/dependent adult financial abuse crimes will be investigated by CCD.

209.10 SUSPECTED ELDER PHYSICAL ABUSE REPORTED BY PRIVATE PERSONS.

Department Employee's Responsibility. Department employees, upon telephonic notification of a suspected case of elder physical abuse, shall handle the call as a request for service according to established procedures.

Department employees, upon receipt of a Report of Suspected Elder Physical Abuse, DPSS Form PA1980, from a private person shall forward the form to the concerned Area Detective Division.

If the Area of occurrence is outside of the City's jurisdiction, the form shall be forwarded to the appropriate law enforcement agency.

Note: The Report of Suspected Elder Physical Abuse, Department of Public Social Services (DPSS) Form PA1980, is used by private persons to report cases of elder abuse to an elder protective agency.

Area Detective Division's Responsibility. The Area Detective Division, upon receipt of DPSS Form PA1980 completed by a private person, shall conduct a follow-up investigation and forward the form to the DPSS. If the investigation discloses that a crime has occurred, the concerned detective shall complete the appropriate crime report.

Note: When no crime report is required, the concerned detective shall so note on the DPSS Form PA1980 and maintain a copy in the detective work folder. Automated records of *alleged* elder abuse are maintained by DPSS and will be made available to the concerned detective upon request by contacting the Elder Abuse Section, DPSS.

209.15 CONFIDENTIALITY OF PERSONS WHO REPORT ELDER ABUSE. All requests for release of elder abuse report information shall be referred to Records and Identification Division. Employees releasing confidential information shall do so in accordance with Department Manual Sections 3/406, 3/406.10, and 3/406.20.

210. ILL AND INJURED PERSONS.

210.05 PERSONS IN DEPARTMENT CUSTODY USING PERSONAL MEDICATION. When persons to be booked and detained in Department custody have prescription medication

in their possession, officers shall transport them to the Metropolitan Jail Section, 77th Street Jail Section, or Valley Jail Section dispensary for medical evaluation prior to completing the booking process.

Exception: When persons in Department custody are to be booked and immediately released, a medical evaluation is not necessary.

At no time shall arrestees be allowed to administer the prescription medication to themselves. After receiving proper medical treatment, the arrestees shall be booked as advised by the evaluating physician.

Note: If the medical evaluation determines that the arrestee will require periodic dispensing of medication, the arrestee shall be booked at Metropolitan Jail Section, 77th Street Jail Section, or Valley Jail Section.

210.10 MEDICAL TREATMENT BEFORE BOOKING. Officers having custody of an unbooked arrestee who is, or becomes, ill or injured, or complains of illness or injury, shall follow the procedure as set forth in Manual Section 4/648.10.

210.15 REQUESTING EMERGENCY MEDICAL SERVICES. It will be the responsibility of all Department employees to request a rescue ambulance for a suspect, arrestee, or any other person requesting emergency medical treatment or when it is apparent that he or she is in need of such assistance and is unable to request a rescue ambulance.

210.20 NON-EMERGENCY MEDICAL SERVICES. When a suspect or arrestee requires routine medical treatment, such as pre-booking medical treatment or other non-emergency care, the person may be transported in a police vehicle to one of the following medical facilities:

- A Department Jail Dispensary;
- A Los Angeles County Medical Center; or
- A hospital.

Blood or Medical Supplies. Emergency transportation of blood or medical supplies may be provided, when necessary, for the preservation of life. Approval for such transportation must be obtained from the Commanding Officer, Detective Support and Vice Division.

210.22 REQUESTING AMBULANCE SERVICE. Ambulance service shall be requested by:

- Notifying Communications Division by radio; or,
- Telephoning the appropriate Fire Department Signal Office.

210.23 HANDLING UNCONSCIOUS PERSONS. When an officer encounters an unconscious person who cannot be revived, the officer shall immediately request an ambulance. Unconscious includes a person who reacts only momentarily to a pain compliance stimulus or ammonia inhalant, or is unable to remain awake without repeated coaxing. If such a

person is intoxicated, medical treatment shall be obtained prior to releasing the person to a detoxification facility for evaluation and treatment.

The officer shall obtain a copy of the Los Angeles Fire Department Rescue Report, Form 902M, from the ambulance paramedics and record the serialized number from the Form 902M on the Daily Field Activities Report (DFAR). If the Form 902M is not retained by another entity, it shall be attached to and remain with the Daily Field Activities Report (DFAR).

210.24 TRANSPORTATION AND/OR TREATMENT OF ILL OR INJURED PERSONS BY THE FIRE DEPARTMENT. When a conflict arises between the personnel of the Fire and Police Departments regarding transportation or treatment of an ill or injured person, an Emergency Medical Service (EMS) supervisor and a Department supervisor shall be requested via police radio.

The supervisors shall determine the course of action to be taken, taking into account that Fire Department personnel have the authority to make the final determination whether or not to transport or treat an ill or injured person.

Note: EMS supervisors are deployed 24-hours a day Citywide.

Officers shall obtain the serialized number of the Fire Department Rescue Report, Form 902M, from the ambulance paramedics and record this serialized number on the Daily Field Activities Report (DFAR). When the Form 902M is not retained by another entity, a copy shall be attached to and remain with the DFAR.

The EMS supervisor and unit designation shall be recorded on the DFAR and the concerned Sergeant's Daily Report, Form 15.48.00.

210.28 INJURY OR DEATH DUE TO POLICE ACTION. When any person dies, is seriously injured, or receives a gunshot wound due to action by a member of this Department, the officer involved, when practicable, shall:

- Request that a supervisor be dispatched to the scene; and,
- Notify, or cause to be notified, the Watch Commander, and Detective Support and Vice Division, giving him the details of the incident.

Note: Supervisors assigned to these calls shall verify the making of appropriate notifications. When a person is admitted into the Los Angeles County-USC Medical Center due to an injury occurring at the time of arrest resulting from action by a member of the Department, the injury shall be considered serious; and Detective Support and Vice Division shall be notified as soon as practicable.

210.29 AUTHORIZATION TO RELEASE MEDICAL INFORMATION. Investigating officers seeking authorization for the release of medical information from any arrestee, suspect (whether in custody or not), victim, or witness shall complete an Authorization to Release

Medical Information Form 05.03.00, and adhere to the guidelines delineated in the Form Use Link in Volume V of the Department Manual or in the LAPD E-Forms.

210.30 RELIGIOUS ASSISTANCE. When a person suffering from an injury or illness requests the services of a clergy member, the communications control operator shall be notified immediately. The communications control operator shall be notified whether the clergy member is to be directed to the scene of the incident or to a particular hospital or clinic. If investigation reveals that a seriously ill or injured person is a Catholic but, because of physical condition, is unable to request a priest, the communications control operator shall be notified as though a request had been made.

When the injured person is an employee of this Department, information regarding a specific clergy member to be notified may be obtained from Detective Support and Vice Division.

210.32 CLERGY MEMBERS AND DOCTORS. Clergy members and doctors shall be permitted to approach dead or dying persons. They shall be cautioned to avoid destroying any evidence.

210.34 NON - CUSTODIAL INDIVIDUALS CLAIMING INJURY DUE TO DEPARTMENT EMPLOYEE ACTIONS. When circumstances indicate that a non-custodial individual may have been, or claims to have been, injured by a Department employee, the investigating supervisor shall ensure that the individual receives a medical examination or evaluation.

Note: In the case of any **medical emergency** involving a non-custodial individual, the investigating supervisor shall ensure that a rescue ambulance has been requested.

A medical evaluation for evidentiary purposes shall be obtained at one of the following medical facilities. The following precedence list has been established, and facilities shall be used in descending order:

- Department Jail Dispensary;
- Los Angeles County Medical Centers; or,
- If the above are impracticable, at one of the Department's contract hospitals.

Investigating Supervisor's Responsibility. It shall be the responsibility of the investigating supervisor to ensure that a non-custodial individual who claims to have been injured by a Department employee is examined for any signs of injury by a licensed physician and the appropriate documentation is completed. The investigating supervisor shall cause the non-custodial individual to be taken to a medical facility as delineated on the precedence list. If the evidentiary examination cannot be completed at the first medical facility the individual is brought to, the supervisor may transport the individual to a secondary medical facility as listed on the precedence list for completion of the evidentiary exam. The examining physician can provide assessment, recommendation for additional medical treatment, and documentation of any observable trauma or injuries.

Regardless of which medical facility is utilized, the individual shall only receive an evidentiary examination. An investigating supervisor **shall not** authorize or approve medical treatment such as sutures, surgery, tetanus shots, medication, lab work, intravenous injections (IV), etc. If medical personnel determine that immediate treatment is required, the evidentiary examination shall be concluded. The supervisor shall inform medical personnel that any further treatment shall be considered as if the individual were brought in by City paramedics or had been a walk-in patient to the hospital. Additionally, investigating supervisors **shall not** utilize the services of non-contract hospitals for evidentiary examinations involving non-custodial individuals.

If applicable, the supervisor shall request the individual to submit to photographs depicting injury, or lack of injury, and other pertinent details when:

- Photographs would be of evidential value; or,
- The injury is claimed to be the result of a Department employee action.

210.35 MEDICAL EXAMINATION FOR VICTIMS OF SEXUAL ASSAULT. Victims of sexual assault shall be transported to an appropriate contract hospital for medical care and the collection of related medical evidence as soon as possible after the crime. Officers conducting a preliminary investigation of rape cases should routinely transport the victim in a black and white police vehicle. However, if the victim shows any apprehension about riding in a black and white vehicle, or requests transportation in a plain vehicle, officers shall make a reasonable effort to transport the victim in a plain vehicle.

210.36 SEXUAL ASSAULT VICTIM'S RIGHT TO AN ADVOCATE AND SUPPORT PERSON. An officer conducting a preliminary investigation involving a sexual assault shall advise the victim of his/her right to have a victim's advocate and at least one other support person of the victim's choosing present during the interview. This notification need only be made during the initial interview. If a victim should invoke his/her right to an advocate or support person mid-interview or during a subsequent follow-up interview, an officer shall honor that request.

If a victim is too young to comprehend the admonition, the officer may contact the parent/guardian to determine if an advocate and/or support person would be appropriate. If there is no parent/guardian available, or if their involvement could be detrimental to the investigation, the officer shall determine if an advocate and/or support person would be appropriate. If one is needed, the officer shall contact the Area Juvenile Coordinator or Major Assault Crimes Coordinator for further assistance.

Note: An officer seeking to obtain initial information at a crime scene to determine whether a crime has been committed and/or the identity of the suspect(s) for an initial crime broadcast, is **not** required to make this notification at that time.

Exception: An officer may exclude any individual from being present during an interview as an advocate or support person when the officer determines that the person may be detrimental to the investigation, such as a potential suspect and/or percipient witness. However, an officer

shall proceed with caution and sensitivity toward the victim when denying a victim their choice of an advocate and/or support person.

210.37 GENDER PREFERENCE IN A SEXUAL ASSAULT INVESTIGATION. An officer conducting the preliminary investigation of a sexual assault shall determine whether the victim prefers to be interviewed by an officer of the same gender. When the victim prefers to be interviewed by an officer of the same gender, the officer shall have an officer of that gender conduct the interview. However, the primary unit shall retain responsibility for completing the remainder of the preliminary investigation including completion of a crime report and arranging for medical treatment.

210.38 RAPE VICTIM COUNSELING CENTER NOTIFICATION. Whenever a victim of sexual assault is transported to a hospital for examination, the local rape victim counseling center shall be immediately notified by the responding officer upon the victim's approval. If there is more than one counseling center in the local area, the victim shall be given the opportunity to select the center to be notified. If the victim is unable or unwilling to make a choice the responding officer shall inform the follow-up investigators, who shall attempt to obtain the victim's approval for a notification at a future time.

The Investigative Report (IR), Form 03.01.00, shall include the date and time the counseling center was notified, the name of the counseling center, and the name of the employee who made the notification.

210.39 DISTRIBUTION OF THE "TAKING ACTION: WHAT TO DO IF YOU ARE RAPED" BOOKLET.

Employee's Responsibility. A "Taking Action" booklet shall be provided to each sexual assault victim at the time of the preliminary investigation. If it is determined that a sexual assault victim did not receive a booklet, one shall be provided to the victim during the follow-up investigation. The Investigative Report (IR), Form 03.01.00, or the appropriate follow-up report, when necessary, shall include a statement that a "Taking Action" booklet was provided to the victim.

Commanding Officer's Responsibility. Commanding officers shall ensure that a supply of the "Taking Action" booklets is maintained in a secured area of the division or concerned investigative unit. Appropriate inventory controls shall be implemented to ensure that the distribution of the booklets is limited to employees who conduct, or may possibly conduct, preliminary or follow-up investigations of sexual assault crimes.

210.40 TUBERCULARS. Tuberculars shall not be arrested for violation of an isolation of quarantine order except on a warrant charging such violation.

When no warrant exists, an officer having cause to suspect a person, other than an arrestee, of being an active tubercular shall complete an Employee's Report, Form 15.07.00. This report shall be submitted to the officer's commanding officer. It shall include:

- The name, address, and age of the suspected tubercular;
- The date, time, and location of the contact; and,
- The circumstances which caused the officer to suspect the tubercular condition.

Exception: When any employee is exposed to a tubercular, they shall report the incident in compliance with Manual Section 3/712.05.

The commanding officer receiving the report shall forward it to the Tubercular Control Division, County Health Department.

210.44 ADDRESS OF INJURED PERSON UNKNOWN. When the address of an injured person is not available, the address of a friend through whom the patient might later be reached shall be obtained, if possible, for entry in the Injury Investigation, Form 03.15.00.

210.46 INCORPORATING NAME AND ADDRESS OF RELATIVE IN INJURY REPORT. When it appears that an injured person may die, the name and address of the injured person's nearest relative shall be obtained, when possible, for entry in the body of the Injury Investigation, Form 03.15.00. In these cases, the concerned investigating officers shall be notified immediately (Manual Section 4/201.30).

210.50 PHOTOGRAPHING INJURY SCENE, CITY PROPERTY INVOLVED. Photographs of the scene of an injury shall be taken, in addition to making an Injury Investigation, Form 03.15.00, when:

- The injured person indicates that a condition of City property might have caused the injury; or,
- There are indications that the condition of City property might have caused the injury.

Note: No circumstances of the foregoing causes shall be discussed with unauthorized persons.

The name, serial number, and division of assignment of the officer from whom photographic service was requested shall be included in the Injury Investigation, Form 03.15.00.

Photographic service shall be requested from the Photographic Section, Technical Investigation Division (Manual Section 4/212.54).

Photographs need not be taken when the injury is the result of a condition of properties of the Board of Education or the Housing Authority. Photographing of traffic crashES is not affected by this section and shall be carried out in accordance with standard procedure (Manual Section 4/430.45).

210.65 CANCELLATION OF AMBULANCE. When a unit answers a call in which an ambulance has been dispatched, and it is determined that no ambulance is needed, the communications control operator shall be informed immediately.

210.70 MATERNITY SERVICE. If no other maternity service is available, emergency ambulance service shall be requested through the communications control operator by radio or by notifying the appropriate Fire Department Signal Office by telephone when:

- A woman's water has broken, or there is bleeding, accompanied with labor pains;
- A woman has not had a previous child and her labor pains are three to five minutes apart and lasting thirty to sixty seconds; or,
- A woman has had a previous normal birth and her labor pains are five to eight minutes apart.

210.80 FOOD POISONING. Cases of food poisoning shall be reported by telephone to the Office of the Registrar, County Health Department, without delay. If the office is closed, the emergency operator at the Hall of Justice will connect the officer with the proper person to be notified, who shall be given all available information regarding the food poisoning.

210.82 NOTIFICATION TO HEALTH DEPARTMENT OF ABUSE OR NEGLECT AT NURSING HOMES. An officer who receives information that a patient has been physically neglected or abused in a health facility, nursing home, etc., (as defined in Section 1250 of the Health and Safety Code) shall telephonically notify the Health Facilities Division, County Health Department, as soon as practicable. The name of the Health Department employee notified shall be included on the appropriate Department report.

210.85 INJURIES IN BUILDINGS. Accidents wherein persons are seriously injured or die as a result of suspected deficiencies in buildings or mechanical equipment located therein shall be reported by telephone to the Investigation Division, Department of Building and Safety. When that office is closed, the concerned watch commander shall be notified. The watch commander shall cause the notification to be made as soon as practicable during the next normal business day. Types of accidents in structures requiring notification could include serious injury or death due to:

- Asphyxiation.
- Building collapse.
- Electrocution.
- Explosion.
- Mechanical equipment failure.

210.90 NOTIFICATION OF DEADLY WEAPON INJURY. An officer who receives information concerning a wanted suspect who possibly has an injury inflicted by a deadly weapon, or information that a person has been treated at a medical facility for an injury possibly inflicted by a deadly weapon, shall, in addition to any other notification, telephone Detective Support and Vice Division and supply the following information:

- Name of the wounded person (if known);
- Physical description of the wounded person;
- Description of injury and type of weapon used;
- Crime involved (if known);

- Date, time, and location injury occurred;
- Description of wounded person's vehicle (if known);
- DR number of crime or injury report;
- Reporting officer's name, serial number, and division; and,
- Name, address, and business phone of the person treating the injured person when the information pertains to medical treatment.

212. REQUESTING AID IN THE FIELD.

212.10 ASSISTANCE BY INVESTIGATING OFFICERS. When a radio patrol unit answers a call involving a major crime, and the circumstances indicate the need of immediate investigation by investigating officers, the concerned investigating officers shall be notified without delay (Manual Section 4/201.30). When practical, requests for investigating officers shall be made by telephone. If the request is made by radio, an officer shall, when practicable, remain by the radio until he/she is informed that the requested unit has been dispatched or is not available.

212.12 INVESTIGATION OF ABORTIONS. The Abortion Detail, Robbery-Homicide Division, shall be responsible for all preliminary and follow-up abortion investigations. When an employee receives information concerning the victim of an illegal abortion, or any known or suspected illegal abortion activity, he/she shall immediately telephone all available information to Robbery-Homicide Division. When Robbery-Homicide Division is closed, notification shall be made to Detective Support and Vice Division.

212.14 INVESTIGATION OF COMPUTER - RELATED CRIMES. The Fraud Section, Commercial Crimes Division, shall be responsible for the preliminary and follow-up investigations of any crime committed through the use of computer-stored information or sabotage to computer-stored information and for completing the necessary reports. An officer who receives such information shall immediately notify Commercial Crimes Division. When Commercial Crimes Division is closed, the notification shall be made to Detective Support and Vice Division, which shall determine the necessity for immediate notification to Commercial Crimes Division.

212.15 ASSISTANCE BY FORENSIC SCIENCE DIVISION AND/OR TECHNICAL INVESTIGATION DIVISION. The officers investigating the scene of a crime shall determine whether a specialist from Forensic Science Division (FSD) and/or Technical Investigation Division (TID) shall be summoned to the scene (Manual Section 4/212.44). If a crime is such that latent or microscopic evidence, or hazardous chemicals such as nitrous oxide may be present, the assistance of the concerned specialist from FSD and/or TID shall be requested. Officers requesting a field investigation during normal business hours by a unit of FSD and/or TID shall make the request by telephone whenever possible, if the officers are intending to remain at scene. If officers do not intend to remain at scene, then they shall request a latent print investigation via the Latent Prints tab with the Incident Reporting Control system (i.e., AFDR/Incident Tracking application) on the Department's Local Area

Network (LAN). During off hours or when the unit is not available via telephone, the notification shall be made to the Department Operations Center (DOC).

212.20 RADIO REQUESTS FOR FORENSIC SCIENCE DIVISION AND/OR TECHNICAL INVESTIGATION DIVISION UNITS. When the Department operations Center or a telephone is not available, request for Forensic Science Division (FSD) and/or Technical Investigation Division (TID) units is made via radio (i.e., channel 32 – ADMIN SVS) and supplying the following applicable items of information:

- Unit making the request;
- Unit requested;
- Type of crime or incident to be investigated;
- Type of assistance required (lifting fingerprints, obtaining plaster casts, taking photographs, etc.);
- Location where service is requested; and,
- All other pertinent information.

212.21 RETRIEVAL AND BOOKING OF VIDEO EVIDENCE. Investigating officers (I/Os) and officers retrieving video evidence shall follow the established procedures for the retrieval and booking of video evidence.

Note: This procedure **does not** apply to video evidence generated by the Department (e.g. In-Car Video, uniformed officers carrying audio/video recorders, Area security cameras). Additionally, this procedure **does not** apply to video evidence contained within Video Cassette Recorders (VCRs). For situations wherein evidence resides within a VCR, the I/O shall extract the entire cassette and book the evidence at Electronics Unit, TID.

INVESTIGATING OFFICER'S AND OFFICER'S RESPONSIBILITIES. Investigating officers and initial responding officers conducting investigations where security cameras are present at crime scenes shall follow the following procedure when retrieving video evidence from the concerned Digital Video Recorder (DVR) prior to scheduling an appointment with the Electronics Unit:

- Determine if an operator (i.e., owner, employee, or system installer) with knowledge of the DVR's operation is present at the scene. If that person is not present, determine if someone with equivalent knowledge will respond to the location;
- Verify with the operator that the DVR is operational and was recording at the time of the incident and that there is useable video for retrieval;
- Determine when the DVR system over-writes (records over previously-recorded information) to prevent erasure of video evidence;

Note: The Electronics Unit should be notified immediately to retrieve video evidence if the I/O or officer determines the DVR system would over-write the video evidence and the I/O or officer cannot arrange for the evidence capture in a timely manner.

- Obtain a copy of the video evidence from the operator;

Note: If no operator is available to retrieve the video evidence from the DVR, the I/O who has received training on evidence retrieval from DVRs from the Electronics Unit, or if the I/O is confident and knowledgeable about evidence retrieval from the concerned DVR, may complete the above steps.

- Obtain the video player software (and/or codec) to ensure playback by the Electronics Unit; and,
- Document the make and model of the DVR, system time, and actual time of the video evidence for reference.

Officers that have retrieved video evidence shall:

- Indicate at the beginning of the appropriate report (e.g., Arrest or Investigative Report) that video evidence was retrieved;
- During regular business hours, deliver the video evidence to the concerned detective table; and,
- During off-hours, place the video evidence in an envelope, indicate the Division of Records number and the concerned detective table handling the investigation outside the envelope and store it in the **divisional evidence locker** for the concerned I/O.

Note: Indicate at the beginning of the appropriate report that video evidence was retrieved and is being held in the divisional evidence locker.

Investigating officers shall:

- Retrieve the video evidence from the divisional evidence locker;
- Make a copy or copies of the video evidence via the divisional media duplication station;
- Place the retrieved video evidence (**original copy of the video evidence retrieved from the crime scene**) inside an envelope containing the six-digit TID media number provided by Electronics Unit, TID, and complete the "B" slip of the Sound Recording Tape Issue/Receipt, Form 12.48.00; and,
- Deliver the video evidence to the divisional Recording Media Coordinator for storage.

The investigating officer and initial responding officer shall be responsible for the following:

Note: When an operator, I/O or officer cannot obtain a copy of the video evidence (e.g., if the I/O or officer is not confident and knowledgeable about evidence retrieval from the concerned DVR), an appointment shall be made with the Electronics Unit.

- Determine the specific date, time, and camera views needed for retrieval, prior to arrival of an Electronics Unit technician;
- **Be at the scene to meet the responding Electronics Unit technician to ensure that all required video evidence is obtained;**

- Inform the Electronics Unit technician, in advance, of any hazardous or unconventional methods that need to be addressed to ensure successful evidence retrieval (e.g., DVR equipment secreted in an above-ceiling area); and,
- If evidence is excessive, (e.g., lengthy timeframe or numerous cameras), the I/O or officer shall be prepared to seize the DVR for processing at the Electronics Unit. In this instance, Electronics Unit shall be contacted to coordinate the DVR seizure.

Note: At no time shall the DVR be turned off prior to video evidence being retrieved by the Electronics Unit unless the proper shut-down procedure can be identified, as valuable evidence may be lost.

RECORDING MEDIA COORDINATOR'S RESPONSIBILITIES. The Recording Media Coordinator or their designee shall:

- Document the video evidence information on the Recording Media Inventory;
- Store the video evidence in a designated locked cabinet only until it is transferred to the TID media vault; and,
- Book the video evidence into the media vault of the Electronics Unit at Piper Tech – Space 270, as soon as practicable.

ELECTRONICS UNIT, TECHNICAL INVESTIGATION DIVISION'S RESPONSIBILITIES. The Electronics Unit, TID, shall:

- Store video evidence retrieved from DVRs;
- Respond to crime scenes to perform video evidence retrieval when such evidence retrieval cannot be performed by an I/O, officer or operator;
- Provide periodic training to I/Os in video evidence retrieval; and,
- Be available for consultation with I/Os and officers requiring guidance concerning retrieval of video evidence.

Note: During off-hours, an on-call Electronics Unit technician can be contacted through Department Operations Center for consultation.

212.25 TELEPHONIC REQUESTS FOR FORENSIC SCIENCE DIVISION AND/OR TECHNICAL INVESTIGATION DIVISION UNITS. A telephonic request shall be made by calling the desired unit directly and supplying the following information:

- The DR number;
- Unit making the request;
- Type of crime or incident to be investigated;
- Type of assistance required;
- Location where service is requested; and
- All other pertinent information.

212.30 OBTAINING DR NUMBERS. Prior to making a telephonic request for a unit of Forensic Science division and/or Technical Investigation Division, a DR number shall be secured for the concerned report(s).

212.35 FORWARDING REQUEST INFORMATION. An employee receiving a radio request for a unit of Forensic Science division and/or Technical Investigation Division shall immediately relay the information to the unit requested.

212.40 RESPONSIBILITY FOR PROTECTING EVIDENCE. Officers requesting the assistance of a specialist from Forensic Science division and/or Technical Investigation Division shall be responsible for the protection of evidence until relieved by the specialist.

212.44 FINGERPRINT INVESTIGATION. Each Area commanding officer shall assign available latent print field kits to police units as needed to most effectively conduct fingerprint investigations in a geographic Area.

Officers assigned to police units with latent print field kits shall normally be responsible for fingerprint investigations that are not the responsibility of the Latent Print Section, Technical Investigation Division. With approval of the Latent Print Section, officers may conduct fingerprint investigations that are normally the responsibility of Technical Investigation Division.

Requests for fingerprint investigations which are the responsibility of Technical Investigation Division shall be made to the Latent Print Section, Technical Investigation Division (Manual Section 4/201.30).

Exception: In the Valley areas, requests for fingerprint investigations shall be made to the Valley Section, Technical Investigation Division.

When assistance of a fingerprint section is requested, the requesting officers shall caution persons about the premises to touch nothing which might bear fingerprints. Requests for an investigation of possible fingerprints on a porous substance shall be made without delay.

Note: The Department shall provide required fingerprint investigations within the City when requested by the:

- California Highway Patrol;
- Los Angeles Community Colleges Police;
- Los Angeles Department of General Services Security Division;
- Los Angeles Harbor Department Port Warden;
- Los Angeles Housing Authority Patrol Division;
- Los Angeles Unified School District Police Department; and,
- University of Southern California Security Department.

Qualified officers of these outside agencies may conduct their own latent print investigations.

212.45 INVESTIGATIONS INVOLVING BOMB THREATS AT SCHOOLS. An employee receiving information regarding a bomb threat at a school or college shall notify Communications Division and the Area watch commander without delay. Communications Division and the Area watch commander shall ensure that a patrol unit is dispatched to the scene to conduct a preliminary investigation. The Area watch commander shall also notify the geographic Area detective division watch commander of the bomb threat and contact the Bomb Detection K-9 Section and the Bomb Squad through the Department Command Post, Department Operations Center (DOC).

Note: The responding patrol unit shall notify the security officer or person in charge of the school and request that a security officer or school official respond to the scene. As per state law, a school site search **shall** be conducted if there is a reasonable suspicion that a search would produce evidence related to the threat or perceived threat.

California legislation defines “threat or perceived threat” as any writing or action of a pupil that creates reasonable suspicion that the pupil is preparing to commit a homicidal act related to a school or school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual. Legislation further requires the local law enforcement agency to immediately conduct an investigation and assessment of any threat or perceived threat to include:

- A search conducted at the school site if the search is justified by reasonable suspicion that it would produce evidence related to the threat or perceived threat;
- A review of the firearm registry of the Department of Justice; and,
- The retention of any record of any report received regarding any threat or perceived threat.

In addition to this Section, officers shall be guided by Identifying and Investigating Incidents Involving Threatened Acts of Targeted Violence or School Violence Field Notebook Divider, Form 18.43.01.

If investigation reveals that dangerous explosives may be involved, Criminal Conspiracy Section, Major Crimes Division, and the Hazardous Devices Section, Emergency Services Division, shall be immediately notified (Manual Section 4/212.50).

Notification concerning bomb threats at schools shall be made by telephone when possible. Department personnel shall avoid transmitting the information by means likely to result in it becoming generally known. Notification of the incident shall be made to the DOC.

212.46 MARKS OR TRACKS. Requests for the taking of plaster casts of marks or tracks shall be made to the Latent Print Unit, Technical Investigation Division (Manual

Section 4/212.15). When photographs of tracks or marks may be necessary, the assistance of the Photographic Unit, Technical Investigation Division, shall be requested (Manual Section 4/212.15).

212.47. RESPONSE TO BOMB THREATS.

COMMUNICATIONS DIVISION'S RESPONSIBILITIES. When Communications Division receives a call of a bomb threat at a government facility, critical infrastructure or key resource location, a patrol unit shall be assigned in accordance with current procedures.

OFFICER'S RESPONSIBILITIES. Upon being assigned to a bomb threat, officers shall:

- Conduct an initial assessment of the location consistent with current procedures;
- Depending on the conclusions of the officer's initial assessment, advise the responsible party that the officers will request that a search of the premises be conducted by Bomb Detection K-9 teams and Bomb Squad personnel. If the officer's initial assessment does not support a search of the premises, the officer shall follow the established procedures for handling a bomb threat;

Note: The responsible party must be notified that a search by Bomb Detection K-9 and Bomb Squad personnel will require some degree of evacuation of the areas to be searched.

- Contact the Bomb Detection K-9 Section and the Bomb Squad through Department Operations Center (DOC) to request that the location be searched by Bomb Detection K-9 and Bomb Squad personnel;
- Contact the Bomb Detection K-9 Section or the Bomb Squad if a suspicious item (e.g., package, device) or anything of a suspicious nature is found during the initial assessment; and,
- Complete an Investigative Report, Form 03.01.00, titled "Suspicious Activity" at the conclusion of the incident, in consultation with the on-scene Bomb Squad or Bomb Detection K-9 supervisor.

BOMB DETECTION K-9 SECTION AND BOMB SQUAD'S

RESPONSIBILITIES. Upon notification that their resources have been requested at the location of a bomb threat, Bomb Detection K-9 Section and Bomb Squad personnel shall:

- Have a Bomb Detection K-9 Section supervisor conduct an assessment based on current intelligence, situations and events occurring locally, nationally or internationally and Section capabilities; and determine whether Bomb Detection K-9 Section and Bomb Squad personnel will respond.
- Respond "Code Three" to the location if it is determined that Bomb Detection K-9 Section and Bomb Squad resources will be used;

Note: The Bomb Squad supervisor at scene shall have authority over the search.

- Conduct a search of the location; and,

Note: If, at any time during the search, a Bomb Detection K-9 alerts to the presence of explosives, a possible explosive device is located, or additional information is received making the threat specific in nature, the K-9 search shall be stopped and existing Bomb Squad protocols shall be followed.

Advise the responsible party at the conclusion of a search with negative results that the search did not reveal the presence of any explosive device nor odor, and that Bomb Detection K-9s did not alert to the presence of an explosive odor. However, the occupants of the location should be advised to remain vigilant for unidentified items or conditions that may be out of the ordinary.

212.48 INVESTIGATIONS INVOLVING POISONS. When it is suspected that a major crime involves the use of poison, the Criminalistics Laboratory, Forensic Science Division, shall be notified immediately (Manual Section 4/201.30).

212.49 INVESTIGATIONS INVOLVING HAZARDOUS MATERIALS.

Definition. The term "hazardous material" shall mean any chemical, chemical mixture, or contaminant that is toxic, corrosive, volatile, reactive, explosive, or flammable and has the capacity of inducing great bodily injury or illness or that has been determined to be capable of posing an unreasonable risk to health, safety, or property. Hazardous materials include all chemical, biological, and radiological substances, including those also referred to as Weapons of Mass Destruction (WMD), whether accidentally or intentionally released.

Preliminary Investigations of Incidents Involving or Potentially Involving Hazardous Materials. An employee becoming aware of the actual or suspected presence of a hazardous material that has been seized or discovered as a result of police action shall immediately isolate the area/material and initiate the following:

- If the incident is dynamic, meaning the product has been released or there are injuries or complaints of injuries as a result of exposure, officers shall request the Fire Department as well as Hazardous Materials Unit (HMU), Emergency Services Division (ESD). The product shall be treated as an unknown hazard until analyzed and categorized by hazardous materials technicians from HMU and/or the Fire Department; or,
- If the incident is static, meaning the product has not breached its containment vessel or does not outwardly appear to present an immediate public safety hazard, officers shall request HMU, ESD. All materials shall be treated as an unknown hazard until analyzed and categorized by hazardous material technicians from HMU.

Note: After normal business hours, notification shall be made to Department Operations Center (DOC).

Handling. When notified of a seizure of a suspected hazardous material, a specialist from HMU shall respond to the scene and:

- Determine the hazard posed by the material;
- Implement safeguards appropriate for the handling of the chemical;

Note: No attempt shall be made to neutralize, move, or transport any hazardous material except under the direction of an HMU specialist.

Responding HMU technicians wearing appropriate Personal Protective Equipment (PPE) shall:

- Identify and designate control zones;
- Determine the hazard and categorize the materials involved;
- Mitigate the threat posed to life, environment, and property;
- Collect, document, and book evidence;
- When conditions permit, obtain a sample and photograph the gross amount of the material; and,
- Arrange for the disposal of any quantity of the material cannot be safely stored in available facilities;

Booking: Employees booking a sample of a hazardous material shall include in the Property Report, Form 10.01.00, the gross amount and disposition of the chemical seized. Proper packaging and labeling of hazardous chemical evidence prior to booking, is performed by Forensic Science Division (FSD), Hazardous Chemical Team.

INVESTIGATIONS INVOLVING ILLICIT LABORATORIES.

Definition. The term “illicit laboratory” shall mean the location of equipment and/or material(s) used to produce illegal narcotics as well as chemical, biological, and radiological weapons or agents.

Preliminary Investigations of Illicit Laboratories. Illicit laboratories are capable of producing chemical and biological agents or weapons, as well as narcotics, and may appear similar.

Officers conducting a preliminary investigation of an illicit laboratory containing hazardous materials, chemicals, or when entry is made into a location not previously known to contain an illicit laboratory and such a laboratory is discovered, officers shall immediately exit and secure the perimeter of the location, evacuate adjacent inhabited dwellings, request that a field supervisor respond to the scene, and make appropriate notifications:

Officers **shall not** enter an illicit laboratory to apprehend suspects or to prevent the destruction of evidence, absent the authorization of the Illicit Laboratory Squad or the HMU, ESD.

Notifications.

- If the incident is dynamic, officers shall isolate the area/materials and request the Fire Department as well as hazardous materials technicians from HMU, ESD; and,
- If the incident is static and/or the purpose of the material or production is unknown, officers shall request HMU, ESD; and,
- If it is determined the purpose of the illicit laboratory is for the production of narcotics, the Illicit Laboratory Squad, GND, shall be notified.

Note: After normal business hours, notification shall be made to DOC.-

Investigative Responsibility. The investigative responsibility of clandestine narcotic laboratories is the Illicit Laboratory Squad, GND.

Incidents involving hazardous materials and other suspected illicit laboratories or those whose purpose is unknown are the investigative responsibility of the HMU, ESD, and investigative personnel of Major Crimes Division.

All investigative entities responding to and/or participating in any illicit laboratory investigation shall document their degree of participation prior to leaving the investigative scene. The participation shall be documented on an Investigative Action/Statement Form, Form 03.11.20.

Note: Preliminary response and/or investigations involving or potentially involving hazardous materials shall be performed in accordance with the Code of Federal Regulations 1910.120(q) and Title 8, California Code of Regulations 5192(q).

Exception: Procedures governing hazardous substances, which become a police problem as a result of a traffic crash, are not affected (4/430.10).

212.50 INVESTIGATIONS INVOLVING EXPLOSIVES. The initial employee who encounters any explosive material or pyrotechnic device shall contact a specialist from the Hazardous Devices Section, Emergency Services Division, **prior** to handling the item(s). This contact should be made telephonically either directly to the Hazardous Devices Section during regular business hours or through the Department Command Post, Department Operations Center (DOC) at other times.

Note: A pyrotechnic device is any combination of materials which is activated by fire to produce an audible, visual, mechanical or thermal effect. A pyrotechnic device contains explosive material and should be considered hazardous until a determination is made by the Hazardous Devices Section.

The Hazardous Devices Section specialist will speak directly to the officer or supervisor who has physical custody of the explosive material or pyrotechnic device prior to providing direction on its handling and/or booking. Employees shall follow the specialist's direction on handling and booking the item(s).

Note: A "Code Five Edward" (Manual Section 4/120.40) shall be used to notify Air Support Division (ASD) personnel of an explosive hazard to low-altitude aircraft.

Notification of the incident shall be made to the Administrative Unit, Detective Support and Vice Division.

Los Angeles International Airport. The Hazardous Devices Section, Emergency Services Division, shall direct all searches of aircraft or facilities at the Los Angeles International Airport.

Note: In the event a specialist takes custody of explosive material, the officer completing the Property Report (Manual Section 4/510.20) shall include this information in the report.

212.51 HAZARDOUS MATERIALS UNIT, EMERGENCY SERVICES DIVISION, RESPONSIBILITY. When notified of a seizure of a nitrous oxide tank or cylinder, a technician from Hazardous Materials Unit (HMU), Emergency Services Division (ESD) shall:

- Respond to the scene to assist officers with their investigation;
- Transport the seized nitrous oxide compressed tank or cylinder to the commercialized warehouse, Evidence and Property Management Division; and,
- Upon officers' request, obtain a sample of nitrous oxide from a cylinder or balloon for analysis.

212.52 CRIME SCENE MAPS. If a detailed drawing of the scene of a crime is desired, the Police Surveyor, Technical Investigation Division, shall be requested (Manual Section 4/201.30). The particular objects and the specific place to be surveyed shall be clearly stated.

212.54 PHOTOGRAPHS. Requests for photographic services, other than traffic, training, public relations activity, or fingerprints, shall be directed to the Photographic Section, Technical Investigation Division (Manual Section 4/201.30).

212.56 DEVELOPING BOOKED FILM. When booked film needs to be developed, the investigating officer (I/O) shall:

- Request the Property Disposition Coordinator (PDC) "Release" (in APIMS) the film to the I/O;

Note: The PDC shall enter "To be developed" in the additional comments field.

- Obtain the film from Evidence and Property Management Division and transport it to the Photo Lab, TID for development; and,
- Complete a supplemental Property Report, Form 10.01.00, listing the photographs or negatives as the next sequential item number from the most recent Property Report; **or,**
- Complete a Follow-up Investigation, Form 03.14.00, if the photographs or negatives are to be retained at the Photo Lab, TID; and,
- Include the Photo Lab PC number on the Property Report.

212.60 WATERBORNE AND UNDERWATER INVESTIGATIONS. The Maritime Operations Team (MOT) within Metropolitan Division, that consists of the Underwater Dive Unit (UDU) and the Maritime Response Unit, has the responsibility of conducting and assisting in waterborne investigations. The MOT has the capability of engaging in the following activities and missions:

- Search and recovery of criminal evidence, both underwater and land-based, via the use of metal detectors or other special equipment (i.e., SONAR, Remotely Operated Vehicle, lift bags, surface supplied air);
- Any waterborne and/or sub-surface recovery of lost or stolen property, including vehicles, vessels, or aircraft;
- Processing of underwater crime scenes;
- Recovery and light salvage of submerged or in-water lost or stolen property, including conveyances;
- Underwater photography and videography;
- Search for missing persons who are suspected of drowning or were reported missing near a body of water;
- Waterborne recovery of bodies;
- Waterborne suspect apprehension/tactical rescue;
- Anytime a suspect or suspects have entered a body of water for the purpose of evading arrest, or where the suspect has isolated themselves and personnel need to traverse water to approach;
- Port security missions, including critical site surveys of piers and ship hulls, critical site threat assessments, mutual aid requests, and other duties related to waterborne homeland security issues;
- Waterborne transport of Department personnel or assets;
- Waterborne explosive ordnance searches on ships and piers, including identification and marking of suspected improvised explosives, as well as military grade ordnance;
- Underwater post-blast investigations;
- Operations related to the support of Special Weapons and Tactics, tactical waterborne elements, Metropolitan Division, and other Department tactical and/or investigative entities;
- Support of Hazardous Materials Devices Section during maritime related Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) and Preventive Radiological and Nuclear Detection (PRND) operations (Bomb Squad and Hazardous Materials Units);
- Removal of conditions which pose a threat to life and property, or where City liability exists;
- Search and rescue operations at the request of the United States Coast Guard or Port Dive Operations Group member; and,
- Critical infrastructure evaluations of City reservoirs and water related structures.

The MOT shall be notified in any of the above instances.

When the deployment of MOT is deemed necessary, requesting personnel shall notify the MOT Office, during normal business hours; or the Metropolitan Division Desk, after hours or on weekends. In addition, the Department Operations Center (DOC) shall be notified along with the details and the urgency of the search.

The Metropolitan Division Desk shall:

- Notify the Officer in Charge, Maritime Operations Team. The Officer in Charge will determine if the request for deployment is in furtherance of Department objectives and consistent with Department policies; and,
- The Officer in Charge or his or her designee, shall select and notify the appropriate personnel from the MOT roster.

212.70 METROPOLITAN DIVISION CANINE PLATOON. The services of the Metropolitan Division Canine (Metro K-9) Platoon are available on a "24 hour-a-day" basis. When Department personnel determine there is a need for the services of the Metro K-9 Platoon, requests shall be made through Communications Division or by telephonically contacting Metropolitan Division.

Note: Gang and Narcotics Division is responsible for tracking/trailing bloodhounds. Requests for tracking/trailing bloodhounds shall be made through Communications Division, or by telephonically contacting Gang and Narcotics Division during regular business between 0800 and 2200 hours. Off-hour call-outs should be made to Department Operations Center (DOC) between 2201 and 0759 hours.

212.72 CRISIS NEGOTIATION TEAM. When the Incident Commander at an incident determines that a Crisis Negotiation Team may be of assistance, the Incident Commander shall contact the Metropolitan Division watch commander telephonically, when practicable, or through Communications Division via radio.

212.74 MOUNTED PLATOON. Commanding officers of Areas/divisions wishing to have the Mounted Platoon deployed shall make the request by forwarding an Intradepartmental Correspondence, Form 15.02.00, to the Commanding Officer, Metropolitan Division. The Commanding Officer, Metropolitan Division, has the responsibility for evaluating requests and deploying the unit as appropriate. Requests of an emergency nature may be made telephonically.

212.76 SPECIAL WEAPONS AND TACTICS (SWAT). When the Incident Commander determines that a SWAT team may be of assistance, the Incident Commander shall contact the Metropolitan Division Watch Commander telephonically, when practicable, or through Communications Division via radio. When requesting SWAT, the Incident Commander should be prepared to give a detailed briefing of the situation.

If SWAT expertise is anticipated to be required at a planned event, such as the service of a high-risk warrant, and time permits, the commanding officer of the requesting entity shall submit a request via Intradepartmental Correspondence, Form 15.02.00, to the Commanding Officer, Metropolitan Division.

212.77 Rapid Extraction and Dismantling (RED) Team. The mission of the RED Team is to provide support to field personnel who are presented with a civil disturbance that is beyond the capabilities of field personnel. The RED Team is responsible for:

- Responding upon the request of the Incident Commander with specially trained and equipped personnel to defeat man-made obstacles used to enhance acts of civil disobedience; and,
- Overcoming unlawful deployment of subjects or obstacles through the use of technical rope operations and/or mechanical dismantling techniques.

The Incident Commander at a civil disobedience incident shall request the RED Team, through the Metropolitan Division Watch Commander or Communications Division, when the following criteria are met:

- Subject is engaged in a crime;
- Subject refuses to submit to arrest; and,
- Subject has positioned himself/herself in such a manner or location that defeats conventional methods and means to affect his/her removal and arrest.

212.78 AERIAL PLATFORM TACTICS

Definition. Aerial Platform Tactics (APT) are defined as highly specialized airborne tactics that utilize Air Support Division (ASD) aircraft with Metropolitan Division Special Weapons and Tactics (SWAT) personnel onboard who provide lethal cover and/or other tactical support. Aerial Platform Tactics serve as an immediate interdiction measure when responding to extreme deadly threats where the danger to the public and officers exceeds the Department's regular capacity to address it. The use of APT can place the Pilot, Tactical Flight Officer, and SWAT personnel in vulnerable positions while on board an aircraft with limited cover. Therefore, APT shall only be utilized in extraordinary circumstances.

Deployment Criteria. APT is a highly unconventional police tactic that is to be deployed only under extraordinary circumstances that meet the following criteria:

- When the relevant dangers are taken into consideration and outweighed by an immediate life-saving exigency, and conventional SWAT tactics have been, or will likely be, ineffective under the circumstances; and,
- When the threat is active, ongoing, and deadly.

Note: Aerial Platform Tactics shall not be utilized for surveillance or unknown contingency purposes.

In determining whether an incident necessitates the deployment of APT, the following factors should be considered, based upon the facts known at the time of the incident:

- Suspects' access to potential victims;
- Suspects' use of superior weaponry and/or body armor; and,
- Suspects' position makes ground-based tactics impossible or impractical due to factors such as:
 - Elevated platform;
 - Limited roadway access;
 - Physical barriers; or,
 - Rural or hilly terrain.

Deployment Authorization. When the Incident Commander determines that APT may be necessary, the Incident Commander shall contact the Commanding Officer, Counter-Terrorism and Special Operations Bureau (CTSOB) via the Department Operations Center, Communications Division, or via the CTSOB chain of command. Aerial Platform Tactics shall only be approved via the concurrence of both the Commanding Officer (or acting) of CTSOB **and** the on-scene Incident Commander. In the event that the Commanding Officer, CTSOB, (or acting) are unavailable, an Assistant Chief may approve the use of APT in concurrence with the Incident Commander. The authorization to deploy APT does not constitute pre-approval for the use of deadly force. All personnel are individually required to adhere to the Department's use of force policy at all times. The Incident Commander shall constantly evaluate the continued need for APT versus other conventional police tactics for the duration of the tactical incident. When the Incident Commander determines that the use of APT is no longer necessary, he or she shall, as soon as practicable, discontinue its use.

Note: Nothing in this section shall preclude appropriate ASD and SWAT personnel from beginning the staging process for APT while awaiting authorization for deployment. Direction to begin staging for APT does not equate to authorization to deploy APT. Staging may be done near or in the vicinity of the location of the crisis. The purpose for staging is to mitigate the delay of APT deployment, should the authorization for deployment be granted.

213. NON - TRAFFIC NOTICE TO APPEAR BOOKLETS.

213.10 RESPONSIBILITY FOR ISSUING NON - TRAFFIC NOTICE TO APPEAR BOOKLETS. All Area commanding officers shall maintain supplies of Non - Traffic Notice to Appear booklets for issuance to officers.

213.15 ISSUANCE OF NON - TRAFFIC NOTICE TO APPEAR BOOKLETS. Concerned commanding officers shall cause a Record of Citation Books, Form 04.15.00, to be maintained, recording the issuance and return of Non - Traffic Notice to Appear booklets.

When practicable, officers shall draw Non - Traffic Notice to Appear booklets from the place of issuance which normally serves their Area or division.

213.20 OFFICERS RECEIVING NON - TRAFFIC NOTICE TO APPEAR BOOKLETS.

Upon receiving a Non - Traffic Notice to Appear booklet, the officer shall print in ink his or her name and serial number on the front cover. No notation of any kind shall be made on any citation prior to use.

213.25 DISPOSITION OF COMPLETED NON - TRAFFIC NOTICE TO APPEAR BOOKLETS.

When all citations in a Non - Traffic Notice to Appear booklet have been used, it shall be submitted to a supervisor in the officer's division or Area of assignment. After review, the booklet shall be returned to the watch commander at the location of issuance. The date of return shall be recorded on the Record of Citation Books, Form 04.15.00. The booklet shall be filed by book number in the division or Area. Booklets may be destroyed six months after the date of the **last** citation.

213.30 DISPOSITION OF TRANSFERRED OFFICERS' NON - TRAFFIC NOTICE TO APPEAR BOOKLETS.

An officer transferred to a unit, division, or Area in another section of the City shall return any Non - Traffic Notice to Appear booklet to the location of issuance after review by a supervisor in the division or Area from which the officer is transferring.

The date of return of the booklet and the number of unused citations shall be recorded on the Record of Citation Books, Form 04.15.00. The booklet shall then be available for reissuance.

213.35 LOST OR DAMAGED NON - TRAFFIC NOTICE TO APPEAR BOOKLETS.

When a Non - Traffic Notice to Appear booklet is lost or damaged, an Employee's Report, Form 15.07.00, shall be completed. It shall specify the numbers of the citations which were not issued. After the Employee's Report has been approved by the employee's supervisor, it shall be forwarded to the location of issuance, where the information shall be recorded on the Record of Citation Books, Form 04.15.00. A damaged booklet, or a booklet found after an Employee's Report has been completed, shall be returned to the location of issuance and stored as a completed booklet. The found or damaged booklet shall not be reissued.

213.45 ERRORS OR OMISSIONS ON NOTICE TO APPEAR CITATION. The procedure to correct errors or omissions on the Non-Traffic Notice to Appear, Form 05.02.02, has been revised as follows:

- **Defendant's Copy Available.** When an error is noted on the Non-Traffic Notice to Appear, Form 05.02.02, and the defendant's copy is available, the issuing officer shall draw a single line through the error and legibly print the correct information as near as possible to the error on the original and all copies of the Non-Traffic Notice to Appear form. The officer shall write the words "Defendant Copy Corrected" followed by the officer's initials, in the top margin above the form number on all copies of the Non-Traffic Notice to Appear; and,
- **Defendant's Copy Not Available.** When an error or omission is noted on the Non-Traffic Notice to Appear and the defendant's copy is not available, the correct

information shall be reported on a Notice of Correction and Proof of Service, Form 04.07.00. The pink (defendant's) copy of the completed Form 04.07.00 must be mailed to the defendant in all cases. When the error or omission will impact a follow-up investigation, the Follow-Up Investigation, Form 03.14.00, shall also be completed.

213.50 CANCELLATION OF NON - TRAFFIC NOTICE TO APPEAR, FORM

05.02.02. A Non - Traffic Notice to Appear may be canceled *only* when approved by the first available officer in the following sequence:

- Officer in Charge; or,
- Watch Commander.

Note: If the defendant's copy has been issued and is not available, *or* the Non - Traffic Notice to Appear has been distributed, the Follow-Up Investigation, Form 03.14.00, shall be used to report the cancellation.

The officer requesting the cancellation shall:

- Write the word "VOID" across the Non - Traffic Notice to Appear;
- Write the reason for the cancellation on the book copy (pink); and,
- Cancel the DR number if one has been obtained.

The approving officer shall:

- Date and sign the book copy; and,
- Destroy the original (white) and defendant's copy (blue).

213.55 DESCRIPTION OF DEFENDANT ON NON - TRAFFIC NOTICE TO APPEAR.

In addition to specific descriptors required on a Non - Traffic Notice to Appear, Form 05.02.02, the officer completing the citation shall list visible, obvious tattoos, scars, birthmarks, missing extremities and/or deformities in the "Other Description" field.

214. UNUSUAL INCIDENTS.

214.15 INCIDENTS INVOLVING A BARRICADED SUSPECT/HOSTAGE. The Incident Commander at a barricaded suspect/hostage incident shall request the Special Weapons and Tactics Team (SWAT) when **all** of the following criteria are met:

- The suspect is probably armed;
- The suspect is believed to have been involved in a criminal act **or** is a significant threat to the lives and safety of citizens and/or police;
- The suspect is in a position of advantage, affording cover and 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,
- The suspect refuses to submit to arrest.

214.16 HIGHRISK K-9 SEARCHES. When K-9 supported efforts to apprehend a person who, through the use of a firearm or other deadly weapon, is suspected of committing a murder of, or assault upon a peace officer, and the continued propensity for violence against law enforcement personnel exists, the K-9 search team shall, whenever possible, be comprised solely of officers from Special Weapons and Tactics (SWAT).

The on-scene K-9 supervisor shall make immediate notification to the on-duty SWAT Officer in Charge (OIC) lieutenant, or the on-call SWAT OIC lieutenant during off-hours, for advice and direction. Notification on a recommended course of action shall then be made to the Commanding Officer, Metropolitan Division (Metro), or designee, and the K-9 Platoon OIC.

Note: Under exigent circumstances (e.g., imminent risk of harm to the public or officers involved in apprehension efforts), a K-9 search team may include officers from Metropolitan Division who are not assigned to SWAT. These cases require the approval of the Metropolitan Division Commanding Officer or designee, with concurrence of the on-scene Incident Commander (IC). Obtaining approval to deviate from a SWAT-only supported K-9 search shall be the responsibility of the on-scene K-9 supervisor providing direct oversight, after consultation with and approval from the IC.

Factors to consider in determining a search team's composition may include, but are not limited to the following:

- The weapon used has been recovered or discarded by the suspect;
- The search is for an outstanding accomplice or associate who did not actually shoot at officers;
- Law enforcement personnel were subsequently deemed not to be the actual intended victims;
- The suspect fled into a crowded area or occupied building; and/or,
- Time is critical to the suspect's immediate apprehension for public safety.

Regardless of the composition of a K-9 search team, the K-9 Platoon OIC or designee shall be notified on all K-9 supported searches resulting from or following an Officer Involved Shooting or Assault with a Deadly Weapon with a firearm upon a police officer.

Investigating Hot Spots. In instances where the immediate investigation of a "hot spot" (identified by Air Support Division as an unidentified heat source) is critical to public safety, or in determining where best to initiate a search, a K-9 search team should be comprised solely of K-9 and/or Metropolitan Division officers. However, the "hot spot" search should be limited in nature to mitigate or address immediate concerns.

Note: Consistent with barricaded suspect protocols, containment of an area and awaiting the arrival of SWAT personnel shall be evaluated when determining the depth and scope when

investigating a "hot spot" or initiating a full-scale search. The potential that the presence or approach by officers could precipitate an adverse reaction by the suspect, regardless if the suspect is contained within a structure, shall be considered.

214.20 IMMEDIATE ACTION/RAPID DEPLOYMENT. Immediate Action/Rapid Deployment is the swift and immediate deployment of law enforcement resources to on-going, life threatening situations where delay could otherwise result in death or great bodily injury to innocent persons. Immediate Action/Rapid Deployment will generally require the immediate configuration of responding resources into Contact and Rescue Teams. The overall objective of a Contact and/or Rescue Team is to save as many lives as possible through a coordinated effort.

The primary mission of a Contact Team is to limit the movement of a suspect(s), stop the deadly behavior, prevent escape, and provide a preliminary assessment of the incident.

The mission of a Rescue Team is to rescue and recover victim(s), move them to a safe area, and obtain medical treatment if necessary. Accomplishment of this mission requires coordinated actions with the team leader of the Contact Team. Generally, these teams comprise a minimum of four officers each.

214.25 INCIDENTS REQUIRING HANDLING OF RADIOACTIVE MATERIALS.

Officers investigating an incident in which radioactive materials may be present shall:

- Keep all persons and conveyances at a safe distance from radioactive materials or liquid run-off; and,
- Immediately notify the Department Command Post, Department Operations Center (DOC), of the incident. If a criminal or traffic investigation is required at the scene, officers shall request a Department radiological monitoring officer. The request shall include the name of the owner of the material (if known); location, type, and quantity of material involved; requests for barricades or other special traffic control devices; and the phone number where the requesting officer may be reached, if practicable.

Note: Radioactive materials in transit may be identified by its symbol. This symbol is a trifoliate design with a purplish red (magenta) center and yellow leaves.

214.45 SIGNIFICANT INFORMATION IMPACTING CITY GOVERNMENT

NOTIFICATION. When an employee receives information which may have a significant impact on the operations of City government or when the news value of such information may have a similar impact, the employee shall:

- Immediately notify the Director, Office of Operations; or,
- When that office is closed, immediately notify the Watch Commander, the Department Command Post, Department Operations Center (DOC), who shall in turn notify the Director, Office of Operations.

Note: Employees are also responsible for making notifications of significant information to their immediate supervisor.

214.50 DEPARTMENT OPERATIONS CENTER NOTIFICATION. The following incidents require notification to Department Operations Center (DOC):

Categorical Use of Force Incidents.

- An incident involving the use of deadly force (e.g., discharge of a firearm) by a Department employee;
- All deaths while the arrestee or detainee is in the custody of the Department [also known as In-Custody Death (ICD)];
- A use of force incident resulting in death;
- A use of force incident resulting in an injury requiring hospitalization, commonly referred to as a law enforcement related injury (LERI);
- Officer-involved animal shootings;
- A K-9 bite or contact where hospitalization is required;

Note: A K-9 contact is when a Department K-9 strikes or makes forcible contacts with a person other than a bite that results in a complained of or visible injury.

- All uses of a carotid restraint or choke hold; and,

Note: A carotid restraint is defined “as a vascular neck restraint or any similar restraint, hold, or other defensive tactic, including a c-clamp in which pressure is applied to the sides of a person’s neck that involves a substantial risk or restricting blood flow and may render the person unconscious in order to subdue or control the person.” A choke hold is defined as “any defensive tactic or force option in which direct pressure is applied to a person’s trachea or windpipe.”

Note: The Department does not authorize the use of upper body control holds, including the use of a modified carotid, full carotid or locked carotid hold, therefore any use is unauthorized and shall be investigated as a categorical use of force.

- All intentional head strikes with an impact weapon or device (e.g., baton, flashlight) and all unintentional (inadvertent or accidental) head strikes that result in serious bodily injury, (as defined below), hospitalization or death.

Note: Serious bodily injury, as defined in California penal Code Section 243(f)(4), includes, but is not limited to, the following:

- 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.

Note: All other unintentional head strikes shall be investigated as Level I Non-Categorical Use of Force (NCUOF) incidents.

Autopsy Notifications. When notified by the coroner's office of a scheduled autopsy, DOC will make the necessary notification to the investigating officer (I/O). When DOC is unable to contact the I/O, DOC shall notify a person in the I/O's chain of command (such notification shall begin with the I/O's officer in charge and progress upward until contact is made with a person in the I/O's chain of command).

Patrol Related Incidents.

- Barricaded suspect or SWAT call-out;
- Bomb Squad call-out;
- CARE/AMBER Alerts;
- All homicides;
- All pursuits;
- Shootings in which any person(s) are wounded;
- Incidents motivated by hatred (DR Number is required prior to notification);
- Perimeters involving outstanding suspects;
- Bank Robberies;
- Take-Over Robberies;
- Stranger Rapes; and,
- All Critical Missing persons.

Traffic Incidents.

- Fatal Traffic CrashES;
- Traffic crashES involving multiple victims with serious injuries;
- Traffic crashES involving children under 15 years of age with serious injuries; and,
- Unusual/Major Occurrences.

Unusual/Major Occurrences.

- Major demonstrations or mass arrests;
- Disasters including chemical spills, gas main leaks or breaks, major fires or disturbances, aircraft accidents;
- Department Operations Center (DOC) activation or deactivation;
- City Emergency Operations Center (EOC) activation or deactivation;
- Incident Command Post activation at the scene of a noteworthy or newsworthy incident;
- Incidents involving hazardous/toxic/radioactive materials;
- Citywide Tactical Alerts; and,
- Acts of Terrorism.

Incidents Involving Department Personnel.

- Alleged serious misconduct or arrest of Department employee(s);
- Death or hospitalization of Department employee(s);
- Death or serious illness/injury to immediate family member of a Department employee;
- Rescue Ambulance Transport of on-Duty Personnel; and,
- Negligent discharge of a firearm.

Other Notable Incidents.

- Extensive damage to Department equipment;
- Newsworthy incident involving the Department in any way;
- Other incident that an officer in charge or watch commander feels should be brought to the attention of the Department;
- Occupational related death or life-threatening injury at a workplace, or a serious environmental incident (requires DOC to notify the Los Angeles District Attorney Command Center); and,
- Incidents involving celebrities or noteworthy persons of interest.

Note: All personnel are encouraged to call DOC at any time they are in doubt as to whether or not an incident requires notification.

Officer's Responsibilities. The senior officer at the scene of an incident requiring DOC notification shall request a supervisor to respond to the scene.

Supervisor's Responsibilities. The first supervisor to respond to an incident requiring DOC notification shall ensure their watch commander and DOC have been apprised of the incident as soon as practical and document the incident in a Sergeant's Daily Report, Form 15.48.00.

Watch Commander's Responsibilities. Upon learning of a reportable incident, the watch commander or officer in charge shall ensure that DOC has been notified and document the incident in a Watch Commander's Daily Report, Form 15.80.00.

214.60 CRISIS RESPONSE TEAM-NOTIFICATION. When an unusual occurrence, local emergency, disaster, or other incident occurs where involved Department employees may be psychologically traumatized, the commanding officer of the Area of occurrence, or the incident commander in the event of a wide spread occurrence, shall notify the Crisis Response Team (CRT) immediately. Notification shall be made to Behavioral Science Services during business hours and to the Department Command Post, Department Operations Center (DOC) after hours and on weekends. Commanding officers shall ensure that employees exposed to a traumatic disaster scene attend a debriefing conducted by CRT personnel as soon as practicable.

Note: Membership in the Crisis Response Team is a primary duty assignment when the CRT is activated. Employees who are members of the CRT shall be allowed to immediately respond to any request for assistance when directed to do so by their CRT team leader.

215. AUTHORIZATION TO ACT AS PEACE OFFICER.

215.10 OUTSIDE AGENCY IN THE CITY. An officer of another jurisdiction requesting authority to act as a peace officer within the City of Los Angeles, who lacks such authority as granted under Section 830.1 (a) and (2) P.C., shall be referred to the Office of the Chief of Police. When the Office of the Chief of Police is closed, requests shall be referred to Detective Support and Vice Division.

215.20 ON - DUTY ACTIVITY IN OUTSIDE JURISDICTION.

Officer's Responsibility. On-duty officers shall obtain approval from their watch commander or officer in charge before taking police action outside the Los Angeles City limits.

Exception: When officers are in "hot pursuit" or exigent circumstances exist, such as officer safety, which would preclude obtaining prior approval, officers shall inform their watch commander or officer in charge as soon as practical.

Officers shall be guided by Department Manual Sections 1/230.05 and 1/230.10 when taking on-duty police action outside the Los Angeles City limits.

Watch Commander/Officer In Charge's Responsibility. The concerned watch commander or officer in charge shall be guided by Penal Code Section 830.1 when granting approval to proceed outside the City limits to take police action.

Note: Officers taking police action outside the City limits have no peace officer status, and are acting as private persons, if the criteria outlined in Penal Code Section 830.1 is not met.

When approval is granted, the concerned watch commander or officer in charge shall review the circumstances and, if appropriate, ensure that the watch commander of the concerned outside agency has prior notification of the pending police action. If prior notification is deemed inappropriate, notification shall be made as soon as practical after the police action is taken.

Note: Taking into consideration the tactical situation and desired results of the investigation, every effort should be made to inform the outside agency before action is taken on:

- The serving of search or arrest warrants;
- Making an arrest; or
- Conducting surveillance.

216. TAKING PERSONS INTO CUSTODY.

Inspection and Interview. All persons that are detained or arrested and transported to a Department, or any other holding facility shall be brought before a watch commander for an inspection and interview. At a minimum, the WC shall ask the suspect the following three questions:

- Do you understand why you were detained or arrested?
- Are you sick, ill, or injured?
- Do you have any questions or concerns?

The WC shall take appropriate action based upon the results of the inspection and responses to these questions. In documenting the detainee or arrestee's responses to the three mandatory questions for each checked shaded box, the supervisor shall explain the details of the response in the Comments section of the appropriate detention log.

Exception: When circumstances preclude an inspection and interview by a WC (e.g., medical/absentee bookings, detentions per Section 5150 of the Welfare and Institution Code), the WC shall ensure that the suspect/detainee is inspected and interviewed in person by a Department supervisor who did not assist or participate in the initial arrest or detention of the suspect/detainee. When conducting the inspection, the assigned supervisor shall record the inspection on his or her body worn video and document the inspection and interview in his or her Sergeant's Daily Report, Form 15.48.00. Additionally, the WC shall document the reason for the exception, including the name and serial number of the supervisor assigned to conduct the inspection and interview, in his or her Watch Commander's Daily Report, Form 15.80.00.

Area Station. Any officer, from any command, who arrives at a Community Police Station with a person detained or arrested shall immediately ensure that the person is visually inspected and interviewed by the WC.

Specialized Divisions. All specialized division arrestees shall be inspected and interviewed by one of the 21 Area WC's or a designated WC at Metropolitan Jail Section, Custody Services Division, before being booked.

216.01 ADVICE/APPROVAL ON FELONY BOOKINGS.

Booking Advice – Defined. Booking advice is the recommendation given to the watch commander regarding what charge(s) an arrestee should be booked for based on the circumstances of the arrest.

Booking Approval – Defined. Booking approval is the final authority given to an officer to incarcerate an arrestee into a jail facility on a given charge(s).

Booking Advice Procedure. Prior to booking an arrestee on a felony charge at any jail facility, a watch commander shall ensure that booking advice is obtained from an **on-duty**

investigative supervisor from the investigative entity responsible for the follow-up investigation. The investigative supervisor giving the booking advice shall sign his or her signature in the “ADVISING INVESTIGATIVE SUPERVISOR” section of the Booking Approval, Form 12.31.00.

When available, or in complex arrests requiring additional review, the investigative supervisor giving booking advice shall review all related reports for required content and place his or her initials and serial number at the conclusion of the narrative portion of each report. This change does not affect other Department procedure associated with booking approval and booking advice.

Exception: Officers are not required to obtain booking advice on narcotic arrests when no follow-up investigation will be conducted.

Telephonic Booking Advice. When it is impractical to obtain a signature from the **on-duty** investigative supervisor responsible for providing booking advice, the watch commander giving booking approval shall obtain such advice telephonically.

In these cases, the approving watch commander shall write the name of the advising investigative supervisor followed by the watch commander’s initials, and place a check mark in the box titled “Telephonic Advice” on the Booking Approval.

Note: Generally, booking advice is not required when the investigative entity responsible for the follow-up investigation is **off-duty**. However, an **off-duty** investigative supervisor may be contacted telephonically for advice **only** when the situation involves a serious felony crime, an extraordinary circumstance, or the off-duty investigative supervisor is being compensated for on-call status (e.g., Area homicide call-out team, Criminal Conspiracy Section).

Booking Advice – Final Authority. The watch commander approving booking has the final authority as to the booking charge. In the event the investigative supervisor’s advice differs from that of the approving watch commander, the watch commander shall ensure his or her rationale is properly documented in the Watch Commander’s Daily Report, Form 15.80.00.

Booking Approval Procedure. Booking approval for any arrest shall only be obtained from a geographic Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division. When providing booking approval, the watch commander shall review each arrest for appropriateness, legality, and conformance with Department policy and procedure. When booking is approved, the watch commander shall complete the Booking Approval and sign his or her name and serial number in the “AREA WATCH COMMANDER APPROVING BOOKING/O.R./STRIP” section of the form, and complete the “CONDITIONS FOR NON-ELIGIBILITY FOR RELEASE” section near the bottom of the form. The watch commander shall also ensure that the Superior Court of California, County of Los Angeles, Felony Bail Computation Worksheet, Form CRIM-208, has been completed and attached to the Booking Approval if a bail enhancement is requested.

Note: Officers shall **not** sign or otherwise write any name for a supervisor in any Department report or form requiring an approving supervisor's signature.

Officers or detectives assigned to Areas (Vice, Detective Divisions, Gang Enforcement Detail, Patrol, etc.) shall obtain booking approval from their respective Area patrol watch commander before booking any arrestee into any jail facility.

Officers or detectives assigned to specialized divisions shall obtain booking approval from one of the 21 Area patrol watch commanders or the Watch Commander, Metropolitan Jail Section, Custody Services Division, before booking any arrestee into any jail facility.

The watch commander of any Department jail shall have the final responsibility for all arrestees booked at that jail. When a Custody Services Division watch commander questions a booking approved by an Area patrol watch commander, the Custody Services Division watch commander shall contact the approving Area patrol watch commander.

When a difference of opinion remains, the watch commander in charge of the jail facility shall make the final determination.

Adult Felony Traffic Arrests. Booking advice for adult felony traffic arrests shall be obtained from a supervisor in the concerned bureau traffic division.

The detective or supervisor providing booking advice shall:

- Provide the requesting officer with a completed Booking Approval listing the appropriate Justice Information System Booking Charge Table, when applicable; and,
- Review all related reports for required content and place initials and serial number at the conclusion of the narrative portion of each report.

The reviewed reports shall be submitted for approval to the arresting officer's supervisor in the Area of arrest.

Fugitive Bookings. When a person is arrested on a local charge, and is also wanted by an **out-of-state jurisdiction**, the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division, shall provide booking advice/approval on the local charge. Upon approval, the Fugitive Warrant Section, Gang and Narcotics Division, shall be telephoned without delay, or when closed, the Custody Services Division Watch Commander, for booking advice on the fugitive charge. Once the booking advice has been obtained, the Area watch commander or the Watch Commander, Metropolitan Jail Section shall provide the booking approval on the local charge, with the fugitive charge placed supplementary. Fugitive Warrant Section has the final authority on booking charges for out-of-state crimes.

Financial Crime Bookings. When the arrest involves an offense over which Commercial Crimes Division has jurisdiction, officers shall contact CCD during Day Watch hours for Investigative and/or Booking Advice:

- Forgery or Identity Theft bookings.
 - For Central Bureau, West Bureau, South Bureau, Contact Metro Financial Section.
 - For Valley Bureau, contact Valley Financial Section.
- Embezzlement Over \$350, 000, Elder Estate Abuse, and Real Estate Fraud bookings.
 - All Bureaus shall contact Complex Financial Crimes Section.

For all other scams or fraud-related theft bookings, refer to the appropriate Geographic Area Burglary/Theft Detectives.

When the arrest involves an offense over which CCD has jurisdiction and it is during off hours, officers shall call the Department Operations Center (DOC), Communications Division, for telephonic booking advice from a CCD supervisor.

Advice for Felony Narcotic Bookings. Booking approval for adults arrested for felony narcotic or dangerous drug violations shall be provided by the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division. When booking advice is required from a court-qualified narcotics expert, the concerned Area watch commander shall notify an Area Narcotics Enforcement Detail (NED) supervisor.

The Area NED is responsible for providing court-qualified narcotics experts to concerned geographic Areas/divisions for Section 11550 Health & Safety Code (hype) schematic diagrams, when requested between 0800 and 2000 hours, Monday through Friday.

Note: When concerned Area NED personnel are not available, pre-booking processing shall be performed by a court-qualified narcotics expert deployed in a geographic Area. The following guidelines shall be adhered to when securing a court-qualified narcotics expert in the absence of Area NED personnel:

- Area personnel who are court-qualified narcotics experts may be utilized in the absence of Area NED experts.
- If no court-qualified narcotics expert is deployed within an Area, the concerned watch commander shall request a court-qualified officer from an adjoining Area within the concerned geographic bureau.
- In instances in which no court-qualified narcotics expert is available, the concerned watch commander shall ensure that NED personnel assigned to the concerned Area are notified of the arrest by 0900 hours on their next regular working day.
- When the magnitude of an investigation dictates the immediate attention of a narcotics investigator, and no NED personnel within the Area are available, the concerned watch commander shall contact the DOC to locate an available narcotics expert within Gang and Narcotics Division.

Note: The watch commander in charge of any Department jail facility shall have the final responsibility for all arrestees booked at that jail. When he or she questions a booking approval

by another supervisor, he or she shall contact the approving supervisor. When a difference of opinion remains, the watch commander of the jail facility shall make the final determination.

Arrest Reports. Consistent with current procedures, the watch commander or a supervisor designated by the watch commander shall review all reports related to the arrest for appropriateness, legality, and conformance with Department policies and procedures taking into account the booking recommendation. Additionally, the watch commander or supervisor shall examine the reports for authenticity by ensuring that the reports do not contain any “canned” language, inconsistent information, or fail to articulate the legal basis for the action, or any indication that the information in the report(s) is not authentic or correct. Subsequent to review, the watch commander or his or her designee shall indicate approval by signing (including serial number) the report(s).

Custody Services Division Watch Commander Own Recognizance Determination. Per Department Manual Section 4/681.10, Procedure for Determining Post-Booking Release Eligibility, the concerned Custody Services Division Watch Commander located at Metropolitan Jail Section, 77th Regional Jail Section and Valley Jail Section approving an Own Recognizance (OR) for an inmate shall document the reason for the post-booking release on the bottom of the Booking Approval. In addition, the concerned supervisor shall affix his or her signature and serial number in addition to checking either the yes box certifying that an OR is granted, or no, and the reason for denial.

Note: The above section applies to sworn watch commanders only. Principal Detention officers acting as watch commanders within Custody Services Division shall not sign, nor approve any booking approvals.

216.02 ADVICE/APPROVAL ON MISDEMEANOR BOOKINGS.

Booking Advice – Defined. Booking advice is the recommendation given to the watch commander regarding the specific charge(s) an arrestee should be booked for based on the circumstances of the arrest.

Booking Approval – Defined. Booking approval is the final authority given to an officer to incarcerate an arrestee into a jail facility on a given charge(s).

Booking Advice Procedure. Prior to booking an arrestee on a misdemeanor charge at any jail facility, booking advice may be obtained from the on-duty investigative entity responsible for the follow up investigation.

When available, or in complex arrests requiring additional review, the investigative supervisor giving booking advice shall review all related reports for required content and place his or her initials and serial number at the conclusion of the narrative portion of each report. This change does not affect other Department procedure associated with booking approval and booking advice.

Advice for a juvenile booking shall be obtained from the on-duty Area Detective Division personnel. When the detective division is closed, booking advice shall be obtained from the Area watch commander assigned to patrol.

Telephonic Booking Advice. When it is impractical to obtain a signature from the on-duty investigative supervisor responsible for providing booking advice, the watch commander giving booking approval may obtain such advice telephonically.

In these cases, the approving watch commander shall write the name of the advising investigative supervisor followed by the watch commander's initials, and place a check in the box titled "TELEPHONIC ADVICE" on the Booking Approval, Form 12.31.00.

Booking Approval Procedure. Booking approval for any arrest, shall only be obtained from the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division.

When providing approval, the watch commander shall review each arrest for appropriateness, legality, and conformance with Department policy and procedure. When booking is approved, the watch commander shall complete the Booking Approval, Form 12.31.00, and sign his or her name and serial number in the "APPROVING WATCH COMMANDER" section of the form, and complete the Non-Eligibility for Release section at the bottom of the form.

Note: Officers shall not sign or otherwise write any name for a supervisor in any Department report or form requiring an approving supervisor's signature.

Officers or detectives assigned to Areas (Vice, Detective Division, Gang Enforcement Detail, Patrol, etc.) shall obtain booking approval from their respective Area watch commander before booking any arrestee into any jail facility.

Officers or detectives assigned to specialized divisions shall obtain booking approval from one of the 21 Area watch commanders or the Watch Commander, Metropolitan Jail Section, Custody Services Division, before booking any arrestee into any jail facility.

The watch commander approving the booking of an arrestee on a misdemeanor charge shall strictly adhere to the provisions for mandatory release of misdemeanor arrestees (Department Manual Section 4/216.65).

In addition, the watch commander shall also verify that:

- The appropriate booking charge is listed exactly as depicted in the Automated Justice Information System Booking Charge Table;
- The specific reason for continued custody is indicated on the form; and,
- A person arrested for two or fewer warrants for failure to appear on a citation for a parking offense or traffic infraction, has been informed of the right to immediate cash bailout (Department Manual Section 4/682.15).

Note: Detention officers shall not accept an arrestee from a Department employee unless there is a completed Booking Approval, Form 12.31.00, or a Short Arrest Report, Form 05.02.01, for the arrestee. The name and serial number of the approving watch commander shall be placed on the Los Angeles Consolidated Booking Form in the lower left portion of the **Property** box and in the narrative portion of the arrest report when one is required.

The watch commander of any Department jail facility shall have the final responsibility for all arrestees booked at that jail. When a Custody Services Division watch commander questions a booking approved by an Area watch commander, the Custody Services Division watch commander shall contact the approving Area watch commander.

When a difference of opinion remains, the watch commander in charge of the jail facility shall make the final determination.

Arrest Reports. Consistent with current procedure, the watch commander or a supervisor designated by the watch commander shall review all reports related to the arrest for appropriateness, legality, and conformance with Department policy and procedure taking into account the booking recommendation. Additionally, the watch commander or supervisor shall examine the reports for authenticity by ensuring that the reports do not contain any “canned” language, inconsistent information, or fail to articulate the legal basis for the action, or any indication that the information in the report is not authentic or correct. Subsequent to review, the watch commander or his or her designee shall indicate approval by signing (including serial number) the reports.

Advice on Misdemeanor Warrant bookings. Watch commanders approving the booking of an arrestee on a computer-generated misdemeanor warrant shall place their name and serial number on each warrant information teletype after ascertaining that the information on the arrestee and the descriptors on the warrant match.

When the identity of the arrestee is not obvious, the advising supervisor shall cause an Arrest Report, Form 05.02.00, to be completed, which documents the evidence identifying the arrestee as the warrant suspect.

Note: When it is determined that a suspect in custody is not the person on the warrant abstract, the watch commander shall cause the warrant to be reactivated by the concerned jail unit (Department Manual Section 4/611). A warrant shall not be reactivated unless it has been positively ascertained that an arrestee is not booked pursuant to the authority of the warrant in question.

216.03 RESTRAINING ORDERS. Restraining Orders (RO), and Temporary Restraining Orders (TRO) include, but are not limited to, Domestic Violence Restraining Orders (DVRO), Emergency Protective Orders (EPO), Orders After Hearing (OAH), Juvenile Orders (JUV), Criminal Protective Orders (CPO), Temporary Workplace Harassment Orders (Temporary WHO), Gun Violence Emergency Protective Orders (Gun Violence EPO), Temporary Gun Violence Restraining Orders (Temporary GVRO), and Gun Violence Restraining Orders After

Hearing (GVRO After Hearing). Some of these orders are issued by a criminal court (criminal order), while others are issued from civil court (civil order).

Note: For more information specific to Gun Violence Restraining Orders, refer to Department Manual Section 4/216.05.

Officer's Responsibilities.

Conflicting Orders – Priorities for Enforcement. If more than one RO has been issued, the orders shall be enforced according to the following priorities:

- **Emergency Protective Order** – If one of the orders is an EPO and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- **No-Contact Order** – If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
- **Criminal Order** – If none of the orders includes a no-contact order, a criminal protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and are enforceable.
- **Family, Juvenile, or Civil Order** – If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued most recently shall be enforced.
- **Gun Violence EPO, Temporary GVRO, or GVRO After Hearing** – These orders shall be enforced independent of any other restraining or protective order.

Complainant or Petitioner in Possession of a Restraining Order. When officers are presented with an RO in the field or at the Area desk, they shall:

- Verify that the order has an ink stamp signed by the deputy clerk of the court indicating it is a certified copy;
- Ensure that the order has not expired; and,
- Review the proof of service to ensure it was properly served upon the restrained party/respondent.

Note: Any electronic version of an RO provided by the complainant shall be verified through Department resources.

When Receiving a Request from a Petitioner to Provide Service of a Protective Order.

When officers receive a request to provide service of an EPO, TRO, or OAH, and the respondent is not present to be served, they shall:

- Verify that the order has an ink stamp signed by the deputy clerk of the court indicating it is a certified copy;
- Ensure that the order has not expired and that there is sufficient time before the order expires to attempt service;
- Review the proof of service to ensure it has not yet been served upon the restrained party/respondent;
- Obtain current contact information from the petitioner including a valid phone number and email address;
- Conduct a criminal history and want/warrant check of the respondent;
- Conduct an inquiry of the Department of Justice (DOJ), Automated Firearm System (AFS), via California Law Enforcement Telecommunications System (CLETS) to determine if the respondent is a registered owner of a firearm;
- Provide the associated documents to the Area watch commander for review; and,
- Serve, or cause to be served, the protective order.

When the Department Does Not Have a Copy of the Restraining Order. When officers discover that the Department does not possess an order that was presented to them in the field by a complainant, they shall determine whether the complainant has an extra copy of the order. If so, officers shall request one from the complainant and deliver it to the Area front desk. If the complainant is unable to provide a copy of the order, officers shall request that the complainant deliver a copy to the Area front desk (or provide one to be photocopied) as soon as possible.

If an officer cannot locate the order and the complainant does not have a copy of the order, no enforcement action may be initiated by officers pursuant to California Penal Code (PC) Section 273.6 (Willful and Knowing Violations of Orders to Domestic Violence), or PC Section 166 (Criminal Contempt).

Complainant Not in Possession of an Order. Officers at the scene of a dispute where a valid order is alleged to exist, but the complaining person does not possess a copy of the order, shall attempt to telephonically verify the existence of the order through the Consolidated Crime Analysis Database (CCAD) and California Restraining and Protective Order System (CARPOS). If an officer cannot locate the order, no enforcement action may be initiated by the officers.

If the officer determines that an order has been issued, but not served, the officer shall immediately notify the restrained party/respondent of the terms of the order. Verbal notice of the terms of the order is sufficient notice.

The verbal notice shall be documented in the related crime, arrest, or Domestic Violence Incident Report. The officer shall also include the name and assignment of the officer

notifying the restrained party/respondent and the case number of the order. If the restrained party/respondent inquires about obtaining a copy of the RO, the officer shall advise the restrained party/respondent to go to the court to obtain a copy of the complete order.

Proof of Service. All certified copies of any RO shall be accepted from the complainant whether or not the proof of service has been completed. The complainant shall be advised that personal service of the order is required before enforcement may be taken against the restrained party/respondent. No additional proof of service is required for enforcement of the order if the person named in the order received the actual notice of the existence and substance of the order through a personal appearance in court. When proof of service is not attached to an otherwise valid order presented to officers in the field, the officers shall determine whether other officers of this Department accomplished the proof of service. If prior proof of service cannot be confirmed, officers shall advise the restrained party/respondent that a valid order is in effect and inform the respondent of its conditions. If the complainant has an extra copy of the order, officers shall serve it upon the restrained party/respondent and note such service in their associated report (e.g., IR, Arrest Report) and DFAR.

Officers shall complete the proof of service when:

- The complainant possesses an incomplete proof of service;
- The restraining order has an incomplete proof of service and does not show the restrained party has been served;
- The officers are to serve the restrained party/respondent and advise them of the conditions of the order; and,
- Officers will complete the proof of service and return the completed original proof of service to the complainant.

If the restrained party/respondent is present at the scene, officers shall document how the service of the order was accomplished in the narrative of any crime, arrest, or Domestic Violence Incident Report completed, pursuant to PC Section 13730 (Law Enforcement Response to Domestic Violence).

Failure to Comply. If officers have probable cause to believe that a violation of the order occurred and prior proof of service can be established, officers shall:

- Arrest the restrained party; and,
- Book the restrained party for a violation of PC Section 273.6 (Willful and Knowing Violation of Orders to Domestic Violence), PC Section 166 (Criminal Contempt), or PC Section 18205 (Willful and Knowing Violation of Gun Violence EPO or Temporary GVRO, or GVRO After Hearing); or,
- If the suspect has left the scene prior to the officer's arrival, complete an Investigative Report, Form 03.01.00.

The related crime and arrest reports shall contain the following information:

- An attached copy of the RO or the printout from a Department approved database;
- Court case number assigned to the Order;
- Expiration date of the Order; and,
- Conditions of the Order that were violated.

Note: Officers shall verify that the RO is on file if no physical copy is available.

Note: Officers at the scene of a labor dispute shall be guided by the provisions of Department Manual Section 1/460.30 and must contact the Labor Relations Unit, Office of Operations, before taking any enforcement action on an Order.

Restraining Orders Issued By Jurisdiction.

Within the State of California. If a party alleges an order exists in an outside jurisdiction within California, officers shall contact that law enforcement agency and verify the information before taking enforcement action. Statewide agencies and/or foreign jurisdictions making inquiries to this Department regarding ROs shall be directed to the concerned Area.

Out-of-State/Country Restraining Orders. When a RO that was issued in another state, territory of the United States or Canada is presented to the officer, the officer shall review it for completeness. If the out-of-state or country, RO is complete, then it is considered valid in the State of California. If it is incomplete, an EPO should be sought, and the EPO guidelines shall be followed.

Seizure of Firearms at Domestic Violence Incidents. Section 6383 (i) of the California Family Code states: A peace officer listed in Section 18250 of the Penal Code (PC) shall take temporary custody of any firearm or other deadly weapon in plain sight or discovered during a consensual or otherwise lawful search, as necessary, for the protection of the peace officer or other persons present in any of the following circumstances:

- When an officer is at the scene of a domestic violence incident involving a threat to human life or a physical assault;
- When the officer is serving a protective order issued pursuant to this part; or,
- When the officer is serving a gun violence restraining order pursuant to Division 3.2 (commencing with Section 18100) of Title 2 of Part 6 of the Penal Code.

California Restraining and Protective Order System. The Department of Justice, with the authority of California Family Code Section 6380, mandates that law enforcement agencies

enter information from the following ROs into the Department of Justice California Restraining and Protective Order System (CARPOS):

- Emergency Protective Order;
- Gun Violence Emergency Protective Order;
- Temporary Gun Violence Restraining Order
- Gun Violence Restraining Order After Hearing;
- Domestic Violence Temporary Restraining Order;
- Domestic Violence Order After Hearing;
- Register Out-of-State Restraining Order;
- Temporary Civil Harassment Order;
- Civil Harassment Order After Hearing;
- Temporary Elder Dependent Adult Abuse Order;
- Elder Dependent/Adult Abuse Order After Hearing;
- Temporary Workplace Violence Order;
- Workplace Violence Order After Hearing;
- Temporary School Violence Order;
- School Violence Order After Hearing;
- Juvenile Restraining Order;
- Criminal Protective Order-Domestic Violence;
- Criminal Protective Order-Other Than Domestic Violence; and,
- Order to Surrender Firearms in Domestic Violence Case.

Upon receiving an RO from the issuing court clerk, the Warrant Teletype Unit (WTU), Records and Identification Division (R&I), or the geographic Area records Unit shall input the RO information into CARPOS when the RO is one of the specific types for which such entry is required under Family Code Section 6380.

Watch Commander's Responsibilities. Area/divisional watch commanders receiving information regarding a petitioner's request to have officers serve an EPO, TRO, or OAH, and the respondent is not present to be served, shall:

- Assess the information and determine the appropriate method of service;
- Consider the location of the requested service and its nexus to the City;
- Consider tasking the service of the protective order to:
 - Domestic Abuse Response Team (DART);
 - Family Violence Unit, Major Assault Crimes (MAC) Unit or the concerned Area detective division,; or,
 - The law enforcement agency responsible for the area where the protective order is to be served.

- Ensure that protective order is served.

Area Records Unit's Responsibilities. When an Area receives an RO, whether delivered in person or by fax, the records clerk (or designated person) shall query CARPOS to determine if an entry has previously been made. If the query reflects an existing RO entry, the records clerk shall write the File Control Number (FCN) issued in CARPOS on the RO and related documents. If the RO is not present in CARPOS, the records clerk shall enter the pertinent information into CARPOS and obtain an FCN. The CARPOS-generated FCN shall be documented on the RO and related documents.

Note: If the RO is connected to an existing crime report, the associated Division of Records number and the FCN shall be written on the RO and related documents.

In all instances, the FCN shall take precedence for tracking purposes. Inputting the RO should be a priority over other tasks due to the victim being placed in a high risk situation, and should be completed no later than **24 hours** from receipt of a restraining and/or protective order.

Area Subpoena Control Officer Responsibilities. Upon receipt of an RO and proof of service, the Area Subpoena Control Officer(s) shall:

- Check that the FCN has been documented in the upper right corner of all pages of the Order;
- Maintain a Restraining Order Control Log, Form 15.40.00, of valid Orders on file;
- Establish a file of RO's in a location accessible to uniformed desk personnel; and,
- Periodically purge expired RO's from the active file.

Department Employee's Named as Restrained party/Respondent. When a Subpoena Control Officer receives an RO that identifies the restrained party/respondent as an employee (sworn or civilian) of a law enforcement agency, the Subpoena Control Officer shall notify their commanding officer (CO). The CO shall ensure that a copy of the order is sent to the Chief of Police or highest ranking official of the involved agency.

If the restrained party/respondent is a member of the Department (sworn or civilian), the CO shall forward a copy of the order to the CO, Internal Affairs Division.

216.05 GUN VIOLENCE RESTRAINING ORDERS. Gun Violence Emergency Protective Orders (Gun Violence EPO), Temporary Gun Violence Restraining Orders (Temporary GVRO), and Gun Violence Restraining Orders After Hearing (GVRO After Hearing).

Types of Gun Violence Restraining Orders include:

- A Gun Violence EPO [California Penal Code (PC) Section 18125] is available on an ex parte basis, 24-hours a day via telephone to law enforcement only. The duration of a gun violence EPD is 21 calendar days. When a gun violence EPO is issued, a GVRO After Hearing is automatically set.

- A Temporary GVRO (18150 PC) is available to immediate family members, employers, co-workers, school employees and law enforcement, on an ex parte basis during court hours. The duration of a GVRO After Hearing is 21 calendar days. When a Temporary GVRO is issued, a GVRO After Hearing is automatically set.
- A Gun Violence Restraining Order After Hearing (18170 PC) is available to immediate family members, employers, co-workers, school employees and law enforcement; and is issued after a proper notice and a hearing. The duration is one to five years and may be renewed for an additional one to five years after a subsequent hearing is conducted.

Officers shall petition the court for a Gun Violence EPO when it is reasonably believed a subject poses an immediate and present danger of causing injury to themselves or others by owning, purchasing, possessing, receiving, or otherwise having in their custody or control any firearms, ammunition, or magazines. As part of the petition, officers shall articulate why less restrictive alternatives are ineffective or found to be inadequate or inappropriate for the circumstances.

If applicable, the petition shall also describe the number, types and locations of any firearms and ammunition the petitioning officer believes to be controlled by the subject.

The use of a Gun Violence EPO shall be considered in the following circumstances:

- When responding to domestic disturbances where the residence is associated with a firearm registration or record;
- When responding to a call or incident where a firearm is present, or one of the involved parties owns or possesses a firearm; or,
- During contacts with subjects exhibiting mental health issues, including suicidal thoughts, statements or actions, and the subject owns or possesses a firearm.

Officer's Responsibilities. When officers have reasonable cause to believe a person poses an immediate and present danger of causing injury to themselves or others by having access to firearms, officers shall:

- Once the scene is stable, contact a supervisor, if necessary, to assess the incident;
- Contact the Mental Evaluation Unit for the subject's contact history and advice;
- Contact a Los Angeles County Judge or Commissioner to request a Gun Violence EPO;

If an order is granted by the County Judge or Commissioner, Officers shall:

- Complete the Gun Violence EPO, Judicial Council Form EPO-002 (located on the Department Local Area Network), ensuring that the expiration date is set for 21 calendar days from issuance. Officers shall also ensure the hearing date for the GVRO After Hearing is set prior to expiration of the Gun Violence EPO;
- Serve the person to be restrained, if they can be reasonably located, and complete the proof of service. Provide one copy of the Gun Violence EPO to the restrained person;
- Inform the restrained person of any scheduled hearings regarding the Gun Violence EPO;

- Verbally ask if the restrained person has any firearms, ammunition, or magazines in his or her possession or under their custody or control;
- Request the immediate surrender of all firearms, ammunition, or magazines;

Note: It is a violation of PC Sections 18205 and 166(a)(4) for the restrained person to refuse to surrender firearms, ammunition, or magazines upon request. If the restrained person refuses, officers shall detain the person and pursue seizure of all firearms, ammunition, or magazines in a lawful manner [i.e., search warrant; (1524(a)(14) PC authorizes a search warrant where subject refuses to relinquish a firearm)]. (Refer to Department Manual Section 4/742.10 for more information on obtaining and serving search warrants.)

- Seize any firearms, ammunition, and/or magazines belonging to the restrained person or other household occupant(s) discovered pursuant to a lawful search;

Note: When a location to be searched is jointly occupied by the restrained person and one or more other persons, the officer shall not seize any firearms, ammunition, or magazines owned by a person other than the restrained person, if both of the following conditions are satisfied:

1. The firearm or ammunition is removed from the restrained person's custody or control or possession, and stored in a manner that the restrained person does not have access to or control of the firearm or ammunition; and,
2. There is no evidence of unlawful possession of the firearm or ammunition by the owner of the firearm or ammunition.

If the two above conditions are satisfied, the officer shall:

- Have the legal owner sign a Firearms Safekeeping Advisement, Form 15.40.04;
- Complete the law enforcement section and issue a Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored, Judicial Council Form GV-800;
- Book any firearms, ammunition, or magazines taken into custody and complete appropriate reports or documentation (i.e., Property Report, Firearms Supplemental Property Report);
- Make every effort to confirm that all of the firearms, ammunition, or magazines that necessitate removal have been located and seized (including an inquiry into the Automated Firearm System, witness statements, photographs, or any other items of evidentiary value);
- Send a copy of the Gun Violence EPO and all other connected reports to GVRO@lapd.online and att.gvro@lacity.org;
- Submit the Gun Violence EPO to the Records Unit for entry into California Restraining and Protective Order System (CARPOS) in accordance with Department Manual Section 4/216.03; and,
- Coordinate with the Area/Division Subpoena Control Officer to attend any court proceedings, if requested by the Los Angeles City Attorney's (CA) Office.

Note: If a judge or commissioner does not grant the Gun Violence EPO, officers shall document the Gun Violence EPO request and denial in the appropriate Department reports (e.g., Investigative Report, Arrest Report, Daily Field Activities Report).

If it is determined there is no immediate and present danger of injury and a Gun Violence EPO is not appropriate for the situation, but officers believe that the subject still poses a significant danger of personal injury to self or others in the near future, officers can petition for a Temporary GVRO. A Temporary GVRO can only be petitioned for in person, during court hours. Officers shall consult the City Attorney Gun Violence Restraining Order Program Coordinator to determine whether a Temporary GVRO is warranted under the circumstances.

Renewal of Gun Violence Restraining Order After Hearing. Officers may also file a Request to Renew Gun Violence Restraining Order, Judicial Council Form GV-700, within the three-month period prior to the expiration of a GVRO After Hearing. Officers shall establish clear and convincing evidence that the subject still poses a significant danger of causing injury to themselves or others through access to firearms, and that a renewal is necessary because less restrictive means have been tried and found to be ineffective, inappropriate or inadequate for the circumstances. Officers shall consult the City Attorney Gun Violence Restraining Order Program Coordinator to determine whether a renewal is warranted under the circumstances.

If a renewal is granted after a hearing and the restrained person is not present in court to be served, the petitioning officer is responsible for developing a plan to serve the order.

Service of Temporary Gun Violence Restraining Orders Obtained by a Private Person. When a non-law enforcement complainant presents a valid (i. e., not expired) Temporary GVRO that has yet to be served, the officer shall first consult a supervisor and assess the totality of the circumstances to determine whether immediate service/police intervention is required. If the supervisor determines the situation to be a non-emergency, the officer shall refer the complainant to the pre-existing service options available outside of the Department.

Note: If the supervisor determines the situation to be exigent, officers shall develop a plan to personally serve the valid Temporary GVRO. If officers are unable to personally serve the restrained person more than five days before the scheduled hearing date, officers shall directly petition for a Gun Violence EPO and develop a plan to serve the restrained person.

Supervisor's Responsibilities. Supervisors shall ensure the circumstances of the incident meets criteria for the respective type of GVRO and that all reports are processed accordingly.

Area/Division Records Unit's Responsibilities. Upon receipt of a GVRO, Records Unit personnel shall:

- Process the order in accordance with Department Manual Section 4/216.03; and,
- Provide a copy of the Gun Violence EPO, Temporary GVRO, or GVRO After Hearing to the Area Subpoena Control Officer.

Area/Division Subpoena Control Officer's Responsibilities. Upon receipt of a Gun Violence EPO, a Subpoena Control Officer shall forward the original Gun Violence EPO to the Area/Division GVRO Coordinator and process all types of GVROs in accordance with Department Manual Section 4/216.03.

Area/Division Gun Violence Restraining Order Coordinator's Responsibilities. The Area/Division GVRO Coordinator shall be the Area/Division Gun Coordinator or designee (i.e., the Investigating Officer assigned to the respective case). The GVRO Coordinator or designee shall:

- As soon as possible, but no later than three court days after issuance, file Gun Violence EPOS received at the appropriate Family Law Courthouse and obtain a Notice of Court Hearing, Judicial Council Form GV-009. The appropriate Family Law Courthouses are listed below for reference:
 - Stanley Mosk Courthouse for all Central and West Bureau geographic Areas, as well as Southwest and 77th Street Areas;
 - Van Nuys Courthouse East for Van Nuys, West Valley and North Hollywood Areas;
 - Chatsworth Courthouse for Foothill, Devonshire, Mission and Topanga Areas;
 - Compton Courthouse for Southeast Area; and,
 - Governor George Deukmejian Courthouse for Harbor Area.

Note: If the Gun Violence EPO was not served on the restrained person on the date of issuance, officers shall serve the Gun Violence EPO as soon as possible. It should be noted that the court will not accept a Gun Violence EPO that is not served within three court days of issuance.

- Send a copy of the Notice of Court Hearing to the City Attorney Gun Violence Restraining Order Program Coordinator;
- Ensure the firearms, ammunition, and/or magazines are retained for the duration of the most current GVRO and return them to the restrained person when the order expires, terminates, or dissolves; and,

Note: A Law Enforcement Gun Release-Firearm(s) Eligibility Clearance must be obtained via the California Department of Justice, Bureau of Firearms, prior to release.

- Coordinate with the City Attorney Gun Violence Restraining Order Program Coordinator for any court appearances, the service of any GVROs, and renewal requests.

Area Detective Commanding Officer's Responsibilities. Area Detective Commanding Officers shall designate a GVRO Coordinator and ensure compliance with this section.

Detective Services Group Commanding Officer's Responsibilities. The Detective Services Group Commanding Officer shall designate a GVRO Liaison to track the number and outcome

of all GVROs Department-wide, liaison with the City Attorney Gun Violence Restraining Order Program Coordinator, and assist Area/Division GVRO Coordinators, as needed.

216.12 RECORDING OF BOOKING APPROVAL.

Felonies. The name and serial number of the watch commander giving a felony booking approval shall be placed in the narrative portion of the arrest report.

All arrest reports shall be approved and signed by a Department supervisor and checked for probable cause, propriety, essential information, clarity, and legibility.

When available, or in complex arrests requiring additional review, the investigative supervisor giving booking advice shall review all related reports for required content and place his/her initials and serial number at the conclusion of the narrative portion of each report.

Misdemeanors. The name and serial number of the watch commander giving a misdemeanor booking approval shall be placed in the lower left portion of the "**Property**" box on the Booking and Identification Record and in the narrative portion of the arrest report, when one is completed.

Note: Officers shall not sign or otherwise write any name for a supervisor in any Department report or form requiring an approving supervisor's signature.

216.14 CRIME REPORTED ON ARREST REPORT. The "Crime Report" Section of the Arrest Report may be used in lieu of a Investigative Report (IR), Form 03.01.00, when:

- All suspects identified as the perpetrators are in custody;
- All the property is recovered;
- Only one crime is involved; AND,
- The procedure is approved by the watch commander or investigating supervisor advising the booking.

Use of Form, DR Numbers and Number of Reports Required. Procedures relating to the IR apply to the Combined Crime and Arrest Report.

Completion. An officer using a Combined Crime and Arrest Report shall:

- Mark the "Crime Report" checkbox at the top of the Arrest Report, enter the name of the victim in the space immediately under this checkbox, and complete the "Combined Crime Report" Section;

Note: If multiple arrestees, follow the above direction on **one** face sheet only. If applicable, use the face sheet of the arrestee most likely to be filed on.

- Obtain a DR number and enter it in both spaces provided at the top of the report.
- Enter complete victim information under "Involved Persons";

- Use the standard arrest narrative sequence; (i.e., Co-arrestees, Source of Activity, Observations, Arrest, Booking, and Specific Headings). Include a listing and disposition of all property taken, unless this information is contained on an Evidence Continuation page; and,
- Include the incident number, if generated prior to arrest, in the "Source of Activity" section of the report.

216.15 EVIDENCE REPORT COMBINED WITH ARREST REPORT. Evidence booked in conjunction with an arrest may be reported as follows:

If only one arrestee, no firearm booked, and no more than two items of evidence, the face sheet of the Arrest Report is the evidence report. In this instance, the reporting officer shall:

- Check the "Evidence" checkbox at top of the report;
- Complete the "Combined Evidence Report" Section on the report;
- Enter details relating to the evidence in the narrative; and,
- Forward a copy of the Arrest Report face sheet with the evidence.

If more than one arrestee, a firearm is booked, or more than two items of evidence, the Property Report stapled to the Arrest Report face sheet is the evidence report. In this instance, the reporting officer shall:

- Check the "Combined Evidence" checkbox at the top of the Arrest Report face sheet;

Note: On multiple arrests, this checkbox is checked on *all* face sheets, and the name of the arrestee to whom the evidence is booked is entered immediately below that checkbox on *all* face sheets.

- Complete the shaded areas of the Property Report, including details and listing of the evidence;
- Number the Property Report as the last page of the Arrest Report; and,

Exception: On juvenile arrests, the Juvenile Arrest Supplemental Report, Form 05.02.06, followed by the Juvenile Automated Index printout are the last two numbered pages of the Arrest Report (Manual Section 4/218.60).

- Forward a copy of the Property Report, stapled to the Arrest Report face sheet, with the evidence.

Exceptions: A Property Report shall not be combined with an Arrest Report when:

- The evidence is related to previously booked evidence. In this instance, the evidence shall be booked to the same person (or firm) as on the original Property Report and under the original DR number. The item numbering shall start with the next sequential number from the original report;

- Reporting additional license plates. One plate, or set of plates, may be reported using the combined procedure. Additional plates require separate Property Reports with separate DR numbers (Manual Section 5/040.56); and,
- The booking employee's supervisor determines that use of a separate complete Property Report would be a more expedient means of booking the evidence under the given circumstances.

DR Number. A DR number is required for an Arrest Report on which booked evidence is listed.

Completion-Private Person's Arrest. When evidence is booked under the combined procedure, and the arrest is by a private person, the name, serial number, division and detail of the officer booking the evidence shall be entered in the space provided on the Arrest Report face sheet; i.e., the second line of "Reporting Officer(s)."

216.16 ELECTRONIC PROBABLE CAUSE DETERMINATION/DECLARATION.

Arresting Officer's Responsibilities. Upon the completion of an arrest report that requires a Probable Cause Determination/Declaration (PCD), the arresting officer shall access the Los Angeles County-Information Systems Advisory Body (ISAB) website, via the "e-PCD" link under the Applications menu in the Department's Local Area Network (LAN) homepage or type <https://epcdfed.olasd.org/epcdfedid/> in the address bar of the LAN homepage. The officer shall enter his or her Serial No. in the "Username" and use his or her LAN password to log into the LA County Sheriffs Applications website. A Homeland Justice System Inc., Smart Xchange page will appear. Click on "Run" to enter the system. Your current unit of assignment will appear. If correct, click next. If it is different, follow the directions on the site. Upon logging into the ISAB website, officers shall:

- Complete an e-PCD for each adult arrestee and **adequately** document the probable cause for the arrest;
- Click on "Create New PCD" under the "Main Menu" tab;
- Follow the form and complete each required box;
- Click on the "I electronically SUBMIT to supervisor" button to electronically submit the e-PCD to the watch commander for approval, and,

Note: The officer shall close out of the e-PCD entry submitting for first-level review; otherwise, the watch commander is unable to return it for corrections if rejected.

- Monitor their emails for e-PCDs that are returned for correction from the watch commander. Officers shall make the necessary correction and resubmit the e-PCD.

The processing of an e-PCD eliminates the requirement for attaching a hard copy PCD to the original arrest report. In the event an officer cannot complete an e-PCD (e.g., juvenile arrest or the system is down), the officer shall complete a hard copy PCD consistent with past practices.

Watch Commander's Responsibilities. The watch commanders shall log into the Los Angeles County-ISAB website at the start of his or her shift to ensure there are no "READY FOR 1st LEVEL REVIEW" or "PCD DENIED" e-PCDs. When reviewing an arrest report, watch commanders shall:

- Click on "Need Approval My Station";

Note: The system is color-coded, with green meaning 24-28 hours remaining, orange meaning less than 24 hours remaining, and red meaning less than 12 hours remaining.

- Locate any e-PCDs that are "READY FOR 1st LEVEL REVIEW";
- Review the e-PCD related to the arrest report;
- Ensure an e-PCD is submitted for each arrestee;
- Ensure the e-PCD is accurately completed and that the probable cause is adequately documented;
- Upon approval, click the "I APPROVE" button to forward the e-PCD to a magistrate for review; and,
- Prior to logging off, ensure that there are no open or rejected e-PCDs.

Note: If not approved, the watch commander shall electronically send the e-PCD back to the concerned officer. This is completed when the supervisor clicks on the "I REJECT this PCD." The e-PCD is then emailed to the officer for corrections. The watch commander shall also ensure that the concerned officer acknowledges the disapproval.

Watch commanders shall **continuously** monitor the "*Granted/Denied My Station*" during their shift, for e-PCDs that have been rejected by the magistrate. The e-PCD will show as "PCD DENIED" in red. Click on the "Judicial Approval/Denial" at the bottom of the page and either "Element Missing" or "The suspect not adequately connected to crime" will be indicated. A new e-PCD will have to be completed, reviewed and submitted to the court.

Note: If the watch commander becomes aware of an e-PCD rejected for "PCD Denied" and the expiration date and time has passed, there is no need to submit a new e-PCD. Custody Services Division (CSD) cannot hold arrestees more than 48 hours without a finding of probable cause. The arrestee will have been released from custody.

In the event the e-PCD system is down, the watch commander shall ensure that the arresting officer completes a hard copy PCD and attach a copy of the related arrest report. The watch commander shall ensure the signed PCD and the copy of the arrest report are forwarded to a magistrate for review.

Custody Services Division's Watch Commander Responsibilities. The Custody Services Division Release Desk personnel are responsible for monitoring the Los Angeles County-ISAB website to ensure that a finding of probable cause was present for each arrestee. If such a finding is not present within

12-hours of receiving the arrestee, the release desk or designee shall:

- Promptly notify the arresting Area/division's watch commander;
- Follow-up with the watch commander to ensure receipt of the notification; and,
- Record the arresting Area/division watch commander's name and serial number on CSD's PCD due out list form.

If the arrestee's offense is a serious felony, defined under California Penal Code §1192.7(c) CSD shall use reasonable efforts to make a second notification to the watch commander of the arresting Area/division prior to releasing the arrestee. In the event the e-PCD system is down, CSD personnel shall verify the status of the PCD via the Network Communication System (NECS) or telephonically contact the appropriate court.

Record Unit's Responsibility. The processing of an e-PCD eliminates the requirement for attaching a hard copy of a adult PCD to the arrest report.

Area Commanding Officer's Responsibility. Each Area commanding officer is responsible for ensuring compliance with this manual section.

216.17 CLEARANCE OF CRIME REPORTS. Misdemeanor crimes reported on combined crime and arrest reports (Manual Section 4/216.14) are cleared automatically by Information Technology Division. A Follow-Up Investigation, Form 03.14.00, is required to clear other misdemeanor crime and felony crime reports.

216.20 ARREST OF ARMED FORCES PERSONNEL. An officer arresting a member of the Armed Forces shall include in the Arrest Report, Form 05.02.00, the arrestee's:

- Rank and serial number;
- Branch of service;
- Organizational unit and its location;
- Dress (uniform or civilian clothes);
- Duty status (on pass, on orders, AWOL, deserter); and,
- The word "MILITARY" shall be printed in the upper left margin.

216.22 CRIMES AGAINST POLICE OFFICER CASES INVOLVING LOS ANGELES POLICE DEPARTMENT OFFICERS. When an on-duty Los Angeles police officer or firefighter is the victim of an assault, misdemeanor battery, or interfering and booking is recommended, the arresting officer shall process the arrestee and the related crime and arrest reports in the same manner that all other misdemeanor crimes are processed.

216.23 ARRESTS FOR INTERFERING, RESISTING ARREST, OR ASSAULT ON AN OFFICER.

Watch Commander's Responsibility. When a person is charged with the California Penal Code (PC) sections listed below, the watch commander shall conduct a pre-booking evaluation

to determine whether issues or concerns regarding training, policy, or tactics need to be addressed. A pre-booking evaluation is not required for additional filing requests.

- **69PC** Obstructing or resisting peace officers by threats or violence;
- **148(a)(1)PC** Resisting, delaying, or obstructing a peace officer;
- **148(b)PC** Removing or taking a weapon, other than a firearm, from a peace officer;
- **148(c)PC** Removing or taking a firearm from a peace officer;
- **148(d)PC** Attempting to remove or take a firearm from a peace officer;
- **241(c)PC** Assault against a peace officer;
- **243(b) & (c)PC** Battery against a peace officer or custodial officer, respectively;
- **244.5(c)PC** Assault on a peace officer with a stungun or taser;
- **245(c)PC** Assault with a deadly weapon, other than a firearm, on a peace officer; and,
- **245(d)PC** Assault with a firearm, machine gun, or assault weapon on a peace officer.

Additionally, the watch commander shall:

- Document that an evaluation was completed on the Watch Commander's Daily Report, Form 15.80.00;
- Take appropriate action when the results of the evaluation raise issues or concerns regarding training, policy, or tactics; and,
- Reference all forms used for documenting the results of the pre-booking evaluation on the Watch Commander's Daily Report.

Note: The use of the Watch Commander's Daily Report to document personnel issues associated with evaluations compromises the confidentiality of employee files. Therefore, the watch commander shall document positive and negative duty performance, training needs, and any counseling associated with the evaluation on an Employee Comment Sheet, Form 01.77.00.

When the result of the evaluation is documented on a separate report, it is not necessary to duplicate the evaluation on another report.

Commanding Officer's Responsibility. The commanding officer shall ensure watch commanders:

- Complete a pre-booking evaluation when the primary charge against an arrestee is an offense listed in this section; and,
- Complete the required documentation for that evaluation.

216.25 CANNABIS ARREST PROCEDURES.

Possession of Cannabis-Sole Offense.

More Than One Ounce (Weight, Not Volume). An adult arrested for Section 11357(b)(2) of the Health and Safety (H&S) Code (Possession of More Than One Ounce of Cannabis) or 11360(b) H&S (Transporting or Giving Away One Ounce or Less of Cannabis) or 11358(d)

H&S (Possession of More Than 6 Cannabis Plants) shall be Released from Custody (RFC) and not booked **unless** he or she:

- Cannot satisfactorily identify himself or herself; or,
- Demands to be booked; or,
- Refuses to sign the Non - Traffic Notice to Appear, Form 05.02.02.

Note: Other reasons for non-release of misdemeanor arrestees, as outlined in Section 853.6(j) of the California Penal Code (PC), **do not** apply when the arrest is for 11357(b) or 11360(b) H&S.

Juvenile – More Than One Ounce (Weight, Not Volume). A juvenile arrested for 11357(b)(1) H&S (Possession of More Than One Ounce of Cannabis) or 11360(a)(1) H&S (Transporting or Giving Away One Ounce or Less of Cannabis) or 11358(a) H&S (Possession of More Than 6 Cannabis Plants) shall be issued a Traffic Notice-to-Appear (citation).

Possession of Cannabis-Additional Offenses. An adult arrested for an offense in addition to 11357(b)(2) or 11360 H&S shall be booked for the non-cannabis offense. (For example, an adult arrested for Battery who is also in possession of more than one ounce of cannabis shall be booked for Battery. The elements of all offenses committed by the arrestee shall be included in the Arrest Report.)

Exception: When an adult is arrested for a *misdemeanor* warrant **and** 11357(b)(2) or 11360(a)(2) H&S and can be satisfactorily identified, a Non - Traffic Notice to Appear, Form 05.02.02, and an RFC Report Continuation, Form 05.02.08, shall be completed for the cannabis offense, and the arrestee shall be booked for the warrant. The booking number for the warrant booking shall be entered on the RFC Report.

Determining Charge. Unless the arresting officer has significant experience conducting narcotics investigations whereas they can articulate based on their training and experience the type of substance being possessed and provide an estimation as to the weight, they should not transport the detainee to the station. If the officer(s) conducting the investigation is able to determine the amount possessed is 28.5 grams (ounce) or less of cannabis or 8 grams or less of concentrate there is no need to transport the detainee to the station. If the investigating officer cannot make the determination in the field, an effort should be made to request an officer with narcotics experience for advice or have a field supervisor respond with a scale. If the arrestee does possess more than the legal amount he or she shall be released from custody and not be booked unless he or she cannot satisfactorily identify himself or herself, or demands to be booked, or refuses to sign the Non-Traffic Notice to Appear, Form 05.02.02.

Note: Scales to weigh cannabis in the field are possessed by field supervisors and Area narcotics investigators.

Arrest Report-Completion. The Arrest Report shall contain the following information:

- Prima facie case for all offenses committed by the arrestee; and,

- The quantity of cannabis possessed by the arrestee, as determined by the laboratory scales at the station.

Misdemeanor Cannabis Arrests-Booking Location. When an arrestee is to be booked for 11357(b), 11357(c), or 11360(a)(2) H&S, the location of booking shall be the same as for other misdemeanor arrestees.

Combined Cannabis/Traffic Arrest Procedures. When an adult has committed a citable traffic violation and is then found to be in possession of cannabis constituting a misdemeanor, the officer shall, if the traffic offense is to be charged, proceed under the following guidelines:

- Possession, Transporting, or Giving Away **More Than One Ounce** and Eligible for Release From Custody. When the offense is a violation of 11357(b)(2) or 11360(a)(2) H&S, the officer shall:
 - Complete an RFC Continuation Report, charging the cannabis offense;

Exception: When the driver of the vehicle is in possession of cannabis which constitutes a misdemeanor, the officer may opt to cite the driver under California Vehicle Code (VC) Section 23222(b). The officer shall then complete a Traffic Notice to Appear (citation), Form 04.50.00, for 23222(b) VC and all additional Vehicle Code violations. The officer **shall** include in the narrative portion of the Traffic Notice to Appear, the probable cause for the traffic stop, and where the cannabis was subsequently located. The officer shall utilize a Continuation of Notice to Appear, Form 04.50.05, when necessary to include all required information and violations.

Note: An RFC **shall not** be issued to the driver for the Health and Safety Code violation if cited for 23222(b) VC.

- Include the details of the traffic violation in the narrative portion of the RFC Report;
- Request filing of the traffic violation under the heading "Additional Information";
- Cite the arrestee to the appropriate court for combined cannabis/traffic offenses; and,
- Complete a Citation Cancellation Request, Form 04.45.00, if a Traffic Notice to Appear has been issued for the traffic violation.
- **Possession of More Than One Ounce Ineligible for Release.** When the traffic violator is in violation of 11357(b)(2) H&S and is ineligible for release, the officer shall:
 - Book the arrestee;

Note: An officer booking an arrestee in the metropolitan Areas, or at a County booking facility, shall inform the booking employee that a traffic violation is also being charged. The booking employee shall ensure that the arrestee is cited to appear in, or is transported to, the appropriate court.

- Include the details of the traffic violation in the narrative portion of the Arrest Report;
- Request filing of the traffic violation under the heading "Additional Information"; and,

- Complete a Citation Cancellation Request if a Traffic Notice to Appear has been issued for the traffic violation.

216.27 PCP ARREST PROCEDURES.

Arresting Officer's Responsibility. When an arrest is made for 11550(b) H&S (PCP), the arresting officer shall:

- Obtain medical treatment prior to booking as outlined in Manual Section 4/648.10;
- Request a Drug Recognition Expert (DRE) or, if none available, a Narcotics Expert;
- If an on-duty DRE or Narcotics Expert is not available within the concerned bureau, the arresting officer shall request the examining physician to include an opinion regarding objective symptoms and possible drug ingestion; and,
- When applicable, include the Drug Influence Evaluation Form and the Admonishment for Urine Test, Form 08.40.01, as pages of the Arrest Report.

Drug Recognition Expert (DRE)/Narcotics Expert's Responsibility. A DRE or Narcotics Expert is responsible for evaluating and rendering an opinion of the drug influence of 11550(b) H&S (PCP) arrestees. As part of the examination, the expert shall:

- Admonish the arrestee as per the Admonition For Urine Test, obtain a urine sample, and complete that form;
- Advise the arresting officer of any additional tests required;
- Complete the Drug Influence Evaluation, Form 08.40.02; and,
- Enter a brief description of the findings and the examining officer's name and serial number in the Remarks Section of the Booking Approval, Form 12.31.00.

Note: If during a drug evaluation, the expert determines that he/she is not qualified to render an opinion, the watch commander responsible for approving the booking shall determine if another expert should be called.

216.30 PRIVATE PERSON'S ARREST. Private persons desiring to make a lawful arrest for a misdemeanor not committed in an officer's presence shall be advised that they may:

- Make a physical arrest; or,
- Make a crime report and proceed through the City Attorney's Office.

216.31 PRIVATE PERSON'S LEGAL ARREST - RESPONSIBILITY. If an individual makes a private person's arrest and requests that an officer take a person into custody, the officer shall do so if there is probable cause to believe a criminal offense has been committed or an arrest warrant has been issued for the person being arrested.

Note: Officers are not precluded from completing a Investigative Report, Form 03.01.00, for filing of a criminal complaint instead of arrest, **if** the arresting person agrees.

216.32 PRIVATE PERSON'S ARREST, ILLEGAL. When a private person's arrest is or appears to be illegal, the individual requesting police action shall be advised of the provisions of Section 847 PC. If the individual insists on the arrest, he or she shall be informed to seek his or her own legal counsel. Additionally, the officers shall:

- Not take custody of the person;
- Complete a Field Interview Report, Form 15.43.00 on all of the involved parties;
- Notify a supervisor of the circumstances of the incident; and,
- Complete an Employee's Report, Form 15.07.00, documenting the circumstances of the incident.

DOCUMENTING AN ILLEGAL PRIVATE PERSON'S ARREST. When officers encounter a situation where a person has placed another person under private person's arrest, and that arrest is or appears to be illegal, officers shall complete an Employee's Report, Form 15.07.00. The Employee's Report shall include the following information:

- The personal information of all persons involved (name, address, date of birth, etc.) as well as the incident information (location, Incident Number, Reporting District (RD), etc.);
- Details of the circumstances leading to the private person's arrest;
- Document the circumstances that support the illegal arrest determination;
- The advisement of the person making the arrest of California Penal Code Section 847;
- The advisement of the person making the arrest to seek their own legal counsel;
- Ensure that the Employee's Report is addressed to the Area commanding officer of the involved Area;
- Ensure that the location of the radio call is entered into the Location of Occurrence box on the Employee's Report, followed by the RD number;
- Name and serial number of the supervisor who was notified or at scene during the arrest; and,
- The signature and serial number of the watch commander approving the Employee's Report.

WATCH COMMANDER'S RESPONSIBILITIES. The watch commander reviewing the Employee's Report shall:

- Review the Employee's Report for thoroughness and content prior to approving the report;
- Review the circumstances surrounding the incident and the lack of the elements of the crime; and,
- Sign, date and place their serial number on the report in the space provided for the approving supervisor.

FILING OF THE EMPLOYEE'S REPORT, FORM 15.07.00. Employees shall obtain a non-crime Division of Records (DR) number for the Employee's Report. The original Employee's Report shall be forwarded to the Area commanding officer for review and, once reviewed, returned to the Area Records Unit for filing. If a related arrest/crime report is

completed, a copy of the report shall be attached to the Employee's Report prior to forwarding it to the Area commanding officer.

AREA RECORDS RESPONSIBILITIES. Area Records personnel shall:

- Ensure that all submitted Employee's Reports documenting illegal private person's arrests are given a non-crime DR number;
- When obtaining a DR number for the Employee's Report, enter "PPAREJECT" (Private Person's Arrest Reject) in the victim's last name field three-letter abbreviation for the division of occurrence (i.e., WIL-Wilshire), as the first name in the involved party entry of the
- Automated DR Issuance System (ADRIS);
- The reporting employee(s) shall be entered as a reporting party or parties (R01, etc.) on the PPARTY screen during the DR issuance process;
- All other involved parties (i.e., the rejected arrestee, arrestor, or witnesses) shall be entered as parties (P01, P02, etc.), in no specific order, on the PPARTY screen during the DR issuance process; and,
- Ensure that the original Employee's Report, along with copies of any related reports, are forwarded to the Area commanding officer.

Note: If a crime report is completed and it is related to the private person's arrest, the Employee's Report shall be given the same DR number as the crime report. Additionally, "PPAREJECT" and the division of occurrence's abbreviation shall be entered as an additional party to the crime ("P01") on the PPARTY screen. This will ensure the proper tracking and documentation of the Employee's Report and its relationship to the crime report.

AREA COMMANDING OFFICER'S RESPONSIBILITIES. The Area commanding officer shall:

- Ensure that a file for all original Employee's Reports which document private persons arrest that are or appear to be illegal is established and
- maintained in the Area Records Unit;
- Review all Employee's Reports for possible follow-up investigations;
- After review and approval, ensure that the original reports are returned to the Area Records Unit for filing; and,
- Ensure that the Employee's Reports can be accessed and/or retrieved for further investigation and audit purposes.

216.33 RECEIVING ARRESTED PERSON. All persons involved in a private person's arrest shall be advised that officers are not making the arrest, but are merely receiving the arrested person. After receiving an arrested person, officers shall verify the identity of the person making the arrest and shall complete a Form 05.02.10 and ensure that the arresting person reads, understands and signs the form. Officers shall also determine the arrestee's eligibility for release from custody.

Note: Officers are no longer required to cause the arresting person to write the statement "I have arrested this person" or sign their full name, address, and telephone at the bottom of the Arrest Report, Form 05.02.00.

Arrestee Eligible for Release From Custody. If it is determined that the arrestee is eligible for release from custody, the procedures outlined in Manual Section 4/216.65 shall be followed.

Arrestee Ineligible for Release From Custody. When it is determined that the arrestee is ineligible for release from custody, officers shall:

- Request the arresting person to accompany the officers to the station;
- Assist the arresting person in completing the Arrest Report, Form 05.02.00. The officers' names and serial numbers shall appear only in the narrative portion of the report as "Transporting Officers" or as "Officers Receiving the Arrested Person;"
- Cause the arresting person to sign his/her full name, address, and telephone number on the Private Persons Arrest form;
- Obtain copies of any and all written reports completed by the arresting private person, or statements of guilt signed by the arrestee;

Note: If the arresting private person cannot or will not provide written documents pertaining to the arrest, a detailed statement explaining the circumstances shall be included in the arrest or RFC report.

- Record the appropriate booking and DR numbers on the upper right corner of the documents;
- Number the documents as separate pages of the arrest or RFC reports in sequence, following the last page of the narrative portion of the report.

Note: When using the Property Report, Form 10.01.00, in combined reporting, the Property Report shall be the last page.

- Book the arrestee to the arresting private person; and,
- Complete other necessary reports.

Note: The arresting private person need not accompany the officers to the station when:

- The arrest is for petty theft or misdemeanor forgery; and,
- The crime occurred at a regularly established place of business; and,
- All the elements of the offense are present and there appears to be probable cause for the arrest; and,
- The telephonic approval of the officer's watch commander has been obtained for this action.

216.34 AID FOR ARRESTING PRIVATE PERSON. Officers shall, upon demand, go to the aid of an arresting private person whose lawful arrest is being resisted (839 P.C.).

216.40 NON - RESIDENT WITNESSES IN MISDEMEANOR CASES. When a witness in a misdemeanor case resides outside of the County of Los Angeles, all facts to which he/she can testify shall be incorporated in the Arrest Report, Form 05.02.00, or Non - Traffic Notice to Appear, Form 05.02.02, and an RFC Report Continuation, Form 05.02.08.

216.49 SURVEILLANCE NOTIFICATION PROCEDURES Officers conducting surveillance shall notify the Los Angeles County Regional Criminal Information Clearinghouse (LA CLEAR) when reasonable/practical at 800-LA-CLEAR, (800-522-5327). The Los Angeles County Regional Criminal Information Clearinghouse is a 24-hour, seven day a week war room and an intelligence watch center. It provides a number of support functions, which include access to government databanks and a special operations center that supports covert surveillance operations. The Los Angeles County Regional Criminal Information Clearinghouse system will provide electronic pinpoint mapping that will alert the system if units are deemed to be in conflict.

SURVEILLANCE – DEFINED. Surveillance is the sum of covert activities and operations employed to obtain intelligence, identify suspects, residences, criminal activity, places of employment, identify co-conspirators and associates, corroborate informant information, identify assets, establish daily patterns, and to build probable cause for an arrest or search warrant.

Exception: Scouting – Defined. The initial assessment of a location to ascertain if surveillance is warranted.

OFFICER’S RESPONSIBILITIES. All Department personnel shall notify LA CLEAR prior to conducting a pre-planned surveillance operation. Once a surveillance operation is in progress, officers shall make ongoing notifications to LA CLEAR when reasonable and practical.

Officers shall make contact with other units within their area of operation if advised by LA CLEAR. Officers shall complete the Western States Information Network-Security Control Card, Form WS81/2, and fax it to LA CLEAR for access.

Note: The Los Angeles County Regional Criminal Information Clearinghouse is required to notify a unit of other investigations within a 1000-foot radius and provide contact information.

Department personnel shall notify LA CLEAR in order to prevent any conflicts with other plainclothes operations.

OFFICER IN CHARGE RESPONSIBILITIES. The Officer in Charge (OIC) or designee shall ensure that notifications are made prior to the initiation of a surveillance operation, as required and appropriate. Additionally, the OIC shall ensure that officers under his/her

command have completed the Western States Information Network-Security Control Card and have access to LA CLEAR.

Note: Professional Standards Bureau, Major Crimes Division, or entities with prior approval from their bureau commanding officer or the Chief of Police may be exempted from making the notifications.

216.50 STAKEOUT PROCEDURES. Officers on stakeout duty shall post themselves at the most advantageous location.

Visual Signals. If they are in a position to do so, witnesses shall be requested to offer visual signals to the stakeout officers. These signals shall be so arranged, and of such a nature, that they will not result in any danger to witnesses.

216.51 OBSERVATION POST. An observation post (OP) is the use of a fixed-post position (e.g., car, building, etc.) intended to be stationary for a period of time, wherein the officers gather intelligence or observe a suspect's actions and coordinate law enforcement actions.

Officer's Responsibility. All Department uniformed and plainclothes personnel **shall** obtain approval from their assigned Area watch commander (W/C) or Officer in Charge (OIC) and notify the W/C of the involved Area prior to the utilization of an OP.

Note: Only Professional Standards Bureau, Major Crimes Division or entities with prior approval from their bureau commanding officer or the Chief of Police are exempt from obtaining approval from their W/C or OIC.

A written Tactical Operation Plan, Form 12.25.00, shall be submitted to the approving W/C or OIC on all pre-planned OPs. In the event of a "spontaneous OP," or if circumstances preclude officers from creating a written Tactical Operation Plan, Form 12.25.00, verbal notification shall be made to the approving W/C or OIC.

Note: Verbal notification should include specific locations, duty assignments (i.e., arrest teams, communication officer, etc.), nearest hospital, radio frequency, etc.

If an OP is utilized and an arrest is made, the arresting officers shall document the use of the Tactical Operation Plan, Form 12.25.00, (if completed) and the name of the supervisor providing oversight in the arrest report.

Supervisor's Responsibility. The assigned supervisor is not required to be present; however, they shall monitor the OP operation via Department radio or direct communication with the involved officers. The OP operation and the use of the Tactical Operation Plan, Form 12.25.00, (if completed) shall be documented in the Sergeant's Daily Report, Form 15.48.00.

Watch Commander's Responsibility. When a request for an OP is made, the W/C shall determine the need for a Tactical Operation Plan, Form 12.25.00, and the assignment of a

supervisor to monitor the OP. If an OP is approved, the watch commander shall document the approval and the OP operation in the Watch Commander's Daily Report, Form 15.80.00. The completed Tactical Operation Plan, Form 12.25.00, shall be attached to the Watch Commander's Daily Report, Form 15.80.00.

216.52 WEARING OF BODY ARMOR DURING TACTICAL OPERATIONS. All sworn personnel shall wear Department approved body armor and an authorized police equipment belt (Department Manual Section 3/622, Police Equipment Belt – Type) when assigned to the field, geographic Area front desk or traffic division front desk related duties.

Exception: Other than the requirement to wear body armor and carry an Electronic Control Device (ECD), the front desk assignment is exempt from Department Manual Section 3/621.10, Required Equipment.

Additionally, identified civilian personnel shall wear Department approved body armor during all pre-planned tactical operations, and during any potentially violent situation, or unusual occurrences in the field. All body armor issued, or purchased for use by Department personnel, shall meet or exceed Department specifications, and shall also be certified according to the most current National Institute of Justice (NIJ) standards at the time of purchase. Training Division has identified several civilian entities that are periodically tasked with responding to the field to assist sworn personnel. The following civilian personnel shall be required to have body armor in their possession when responding to field operations:

- Audio-Visual Technicians;
- Forensic Print Specialists;
- Photographers;
- Criminalists;
- Police Surveillance Specialists;
- Firearms Examiners;
- Officers in Charge of these respective units;
- Custody Services Division (CSD) Personnel, at the discretion of the Commanding Officer, CSD; and,
- All other civilian personnel that may respond to the field to assist sworn personnel in a violent or tactical situation.

The officer in charge of any police operation listed below shall ensure that all officers involved in the actual field operation wear body armor:

- Any pre-planned tactical operation at a location where officers have reason to believe an individual(s) may use a firearm to resist; and,
- Serving a felony arrest warrant on a suspect *not* in custody.

Based on tactical considerations, the officer in charge shall specify which officers shall wear concealable body armor and which officers, if any, shall wear external bulletproof vests.

Sworn Employee's Responsibilities. All sworn personnel shall:

- Wear body armor and an authorized police equipment belt, equipped with an ECD at all times while engaged in uniformed field and front desk duties;

Note: Sworn personnel working an off-duty uniform assignment (i.e., the Coliseum or Sports Arena) shall adhere to the on-duty requirements of this section.

- Personnel that are assigned to a plainclothes detail (e.g., Narcotics Enforcement Detail, Area detectives) who are conducting field enforcement or activity where they are likely to have contact with one or more suspects shall wear body armor or a tactical vest with ballistic protection;

Note: Detectives conducting interviews of witnesses in the field are not required to wear body armor.

- Personnel assigned to undercover or surveillance operations are required to wear Department-approved body armor unless wearing the body armor would directly compromise the covert nature of the operation. The written operation plan shall set forth why wearing body armor would compromise the operation;

Note: Any exemption to the wearing of body armor shall be approved by a commanding officer and only on case-by-case basis. Prior to granting approval for the exemption, the commanding officer shall review the plan and carefully balance the officer safety risks involved. Critical to this review is ensuring the Undercover (UC) Support and Surveillance personnel have the necessary safety equipment to fulfill their anticipated role in protecting the UC Operator during a deadly encounter.

Note: The Chief of Police may designate certain department entities or personnel that may operate under guidelines that deviate from this Department Manual section. The designation by the Chief of Police **shall** be documented in the Unified Operation Plan or UC Supervisor's Sergeant's Daily Report, Form 15.48.00. The guidelines for Department entities so designated by the Chief of Police **shall** be maintained on file with Critical Incident Review Division.

- Return previously issued, and/or expired body armor to Supply Section, Fiscal Group, once the employee has received new body armor.

Note: If body armor is not issued to, or returned by the employee, the reason shall be documented in writing on an Employee's Report, Form 15.07.00, to the employee's Commanding Officer.

Civilian Employee's Responsibilities. Civilian personnel assigned to assist sworn personnel during tactical field operations during any potential violent situations, or unusual occurrence in the field shall:

- Wear body armor; and,

Note: In any field situation where there may be a potential for violence, civilian personnel shall wear body armor. It is difficult to foresee when a stale situation may become violent; therefore, civilians shall have their body armor accessible to them at all times while performing field duties (i.e., in the vehicle or duty bag). Personnel tasked with responding to a pre-planned tactical operation, who do not have body armor, shall report to the Supply Section, to check out and return body armor from the "loaner" stock.

- Return previously issued and/or expired body armor to Supply Section.

Note: If body armor is not issued to, or returned by the employee, the reason shall be documented in writing on an Employee's Report to the employee's Commanding Officer.

Supervisor's Responsibilities. All supervisors assigned to uniform field duties shall:

- Wear body armor and an authorized police equipment belt at all times while engaged in field assignments;
- Ensure that all sworn and civilian personnel involved in field operations wear body armor to include an authorized equipment belt for sworn personnel; and,
- When involved in a pre-planned tactical operation (i.e., search warrants), supervisors shall specify which officers shall wear concealable body armor, and which officers, if any, shall wear external body armor.

Watch Commander's Responsibilities. Watch Commanders shall ensure sworn personnel assigned to front desk duties wear their body armor and an authorized police equipment belt, and an Electronic Control Device (TASER).

Note: Only officers who are able to wear body armor, their police equipment belt and TASER shall be assigned to the front desk.

Area/Divisional Training Coordinator's Responsibilities. Training Coordinators in each Area/division shall ensure that all sworn and civilian personnel who are issued body armor, are scheduled for their required fitting dates, prior to the five-year body armor expiration date, upon receiving notification.

Note: All training coordinators shall act as liaison with Supply Section to ensure that all sworn and civilian personnel involved actual field operations are issued body armor.

Commanding Officer's Responsibilities. Commanding Officers shall:

- Designate an employee in each Area as a training coordinator, to ensure the proper issuance and return of body armor to sworn and specified civilian personnel;
- Notify their training coordinator or designee with a list from Supply Section for fittings;
- Ensure that their training coordinator or designee schedules dates for body armor fittings for all employees;

- Ensure that the expiration date has not expired on the body armor issued to all sworn and civilian personnel assigned to their Area/division;
- Ensure that all sworn and civilian personnel involved in field operations are approved for and issued body armor prior to deploying in the field; and,
- Authorize the exemptions of plainclothes officers from wearing body armor, when deemed necessary.

Supply Section Fiscal Group Responsibilities. Personnel assigned to Supply Section shall:

- Maintain records of body armor expiration dates;
- Notify all commanding officers of personnel in their commands that are required for body armor fittings prior to the five-year expiration date;
- Ensure distribution of body armor to the assigned employees; and,
- Maintain records of personnel fitted or not fitted and body armor distributed or not distributed.

216.54 WEARING OF BODY ARMOR DURING WARRANT SERVICE. The Coordinating Supervisor (Sergeant, a Detective II or higher) at a search warrant location shall ensure that all personnel wear body armor.

216.60 ARRESTS OF POSTAL EMPLOYEES. When a postal employee driving a vehicle carrying mail is arrested for a felony, or a misdemeanor of which intoxication is an element, officers, in addition to the regular arrest procedure, shall:

- Cause a telephonic report to be made, without delay, to the Supervisor of the Post Office Garage, United States Postal Service; and,
- Make an Employee's Report, Form 15.07.00, containing the details of the arrest. A copy of this report shall be forwarded to the Superintendent of Motor Vehicles, United States Postal Service.

Note: Arresting officers shall be responsible for the safety of the vehicle and its contents until a Postal Service representative has arrived at the scene and taken charge of the vehicle and its contents.

When a postal employee driving a vehicle carrying mail is detained for a misdemeanor offense not involving the element of intoxication, officers, in lieu of making a physical arrest, shall:

- Complete a misdemeanor traffic citation; or,
- Complete the appropriate misdemeanor crime report.

216.62 ENFORCEMENT OF THE NOISE ORDINANCE. An officer may initiate enforcement action without a complaining party when a violation of the Noise Ordinance (Chapter XI of the Los Angeles Municipal Code) is committed in his presence.

When it has been determined that the defendant does not possess a Police Commission permit to deviate from the provisions of the Noise Ordinance, the defendant shall be arrested and

released after a Non - Traffic Notice to Appear, Form 05.02.02, and an RFC Report Continuation, Form 05.02.08, have been completed.

Exceptions: The only exceptions to the above enforcement method shall be the following:

- A physical arrest shall be made when one or more of the exceptions listed in Section 4/216.65 of the Department Manual is present.
- A Complaint Application, Form 05.15.00, shall be utilized when a violator is a corporation or other business entity, and should include the following:
 - The corporation or business shall be named as defendant on the Complaint Application, and the name and identification of the observed violator shall be included in the narrative of the report;
 - When the corporation or business holds any Police Commission permit, the notation "Copy to Police Commission" shall be placed on the left margin; and,
 - The complaining party shall be referred to the Department of Building and Safety, and no enforcement action shall be taken, when the violation comes under a section of the Noise Ordinance requiring measurement by an electronic meter.

216.64 PROCEDURES FOR CITING VIOLATIONS OF LOS ANGELES MUNICIPAL CODE SECTION (LAMC) 112.01 (b) AND VARIOUS LOUD NOISE AND PARTY VIOLATIONS. When appropriate, officers investigating a loud party or loud music incident may cite the responsible party for LAMC Section 112.01 (b) on a Non-Traffic Notice to Appear.

Los Angeles Municipal Code Section 112.01 (b) - Radios, Television Sets, And Similar Devices, states the following:

- (a) It shall be unlawful for any person within any zone of the City to use or operate any radio, musical instrument, phonograph, television receiver, or other device for the producing, reproducing or amplification of the human voice, music, or any other sound, in such a manner, as to disturb the peace, quiet, and comfort of neighbor occupants or any reasonable person residing or working in the area.
- (b) **Any noise level caused by such use or operation which is audible to the human ear at a distance in excess of 150 feet** from the property line of the noise source, within any residential zone of the City or within 500 feet thereof, shall be a violation of the provisions of this section.
- (c) Any noise level caused by such use or operation which exceeds the ambient noise level on the premises of any other occupied property, or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, by more than five (5) decibels shall be in violation of the provisions of this section.

Officers may cite the responsible party at the location, or person in control of the source of the noise (e.g., stereo, amplification equipment, etc).

Note: When appropriate, officers may cite on the first response. LAMC Section 112.01 (b) does not require a warning notice and does not require a supervisor to be present during the issuance of a Non-Traffic Notice to Appear citation for LAMC Section 112.01 (b). Officers shall consider all relevant factors when making the determination to cite or warn. Relevant factors include the following:

- The likelihood a warning would be effective;
- The presence of gang, rave or “flyer” party activity;
- The presence of juveniles;
- The presence of other unlawful activity;
- Chronic complaint locations; and,
- The potential for violence at the location.

216.65 RELEASE FROM CUSTODY (RFC).

Conditions For Release From Custody. Each adult *misdemeanor* arrestee shall be released from custody unless one or more of the following conditions exist:

- Arrestee is intoxicated to the point where the arrestee could be a danger to themselves or others;
- Arrestee requires a medical examination or medical care, or is otherwise unable to care for their own safety;
- Arrestee is in custody for a violation of one or more of the circumstances listed in Sections 40302 or 40303 of the California Vehicle Code (**Exception:** driving under the influence (DUI) arrestees may be released after booking, if otherwise eligible);
- Arrestee has one or more outstanding arrest warrants;
- Arrestee has one or more outstanding misdemeanor arrest warrants not eligible for release under Section 827.1 of the California Penal Code (Department Manual Section 4/216.67);
- Arrestee is unable to provide satisfactory identification (per Department Manual Section 4/216.66);
- Immediate release of the arrestee would jeopardize the prosecution of the offense for which they were arrested or the prosecution for any other known offense (i.e., for which probable cause exists);
- There is a reasonable belief that the offense will continue or resume, or that the safety of person(s) or property would be imminently endangered by the release of the arrestee;
- Arrestee demands to be taken before a magistrate or refuses to sign the Non - Traffic Notice to Appear, Form 05.02.02;
- There is reason to believe that the arrestee would not appear at the time/place specified in the Notice;
- Arrestee has been cited, arrested, or convicted for misdemeanor or felony theft from a store in the previous six months (Pursuant to California Assembly Bill 2294 and effective January 1, 2023, thru January 1, 2026); and,
- There is probable cause to believe the person arrested is guilty of committing organized retail theft, as defined in subdivision (a) of Section 490.4 of the California Penal Code

(Pursuant to California Assembly Bill 2294 and effective January 1 2023, thru January 1, 2026).

When an adult misdemeanor arrestee is not released from custody pursuant to one of the above listed conditions, officers shall articulate the specific circumstances which justify the continued custody in the narrative of the Arrest Report, Form 05.02.00.

Note: Traffic-related misdemeanors, except those listed in Section 40302 of the California Vehicle Code, shall be cited using a Traffic Notice to Appear, Form 04.50.00, and the Continuation of Notice to Appear, Form 04.50.05, in lieu of an Arrest Report.

Procedures For Release.

Infractions. An adult arrested for any infraction shall only be required to furnish satisfactory evidence of identity and sign a written promise to appear. The arrestee is not subject to other RFC procedures. The arresting officer shall subsequently complete a Release From Custody Report Continuation, Form 05.02.08, in accordance with existing procedures.

Misdemeanor. Prior to releasing a misdemeanor arrestee, unless the arrestee is eligible for a Direct Cite Release From Custody or restricted by law (Sections 11357(b) and 11360(b) of the Health and Safety Code), an arresting officer shall:

- Query CWS for outstanding warrants;
- Obtain a State and a County Arrest History Record (Rap Sheet) via the Area/division Network Communications System (NECS) to determine whether the arrestee has a previous offense which renders the arrestee ineligible for RFC;
- Attach a copy of each of the arrest records to the original report;

Note: When an arrestee's "Rap Sheet" cannot be obtained within a reasonable period of time (not to exceed 15 minutes after initial inquiry), the names used for the inquiry and an explanation of why the records could not be obtained shall be included in the narrative portion of the Arrest Report or RFC.

- Obtain the watch commander's approval to release the arrestee;
- Obtain a booking number and Arrest Report via the Decentralized Automated Booking Information System (DABIS) and utilize the NECS terminal "Release" function to reflect the arrestee's status (Released) in the County Jail automated system;
- If the NECS terminal release function is unavailable, the arresting officer shall notify the watch commander;

Note: The watch commander shall monitor the status of arrestees as shown by NECS to ensure that their status is accurately reflected.

- Photograph the arrestee;
- Obtain two full sets of fingerprints using the Fingerprint Card, Form FD249;
- Prepare a Non - Traffic Notice to Appear, Form 05.02.02, (RFC);

- Record the related arrest and evidence (if applicable) Division of Records (DR) numbers, or the booking number when there are no DR numbers;
- Obtain the arrestee's signature on the Non - Traffic Notice to Appear;
- Provide the arrestee with the defendant's copy of the Non - Traffic Notice to Appear;
- Release the arrestee; and,
- Complete the Arrest Report.

Exception: An adult may be released from custody after furnishing satisfactory identification and signing a written promise to appear (RFC), when arrested for a misdemeanor violation of:

- An offense normally investigated by Commission Investigation Division; or,
- An ABC violation as specified in Section 24209 of the Business and Professions Code when committed by licensees or their agents.

The arresting officer shall subsequently complete a Release from Custody Report Continuation, Form 05.02.08, in accordance with existing procedures.

RFC Offense in Conjunction With A Booking Offense. An RFC report shall *not* be completed when an arrestee is in custody for two or more offenses, one of which requires continued custody. In such cases, an Arrest Report shall be completed and the elements of the RFC offense included in the narrative portion of the arrest report.

Exception: When a person arrested for an infraction is eligible for release from custody (Manual Section 4/216.65), and is additionally charged with a misdemeanor warrant, the arresting officer shall:

- Complete a Non - Traffic Notice to Appear and Arrest Report for the infraction;
- Include the warrant number, charge, and issuing court in the narrative of the Arrest Report;
- Write "Includes Misdemeanor Warrant for (e.g., 484 PC)" in the additional charges section of the Arrest Report; and,
- Book the arrestee for the misdemeanor warrant only.

Supervisor's Responsibility. Supervisors approving RFC reports for an adult misdemeanor arrestee shall ensure that fingerprints and photographs have been taken, a booking number has been obtained, an Arrest Report has been completed, and the conditions for a release from custody have been met.

Area Records Unit's Responsibility. Area records units shall ensure that two completed Fingerprint Cards, Form FD249, are attached to the original Arrest Report and forwarded to Records and Identification Division.

Operations-Central Bureau Area Records Unit's Responsibility. Area records units within Operations-Central Bureau shall be responsible for duplicating and distributing all reports for arrestees who are released from custody.

Note: The Specialized Reports Distribution Unit (SRDU), Records and Identification Division, is still responsible for duplicating and distributing all misdemeanor and RFC related arrest and continuation reports when the misdemeanor arrestee is booked at Metropolitan Jail Section or Los Angeles County Jail. Hollywood Area records unit shall process Hollywood misdemeanor arrest reports.

Hollywood Area Records Unit's Responsibility. The Hollywood Area Records Unit shall be responsible for duplicating and distributing all reports for misdemeanor arrestees who are arrested within Hollywood Area and booked in the County Jail System.

City Attorney Complaint Details' Responsibility. Upon receiving a Non - Traffic Notice to Appear, Form 05.02.02, for selected offenses to be filed directly with the court by the Department, the City Attorney Complaint Details shall:

- Separate the narrative and any related reports from the original Non - Traffic Notice to Appear;
- After a thorough review to ensure compliance with established filing policy, file the case with the assigned court within ten court days by submitting only the original copy of the Notice to Appear to the court clerk; and,
- Maintain a file of the offenses in which a "not guilty" plea was entered or a bench warrant issued.

The narrative, any related reports, and a copy of the Non - Traffic Notice to Appear, shall be submitted to the City Attorney's Office whenever a "not guilty" plea is entered. Whenever a bench warrant is issued, the narrative, any related reports, and a copy of the Non - Traffic Notice to Appear shall be maintained on file for a period of one year or until the defendant is apprehended, whichever occurs first.

Supervisory personnel of City Attorney Complaint Details shall reject any case failing to meet the established filing policy.

Note: The City Attorney's Office is available to review cases that require an expert opinion.

Booking Employee's Responsibility. The employee completing the booking process shall:

- Transmit the fingerprint card, Form FD249, and the personal data portion of the Los Angeles Booking and Identification Record, Form 05.01.01 to Records and Identification Division via the Livescan Network;
- Document the completion of the booking by signing and recording the date and the location booked on the Request to Appear for Processing; and,
- Return the Request to Appear for Processing to the arrestee and direct him to appear, with the form, in court at the appropriate time.

216.66 DIRECT CITE RELEASE FROM CUSTODY PROCEDURES. Direct Cite RFC procedures do not require the attachment of a Criminal Identification and Information (CII)

printout (Rap Sheet), Consolidated Criminal History Reporting System (CCHRS) printout, or a Release from Custody Report Continuation, Form 05.02.08.

The City Attorney’s Office has approved the following **20** violations for Direct Cite RFC procedures, as long as all of the required elements are articulated in the narrative section of the Non-Traffic Notice to Appear, Form 05.02.02.

* Los Angeles Municipal Code (LAMC)

* Penal Code (PC)

VIOLATIONS

41.27(c) LAMC	Drinking in Public
41.27(d) LAMC	Possession of Open Container on Posted ABC Location
41.18(d) LAMC	Sitting or Sleeping on the Sidewalk
41.45(c) LAMC	Illegal Possession of Shopping Cart
41.45(d) LAMC	Illegal Use of Shopping Cart
42.00(d) LAMC	Regulation of Street Advertisements
63.44B2(d) LAMC	Permitting an Unleashed Animal in Park
63.44B14(a) LAMC	Loitering in Park After Hours
63.44B14(b) LAMC	Sleeping on Beach After Hours
63.44BI9 LAMC	Littering Within a Park
63.44B24 LAMC	Lighted Tobacco in Park
63.44I9 LAMC	Erecting Structures or Tents on Beach
63.44K2 LAMC	Parking in Park After Hours
374.4(a) (PC)	Littering
640(b)(1) PC	Eating or drinking in or on a system facility or vehicle in areas where those activities are prohibited by that system
640(b)(3) PC	Smoking in or on a system facility or vehicle in areas where those activities are prohibited by that system
640(b)(5) PC	Skateboarding, roller skating, bicycle riding, roller blading, or operating a motorized scooter or similar device, as defined in Section 407.5 of the Vehicle Code in a system facility, vehicle, or parking structure
640(c)(1) PC	Evasion of the payment of a fare of the system. For the purposes of this section, fare evasion includes entering an enclosed area of a public transit facility beyond posted signs prohibiting entrance without obtaining valid fare, in addition to entering a transit vehicle without valid fare
640(c)(2) PC	Misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare

25620 Business and Professions Code	Possession of Open Container of Alcohol in a Public Place
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All other violations that are not specifically identified in this Order, or where the officer is unable to document all of the required elements of the violation within the narrative section of the RFC citation, shall continue to be processed as outlined in Department Manual Section 4/216.65, *Release from Custody*.

OFFICER'S RESPONSIBILITIES. When issuing an RFC for one of the 20 qualifying Direct Cite sections, officers **shall** document the appropriate violation section and the required crime elements in the narrative box. Officers shall submit the RFC citation as a stand-alone document without the need for a Release from Custody Report Continuation.

Note: Juvenile arrest procedures and arrests where evidence is to be booked have not been changed by this process.

COURT IDENTIFICATION REQUIREMENTS. Currently, there are differing opinions within the courts on what are considered acceptable forms of identification for the purposes of issuing RFCs. All citations that use a strictly numeric identifier [e.g., Social Security Number, Criminal Investigation and Identification (CII) number, Master Automated Index Number (MAIN), Department of Motor Vehicles X number, etc.] will be rejected. Passports will also be rejected. As a result of the inconsistencies within the courts, officers issuing RFCs **shall** determine that the arrestee meets one of the following identification requirements:

- A permanent state-issued driver license;
- A permanent state-issued identification; or
- United States Military identification.

Exception: The Chatsworth, San Fernando, and Van Nuys Courthouses will accept any officially-issued Foreign Consulate identification card as valid proof of identification.

216.67 RELEASE FROM CUSTODY (RFC) OF MISDEMEANOR WARRANT

ARRESTEES. Adult misdemeanor warrant arrestees shall be cited and released on a Non - Traffic Notice to Appear, Form 05.02.02, in lieu of incarceration unless one or more of the following conditions exist:

- The misdemeanor cited in the warrant involves violence, a firearm, resisting arrest, or giving false information to a peace officer;
- The arrestee:
 - Is a danger to himself/herself or others due to intoxication or being under the influence of drugs or narcotics;
 - Requires medical examination or medical care or is otherwise unable to care for his or her own safety;
 - Has other ineligible charges pending against himself/herself;

- Demands to be taken before a magistrate or refuses to sign the Non - Traffic Notice to Appear; and/or,
- Cannot provide satisfactory evidence of personal identification.
- The misdemeanor cited in the warrant involves a violation of one or more of the circumstances listed in Sections 40302 or 40303 of the California Vehicle Code;
- There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the arrestee;
- The warrant of arrest indicates that the arrestee is not eligible to be released on a citation; and/or,
- Immediate release of the arrestee would jeopardize the prosecution of the offense for which arrested or the prosecution for any other offense. There is reason to believe that the arrestee would not appear at the time or place specified in the Non - Traffic Notice to Appear.

Eligibility for release of misdemeanor warrant arrestees shall be determined by the watch commander or investigative supervisor giving booking advice. Release From Custody procedures for misdemeanor warrant arrestees are the same as those for eligible non-warrant misdemeanor arrestees (Manual Section 4/216.65).

Note: Release From Custody procedures for misdemeanor warrants do not apply to warrants issued for failure to appear. Arrestees detained for misdemeanor or infraction warrants involving failure to appear shall be booked and are required to post the appropriate bail prior to release.

Arrestees with Open Charges and Misdemeanor Warrants. All charges against an arrestee must be eligible for citation and release (own recognizance or Release From Custody) before the arrestee can be issued a Non - Traffic Notice to Appear for an eligible misdemeanor warrant. When an arrestee has an open charge and an eligible misdemeanor warrant and is eligible for release on both the open charge and the warrant, a separate Non - Traffic Notice to Appear shall be issued for each offense. **An arrestee shall not be issued a Non - Traffic Notice to Appear for an eligible misdemeanor warrant if the open charge is not eligible for release or if the arrestee has other non-eligible warrants.**

Exception: If the arrestee posts bail or the non-eligible charges or warrants are otherwise cleared, a Non - Traffic Notice to Appear may be issued for the eligible misdemeanor warrant.

Note: These procedures do not apply to processing juvenile misdemeanor warrant arrests.

216.68 ADMINISTRATIVE CITATION ENFORCEMENT PROGRAM PROCEDURES.

Officer's Responsibilities. Officers issuing an Administrative Citation must ensure:

- The LAMC section violated is listed on the ACE Violation Schedule, which is located on the Department's Local Area Network (LAN) within the "Reference Library", under the heading "Codes";

Note: The ACE Violation Schedule lists the initial phase of citable LAMC sections. Any revisions to the ACE Violation Schedule will be made via an Office of Operations (00) Notice and posted on the LAN.

- The violator would otherwise qualify for field release per the Release from Custody (RFC) criteria;
- The violator provides acceptable identification;
- The applicable LAMC section and the required elements of the violation are documented in the narrative box of the Administrative Citation; and,
- The issuance of the Administrative Citation is recorded within the, "DISPOSITION", "Comments" and "RECAP" sections of the Computer Aided Dispatch (CAD) Summary Report.

Note: If an officer is driving a vehicle not equipped with a Mobile Digital Computer (MDC), the issuance of an Administrative Citation will be documented as "ACE" within the "SPECIAL SURVEY" box of the Daily Field Activities Report (DFAR), Form 15.52.00, or the Traffic Daily Field Activities Report (TDFAR), Form 15.52.01.

Supervisor's Responsibilities. Supervisors must ensure:

- The submitted Administrative Citations are complete and accurate;
- The issuance of an Administrative Citation is recorded within the, "DISPOSITION", "Comments" and "RECAP" sections of the CAD Summary Report; and,

Note: If an officer is driving a vehicle not equipped with an MDC, the issuance of an Administrative Citation will be documented as "ACE" within the "SPECIAL SURVEY" box of the DFAR, or the TDFAR.

- The submitted Administrative Citations are forwarded daily to the ACE Unit, Mail Stop 140.

Watch Commander's Responsibilities. Area watch commanders must ensure the submitted Administrative Citations are reviewed for accuracy and completeness.

Commanding Officer's Responsibilities. Area commanding officers must:

- Establish appropriate controls for the issuance, maintenance and storage of ACE books;
- Ensure record keeping, archival, and destruction are consistent with Department procedures; and,

- Ensure the Administrative Citation is incorporated into COMPSTAT reporting.

ACCEPTABLE IDENTIFICATION. Officers must first determine that the violator has one of the following forms of identification prior to issuing an Administrative Citation:

- A permanent state-issued driver's license;
- A permanent state-issued identification;
- United States military identification; or,
- Any officially issued Foreign Consulate Identification Card.

Note: The list of approved Foreign Consulate Identification Cards is posted on the LAN within the "Reference Library", under the heading "Codes". Any revisions to the list of approved Foreign Consulate Identification Cards will be made via an 00 Notice and posted on the LAN.

216.75 DETERMINING PAROLE STATUS - ARRESTING OFFICER'S

RESPONSIBILITY. When an officer has reason to believe (through CWS or otherwise) that an arrestee may be on parole, he/she shall:

- Verify the parole status through a record check. The Parole Information Form, LAPD Temp 207, is retained in the Criminal Information Unit, Records and Identification Division; and,
- If the arrestee is on parole, determine if there is a "Parole Want" by contacting his parole officer or, if unavailable, the California Department of Corrections.

California Youth Authority Parolees. The California Youth Authority may be contacted by:

- Teletype, via CLETS (address Stockton CLETS terminal, YAS).
- Automatic Telephone Switching System (ATSS).

All Other Parolees.

- During normal business hours, the officer using Automatic Telephone Switching System (ATSS) shall contact:
 - California Department of Corrections.
 - California Rehabilitation Center.
- During other than normal business hours, the Bureau of Identification, Wanted Persons Section, may be contacted by:
 - Teletype, via CLETS.
 - Automatic Telephone Switching System (ATSS).

Notify the officer responsible for booking approval of the arrestee's parole status.

217. SEARCHES OF SUSPECTS AND ARRESTEES.

Cursory Searches. When an immediate cursory search for weapons is necessary, it may be conducted by an officer of either sex.

Searches of Arrestees.

When the rules of search and seizure permit, an arrestee shall be thoroughly searched as soon as practicable. Such searches shall be conducted by an employee of the arrestee's sex. However, an immediate search may be conducted in the field by an officer of either sex when necessitated by specific circumstances, such as a reasonable belief that:

- The arrestee is armed with a weapon; or,
- A delay could result in the destruction or loss of evidence.

Note: Personal property shall not be taken from arrestees in the field.

Exceptions: Evidence, items which could be used as weapons, and items which could contain weapons shall be taken from the arrestee. If the arrestee is in possession of any contraband items (as defined in this section), the arrestee shall be advised that, upon entry into the booking facility, those items will be discarded. Officers shall advise the arrestee of their ability to either leave the property with a family member or friend, donate the item(s) to anyone of their choice at scene, or throw the item(s) away.

Transgender, Non-Binary or Gender Diverse Arrestees.

The following shall apply to transgender, non-binary or gender diverse arrestees (as defined in Department Manual Section 1/390.10):

- Officers shall not conduct a pat-down frisk nor search a transgender, non-binary or gender diverse arrestee for the sole purpose of determining an individual's anatomical gender;
- Arrestees shall not be subject to a more invasive search than cisgender (non-transgender) individuals,
- When a suspect is identified as transgender, non-binary or gender diverse, officers shall respect the gender identification expressed by the individual;
- Officers shall not inquire about intimate details of an arrestee's anatomy or surgical status to determine an individual's gender;
- When an officer has reason to believe that an arrestee is transgender, non-binary or gender diverse, the officer shall inform the arrestee that they must be searched, and ask the individual if there is a preference to be searched by a male or female officer and document this preference in the officer's Daily Field Activities Report (DFAR), or other appropriate log;
- If the arrestee's request can be reasonably accommodated without risk to officer or public safety, the request shall be granted;
- Officers shall not refuse to search a transgender, non-binary or gender diverse arrestee based upon the individual's identity as such; and,

Note: When an immediate search for weapons, evidence, or in the interest of officer or public safety, an officer of either sex may conduct the search. If the arrestee's preference could not be honored, the reason shall be documented in the officer's DFAR and/or other appropriate Department report.

- Requests to remove appearance-related items such as prosthetics, clothing that conveys gender identity, wigs, and cosmetics shall be consistent with the removal of such items from a cisgender (non-transgender) or non-binary arrestee.

Note: The procedures delineated in this Section may change for the purposes of booking. Officers shall adhere to Department policies and Custody Services Division procedures pertaining to booking.

Officers are reminded that property having evidentiary value shall be booked in accordance with existing Department policy. Additionally, any property which could constitute an environmental hazard (i.e., hazardous liquids) shall be retained by the officer for proper disposal in accordance with Manual Section 3/712.13.

Contraband Items – Defined.

Items that pose a risk to the safety and security of the City Jail System are considered contraband. Although certain items may be legally possessed by arrestees at the time of arrest, due to safety and security concerns, these items are prohibited from the City Jail System. The following contraband items shall not be placed into the arrestee's personal property bag or excess personal property:

- Edibles, including unopened candy;
- Perishables;
- Liquids in glass or plastic containers which do not seal tightly; and,
- Unlabeled medications.

Note: The Commanding Officer, Custody Services Division, has final authority to determine what items are classified as contraband.

217.20 NON - PROHIBITED DRUGS RECOVERED FROM ARRESTEES. An officer who recovers non-prohibited drugs from an arrestee's possession shall:

- Deliver the drugs to the booking clerk separate from the arrestee's property; and,
- Inform the booking clerk that the drugs have been verified as non-prohibited.

Note: When an arrestee is booked at Los Angeles County Jail, non-prohibited drugs shall be placed in an envelope and returned to the arrestee's personal property. The envelope shall be signed by the officer and shall include a description of the contents.

217.30 USE OF HANDCUFFS. The primary purpose in handcuffing an arrestee is to maintain control of the arrestee and to minimize the possibility of escalating the situation to a point that would necessitate more drastic means of restraint.

Felony arrestees shall *normally* be handcuffed; however, there may be circumstances which would make the handcuffing of an arrestee inappropriate. Such circumstances can best be perceived by the involved officer. Therefore, any decision to not handcuff an arrestee must be based on available facts. Factors involved in making this decision include, but are not limited to:

- The possibility of the arrestee escaping.
- The possibility of the incident escalating.
- Potential threat to officers and other persons.
- Knowledge of the arrestee's previous encounters with law enforcement.

An officer shall constantly monitor the actions of an unhandcuffed arrestee. If the officer believes it is necessary, he/she may, at any time, handcuff the arrestee.

217.32 HANDCUFFING OF MISDEMEANOR ARRESTEE. Handcuffing of misdemeanor arrestee is discretionary.

Exception: (Manual Section 4/217.34)

217.34 HANDCUFFING OF BELLIGERENT ARRESTEES. If an arrestee gives any indication that he/she might become belligerent, the arrestee's hands shall be handcuffed behind

217.36 HANDCUFFING PERSONS WITH A MENTAL ILLNESS. When taking a person with a mental illness taken into custody, Department personnel shall evaluate the totality of the circumstances to facilitate taking custody of the individual without unnecessarily escalating the contact.

When the age or physical condition (i.e., height, weight, strength, apparent intoxication or influence of an illicit substance) of a person with a mental illness is such that the personal safety of the individual or the officer clearly will not be jeopardized, the use of handcuffs shall not be required, but shall be at the discretion of the officer.

The decision as to the timing and use of handcuffs shall be based in part on the viability of de-escalation factors such as time and distance, to minimize the likelihood that the application of the restraints unduly results in an aggressive/combatative response from the person with a mental illness.

When handcuffing a person with a mental illness, officers shall use only official handcuffs and ensure that the handcuffs are double locked. Temporary plastic restraints shall not be used to restrain a person with a mental illness, nor may such restraints be furnished to private persons by Department personnel for use in restraining a person with a mental illness.

Exception: When a person with a mental illness is receiving medical treatment, which requires medical imaging where mental handcuffs are not permissible, Department personnel may utilize temporary plastic restraints for the medical procedure only.

Exception: When engaged in an unusual occurrence, such as large-scale crowd control tactics, and officers deem handcuffing to be necessary to ensure the safety of themselves and others, personnel are permitted to use Department approved temporary plastic restraints on individuals with a mental illness. However, absent exigent circumstances and sufficient need, Department personnel are expected to make every effort to utilize official handcuffs on persons with a mental illness.

217.38 POSITIONAL ASPHYXIA. Techniques or transport methods that involve a substantial risk of positional asphyxia (PA) are not authorized by the Department. Positional asphyxia is defined as, “Situating a person in a manner that compresses their airway and reduces the ability to sustain adequate breathing. This includes, without limitation, the use of any physical restraint that causes a person’s respiratory airway to be compressed or impairs the person’s breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person’s neck, torso, or back, or positioning a restrained person without reasonable monitoring for signs of asphyxia.”

Officer(s) shall ensure that an individual (e.g., a detainee or arrestee) is not placed in a position that involves a substantial risk of PA. Some factors that may increase the risk of PA, in addition to any risk created by how a person is positioned, can include, but are not limited to:

- An altered mental state;
- Intoxication;
- Trauma;
- Exhaustion;
- Obesity; and,
- Underlying medical problems especially those that are cardiac or respiratory in nature.

Some examples of techniques that may cause a substantial risk of PA include, but are not limited to:

- Any prolonged positioning where the suspect’s neck is not in a normal, neutral alignment (e.g., having the head forced down or to one side or the other);
- Having the suspect’s upper torso lower than their waist. An extreme example would be an individual suspended upside down;
- Lying of the suspect in a prone position for a prolonged period, with their arms handcuffed behind the back; and,
- Having the suspect's body leaning forward for a prolonged period, when seated.

Note: Officers shall periodically monitor seated and forward-leaning suspects (e.g., an arrestee handcuffed in the rear of a police vehicle) for any difficulty breathing.

Note: All of the above can be worsened with the application of pressure to the neck, chest, or back.

Employee's Responsibilities. Personnel shall immediately request a rescue ambulance (RA) to the scene for any individual who exhibits or complains of difficulty breathing. Any incident resulting in a person exhibiting or complaining of difficulty breathing, or resulting in injury, or hospitalization of a detainee or arrestee for suspected or diagnosed PA, stemming from an officer-applied technique or transport method, shall be immediately reported to a supervisor.

Supervisor's Responsibilities. A supervisor responding to the scene of any incident resulting in the injury or hospitalization of an individual for complaint of PA stemming from any officer-applied technique or transport method, shall notify the watch commander and document the incident in their Sergeant's Daily Report, Form 15.48.00. In any incident resulting in hospitalization, the supervisor shall ensure preservation of the scene of the incident until further notified by the watch commander or Force Investigation Division (FID).

Watch Commander's Responsibilities. The watch commander shall notify the Department Operations Center (DOC) and FID, as appropriate, of any incident resulting in the injury or hospitalization of an individual for suspected PA stemming from an officer-applied technique or transport method. The watch commander shall document the incident and all notifications in their Watch Commander's Daily Report, Form 15.80.00.

217.40 USE OF THE HOBBLE RESTRAINT DEVICE.

Use of the Hobble Restraint Device. The Hobble Restraint Device (HRD) can be used to control a violent or potentially-violent arrestee, or as a restraining device on a non-violent arrestee when normal handcuffs are impractical due to injury or other extenuating circumstances (e.g., size of the suspect).

Note: The mere application of the HRD does not constitute a reportable use of force.

The HRD was designed to be used to secure the ankles, knees or elbows of an individual who is potentially violent or displaying violent behavior by kicking, fighting, biting, punching, or thrashing about, or to secure a person's feet during transportation in a police vehicle. These applications can be varied according to the circumstances an officer may encounter, but in each application, care should be taken to prevent injury to the arrestee. Once the HRD is secured, officers shall immediately search the waistband area and then immediately place the individual in an upright, seated position or on his or her left side (left lateral recumbent position). If this is not possible due to medical or tactical issues, then placing the individual on their right side is an acceptable substitute. Officers shall ensure that a detained or arrested individual is not placed in a position that involves a substantial risk of positional asphyxia and shall reasonably monitor all such individuals for signs of asphyxia consistent with Department Manual Section 4/217.38.

Note: The HRD **shall not** be used to bind the suspect's hands and feet together in any manner.

Officers may use the HRD to secure a violent or potentially-violent person transported in a police vehicle when:

- The person's hands are secured with handcuffs that are double-locked behind the person's back;
- The person is secured to the police vehicle seat with the police vehicle's safety belt; and,
- The HRD strap is pulled out of the rear door, the loose end (snap-hook end) of the strap is placed on the front passenger floorboard, and both doors are closed to secure the strap.

Officers shall request a rescue ambulance to transport a violent person only:

- If the person in the police vehicle would likely sustain a serious injury or cause vehicle damage and requires restraint to the extent that he or she must be transported in a recumbent position; or,

217.50 TRANSPORTATION OF ARRESTEES. All arrestees transported in any Department vehicle, regardless of age or gender, shall be secured in the rear seat. A three-point safety belt shall be used; however, a two-point safety belt (lap belt) shall be worn when a three-point safety belt is not provided.

Two Officers. If two officers are transporting an arrestee in a nonpartition-equipped vehicle, one officer shall be seated directly behind the driver of the vehicle.

In a partition-equipped vehicle, the passenger officer shall ride in the front seat. Officers must remain in close proximity and visually monitor arrestees.

One Officer. A single officer in a non-partitioned vehicle may transport a non-belligerent arrestee. The officer must remain in close proximity to visually monitor the arrestee. Should the arrestee become belligerent, the transporting unit should stop the transport and request a unit with a partitioned vehicle to continue to transport the arrestee.

Exception: Juveniles ages five through 17 years of age (Department Manual Section 4/217.56).

Time and Mileage. When there is no transporting officer of the arrestee's sex, officers transporting an arrestee shall, at the time of departure, notify the radio operator of the following:

- Location of departure; and,
- Odometer reading.

Upon arrival at the destination, the radio operator shall be informed of the:

- Location of arrival; and,

- Odometer reading.

The radio operator shall be notified when any delay or detour is necessary during the transportation.

Transgender, Non-Binary or Gender Diverse Subjects. When it is required to transport an individual who is transgender, non-binary or gender diverse, officers shall adhere to the time and mileage procedure delineated above, as appropriate for the subject's expressed gender identity.

Absent exigent circumstances, transgender individuals who are arrested with other individuals shall be transported with those of the same self-identified gender, unless the individual has expressed a safety concern and wishes to be transported alone or with persons of a different gender. Non-binary and gender diverse individuals shall be transported alone or with individuals of the gender they express to be safest for them.

Note: Regardless of an individual's gender, gender identity, gender expression, or sexual orientation, juvenile subjects shall not be transported with adults.

Note: When an individual is identified as transgender, non-binary or gender diverse, officers shall respect the gender identification expressed by the individual and shall not question this identity, nor inquire about intimate details of an individual's anatomy or surgical status to determine an individual's gender, except as necessary to serve valid, nondiscriminatory law enforcement objectives.

217.51 TRANSPORTING PERSONS "DETAINED ONLY" TO PLACE OF ORIGINAL DETENTION. When a detained person is to be released without being booked or cited, the detaining officer shall normally provide for the return of the person to the place where he or she was originally detained.

Exception: Under compelling circumstances, and with approval of a supervisor, the detaining officer may elect to deny further transportation to a person detained and released without being booked or cited. (Examples of circumstances where such denial could be appropriate include return of violent suspects to the scene of prior hostile events, return to the scene of suspects who previously threatened physical violence to persons remaining at the scene, etc.)

217.53 TRANSPORTING PHENCYCLIDINE (PCP) ARRESTEES. All persons who exhibit objective symptoms of being under the influence of phencyclidine (PCP) shall be given medical treatment prior to booking as outlined in Manual Section 4/648.16. Those arrestees not exhibiting symptoms of being in need of immediate medical treatment will be transported by police vehicle. When in doubt, officers will request a rescue ambulance to transport the suspect.

Officers shall request a rescue ambulance to transport arrestees who exhibit objective symptoms of being under the influence of PCP and who appear to be in need of **immediate**

medical treatment. PCP arrestees are considered to be in need of emergency medical treatment when they display any of the following objective symptoms:

- Unconsciousness.
- Muscle rigidity.
- High temperature.
- Are combative, argumentative, or may become violent.

Officers shall restrain the arrestee by utilizing two sets of handcuffs to secure the arrestee's hands behind his/her back. One manacle of one handcuff shall be double-locked to one manacle of another handcuff. The remaining manacles shall be double-locked to the arrestee's wrists. Once the arrestee has been handcuffed behind his back, officers shall secure the arrestee with the hobble restraint device. The officers shall place the arrestee in the left lateral position and not allow the arrestee to roll into a "face/chest" downward position (prone). Officers shall continuously monitor the arrestee while in their custody. Once the arrestee has been restrained, officers shall assist paramedics in securing the arrestee to the transportation equipment and loading the gurney into the ambulance.

At least one officer shall ride with the paramedics in the ambulance and maintain custody of the arrestee during transportation. The officer's partner or a backup officer shall follow the ambulance to the hospital. When the arrestee is delivered to the appropriate receiving emergency facility, the responsibility of the LAFD terminates.

In those instances where LAPD and LAFD field personnel are unable to determine whether an arrestee should be transported by ambulance or by police vehicle, supervisors from both agencies shall be called to the location. The decision by the paramedic supervisor shall be final.

217.56 TRANSPORTATION AND CUSTODY OF JUVENILES. Whenever practicable, any juvenile over the age of five years and under the age of eighteen years taken into custody shall be dealt with as far as possible, in the presence of two or more officers. At least two officers shall be present during the entire period of transportation, and time and mileage procedures (Department Manual Section 4/217.50) shall apply.

Note: Officers are reminded to activate their Body Worn Video and Digital In-Car Video for the entirety of any transportation of subjects or arrestees, as per current Department policy.

218. JUVENILES INVOLVED.

218.10 RESPONSIBILITY OF HANDLING JUVENILE CALLS. The officers assigned a call involving a juvenile shall be responsible for the disposition of the call unless they are specifically relieved by the concerned investigating officer.

218.15 ADVICE OR ASSISTANCE - JUVENILES. Requests for advice or assistance concerning juveniles shall be directed to the concerned geographic investigating officers. When the investigating officers are not available, the request for advice or assistance shall be directed to Detective Support and Vice Division.

Note: Detective Support and Vice Division is not responsible for the rebooking of juveniles booked as adults in Operations-Valley Bureau Areas. Requests for assistance for this purpose shall be directed to the watch commander of the Area responsible for the original booking.

218.20 JUVENILE TRAFFIC COURT WARRANTS. When a subject is arrested for a juvenile traffic warrant, the arresting officer shall:

- Obtain a copy of the warrant information sheet;
- Obtain booking approval (Manual Section 4/218.60);

Note: The booking charge shall be 602 WIC, followed by the authority as provided in the warrant information sheet.

- Complete an Arrest Report face sheet, Form 05.02.00, and Juvenile Arrest Supplemental Report, Form 05.02.06;
- Obtain detention approval (Manual Sections 4/218.64 and 4/218.65); and,
- Attach one copy of the warrant abstract to the arrest report and process the report in the normal manner.

Note: When the Area Juvenile Coordinator deems continued detention to be necessary, the arresting officer shall transport the juvenile to the designated detention facility for release into the custody of the Probation Department. A copy of the warrant abstract and a copy of the arrest report shall accompany the juvenile to the detention facility.

218.23 JUVENILE TRAFFIC COURT WARRANT, FOLLOW - UP INVESTIGATION.

Additional follow-up reports and petition requests are not required on juvenile traffic court warrant arrests. Therefore, the investigating officer shall be responsible for:

- Indicating "Case Closed" in the disposition portion of the Arrest Report, Form 05.02.00;
- Retaining one copy of the completed report for the divisional files; and,
- Forwarding two copies of the completed report to the Petition Control Detail, Juvenile Division.

218.30 IMMEDIATE FOLLOW - UP INVESTIGATION OF MISSING JUVENILES.

When circumstances indicate the need for an immediate, large-scale, organized search for a missing juvenile, the watch supervisor of the concerned Area shall be notified. He/she shall notify the:

- Area commanding officer.
- Watch supervisor, Department Command Post, Communications Division; and,
- Concerned Area Detective Division.

218.33 ACTION TAKEN ON A CALL REGARDING A MISSING OR FOUND JUVENILE. The result of the action taken on a call involving a missing or found juvenile

shall be telephoned, without delay, to the concerned Area investigating officers. When the concerned investigative officers are unavailable, the Department Command Post, Department Operations Center (DOC) shall be contacted.

218.40 ENFORCEMENT/ INVESTIGATIONS ON SCHOOL CAMPUSES. This section pertains to dealings with juvenile students on school property during school hours or during school-sanctioned events. It does not pertain to juveniles using school facilities legally after school hours or juveniles trespassing or committing offenses on school property after school hours.

Note: Officers serving in security and related capacities for a school district while in an off-duty assignment are subject to these policies and procedures.

Interviewing/Interrogating Juveniles. Except in exigent circumstances or in arrest situations as outlined in this policy, officers who wish to detain or question juveniles on school property shall contact the school principal or their designee and, to the degree possible, explain the nature of their business and the need to meet with the juvenile(s) in question.

Note: Generally, juveniles should not be publicly contacted by officers in the school setting for purposes of questioning unless an arrest is anticipated or reasonably possible. Officers shall not enlist school officials or employees to conduct interviews, inquire, or similar fact-finding activities regarding juveniles as part of an investigation.

School officials (excluding school police) who act at the direction of, or on behalf of the interests of, the police become “agents” of the police. All police and government agents must abide by constitutional tenets. If a police officer instructs a school official to perform a task (e.g., ask a question to the subject juvenile) the officer is responsible for ensuring that the task is within the parameters of the law.

Exception: Police officers are not precluded from questioning school officials with regard to their knowledge of juveniles in their charge, the juvenile’s activities, and similar matters.

Arrest/Removal of Juveniles. When the circumstances warrant an arrest/removal of a juvenile from school property, officers conducting the arrest/removal shall:

- Notify the principal or their designee before making an arrest of juvenile during class hours on school property;

Exception: When exigent circumstances exist or such notification would potentially jeopardize the ability of officers to safely and effectively make the arrest, officers do not need to notify the principal or their designee prior to making the arrest, but shall make the notification after the arrest.

- When possible, avoid arresting juveniles on school grounds if a use of force is a reasonable possibility;

Note: Officers should use handcuffs or other restraining devices when making arrest in schools whenever deemed necessary to ensure the security of juvenile arrestees and the safety of the officers and others.

- To the degree possible, minimize embarrassment to the juvenile and disruption of school activities and functions by having the school principal or their designee make contact with the juvenile and escort the juvenile back to their office; and,
- Ensure that the juvenile's parent(s), guardian(s), or responsible adult is notified of the juvenile's removal.

Searching Juveniles and Property. Police searches of juveniles and their property on school premises are subject to the same legal requirements as any other search, with the exception of searches conducted in response to a threat or perceived threat of violence pertaining to a school.

California legislation defines "threat or perceived threat" as any writing or action of a pupil that creates reasonable suspicion that the pupil is preparing to commit a homicidal act related to a school or school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual. Legislation further requires the local law enforcement agency to immediately conduct an investigation and assessment of any threat or perceived threat to include:

- A search conducted at the school site if the search is justified by reasonable suspicion that it would produce evidence related to the threat or perceived threat;
- A review of the firearm registry of the Department of Justice; and,
- The retention of any record of any report received regarding any threat or perceived threat.

Note: As per state law, if there is a threat or perceived of threat to a school or school activity, a school site search shall be conducted if there is a reasonable suspicion that a search would produce evidence related to the threat or perceived threat.

In addition to this Section, officers shall be guided by Identifying and Investigating Incidents Involving Threatened Acts of Targeted Violence or School Violence Field Notebook Divider, Form 18.43.01.

218.50 CRIME AND ARREST REPORTS-AGE OF VICTIM, ELEMENT OF OFFENSE. When age is an element of an offense, the following information shall be included in the appropriate crime or arrest report:

- Full name, residence address, and telephone number;
- Birthdate and place of birth;
- Business address (or school) and telephone number; and,

- Name of both parents (if known) or guardian, residence address, and telephone number.

218.51 CHILD ABUSE - REQUIRED REPORTING. Cases of juveniles as victims of possible child abuse including sexual molestation and physical or mental abuse must be reported by the officer first coming in contact with the suspected victim. Officers within the City of Los Angeles must:

- Ensure that the circumstances surrounding any injuries sustained by the child are investigated and that appropriate crime, arrest and/or injury reports are completed.
- Immediately telephone and notify the Los Angeles County Department of Children and Family Services (DCFS) 24/7 Hotline at (800) 540-4000, that a suspected child abuse investigation is being conducted.
- Obtain the 19 digit referral number from DCFS and include the number in the appropriate report; and,
- Provide the Hotline with the following information.
 - Reporting officer's name and serial number;
 - Victim's name;
 - Present location of the victim;
 - Nature and extent of injury;
 - What led the officer to believe that the injury was a suspected child abuse; and,
 - If the victim(s) and his/her sibling(s) are being taken into protective custody.

Note: In those situations where officers encounter physically and/or sexually abused children along with endangered children from the same family, one report must be completed with a separate DR number for *each* physically and/or sexually abused child and one DR number for *all* remaining endangered children.

On duty officers who observe a possible abused child outside the City of Los Angeles must:

- Contact the local law enforcement agency and report the incident;
- Record the date and time the law enforcement agency was contacted and the name of the person notified, in the Field Officer's Notebook, Form 15.03.00; and,
- Report the incident to the DCFS Hotline.

Suspected Child Abuse Report, Form No. SS 8572 - Processing of Report. When a Department employee receives a Suspected Child Abuse Report (SCAR), Department of Justice Form SS 8572 from a mandated reporter, it must be immediately sent by Department mail to:

Juvenile Division
Investigative Control Unit
Suspected Child Abuse Report Coordinator
Police Administration Building - Room 351
Mail Stop 400-1

Foster Home or Child Care Facility Involved. Officers must **immediately** contact the DCFS Hotline at (800) 540-4000 **and** the State of California Department of Social Services, Community Care Licensing Division, Regional Children's Residential Program Office at (323) 981-3337 when conducting an investigation of known or suspected child abuse or neglect when the incident:

- Occurs in a licensed or unlicensed child day care facility, foster or group home; or,
- Involves a child day care licensed or unlicensed staff person; or,
- Occurs while the child is under the supervision of a community care facility; or,
- Involves a community care facility licensed or unlicensed staff person.

When the notifications are made the following information must be provided:

- Reporting officer's name and serial number;
- Victim's name;
- Present location of the victim;
- Nature and extent of injury;
- What led the officer to believe that the injury was a suspected child abuse;
- Name and address of the foster home or child care facility; and,
- Information contained within the Investigative Report (IR), Injury Report, or SCAR.

Additionally, within 36 hours of receiving the information concerning the incident, the investigating officer must also send (mail, fax, or electronically transmit) a copy of the investigation and any other pertinent material to the following locations (11166.2 PC):

State of California
Department of Social Services
Community Care Licensing Division
Children's Residential Program
1000 Corporate Center Drive, Suite 200B
Monterey Park, California 91754-7639
Duty Officer Phone Number: (323) 981-3337 (24/7 message service)

Alleged Child Abuse or Death while in Protective Custody – A copy of the report must be sent by the investigating officer to the attorney who represents the child within 36 hours.

When any Department employee has knowledge of, or observes in his or her professional capacity or within the scope of his or her employment, a child in protective custody whom he or she knows or reasonably suspects has been the victim of child abuse or neglect must, within 36 hours, send or have sent to the assigned attorney who represents the child in dependency court, a copy of the report prepared in accordance with Penal Code Section 11166. All information requested by the attorney for the child or the child's guardian must be provided by the agency within 30 days of the request. (11166.1(b) PC)

In order to confirm that a report is being properly released to the correct attorney representing the child, Department personnel must contact the respective county counsel to determine whether the attorney was assigned to the child.

Investigating Officer's Responsibilities. Investigating officers who are assigned to investigate a report of abuse alleged to have occurred in facilities licensed to care for children by the State Department of Social Services, must ensure that the DCFS and the State of California Department of Social Services, Community Care Licensing Division, Los Angeles Children's Residential Program Office have been immediately notified by the initial reporting officers. If the notification was not made, the investigating officer will be responsible for making the notification and obtaining the 19 digit referral number form DCFS.

If an investigator receives or is assigned a death report of a child who was, at the time of death, living at, enrolled in, or regularly attending a facility licensed to care for children by the State Department of Social Services, unless the circumstances of the child's death are clearly unrelated to the child's care at the facility, the investigator must (11165.9 PC):

- Immediately send a copy of the investigation and any other pertinent materials to:

State of California
Department of Social Services
Community Care Licensing Division
Children's Residential Program
1000 Corporate Center Drive, Suite 200B
Monterey Park, California 91754-7639
Duty Officer Phone Number: (323) 981-3337 (24/7 message service)

- Questions regarding criminal investigations which occur in a licensed or unlicensed child day care facility, foster or group home, or a staff member of a child day care that is licensed or unlicensed can contact the State of California Department of Social Services law enforcement special agent at:

State of California
Department of Social Services
Community Care Licensing Division
Investigations Branch
1000 Corporate Center Drive, Suite 300
Monterey Park, California 91754-7639
(323) 981-3850

218.52 INJURY REPORT - SUSPECTED CHILD ABUSE. Cases of juveniles as victims of possible sexual molestation, or physical or mental abuse, shall be reported on an Injury Report, Form 03.15.00, where the circumstances do not appear to warrant completion of a crime report.

Officers shall follow the procedures outlined in Manual Section 4/218.51 in completing the report.

Notification Received by Mail. If a SCAR received by mail does not have a DCFS referral number, officers shall cross report to the DCFS Child Protection Hot Line. Officers shall then forward the SCAR, along with a copy of the crime or Injury Report, to the Area SCAR Coordinator. The SCAR Coordinator shall ensure a copy of the SCAR, and the associated report(s) are sent to ICU, Juvenile Division.

Electronic Suspected Child Abuse Report System. The Electronic Suspected Child Abuse Report (ESCAR) System facilitates the requirement to cross-report allegations of suspected child abuse between all involved agencies.

Department personnel shall enter the appropriate standardized disposition category for SCAR investigations within the ESCAR Database. Department personnel shall be guided by the Chief of Detectives Notice, “Standardized Disposition of Suspected Child Abuse Reports (SCAR) within the Electronic SCAR Database”, dated July 30, 2020.

Juvenile Division Responsibilities. The ICU, Juvenile Division, is responsible for oversight of all ESCARs received by the Department and tasks including:

- Tracking all child abuse preliminary investigations resulting from a SCAR being faxed, mailed, or otherwise delivered to any Department entity;
- Providing crime or Injury Reports, and other information related to SCAR investigations to the City Attorney’s Office upon its request;
- Providing copies and all associated reports that are mailed to ICU to the City Attorney’s Office upon request;
- Providing procedural advice to Department personnel upon request, and investigative advice when Juvenile Division is responsible for the follow-up investigations;
- Providing monthly and yearly assessment of all ESCARs received by the Department and forwarding these assessments to COMPSTAT Division;
- Providing the geographic Areas a list of all overdue ESCARs;
- Completing quarterly and yearly inspections of SCAR investigations to ensure appropriate and timely disposition of SCAR investigations;
- Completing the routing of ESCARs to DCFS, between geographic Areas or other jurisdictions;
- Responsible for reviewing and the distribution of all ESCARs designated as “Sensitive; and,”
- Entering the Status/Disposition of “Child Fatality” and “Sensitive” ESCARs assigned to the Abused Child Section (ACS).

Note: Area ESCAR Coordinators should only close out “Child Fatality” ESCARs if their respective Bureau Homicide Team was assigned investigative responsibility for the incident.

218.53 REPORTING SUSPECTED CHILD ABUSE REPORT INVESTIGATIONS.

California law specifies that certain professionals, as well as employees of designated organizations, and agencies (mandated reporters), as specified in California Penal Code Section 11165.7 (e.g, health care professionals, school officials), shall report suspected child abuse and neglect to any of the following:

- Any law enforcement agency; or,
- The county welfare department [e.g., Department of Children and Family Services (DCFS)].

California Penal Code Section 11165.2 differentiates and defines neglect as:

- **General Neglect.** The negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred, but the child is at substantial risk of suffering serious physical harm or illness.

Note: General Neglect does **not** include a parent’s economic disadvantage.

- **Severe Neglect.** “The negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed, non-organic failure to thrive,” and, “those situations of neglect where any person having the care or custody of a child willfully causes or permits the person, or health of the child, to be placed in a situation such that their person or health is endangered.”

Note: Endangered, as proscribed by Section 11165.3 PC, includes the intentional failure to provide adequate food, clothing, shelter, or medical care.

The Child Abuse and Neglect Reporting Act requires a mandated reporter [as defined in Penal Code Section 11165.7(a)], to make a report to a specified agency whenever the mandated reporter, in his or her professional capacity or within the scope of

his or her employment, has knowledge of or observes a child whom the mandated reporter knows, or reasonably suspects, has been the victim of child abuse or neglect. Existing law provides that “child abuse or neglect” for these purposes includes “sexual assault,” that includes, among other things, the crimes of sodomy, oral copulation, and sexual penetration.

Assembly Bill 1145 “Child Abuse, Reportable Conduct” amending Penal Code Section 11165.1, states that “sexual assault” for these purposes does not include voluntary sodomy, oral copulation, or sexual penetration, if there are no indicators of abuse, unless that conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age.

Suspected child abuse can be reported to the Department as follows:

- Electronically (e.g., email or social media);
- Via fax referral;

Note: Suspected Child Abuse Reports (SCAR) received electronically during business hours shall be reviewed, organized, and evaluated by the staff of the Investigative

Control

Unit (ICU), Juvenile Division. During weekends, holidays, and off-hours, these functions will be the responsibility of the Department Operations Center (DOC).

- Direct verbal notification from a mandated reporter;
- Direct verbal notification from a concerned member of the public; or,
- Mailed directly to the Department (i.e., via United States Postal Service, Federal

Express,

etc.) Los Angeles County Department of Children and Family Services (DCFS) or a mandated reporter.

Note: Suspected Child Abuse Reports sent directly to the Department by DCFS or a mandated reporter shall be forwarded to the concerned Area SCAR Coordinator to be logged and filed. In situations when the Department is the first agency to receive a SCAR, the officers completing the initial investigation and appropriate report (i.e., investigative or injury report) shall notify DCFS and document the notification in the report.

Suspected Child Abuse Reports Review Process. The review process shall include determining whether the SCAR requires law enforcement investigation and/or an immediate Department response. If it is determined that an immediate Department response is needed, a unit shall be dispatched. If there was a delay in reporting, or other circumstances indicating the call may have already been handled, employees from the receiving division (e.g., Juvenile Division or DOC) shall use the alleged victim's name and address to query Department resources to determine if a report regarding the incident has already been completed. If a report has been completed, the Division of Record (DR) number, type of report, and the date of the report shall be included in the SCAR. No further preliminary investigation is required.

Suspected Child Abuse Reports Investigation Response Protocol.

Immediate Dispatch. A patrol unit shall be immediately dispatched when any of the following are involved:

- An allegation of sexual abuse;
- Severe neglect requiring medical treatment;
- Hospitalization for internal injuries of a suspicious nature; or,
- Physical abuse with visible injury.

Note: In most cases the investigation of incidents involving visible injuries will require an immediate dispatch of a patrol unit, unless otherwise determined to have extenuating (i.e., injuries caused by children involved in mutual combat, minor injury caused during reasonable restraint, a parent holding down a combative child, or when there is minor injury and the perpetrator has no direct or likely access to the child) by ICU, and the approval of a supervisor.

School cars and juvenile cars will not automatically be assigned child abuse calls. Child abuse calls for service generated by Juvenile Division or the DOC, shall include in the comments of the radio call, a request for the handling unit to contact their watch commander prior to handling the call. The responding unit may request a copy of the SCAR from Juvenile Division or the DOC, which will be provided electronically via email. If the SCAR indicates DCFS is handling as an “Immediate Response,” a Children’s Social Worker (CSW) will be assigned, and will respond regardless of the time of day or day of the week. However, law enforcement personnel are still required to complete a separate and independent criminal investigation.

Exceptions to Immediate Dispatch – Delayed Handling. The dispatch of a unit to investigate a SCAR may be delayed or the SCAR may be handled differently, if any of the following apply:

- The SCAR does not meet the criteria for immediate dispatch;
- Alleged sexual abuse that occurred more than 120 hours earlier and the perpetrator has no direct or likely access to the child; or,
- When an injury or crime report has already been taken for the incident reported in the SCAR;
- The handling supervisor approves the delay of the handling of the investigation

(“delayed handling” means a period not to exceed 24 hours in furtherance of the investigation, after consideration to the risk factors involving the child and any siblings).

EXAMPLE: A SCAR describing minor bruising on a 10-year-old child is received at 0200 hours. Since dispatching a unit would most likely require both the child and the parents to be awakened, the supervisor decides to approve the delay of dispatching a unit until the next morning when the child is in school, and can be interviewed in a neutral setting at a more convenient time.

If the responding officers are unable to locate the reporting party or an alleged victim during their investigation, they shall contact their watch commander for guidance on how to proceed. The watch commander shall determine if the alleged abuse is serious enough to require the continuing efforts of the officers to locate the victim or whether another unit can be dispatched at a later time.

Note: Watch commanders may refer to Special Order No. 26, Procedures for Suspected Child Abuse Investigations – Revised, dated on August 28, 2006, in determining if the alleged abuse

is serious enough to require the continuing efforts of the officers to locate the victim or whether another unit can be dispatched at a later time.

If the decision is made to dispatch a unit at a later time, the watch commander shall ensure appropriate arrangements are made for the call to be reassigned within the next 24 hours. If a second response has not been attempted prior to the concerned watch commander's end of watch, the watch commander shall make an entry in the Watch Commander's Daily Report, Form 15.80.00, specifically describing what arrangements have been made. After a total of two unsuccessful attempts have been made to investigate the SCAR, the watch commander shall forward the SCAR to the Area SCAR Coordinator for additional follow-up. All efforts to handle the SCAR shall be chronologically documented on the SCAR, on an attached chronological record, or on an attached Area Command Center (ACC)/ Mobile Digital Computer (MDC) administrative message. The date and time of each attempt, together with the officers' names and unit numbers, shall be included. Officers concluding a SCAR investigation shall complete an Investigative Report, Form 03.01.00 or an Injury Investigation, Form 03.15.00.

Reporting Procedures. An Injury Investigation, Form 03.15.00, is to be completed when there is no evidence of a crime to document the preliminary investigation. Reporting procedures shall be handled depending on the type of incident.

Notification from DCFS. Officers responding to a call arising from a DCFS notification do not need to complete a SCAR if one has already been generated by the DCFS. Department of Children and Family Services has the responsibility for ensuring a SCAR has been completed, or will be completed. If the CSW has the SCAR available, officers shall obtain a copy and attach it to a copy of the crime or injury report and forward it to the Area SCAR Coordinator. Upon the completion of the criminal investigation, officers shall notify the DCFS Protection Hot Line, at (800) 540-4000 to cross-report the allegations and findings of the investigation.

Notification from a Mandated Reporter. If the mandated reporter has the SCAR available, officers shall have him or her retain the yellow copy, and the officer shall take the remaining copies. The officers shall attach these copies, along with a copy of the crime or injury report, and forward it to the Area SCAR Coordinator.

If the mandated reporter has not yet completed a SCAR, officers shall advise him or her to complete a SCAR within 36 hours. Officers do not need to complete a SCAR. If the mandated reporter has completed a SCAR, and obtained a DCFS referral number, officers shall include it in the narrative of the crime or injury report. If there is no DCFS referral number, officers shall cross report the allegations and findings to the DCFS Child Protection Hot Line for a referral number. Upon completion of the crime and injury report, officers shall obtain the child's name and the name of the social worker giving the referral number. The referral number shall be included in the narrative portion of the crime or injury report.

Note: The identity of mandated reporters shall be kept confidential, and disclosed only to other involved agencies, in accordance with Penal Code Section 11167. Mandated reporters are

required to make an initial telephonic report as soon as practicable, and a written report within 36 hours.

Notification from a Non-Mandated Reporter or Concerned Member of the Public.

Assembly Bill 391 “Child Abuse and Neglect: Nonmandated Reporters” amending Penal Code Section 11167, states, “An agency specified in Section 11165.9 receiving a report of known reasonably suspected child abuse or neglect pursuant to subdivision (g) of Section 11166 shall ask the reporter to provide all of the following information in the report;

- Name;
- Telephone number;
- The information that gave rise to the knowledge or reasonable suspicion of child abuse or neglect; and,
- The source or sources of the information that gave rise to the knowledge or reasonable suspicion of child abuse or neglect.”

If a non-mandated reporter refuses to provide their name or telephone number, the officer shall make efforts to determine the basis for that refusal and advise the reporter that the identifying information will remain confidential.

Note: Officers shall document the non-mandated reporter’s information in a Request for Confidentiality of Information, Form 03.02.00.

Upon notification from a concerned member of the public (*i.e., a non-mandated reporter*), officers shall contact the DCFS Child Protection Hotline for a referral number. The officer shall provide the child’s name and the name of the social worker giving the referral number. This information shall be included in the narrative of the crime or *injury report*. When ICU receives a SCAR investigation electronically, the SCAR shall be forwarded to the Area SCAR Coordinator. The Area SCAR Coordinator shall be responsible for closing out the investigation in the Electronic Suspected Child Abuse Report (ESCAR) System with the appropriate disposition category.

Notification to Mandated Reporters Upon Completion of Suspected Child Abuse

Investigations. Upon completion of a suspected child abuse investigation generated from information received from a mandated reporter, the assigned investigator shall ensure that the Suspected Child Abuse Investigation Mandated Reporter Notification is completed and:

- Mailed via United States Mail to the mandated reporter when he or she has provided the Department with a mailing address; or,
- Scanned and sent via e-mail to the mandated reporter when he or she has provided the Department with an e-mail address.

When the Suspected Child Abuse Investigation Mandated Reporter Notification is mailed to the mandated reporter via United States Mail, the completed original form shall be mailed and

a copy shall be included in the Detective's Case Envelope, Form 15.15.00. When the Suspected Child Abuse Investigation Mandated Reporter Notification is sent to the mandated reporter via e-mail, the completed original form shall be retained in the Detective's Case Envelope.

The assigned investigator shall document the date that the Suspected Child Abuse Investigation Mandated Reporter Notification was mailed or e-mailed and include any pertinent information (e.g., such as the mandated reporter's name, the agency he or she works for and the mailing address or e-mail address to which the form was sent) in the Detective Case Tracking System Chronological Activity Log. The information shall also be entered on the final Follow-Up Investigation, Form 03.14.00, when applicable.

Area Scar Coordinator's Responsibilities. The Area Major Assault Crime (MAC) Coordinator is responsible for the duties of the Area SCAR Coordinator. The Area SCAR Coordinator is responsible for ensuring all SCAR investigations and related report are processed within the guidelines of this Department Manual section and other Department directives. The Area SCAR Coordinator shall ensure all SCARs received (which pertain to the Area) are entered in a control log, and filed and organized by a tracking number at the conclusion of the preliminary investigation. The Area SCAR coordinator shall forward completed SCARs or dispositions and any associated reports to ICU, Juvenile Division, by either regular mail or email. The SCAR Coordinator shall cause all SCARs received directly from ICU, or incomplete SCARs received from the watch commander, to be further investigated by a school or juvenile car.

Note: When e-mailing dispositions to ICU, the tracking log number, victim's name, type of report, and DR number shall be included.

Geographic Area ESCAR Coordinator Responsibilities. The ESCAR Coordinator is responsible for reviewing and assigning all ESCARs assigned to the geographical Area for investigation. The ESCAR Coordinator shall ensure that ESCAR investigations are completed within 10 calendar days of receipt, in accordance with the Office of the Chief of Police Notice, "Suspected Child Abuse Report Investigative Response, Review, Dispatch and Case Prioritization", dated on November 21, 2019.

Note: Any deviation from the 10-day rule should be explained in the "LEA Comments section of the "Status Update" drop-down box (e.g., the 10-day rule was not met due to receipt on a weekend and/or holiday).

Department Operations Center Responsibilities. When ICU is closed (during off-hours, weekends, and holidays), the DOC shall assume the responsibilities for reviewing, organizing, and determining if the immediate dispatch of a unit is warranted on all incoming SCARs. When an immediate dispatch is necessary, the DOC will document the required information regarding the call for service, and the disposition of the SCAR investigation. When the ICU is closed, the DOC shall also review ESCARs sent tot the

Department an send an email entitled “Daily ESCAR Log” to ICU for secondary review of all ESCARs received by the DOC.

Detective Commanding Officer Responsibilities. The geographic Area Detective Commanding Officer is responsible for ensuring that a detective supervisor is trained and assigned as the ESCAR Coordinator to oversee the investigation of all ESCARs assigned to their geographic Area.

Area Commanding Officer’s Responsibilities. The Area Commanding Officer (CO) is responsible for the overall management of SCAR investigations assigned to the Area. The Area CO shall also ensure that an individual is assigned to assume the responsibility in the vent of the Area SCAR Coordinator’s absence.

218.54 CHILD ABUSE CENTRAL INDEX (CACI) REVIEW. All child abuse or severe neglect cases classified as “Substantiated” are forwarded to the Department of Justice (DOJ) by the appropriate child protection agency for inclusion into the Child Abuse Central Index (CACI) database. Cases classified as “Unfounded” or "Inconclusive" are not reported to DOJ and shall be removed from the Index. The CACI database shall be continually updated and shall not contain any child abuse or severe neglect reports classified as “Unfounded” or "Inconclusive" in compliance with California Penal Code (PC) Section 11169(a).

If a previously filed report is subsequently proven to be unsubstantiated, the DOJ shall be notified in writing via a correspondence of that fact so DOJ can remove the person’s name from the CACI database.

The Child Abuse and Neglect Reporting Act requires written notice to the known or suspected child abuser of initial placement into the CACI database [PC Section 11169(c)]. Any person listed in the CACI database has the right to a hearing to challenge their inclusion on the CACI database [PC Section 11169(d)].

A person named as a suspected child abuser is entitled to present a timely challenge to a previously filed report and shall be given a reasonable opportunity to rebut the charge. A formal hearing with full rights of confrontation and cross-examination is not necessarily required, but must be afforded as a reasonable opportunity to be heard. Therefore, the Department shall conduct a child abuse or severe neglect case review hearing in all instances when either the suspect or the representing attorney requests, telephonically or through written correspondence, a review of the case. The Department shall provide the suspect a reasonable opportunity to be heard and present “evidence” for consideration to have the final classification of the case changed from “Substantiated.”

Note: Although an attorney representing a suspect in a child abuse or severe neglect case may be present at the case review hearing, there is no current legal requirement that counsel be permitted to call or cross-examine witnesses.

Case Review – Employee's Responsibilities. Any Department employee who receives a

request, verbally or telephonically, for a child abuse or severe neglect case review hearing from either the suspect or the representing attorney shall:

- Immediately refer the requesting person to the concerned Case Review Coordinator (CRC), who will schedule and subsequently conduct the case review hearing; or,
- If the CRC is unavailable, the Department employee shall refer the requesting person to the CRC's immediate supervisor, who will then assume the responsibility for notifying the CRC regarding the request for case review hearing.

Case Review – Coordinator's Responsibilities. The CRC in the concerned geographic Area or specialized division shall conduct the case review hearing. The assigned CRC shall be a supervisor who has expertise in child abuse or severe neglect investigations. The assignment of the CRC shall be as follows:

- In the geographic Areas, the CRC shall be a Detective III supervisor, who is assigned to the CRC position by the concerned Area's detective division commanding officer (CO);
- In specialized divisions, the CRC shall be a Detective III supervisor, who is assigned to the CRC position by the concerned divisional CO; or,
- In the absence of the assigned CRC, the concerned commanding officer may assign a designee of supervisory rank (e.g., Detective II, Sergeant I, or higher) as the CRC to conduct the case review hearing.

When either the suspect or the representing attorney requests a case review hearing, the CRC shall:

- Schedule a case review hearing within a reasonable time period to allow the requesting party his or her right to due process. Case review hearings should be conducted during normal business hours; and,
- Notify the requesting party of the scheduled date and time of the case review hearing. The telephonic notification should be supplemented by a notification via facsimile or e-mail to the requesting party, when possible.

In preparation for conducting the child abuse or severe neglect case review hearings, the assigned CRC shall:

- Discuss the case with the case investigator, if available, and thoroughly review the case prior to the case review hearing;
- Determine if the specified charges were filed and the criminal filing disposition of the case;
- Determine the court status of the case by querying the Prosecutors Information Management System (PIMS) and the Trial Court Information System (TCIS), and ascertain whether the case was adjudicated, pending, or has a final court disposition;
- Determine if the classification of the child abuse or severe neglect case was appropriate or should be changed from "Substantiated" to "Inconclusive" or "Unfounded";

- Inform the suspect and/or representing attorney that the Department is mandated by PC Section 11169(a), on all cases classified as “Substantiated” to forward the suspect’s name and identifying information to the DOJ for entry in the CACI database; and,
- Complete the Child Abuse Central Index Case Review, Form 08.31.01, and process appropriately. In the narrative portion of the form, the CRC shall summarize the findings of the review process and document any additional evidence provided by the suspect and/or representing attorney. The CRC shall include information that is relevant to the investigation, classification and final disposition of the child abuse or severe neglect case.

Documentation Of Case Review Hearings. All case review hearings should be conducted in-person, if possible. Upon completion of the case review, the CRC, or designee, shall complete, review and sign the Child Abuse Central Index (CACI) Case Review Form. The form shall then be submitted to the concerned commanding officer for review and approval.

Note: When the suspect requests a telephonic case review hearing, the CRC shall complete the CACI Case Review Form, and indicate in the appropriate box on the form that the case review hearing was conducted telephonically. The completed form shall then be processed in the same manner as an in-person case review hearing.

As an option, the case review hearings may be digitally recorded. If so, the recording shall be retained in accordance with established Department procedures outlined in Manual Sections 3/569.20 and 3/569.40. The original recording should be forwarded immediately to Technical Investigation Division, and a copy shall be maintained in the Detective Case Folder, if necessary.

The CRC shall maintain all materials used in the case review hearing in accordance with record retention guidelines. Copies of the case review hearing records shall be stored for a period of three years at the Area or specialized division where the case review hearing was conducted.

Case Review - Area, Division Commanding Officer’s Responsibilities. The CO of the geographic Area or specialized division where the case was investigated and reviewed, shall approve the completed Child Abuse Central Index Case Review Form.

Commanding Officer’s Responsibilities. Commanding officers shall ensure all personnel within their commands adhere to this Department Manual Section.

218.55 ARREST OF ADULT RESULTING IN UNATTENDED JUVENILE. If the arrest of an adult may cause a juvenile to be left without proper care and supervision, the arresting officer shall telephone the concerned Area Detective Division for advice. If geographic investigating officers are not available, the advice of Detective Support and Vice Division shall be requested.

218.56 ABANDONMENT OF CHILD BY PARENT OR GUARDIAN —

PROCEDURES. When Department personnel come into contact with a child who has been abandoned, Department personnel shall:

- Verify the medical needs of the child and obtain appropriate emergency services when needed;
- Notify the watch commander, who shall determine if a Department supervisor should respond;
- Immediately contact the Department of Children and Family Services (DCFS) Hotline at (800) 540-4000, and request that they respond and assess the incident. Officers shall also inquire whether DCFS has any prior history with the family, which may aid in the preliminary investigation;
- Conduct a record check of the individuals involved to determine whether the Department or other law enforcement agencies have had prior involvement with the family;
- Respond, when appropriate, to the child's residence with DCFS, if available, to conduct an investigation regarding abandonment of the child;
- Determine whether there are other children in the home who may be at risk, and take appropriate action. Also consider using Department resources, such as the Mental Evaluation Unit, a Drug Recognition Expert, or other entities, that may assist in the investigation or provide needed support to the family; and,
- Contact the California Department of Justice Missing Children Clearinghouse at (800) 222-3463, if the child's name is unknown and request that the child's descriptive information be entered into the National Crime Information Center's Unidentified Persons Database.

Note: Area detectives are responsible for investigating and providing advice for child abandonment cases.

Note: Not all abandonment cases need to result in an immediate arrest. The completion of an Investigative Report, Form 03.01.00, for "Child Abandonment" may be adequate.

218.57 INTERROGATION OF JUVENILE GIRLS REGARDING SEX MATTERS. The interrogation of a girl under the age of eighteen years regarding sex matters shall be conducted by a female police officer whenever practicable.

218.60 APPROVAL FOR JUVENILE BOOKINGS. Prior to obtaining booking approval, the arresting officer shall:

- Attach a completed Juvenile Arrest Supplemental Report, Form 05.02.06, to the Arrest Report, Form 05.02.00, as the next to the last numbered page of the Arrest Report;
- If the juvenile is to be detained, include the reason for detention on the Juvenile Arrest Supplemental Report; and,
- Obtain a copy of the Juvenile Automated Index printout as the last numbered page of the Arrest Report.

Booking approval for all juvenile bookings shall only be obtained from the Area watch commander.

Advice for a juvenile booking shall be obtained from the concerned Area detective division. When that division is closed, the concerned Area watch commander shall be contacted.

Exception: When a juvenile is arrested for an out-of-state agency and this Department does not have a pending investigation pertaining to the juvenile, booking advice shall be obtained from the Fugitive Warrants Section, Gang and Narcotics Division (Department Manual Section 4/606.03).

Note: Discretion shall be exercised regarding the necessity for booking a juvenile. The basis for determining the advisability of booking a juvenile shall be the factual circumstances known to exist at the time of booking. A booking may be advised when the circumstances will substantiate the fact that a juvenile is the perpetrator of a specific crime.

When booking advice is obtained on a juvenile for a narcotics or dangerous drug violation, a preliminary chemical test may be completed for felony arrests, and shall be completed for misdemeanor arrests (Manual Section 4/216.01).

218.61 JUVENILES NAMED ON ADULT TRAFFIC WARRANTS.

Warrant Only. A juvenile who is named on an adult traffic warrant shall be booked on the warrant, and the charge shall be "602 W.I.C. (Traffic Warrant)" Booking approval shall be obtained (Manual Section 4/218.60). An Arrest Report, Form 05.02.00, shall be completed.

Warrant and Other Charge. When a juvenile who is named on an adult traffic warrant is also charged with a separate violation of the Welfare and Institutions Code (W.I.C.), he/she shall be booked on that W.I.C. violation. Booking approval shall be obtained (Manual Section 4/218.60). All available information concerning the warrant shall be included in the narrative portion of the arrest report; and the warrant information sheet shall be forwarded to the Warrant Section, Records and Identification Division.

The arresting officer shall notify the Countywide Warrant System (CWS) operator that the subject named on the warrant is a juvenile. The operator shall be requested to clear the warrant information sheet, error-delete the warrant from the CWS, and forward the warrant to the Traffic Court Liaison Officer, Traffic Violations Bureau, Los Angeles Judicial District.

Exception: When the warrant was issued by a court outside the City of Los Angeles, notify the CWS operator that the subject named on the warrant is a juvenile and that the juvenile is being booked on another charge. The CWS operator shall cause the concerned agency to be notified.

Foreign Warrants. When a juvenile is named on an adult traffic warrant that was issued by a court outside the City of Los Angeles, the watch commander approving the booking shall

ensure that an attempt is made to contact the jurisdiction of issuance to verify the status of the warrant prior to the booking of the juvenile.

Juvenile booked as an adult. When it is learned prior to arraignment that a juvenile has been booked as an adult on an adult traffic warrant, the concerned watch commander shall ensure compliance with the procedures listed in Manual Section 4/705.62. The warrant or warrant information sheet shall be forwarded to the concerned Area Detective Division.

218.62 JUVENILE ESCAPEES - BOOKING CHARGES, ARREST

CLASSIFICATIONS, AND ARREST DISPOSITIONS. When a juvenile has been arrested for escape from a juvenile justice facility, the booking charge, arrest classification, and arrest disposition shall be recorded as follows:

- When this Department has a copy of the Juvenile Court or California Adult Authority warrant and no other offense is being alleged:

<i>Escape from</i>	<i>Classification of Arrest</i>	<i>Booking Charge</i>	<i>Required Disposition Notification</i>	
Probation Dept. facility (includes Juvenile Hall)	Other Warrant)	602 WIC (Juvenile Court Closed	Case	
Youth Authority facility	Other	602WIC (CYA Warrant)	Missing Case Closed	Ward Unit, CYA

* When a warrant has **not** been issued, and no other offense is being alleged:

<i>Escape from</i>	<i>Classification of Arrest</i>	<i>Booking Charge</i>	<i>Required Disposition</i>	
Probation Dept. facility (includes Juvenile Hall)		602WIC(871 WIC Escape-Probation Misdemeanor	Detained Petition Department facility)	
Deuel Vocational Institution	Felony	602WIC(2042 P.C. Escape - Vocational Institution)	Detained Petition Requested CYA	
California Youth Training School	Felony	602WIC(1768.7 Escape-Y.T.S.)	Detained Missing Petition Ward Unit, Requested CYA	
Any other type of CYA facility	Misdemeanor	602WIC(1768.7 WIC Escape-	Detained Missing Petition Ward Unit, CYA Facility)	
City or		602WIC(4532 P.C.	Detained	

County jail facility	Felony	Escape-City [County] Jail)	Petition Requested
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Note: All juvenile escapees shall be detained in Juvenile Hall.

When a juvenile arrestee is alleged to have committed a criminal offense in addition to escape, the booking shall be for the criminal offense. Warrant or escape information shall be included in the narrative portion of the arrest report under a ***Reason for Detention*** heading.

218.63 JUVENILES ARRESTED AND UNDER THE INFLUENCE OF NARCOTICS OR DRUGS-MEDICAL EXAMINATION. If a juvenile is arrested and is under the influence of narcotics or drugs, the arresting officer shall have the juvenile examined by a contract or receiving hospital physician prior to detention. The physician shall be requested to include on the Receiving Hospital Medical Treatment Record, Form RH-340, his/her recommendation as to whether the juvenile should receive additional medical attention at a Juvenile Hall clinic or the Los Angeles County-USC Medical Center.

Note: A juvenile who displays **outward signs** of intoxication by any substance shall be checked at least once **every 15 minutes** until resolution of the intoxicated state or release. This information shall be documented on the appropriate log. If the observation boxes are exhausted and additional checks must be logged, they shall be logged in the Watch Commander's Daily Report, Form 15.80.00.

If, for any reason, the arresting officer or the concerned investigating officer determines that it would be in the best interests of the juvenile or the Department, the arresting or investigating officer shall have the juvenile examined, prior to his/her release, by a contract or receiving hospital physician.

218.64 CONDITIONS FOR JUVENILE DETENTION. An officer who takes a juvenile into custody shall release the juvenile to the custody of his/her parent, guardian, or a responsible relative **unless** one or more of the following conditions exist:

- The juvenile is in need of proper and effective parental care or control and has no parent, guardian, or responsible relative willing to exercise or capable of exercising such care or control; or has no parent, guardian, or responsible relative actually exercising such care or control;
- The juvenile is destitute or is not provided with the necessities of life or is not provided with a home or suitable place of abode;
- The juvenile is provided with a home which is unfit by reason of neglect, cruelty, depravity or physical abuse by either of his/her parent, guardian or other person(s) in whose custody he/she resides;
- Continued detention of the juvenile is a matter of immediate and urgent necessity for the protection of the juvenile or reasonable necessity for the protection of the person or property of another;
- The juvenile is likely to flee the jurisdiction of the court;
- The juvenile has violated an Order of the juvenile court;

- The juvenile is physically dangerous to the public because of a mental or physical deficiency, disorder, or abnormality; or,
- The juvenile is 14 years of age or older and is taken into custody for a **felony** or an attempted felony, and it is determined that the juvenile personally used a firearm in the commission of the crime. The juvenile **shall not** be released to a parent, guardian or a responsible relative or an adult designated by the parent. The juvenile **shall** be booked and transported to a Los Angeles County Probation Department juvenile detention facility pending a court hearing.

Note: A statement of facts to support one or more of the reasons for detention shall be included in the Juvenile Arrest Supplemental Report, Form 05.02.06 (Manual Section 4/218.60).

218.65 JUVENILE DETENTION APPROVAL. Approval for the detention of a juvenile shall be obtained from the concerned Area Juvenile Coordinator. When the Area Juvenile Coordinator is unavailable, approval for detention shall be obtained from the concerned Juvenile Coordinator's immediate supervisor. When neither the Area Juvenile Coordinator nor the immediate supervisor is available, detention approval shall be obtained from the concerned Area watch commander.

After the arresting officer has obtained detention approval, the juvenile and a copy of the arrest report shall be delivered to the Probation Department.

218.66 TEMPORARY DETENTION OF JUVENILES AT DEPARTMENT FACILITIES. Juveniles shall not be held in temporary detention in a Department facility for more than six hours, regardless of age or type of offense. Regardless of the nature of the offense or status of the investigation, juveniles **shall** be released to a parent, guardian, responsible relative or adult designated by the parent, or transported to a Los Angeles County Probation Department juvenile detention facility prior to the expiration of the six-hour temporary detention time limit.

Note: Juveniles described in Section 300 of the California Welfare and Institutions Code (WIC) shall be processed (complete arrest report with booking number) prior to transfer to the custody of the Department of Children and Family Services. They may not remain in a police facility longer than six hours.

Secure Detention of Juveniles. Under secure detention, juveniles are locked in a room, holding tank, or enclosure and/or are physically secured to handcuffing benches, rails, chairs, or any stationary object. A juvenile held in secure detention shall meet **all** of the following criteria:

- The juvenile must be 14 years of age or older; and,
- The juvenile must be in custody for a Section 602 WIC offense; and,
- The officer has reasonable belief that the juvenile poses a serious security risk and/or risk of harm to self or others; and,

- The detention must be for the purpose of investigating the crime, facilitating release to a parent or guardian, or arranging a transfer to an approved juvenile detention facility.

Note: The officer may take the following factors into account in determining whether a juvenile qualifies for secure detention:

- Age, maturity, and delinquent history;
- Severity of the offense(s) for which the juvenile was taken into custody;
- The juvenile's behavior, including the degree to which he/she appears cooperative or uncooperative;
- Previous attempts to escape custody;
- The availability of officers to provide adequate supervision, or protection for the juvenile; and,
- The age, type of person, and number of other individuals who are detained at the facility.

Secure Detention Procedures. All secure-detained juveniles shall only be logged on the proper Secure Juvenile Detention Log, Form 09.05.00, located in the initial Department facility the juvenile enters.

Note: For the purposes of this Section, "Department employee" is defined as any sworn employee or detention officer.

The Department employee shall present all secure temporarily-detained juveniles to the watch commander upon entry into a Department facility. The approval of the concerned watch commander shall be obtained prior to placing a juvenile in secure detention;

Note: For the purpose of this Section, "watch commander" is defined as the Area watch commander, unit officer in charge, or other concerned supervisor who has responsibility for the Department facility where the juvenile(s) is to be temporarily detained.

Department employees placing juveniles in secure detention shall adhere to the following procedures:

- The Department employees shall immediately document the detention and the arrest charge on the Secure Juvenile Detention Log, and ensure that the approving supervisor **signs** the log;

Note: Juveniles described in Sections 300, 601 or 5150 of the WIC shall not be documented on the Secure Juvenile Detention Log.

- The Department employee shall inform the juveniles held in secure detention of the purpose of the detention, the expected duration, and the maximum six-hour detention time limit pursuant to Section 207.1 (d)(1)(C) of the WIC; the advising employee shall

document his/her serial number next to each admonition on the Secure Juvenile Detention Log;

Note: The advising Department employee shall document whether the juvenile was advised of his or her constitutional rights after being taken into custody, as required per the 625 WIC Admonishment or whether a juvenile invoked his or her Miranda Rights.

- Immediately, after taking a juvenile to a place of confinement, and no later than one hour after being taken into custody, the Department employee shall advise the juvenile of the right, and provide the opportunity, to complete at least two telephone calls (one call to a parent or guardian, a responsible relative, or employer, and another call to an attorney). The juvenile has the right to make at least one additional telephone call within three hours of arrest;

Note: Any deviations from this procedure, or if the juvenile opts to make telephone calls outside of this time limit, will be articulated within the "Comments of Investigating Officer/Arresting Officer" section of the Juvenile Arrest Supplemental Report, Form 05.02.06.

- The term "taken into custody" shall mean an arrest under Section 602 of the WIC, and the time of custody begins at the actual time of the arrest in the field; and,
- The calls, if in the local dialing area, shall be made at City expense. In the event a juvenile is without sufficient funds or is unable to make telephone calls on a collect basis, telephone calls outside the local dialing area may be made at City expense at the discretion or approval of the Area watch commander or other supervisor.
- Juveniles held in secure detention outside of a locked enclosure shall not be secured to a stationary object for more than thirty (30) minutes unless no other locked enclosure is available during the six-hour detention time limit. Securing juveniles to a stationary object for longer than 30 minutes and every 30 minutes thereafter, shall be approved by the watch commander and the reasons for continued secure detention shall be documented. Juveniles who are secured to a stationary object shall be moved to a locked enclosure at such time when one becomes available;
- When juveniles are handcuffed to a stationary object outside of a locked room or enclosure, a Department employee shall be present at all times to ensure the juvenile's safety;
- Juveniles securely detained in a locked room or enclosure shall be **randomly checked** by a Department employee not more than 30 minutes following any previous observation, and shall be able to be heard by a Department employee at all times;

Note: Observation by television monitor is not sufficient. A Department employee shall make random, unscheduled, in-person observations. The time of the observation and the observing employee's initials shall be documented on the Secure Juvenile Detention Log. A juvenile who displays **outward signs** of intoxication by any substance shall be checked at least once **every 15 minutes** until resolution of the intoxicated state or release. This information shall be documented on the Secure Juvenile Detention Log. If the observation boxes are exhausted and

additional checks must be logged, they shall be logged in the Watch Commander's Daily Report, Form 15.80.00.

- If male and female juveniles are placed in the same locked room, they shall be under **constant, in-person observation** by a Department employee;
- Locked rooms and enclosures where juveniles are securely detained shall meet all applicable health, safety, and fire requirements;
- Locked rooms and enclosures shall have adequate lighting and seats in the form of chairs or benches;
- Locked rooms and enclosures shall have temperature control and ventilation adequate to maintain a comfortable environment; and,
- The name and relationship of the person the juvenile is released to shall be documented.

Non-secure Detention of Juveniles. Under non-secure detention, a juvenile's freedom of movement is controlled solely by Department employees, and the juvenile is under constant, in-person observation and supervision. Non-secure detention prohibits the placement of juveniles in locked rooms, cells or enclosures and prohibits physically securing juveniles to chairs, benches, handcuffing rails, or other stationary objects.

Note: Juveniles under non-secure detention, regardless of age, may be handcuffed. However, they shall not be handcuffed to chairs, benches, handcuffing rails, or other stationary objects.

The following juveniles shall be held in non-secure detention when temporary detention at a Department facility is necessary:

- All juveniles under the age of 14; and,
- Juveniles who do not meet the criteria for secure detention.

Non-secure Detention Procedures. All non-secure detained juveniles shall **only** be logged on the proper Non-Secure Juvenile Detention Log, Form 09.06.00, located in the initial Department facility the juvenile enters. Juveniles may be held in non-secure detention only long enough for officers to investigate the crime, facilitate release of the juvenile to a parent or guardian, or arrange for transfer of the juvenile to an appropriate juvenile facility. In any case, detention **shall not** exceed six hours.

The Department employee shall present all non-secure detained juveniles to the watch commander upon entry into a Department facility. The approval of the concerned watch commander shall be obtained prior to placing a juvenile in non-secure detention.

Department employees shall immediately document the detention and the arrest charge on the Non-Secure Juvenile Detention Log, and ensure that the log is **signed** by the supervisor approving detention. Juveniles shall be under the constant observation and supervision of a Department employee. Observation by television monitor is not sufficient; **constant in-person observation** is required.

Note: The advising Department employee shall document whether the juvenile was advised of his or her constitutional rights after being taken into custody, as required per the 625 WIC Admonishment or whether a juvenile invoked his or her Miranda Rights.

Immediately, after taking a juvenile to a place of confinement, and no later than one hour after being taken into custody, the Department employee shall advise the juvenile of the right, and provide the opportunity, to complete at least two telephone calls (one call to a parent or guardian, a responsible relative, or employer, and another call to an attorney). The juvenile has the right to make at least one additional telephone call within three hours of arrest.

Note: Any deviations from this procedure, or if the juvenile opts to make telephone calls outside of this time limit, will be articulated within the "Comments of Investigating Officer/Arresting Officer" section of the Juvenile Arrest Supplemental Report.

- The term "taken into custody" shall mean an arrest under Section 601 or 602 of the WIC, and the time of custody begins at the actual time of the arrest in the field; and,
- The calls, if in the local dialing area, shall be made at City expense. In the event a juvenile is without sufficient funds or is unable to make telephone calls on a collect basis, telephone calls outside the local dialing area may be made at City expense at the discretion or approval of the Area watch commander or other supervisor.

Care of Juveniles Held in Secure or Non-Secure Detention. Juveniles held in secure or non-secure detention shall have:

- Reasonable access to a telephone;
- Permission to retain their personal clothing, unless it presents a health hazard or is required as evidence;
- Reasonable access to restroom facilities;
- Reasonable access to drinking water and/or other beverages;
- Privacy during visits with attorneys;
- Blankets and clothing necessary to ensure comfort; and,
- A snack, upon request, during the term of temporary custody, if the juvenile has not eaten within the past four (4) hours or is otherwise in need of nourishment.

Note: Department-approved snack items and blankets for use by juvenile detainees shall be requisitioned from Police Supply Section, Fiscal Group, and maintained at each Area station and Department facility where juveniles are detained. Snack items shall be discarded upon the manufacturer's labeled expiration date.

Discipline. Discipline of any kind, including withholding any of the above-specified amenities, is not permitted.

Contact and Communication with Adult Arrestees or Other Juveniles. If the applicable contact and communication restriction as detailed in this section cannot be effected or maintained at the facility of initial detention, the juvenile detainee(s) shall be transported to the

nearest Department facility where the appropriate restrictions shall be observed during all phases of detention **including printing, photographing, booking, and the administration of any chemical test.**

Note: The officer supervising the juvenile during a non-secure detention shall document his or her name and serial number in the “Verifying Officer” box on the Non-Secure Juvenile Detention Log.

Sight and Sound Separation. There shall be no communication between juveniles held in secure detention and adult arrestees or inmates. Sight and sound contact with adult arrestees is limited to:

- Booking;
- Awaiting visitors or medical treatment;
- Work release program participants while they are performing work necessary for the operation of the Department facility; and,
- Movement of persons who are in custody within the facility.

Note: Contact is defined as communications, whether verbal, visual (gang signs), or through continuous immediate physical presence.

When the potential for communication or sight and sound contact with adult arrestees exists, Department employees **shall** maintain constant side-by-side presence with juveniles held in temporary secure detention.

When a juvenile arrestee is in the same room or area with an adult inmate, including inmate workers, the sworn employees of the Department facility must maintain a side-by-side presence with either the inmate or the juvenile to ensure that no communication or contact occurs.

Note: Separate booking locations for juvenile arrestees are no longer necessary.

Juveniles in custody under Section 602 WIC **shall not** be allowed to come into sight or sound contact with juveniles in custody under Sections 300 or 601 WIC.

Suicide Risk and Prevention. A juvenile who exhibits excessive agitation, despondency, or other distressed behavior **shall be under constant direct supervision by a Department employee.** If the juvenile appears to be potentially suicidal, the Mental Evaluation Unit (MEU), Detective Support and Vice Division, shall be immediately contacted for advice. Upon evaluation and approval by MEU personnel, juveniles shall be transported to a contract hospital for medical evaluation. Authorization must be received from a licensed physician at a contract hospital before juveniles can be transported to any County juvenile facility.

Contact and be guided by MEU in the event the juvenile appears to suffer from a mental illness and/or is a danger to self, danger to others or gravely disabled.

Note: A gravely disabled minor is defined by Section 5585 WIC as “a minor who, as a result of a mental disorder, is unable to use the elements of life which are essential to health, safety, and development, including food, clothing, and shelter. Developmental disabilities, alcoholism or other drug use, do not by themselves, constitute a mental disorder.”

Use of Physical Restraints on Juveniles. The use of physical restraints on juveniles shall be limited to handcuffs and Department authorized alternative restraints. Restraints shall be employed only as necessary to prevent injuries to juveniles and custodial personnel.

Note: A juvenile who exhibits violent behavior necessitating the use of alternative restraints shall be under continuous in-person observation for evidence of breathing difficulty or other symptoms of physical distress. A juvenile displaying any such symptoms shall be immediately transported to a contract hospital for medical treatment, unless paramedics are present or there is a medical need to keep the juvenile at the location pending the arrival of paramedics.

Los Angeles County Unified Arrestee Medical Screening Form, FORM SH-R-422, Completion for Juveniles. Arresting officers shall complete the Los Angeles County Unified Arrestee Medical Screening Form for each juvenile detained on Sections 601 WIC or 602 WIC and the related penal code charge at a County juvenile detention facility (i.e., Central, Los Padrinos and Barry J. Nidorf Juvenile Halls). It is recommended that arresting officers complete the Los Angeles County Unified Arrestee Medical Screening Form prior to transporting the juvenile to a County detention facility so that any medical or mental health issues can be properly addressed.

Note: Completion of the Los Angeles County Unified Arrestee Medical Screening Form is not necessary if the juvenile is booked on the WIC Section and the related offense, and released to a parent, guardian or Status Offender Detention Alternative (SODA) facility.

Medical Treatment Prior to Detention. Juveniles who are ill or injured shall be examined by a paramedic or a contract hospital physician, as appropriate, prior to transportation to any County juvenile facility. Juveniles who receive medical treatment (MT) and are not hospitalized shall then be transported to a County juvenile detention facility for detention or, if detained only for Section 300 WIC, to a Department of Children and Family Services facility. Officers shall advise intake personnel of the MT and provide a copy of the MT slip for their records.

When a physician determines that a juvenile must be hospitalized, the juvenile shall be detained in the medical facility recommended by the physician. This location shall be noted on the MT slip.

Juveniles who do not require MT and meet the criteria for detention at a SODA home shall be transported by officers directly to the SODA home. However, if juveniles receive MT, they shall be transported to a County juvenile detention facility. The transporting officers shall provide the intake personnel with a copy of the MT slip. If, at a later time, the juvenile

detention facility determines that a juvenile is suitable for placement in a SODA home, the Probation Department shall be responsible for transporting him or her to the SODA home.

Note: SODA homes are administered by the Probation Department for non-secure placement of juveniles detained under the authority of Section 628 WIC.

When the juvenile detention facility clinic recommends hospitalization in the USC Medical Center, transporting officers shall obtain an admittance form from the juvenile detention facility. The officers shall transport the juvenile to the USC Medical Center and provide admittance desk personnel with a copy of the MT slip and admittance form. The juvenile's property and one copy of the Arrest Report, Form 05.02.00, shall be retained at the juvenile detention facility.

Watch Commander's Responsibility. The watch commander shall sign and document the date and time the inspection and interview was conducted. (The watch commander's signature indicates that the inspection and interview was completed). The watch commander shall document additional information associated with the inspection and interview (e.g., "Completed," "No Additional Information," "See Watch Commander's Daily Report," etc.), or any other information the watch commander deems necessary.

Ensure that a juvenile with a present medical condition is treated by paramedics or at a contract hospital.

Be guided by MEU in the event the juvenile appears to suffer from a mental illness and/or is a danger to self, danger to others or gravely disabled.

Watch commanders shall verify, at the beginning of watch and routinely thereafter, the status of all temporary juvenile detentions, the timely and accurate documentation of all temporary juvenile detentions, including those juveniles who are detained in a detective "work area". The Secure Juvenile Detention Logs and Non-Secure Juvenile Detention Logs shall be collected at 0001 each day.

Note: If no juveniles, secured or non-secured, were logged during a 24-hour period, both type of juvenile logs shall be completed for that period indicating no juveniles were detained in the facility for that time period.

All completed logs, including those logs which document no detentions, shall be collected and submitted to the concerned Area commanding officer during the last watch of the 24-hour day by the concerned watch commander.

Area Detectives and Specialized Division's Responsibility. Area detectives shall document all juvenile detentions on the appropriate juvenile detention log (Secure Juvenile Detention Log or Non-Secure Juvenile Detention Log maintained by the Area watch commander. Detective personnel shall advise the Area watch commander of all temporary juvenile detainees in their custody.

Note: Area detectives located in off-site or satellite facilities shall use appropriate juvenile detention logs to document juvenile detentions in those facilities, and shall follow the same procedures as outlined in the Watch Commander's Responsibility paragraph above.

All persons, including juveniles detained or arrested by a Department employee from a specialized division, shall be inspected and interviewed by one of the 21 Area watch commanders or the Watch Commander, Metropolitan Jail Section, Custody Services Division.

Commanding Officer's Responsibility. Commanding officers shall ensure that all temporary juvenile detentions are documented on the Secure Juvenile Detention Log or the Non-Secure Juvenile Detention Log. The commanding officer or designee shall ensure the proper collection, review, and retention of all juvenile detention logs. It is recommended that the logs be reviewed and retained by the best-qualified designee to ensure compliance with Department procedures. Entries documented on the Secure Juvenile Detention Log shall be tallied monthly and entered on the Board of State and Community Corrections (BSCC) Monthly Report on the Detention of Minors form. Each Area and specialized division commanding officer shall ensure that the BSCC Monthly Report on the Detention of Minors form is completed at the end of each month and forwarded to the Administrative Section, Juvenile Division, by the fifth working day of the following month.

The Administrative Section, Juvenile Division, will then forward the BSCC Monthly Report on the Detention of Minors form to the BSCC office in Sacramento, California. Areas must not forward the forms directly to the BSCC office in Sacramento.

218.67 JUVENILE DETAINED AT LOS ANGELES COUNTY - USC MEDICAL CENTER. Officers desiring continued custody of a juvenile in need of hospitalization shall:

- Cause the subject to be transported to a contract or receiving hospital for examination;
- When the examining physician recommends that the subject be hospitalized, contact the investigating supervisor for continued custody advice. When the detective division is closed, Detective Support and Vice Division shall be contacted;
- Obtain booking approval from the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division;
- When continued custody is approved, obtain two completed copies of the Receiving Hospital Record, Form RH336; and,
- Cause the subject to be transported to the Los Angeles County-USC Medical Center. When continued medical observation is not necessary, transport the subject directly to the Jail Ward.

Note: Jail Ward personnel will not receive a *male under 16 or a female under 18* without an accompanying Juvenile Court Order. Detective Support and Vice Division personnel are responsible for contacting Intake and Detention Control personnel of the County Probation Department, who will obtain and deliver the order to the Jail Ward. When continued medical observation is necessary, officers shall transport the subject directly to the Main Admitting Room. Officers shall be responsible for ascertaining when the Juvenile Court Order arrives.

Upon delivery of the order, the subject shall be moved as soon as possible to the Jail Ward. The custody of the subject shall not be entrusted to hospital personnel other than the Jail Ward booking deputy.

- Complete a Booking and Identification Record, Form 05.01.00. Obtain a booking number from the Booking and Auxiliary Services Unit, Records and Identification Division. Leave Page 3 of the Form 05.01.00, and one copy of the Receiving Hospital Record, with the booking deputy. Deliver the remaining pages of the Form 05.01.00 to the record clerk at the location where the reports are completed.
- Receive the subject's property and deliver it to the Intake and Detention Control Unit of Juvenile Hall, 1605 Eastlake. One copy of the Arrest Report shall accompany the property.
- Complete the necessary reports at the location specified by Detective Support and Vice Division personnel. One copy of the Receiving Hospital Record shall accompany the other reports.

218.68 NOTIFICATION TO THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL - WHEN APPLICABLE. When a minor is taken into custody for violation of laws normally enforced by the Department of Alcoholic Beverage Control, the concerned investigating officer shall forward one copy of the Arrest Report, or "Contact Only" Report, Form 05.02.00, to the Department of Alcoholic Beverage Control. This report shall contain information regarding any licensed premises probably connected with the minor's offense.

218.69 SECURE DETENTION OF MINORS FOR 601 WELFARE AND INSTITUTIONS CODE VIOLATIONS. Section 207 Welfare and Institutions Code (WIC) provides for the secure detention of a minor taken into custody for a violation of Section 601 WIC in the following circumstances:

- When the arresting officer or probation officer has cause to believe the minor has outstanding wants, warrants, or holds, the minor may be securely detained for up to 12 hours after having been taken into custody.
- When necessary to locate the minor's parents or guardian, and to arrange the return of the minor to his/her parent or guardian, the minor may be securely detained for up to 24 hours after having been taken into custody.

Exception: The minor may be securely detained for no more than 72 hours after having been taken into custody when the return of the minor cannot reasonably be accomplished within 24 hours due to the distance of the parents or guardian from the County of custody, difficulty in locating the parent or guardian, or difficulty in locating resources necessary to provide for the return of the minor.

After the arresting officer has obtained detention approval, the minor and a copy of the arrest report shall be delivered to the Probation Department.

Exception: When the Area Juvenile Coordinator is unavailable, the arresting officer shall be guided by the advice of Detective Support and Vice Division.

When the Probation Department concurs with secure detention, the minor shall be transported to the designated secure facility.

Note: The Los Angeles County Probation Department has designated Los Padrinos Juvenile Hall, 7285 East Quill Drive, Downey, for secure detention of 601 WIC violators. However, space allocated for 601 WIC detention is, on occasion, needed for 602 WIC detention purposes. Consequently, the Probation Department may deny 601 WIC detentions. When detention is denied at Los Padrinos because of insufficient space, minors shall be placed in Status Offender Detention Alternative (SODA) facilities.

When a minor is taken into custody as a person described in 601 WIC and secure detention of the minor is *not* required, the minor shall be placed in a SODA facility in conformance with existing procedure.

218.70 RESPONSIBILITY FOR ARREST REPORT - JUVENILE IN CUSTODY. The officer taking a juvenile into custody shall be responsible for the juvenile's booking and the completion of the Arrest Report. The concerned investigating officer shall be responsible for completing the disposition portion of the arrest report.

218.71 PETITION REQUEST FORMAT. An officer completing a petition request shall check the Type Petition Request box on the face of the Arrest Report, and on a Continuation Sheet, Form 15.09.00, entitled "Detective Information," list:

- Booking number and DR number;
- Subjects' names and booking numbers (if multiple arrestees);

AND, when applicable, list the:

- Charges;
- Subjects' statements, including responses to the Miranda Admonition;
- Corrections to original reports; and,
- Additional investigative information not contained in other reports.

Reports Required. When requesting a petition, collate the reports as follows:

- Juvenile affidavits as required;
- Arrest Report face sheet;
- Investigative Report (IR), if completed in conjunction with the Arrest Report;
- Detective Information page(s), numbered D-1, D-2, etc.;
- Arrest Report continuation pages;
- Juvenile Arrest Report (Continuation), and reverse side if used, as the next to the last numbered page(s) of the Arrest Report;
- Juvenile Automated Index printout as the last numbered page of the Arrest Report;

- Other related reports, including a IR not completed in conjunction with the arrest; and,
- District Attorney Witness List.

218.72 FILING OF DETAINED PETITIONS IN COMPANION CASES. An investigating officer handling a juvenile case shall complete a detained petition request on juveniles delivered to Juvenile Hall, regardless of their subsequent release by the Probation Department, when:

- Two or more of the subjects have been arrested in connection with the same incident;
- One or more of the subjects remain in temporary custody; and,
- The juveniles were originally placed in custody by members of this Department.

218.73 JUVENILE CASES - JUVENILE COURT REVIEW. When a Juvenile Court petition has not been returned by the Probation Department within 21 days after delivery to that agency, the Commanding Officer, Juvenile Division, shall be responsible for contacting the concerned division juvenile coordinator or watch commander to determine whether the case merits review by the Juvenile Court.

If the case is to be reviewed by the Juvenile Court, the Commanding Officer, Juvenile Division, shall ensure that one copy of each pertinent report is taken to the judge of the Juvenile Court within 30 days of the original filing.

218.74 APPLICATION FOR PETITION - JUVENILE BOOKED AS AN ADULT. When a juvenile has been booked as an adult because the juvenile misrepresented his age and this misrepresentation materially delayed the investigation, additional time, not to exceed 48 hours, is allowed to complete the investigation and file a petition. The additional time begins when the juvenile's true age has been determined (Manual Section 4/705.62).

218.75 COMPLETION OF ARREST REPORT - JUVENILE IN CUSTODY. An Arrest Report, Form 05.02.00, shall be made whenever a juvenile is booked, except when:

- A juvenile is booked on a Juvenile Court Detaining Order.
- A juvenile is booked "Enroute" to another jurisdiction by persons not members of the Department and no further investigation or action is contemplated by the Department.

Note: An Arrest Report, Form 05.02.00, shall be made when a juvenile is booked on a Warrant of Arrest and Order for Return to Custody, which is, in effect, a warrant for a juvenile's apprehension.

A Property Disposition/Update Request, Form 10.06.00, shall be attached to the Form 05.02.00 prior to submission for supervisory approval (Manual Section 4/790.12).

218.78 JUVENILE CUSTODY REPORT. An Arrest Report, Form 05.02.00, and an Arrest Disposition, Form 05.09.00, shall be completed when a juvenile is taken into custody under Section 300 of the Welfare and Institutions Code. A booking number shall be obtained for each juvenile regardless of age. However, the juvenile shall not be fingerprinted or photographed as

part of the booking process. Separate prints for investigative purposes only are permissible. A Booking and Identification Record, Form 05.01.00, shall be completed and forwarded to Records and Identification Division.

Note: Completed arrest reports of 300 WIC cases shall be filed separately from other arrest reports.

218.79 NOTIFICATION TO PARENTS - JUVENILE TAKEN INTO CUSTODY UNDER SECTION 300 WELFARE AND INSTITUTIONS CODE. If an officer takes a juvenile into custody under 300 Welfare and Institution Code, the officer shall take immediate steps to notify the juvenile's parent, guardian or a responsible relative that the juvenile is in custody and that the juvenile has been placed in a facility authorized by law to care for the juvenile and provide the juvenile's parent, guardian or a responsible relative with the appropriate Department of Children and Family Services' telephone number. The address of the licensed foster family home **shall not** be released to the juvenile's parent, guardian or a responsible relative.

218.80 NOTIFICATION TO PARENTS - JUVENILE ARREST. When an officer takes a juvenile arrestee to a place of confinement (i.e., Area station, juvenile detention center), the officer shall, no later than one hour after the juvenile has been taken into custody, notify the juvenile's parent, guardian or responsible relative that the juvenile is in custody and of the location where the juvenile is being held. Any deviation from procedure shall be articulated within the Comments section of the Juvenile Arrest Supplemental Report, Form 05.02.06.

Juvenile Releases. When a juvenile is arrested and being released to a parent or guardian, the arresting officer shall obtain advice from a detective supervisor (preferably from the investigative unit that will be assigned the follow-up investigation), or in his or her absence, the Area Watch Commander.

The following are release options:

- Issue a Juvenile Court Notice to Appear, Form 09.01.00; or,
- Issue a Juvenile Notice to Appear, Form 09.03.00; or,
- Issue a Juvenile Arrest Diversion Program Agreement, Form 09.13.01; or,
- Other appropriate action, as determined by the concerned supervisor.

Note: When an arrested juvenile under the influence of narcotics or dangerous drugs is to be released to his or her parent, guardian or responsible relative, the officer releasing the juvenile shall inform the parent, guardian or responsible relative that the juvenile is under the influence of dangerous drugs or narcotics and should be carefully observed. If the juvenile is not responsive or appears to need medical attention, he or she shall be given medical attention without delay.

Detention of Juvenile. If an arrested juvenile is detained after booking, the juvenile's parents, guardian or responsible relative shall be notified and given the location where the juvenile is detained.

218.90 JUVENILE BOOKINGS INVESTIGATOR'S FINAL REPORT, FORM 05.10.00.

When a juvenile is booked, the arresting officer shall remove Page 1c of the Form 05.10.00 from the Booking and Identification Record, Form 05.10.00, and attach it to the Arrest Report, Form 05.02.00.

218.95 JUVENILE BOOKINGS - TELETYPE. A juvenile booking teletype shall be sent manually to the Juvenile Records Unit, Records and Identification Division, and Detective Support and Vice Division when DABIS processing is not used to book a juvenile or a person 18 years of age or older is arrested and booked for a crime committed when the arrestee was a juvenile.

219. TRANSIT RELATED CRIME REPORTING PROCEDURES.

219.05 TRANSIT - CRIME DEFINED. A transit-related incident or crime is defined as any reportable public safety incident or crime that occurs within the City limits of Los Angeles which:

- Occurs on or about any public transit property. This includes any public transportation bus stop, train, or subway station, designated transit parking lot, and train or subway right of way (tracks and tunnels); or,
- Involves any public transit vehicle. This includes public trains, such as Metrolink and Los Angeles County Municipal Transit Authority (LACMTA) Metro Red, Blue, Gold and Green Lines. This also includes LACMTA buses and other municipal bus lines, such as Montebello, Santa Monica, and the Downtown Area Short Hop (DASH) traveling through the City.

Note: Los Angeles County Sheriff's Department has preliminary and follow-up responsibility for all transit-related policing within the City limits.

Exception: The Department shall continue to handle major crimes (e.g., homicides, sexual assaults, etc.) that occur on transit conveyances, at bus stops, at LACMTA facilities an/or properties.

219.10 INVESTIGATION-RESPONSIBILITY.

Officer's Responsibility. When it is determined that a crime or incident is transit-related, the reporting officer shall write "Transit Incident" or "Transit Crime" as the first entry in the report's modus operandi (MO) box. If the report form does not have an MO box, the words "Transit Incident" or "Transit Crime" shall be written in red in any available space near the top of the form used to report the incident.

When a crime occurs on a bus, the line, number and operator's name and identification number, if known, shall be listed on the related reports.

When the LACMTA is listed as a victim or as a premise, or is referred to in a crime report, the abbreviation "LACMTA" shall be used.

Booking Approval. Booking approval for all transit-related arrests shall be obtained by one of the 19 Area watch commanders, the Commanding Officer, Area Detective Division, or the watch commander of Custody Services Division, Metropolitan Section. Officers shall obtain booking **advice** from the watch commander, Area Detective Division for all transit related **felony** arrests during normal business hours.

Area Records Unit's Responsibility. Upon receiving a report indicating "Transit Incident" or "Transit Crime," records personnel shall use the Consolidate Crime Analysis Database (CCAD) MO Code 0910 in conjunction with the appropriate premise code. All original reports shall be forwarded to Records and Identification Division.

Area Detective Division's Responsibility. Upon receiving a felony arrest report or any transit-related crime report, Area Detective Division personnel shall notify the Los Angeles County Sheriff's Department, Transit Services Division.

220. VEHICLE REPORTING PROCEDURES.

220.10 VEHICLE INVESTIGATION DETERMINATION. Vehicle Report, CHP Form 180 shall be completed to report the following when stolen, lost, recovered, found, or impounded:

- Motor vehicles (all types) including:
 - Motorcycles, motor-driven cycles, mopeds, mini-bikes, go-carts, and motor scooters;
 - Off-highway vehicle, including construction equipment, dune buggies, and racing vehicles;
 - Trailers (all types);
 - Separate vehicle motors;
 - Separate vehicle transmissions;
 - Major component vehicle parts;
 - License plates (Except found);
 - Campers; and,
 - Aircraft (all types).

In addition, this form shall be used as an order to release a vehicle impounded with a hold, and as a Garage Report of Release or Sale of an impounded vehicle.

Note: Officers shall continue to report found license plates on the Property Report, Form 10.01.00, as delineated in Manual Section 5/10.01.0.

220.15 LOST OR STOLEN VEHICLE - LICENSE OR IDENTIFICATION NUMBER UNKNOWN. When the license or identification number of a stolen or lost vehicle is unknown, the reporting officer shall complete the report, except for the missing numbers; obtain the

reporting person's signature; notify the Automated Vehicle and Property Section (AVPS), Records and Identification Division; and obtain a DR number.

Vehicles Registered in California. The Area records unit processing the report shall send a teletype to DMV, Sacramento, requesting the missing numbers and directing that the reply be sent to the concerned Area records unit and the concerned investigating officers.

The concerned division records unit shall complete and distribute the report when the missing information is received from DMV.

Vehicle Registered Outside California. When the stolen or lost vehicle is registered outside California, the reporting person shall be requested to obtain the unknown numbers and forward that information to the concerned investigating officers. Also, the Area records unit processing the report shall send a teletype inquiry to the DMV in the registering state requesting registration information. Upon receipt of the return teletype, the information shall be forwarded to the concerned investigating officers. The concerned investigating officers shall notify AVPS of the missing information for updating the appropriate automated system.

220.25 REPORT OF SINGLE LOST OR STOLEN LICENSE PLATES. When a *single* lost or stolen license plate is reported missing, the reporting person shall be advised to immediately remove the remaining license plate from the vehicle, and to surrender it to the Department of Motor Vehicles when replacement plates are obtained.

Note: The reporting employee shall enter the name of the person advised to remove the plate from the vehicle in the narrative of the report.

220.26 ADVISING PERSONS AS TO METHOD OF REPLACEMENT REGARDING LOST OR STOLEN LICENSE PLATES. Persons making reports of lost license plates and inquiring as to the method of replacing them shall be referred to the Department of Motor Vehicles (for release of found license plates, see Manual Section 4/555.70).

220.35 COURTESY STOLEN VEHICLE AND/OR VESSEL REPORTS. When a person wishes to report a vehicle stolen and the location of occurrence is outside the City limits, "Stolen" Vehicle Report, CHP Form 180 may be completed (Manual Section 5/030.05). When a person wishes to report a vessel stolen and the location of occurrence is outside the City limits, "Stolen" Vessel Report, Form 12.08.00 may be completed.

220.40 VEHICLE AND/OR VESSEL INVESTIGATION COMPLETED IN THE FIELD. When a Vehicle and/or Vessel Investigation is completed in the field, a Division of Record (DR) number shall be obtained from Vehicle Warrant Section (VWS), Records and Identification Division (R&I), immediately upon completion of the report. The report shall be retained and submitted for approval before the reporting officer's end of watch or on the next routine trip to the station.

220.45 REPORTING A STOLEN VEHICLE AND/OR VESSEL. When a person wishes to report a vehicle or vessel stolen or lost, the interviewing officer shall conduct a preliminary interview to determine whether circumstances warrant a report.

Stolen Vehicle and/or Vessel Reports. Upon determining that a "Stolen" Vehicle Report, CHP Form 180 and/or "Stolen" Vessel Report, Form 12.08.00, should be made, and no other crime such as embezzlement, identity theft or forgery has occurred relative to the vehicle, victim or incident, the interviewing officer shall:

- Query the vehicle license plate and Vehicle Identification Number (VIN) through the Stolen Vehicle System (SVS) via the radio or Mobile Data Computer (MDC) to determine if it has been repossessed or impounded;
- Telephonically determine if the vehicle is at the Official Police Garage serving the address where the vehicle was parked;
- Determine if the vehicle has been impounded, and if so, the reporting person shall be advised about obtaining the release of the vehicle (Department Manual Section 4/780.85);
- Determine if the vehicle is a moped, and if so, check the Automated Property System (APS) to determine if it has been reported stolen;
- Determine if the reporting person can present a valid registration certificate, and if he or she cannot, verify the license plate, and motor or vehicle identification number (VIN) via the Network Communications System (NECS), or by telephonic verification with an entity such as an Area records unit;
- Complete the report and obtain the reporting person's signature thereon; and,
- Obtain a DR number from the Vehicle Warrant Section (VWS).

Note: In addition to any required Vehicle Report, CHP Form 180, an Investigative Report, Form 03.01.00, shall be completed during the initial investigation of a commercial vehicle theft or hijack when the cargo is the probable object of the theft or hijack.

220.47 REPORTING PROPERTY MISSING FROM RECOVERED VEHICLES. Upon being informed of property missing from a recovered vehicle, employees shall complete an Investigative Report (IR), Form 03.01.00, entitled "PROPERTY MISSING FROM RECOVERED VEHICLE." The Stolen Vehicle Division of Records (DR) number shall also be used for the IR. A Follow-Up Investigation, Form 03.14.00, shall be used to make any corrections, additions or changes to information in the IR or other associated reports.

220.50 VEHICLE AND/OR VESSEL TAKEN IN A CRIME. Whenever a vehicle and/or vessel is taken in the commission of a crime a "Stolen" Vehicle Report, CHP Form 180, and/or "Stolen" Vessel Report, Form 12.08.00 shall be completed in addition to the appropriate crime report, when necessary.

220.51 VEHICLE AND/OR VESSEL STOLEN BY MEANS OF IDENTITY THEFT, FORGERY, AND NON-SUFFICIENT FUNDS (NSF). When a vehicle has been purchased, rented, or leased from a dealership, rental car company, online peer-to-peer rental, business, or private party via any of the following, it **shall** be documented and investigated:

- Fraudulent credit application;
- Forged documents;
- Fraudulent credit cards;
- By way of the identity of another true person, [e.g., checks, documents, credit cards or any personal information (as listed in 530.55 (a) PC) not belonging to the suspect]; or,
- Non-sufficient funds (NSF) (i.e., check or credit card of the suspect himself or herself).

Preliminary Investigating Officer's Responsibilities. The preliminary investigating officer shall conduct the following:

- Review the contract to verify that the agreement or bill of sale has been completed and the suspect has taken custody of the vehicle;
- Ask the victim of the forgery (i.e., company or person who sold or rented the vehicle) if he or she has contacted the true person (i.e., Identity Theft victim, whose information was used by the suspect);
- Attempt to contact the true person and verify that he or she did not give the suspect permission to have or use his or her personal information;
- Ask for the bank receipt showing that there were no funds available at time of sale, for Non-Sufficient Funds (NSF) cases;
- Ask for a copy of the original rental customer's driver's license and any Closed-Circuit Television (CCTV) footage from the rental transaction, where applicable;
- Complete an Investigative Report (IR), Form 03.01.00, for the person reporting and title it as follows:
 - "Forgery" (Crime Class code 649) for the company or person who received the forged documents; or,
 - "Identity Theft" (Crime Class code 354) for the victim whose information was used by the suspect to buy, lease, or rent the vehicle; or,
 - "Theft via Non-Sufficient Funds" (Crime Class code 649) for the victim who received the check or credit card with non-sufficient funds.
- Complete a Forgery/Identity Theft Supplemental, Form 03.07.40, as appropriate;
- Enter the suspect description without a name on the front of the IR. The name will be included in the narrative. The date, time, and location of the crime shall be entered when the suspect took custody of vehicle;
- Once there is a verified Forgery Report (for the company or person who sold or rented the car) and an Identity Theft Report (for the true person that did not give permission to the suspect to have or use his or her personal information) a Stolen Vehicle Report, Form CHP 180 shall be completed. Additionally, the vehicle Warrant Section (VWS) shall be notified and advised to add "Stolen by ID Theft," "Stolen by Forgery" or "Stolen by Non-Sufficient Funds," in the miscellaneous section;
- Commercial Crimes Division (CCD) detectives are available for advice on completing/verifying these reports;

Note: For after-hours contact the Department Operations Center (DOC) at (213) 484-6700 for on-call CCD detectives;

- Provide the victim with a Victim's Supplemental Financial Loss Report, Form 03.05.00., and a copy of the IR face sheet;
- Obtain a Division of Records (DR) number for the IR from the Area records unit; and,
- Submit the report(s) to the Area records unit for distribution.

Note: The reporting officer shall complete the shaded area at the top of the Victim's Supplemental Financial Loss Report, briefly explain the purpose and leave the report with the victim to document any additional loss associated with the vehicle incident.

Area auto detectives shall contact the CCD (the investigating entity for such incidents) and forward them a copy of the Identity Theft or Forgery IR with the supporting documents.

Note: Vehicles stolen via NSF are the responsibility of the Area auto detectives.

Recovery of the Vehicle. Officers shall make every effort to determine the following when investigating special circumstances (i.e., Identity Theft, Forgery and NSF) in relation to stolen vehicles;

- If a vehicle is stolen by means of identity theft or forgery and is recovered without a suspect, the officer shall complete a Vehicle Report, Form CHP 180, title it "RECOVERED" and submit the report to the Area records unit so that it may be forwarded to CCD detectives;
- If a vehicle is recovered with the named suspect in custody, the arresting officer shall make an attempt to contact CCD detectives for booking advice. During off-hours, the arresting officer shall contact the DOC for the on-call CCD detectives. If CCD detectives are not available, Area detectives may provide booking advice;
- Commercial Crimes Division detectives are to be advised of the arrest, as soon as practicable, and the arrest reports shall be forwarded to CCD by the Area records unit, for filing responsibility; and,
- If the vehicle is recovered with a suspect involved other than the named suspect, the officer shall attempt to notify CCD detectives of the detention. If a suspect other than the named suspect is arrested for driving the vehicle without the owner's consent [i.e., California Vehicle Code Section 10851(a)] or California Penal Code Section 487 (a)(d)(1) (GTA), booking advice should also be sought from CCD. However, if the suspect is booked for either charge above without the approval of CCD detectives, then Area auto detectives shall be the investigating entity for prosecution.

Commercial Crimes Division's Responsibilities. Upon receiving a Forgery Identity Theft Supplemental, IR, Stolen Vessel Report and/or Stolen Vehicle Report, the detectives assigned to CCD, shall assume follow-up investigative responsibility. Commercial Crimes Division detectives shall verify all of the information within the report. If any documents are missing or not provided by the victim at the time of the report, CCD detectives shall contact the victim and obtain the missing information. Commercial Crimes Division detectives shall then complete a Stolen Vehicle Report and enter the vehicle into the Stolen Vehicle System (SVS)

via VWS. The DR number used on the IR will stand on its own and a new DR number for the stolen vehicle will be issued on the Vehicle Report.

The detective receiving the Victim's Supplemental Financial Loss Report from a reporting victim shall ensure that the information is legible, complete and accurate before signing the report.

Note: When the Victim's Supplemental Financial Loss Report is used to report additional financial loss, a separate Follow-up Investigation, Form 03.14.00, is not required. However, a Follow-up Investigation report shall be used for any subsequent changes or updates to the Victim's Supplemental Financial Loss Report, or other involved reports.

220.53 VEHICLE AND/OR VESSEL STOLEN BY MEANS OF

EMBEZZLEMENT. Vehicles that are not returned in accordance with a lease or rental agreement from a rental car company, online peer-to-peer rentals, dealership, business, or private party within seventy-two (72) hours of the agreement expiration may be reported as embezzled. Per California Vehicle Code Section 10855, "...any person who has leased or rented a vehicle willfully and intentionally fails to return the vehicle to its owner **within** seventy-two (72) hours after the lease or rental agreement has expired, that person shall be presumed to have embezzled the vehicle."

Note: The seventy-two hour requirement was revised effective January 1, 2020 with an expiration date of January 1, 2024, unless it is changed by the California Legislature.

California Penal Code Section 504 (a) also states: "...any person in possession of such goods, chattels, or effects knowing them to be subject to such lease or contract of purchase who shall so remove, conceal or dispose of the same with intent to injure or defraud the lessor or owner, "shall also be "guilty of embezzlement".

To report an embezzled vehicle, the victim (generally a rental car company) must provide a copy of the rental or lease agreement.

Preliminary Investigating Officer's Responsibilities. Preliminary investigating officers shall conduct the following:

- Query the license plate and vehicle identification number (VIN) of the vehicle in the Stolen Vehicle System (SVS) to verify that the vehicle has not been impounded, reported stolen, repossessed, or otherwise indicated in the warrant system;
- Review the contract to verify that the agreement period has concluded and the minimum seventy-two (72) hours has passed. The officer shall ask the victim if the contract has been extended by either a new contract or collection of additional funds from the renter/lessee after the termination of the contract agreement;
- Request from the victim a due diligence letter or note, such as a Demand Letter or certified account, indicating that an attempt to locate the vehicle and request for its return has been conducted by the victim (this can be included with the report, but is not necessary to complete the report);

- Verify the renter/leasee information provided on the rental contract;
- Determine if the documentary/contracted suspect is indeed a true person and the same person who took possession of the vehicle from the rental agency (i.e., not a victim of identity theft himself or herself);
- Complete an Investigative Report (IR), Form 03.01.00, and title it “Embezzlement”;
- Denote the following on the IR:
 - The rental car company, online peer-to-peer rental, dealership, business, or private party is the victim;
 - The property taken is the vehicle;
 - The amount taken is the current market value of the vehicle;
 - The renter or leasee of the vehicle is the suspect;
 - The date and time of the crime shall be entered as the day of non-return of the vehicle, following the seventy-two (72) hours of the agreement expiration;
 - The crime location shall be the same as the location the suspect took custody of the vehicle; and,
 - The agent reporting the embezzled vehicle shall be listed as the reporting person.
- Obtain a Division of Records (DR) number for the crime of embezzlement from the Area records unit; and,
- Submit the approved IR to the Area records unit for distribution. The Area auto detectives shall be the investigating entity.

Note: The preliminary investigating officer shall **not** complete a Vehicle Report, Form CHP 180, for the vehicle, nor shall the officer notify the VWS of the vehicle theft.

Investigating Officer’s Responsibilities. Area auto detectives shall ensure the following has been completed:

- Verify all the information within the report. If any documents are missing or not provided by the victim at time of the report, detectives shall contact the victim and obtain the missing information;
- Complete an “Embezzled” Vehicle Report, CHP 180. The Embezzled Vehicle box shall be checked and the same information from the IR shall be used. The DR number used on the CHP 180 shall match the DR used on the IR. Area auto detectives shall contact the VWS, and request that the Crime Class Code (668) be entered;
- The VWS has entered the vehicle into the Stolen Vehicle System (SVS). When all information has been successfully entered, detectives shall indicate the File Control Number (FCN) on the vehicle report and note the VWS operator’s serial number, date and time in the “Notification” field; and,
- The IR and Vehicle Report have been returned to the Area records unit for distribution.

Recovery of the Vehicle. The recovery of an embezzled stolen vehicle shall be processed in the following manner:

- If a vehicle stolen by means of embezzlement is recovered without the named suspect, the officer shall complete a Vehicle Report, title it “RECOVERED,” notify VWS, and submit the report to the Area records unit for distribution to the Area auto detectives;
- If a vehicle is recovered with the named suspect in custody, the suspect may be arrested under California Penal Code Section 504 (a) - Embezzlement. The arresting officer shall attempt to contact Area detectives for booking advice. If Area detectives are not available, then Commercial crimes Division detectives may provide booking advice;
- Area auto detectives are to be advised of the arrest and shall have the arrest reports forwarded to them for filing responsibility by the Area records unit; and,
- If a vehicle is recovered with a suspect other than the named suspect, officers shall attempt to notify the Area detectives where the crime occurred to inquire into the suspect’s documented involvement in the case. If a suspect other than the one named on the rental agreement is arrested and booked for driving the vehicle without owner’s consent [California Vehicle Code Section 10851 (a)], or GTA [California Penal Code Section 487 (a)(d)(1)], without the approval of Area detectives from where the crime occurred, then the arrest shall be investigated by the Auto detectives from the Area of arrest.

Note: When reviewing and approving these reports, the Area watch commander shall ensure the Uniform Crime Reporting (UCR) hierarchy rule is applied to correctly reflect reporting priority.

220.55 STOLEN VEHICLE USED IN THE COMMISSION OF A CRIME. When it is determined that a stolen vehicle used in a crime has not been reported as stolen, a “Stolen” Vehicle Report, CHP Form 180, shall be completed in addition to the appropriate crime report.

220.60 LOST VEHICLE AND/OR VESSEL REPORTS. When it is believed by the interviewing officer that a vehicle and/or vessel is missing under circumstances that do not warrant the taking of a "stolen" report, he or she shall direct the person to the concerned investigating officer, who shall determine whether a "lost" report should be taken. An example of what is considered a lost vehicle is when a driver has forgotten where he/she left his/her vehicle. The lost vehicle reporting is not to be used for potentially embezzled vehicles, or for the recovery of vehicles in civil cases.

A lost vehicle and/or vessel report must not be taken in domestic loan situations wherein a registered owner (RO) loans his/her vehicle to a friend, family member or acquaintance, who then fails to return the vehicle. The RO must make every effort to recover his/her vehicle. In addition, the RO must send a demand letter via certified mail to the friend, family member or acquaintance. If the vehicle is not returned within ten (10) days from the date of the certified mail receipt, an embezzlement report may be taken.

Note: Persons appearing at Areas when the investigating officers are not available shall be interviewed by a daytime detective supervisor responsible for approving the taking of reports or by the concerned night watch detective supervisor during off-

hours. If neither detective supervisor is available, the reports must be approved by the watch commander.

When the investigation reveals that a vehicle does not meet the criteria for a "lost vehicle" or "stolen vehicle," the concerned investigator may telephonically contact the Department of Motor Vehicles (DMV) and initiate a Courtesy Stop Request, to place a vehicle into the California DMV records as a "Vehicle License & Title (VLT) Stop." The VLT Stop notation on the vehicle registration record controls the processing of registration for 60 days until a Temporary Restraining Order (TRO) is served upon the Director, DMV.

A "VLT Stop" only returns during a long-form DMV query on a license plate and will alert field officers that the rightful ownership of the vehicle is being disputed. Officers may conduct an investigation of the registration during a traffic stop for the "VLT Stop" or another observed violation.

Note: Officers are cautioned not to confuse a "VLT Stop" with a "DOJ Stop." Officers must not conduct a high-risk felony traffic stop or initiate a pursuit based solely on a "VLT Stop" unless additional circumstances justify a high-risk stop or pursuit.

Additionally, the reason code and comments (which appears in the "REC STATUS" message on the "Long Form DMV Information" screen) will facilitate the return of the vehicle to the RO or Legal Owner (LO). The reason code and comments will direct that the vehicle be impounded if not in the possession of the RO or LO at the time of any traffic stop or when found parked. The vehicle must be impounded under Vehicle Code Section 22655.5, Impounding for Evidence.

220.65 CHANGE OF VEHICLE AND/OR VESSEL LOST REPORT TO VEHICLE AND/OR VESSEL STOLEN REPORT. When a vehicle and/or vessel has been reported lost and it is later learned to have been stolen, a Follow-up Report, Form 03.14.00, shall be made. The Automated Vehicle and Property Section shall be notified of the change in status.

220.70 CHANGE OF VEHICLE AND/OR VESSEL STOLEN REPORT TO UNFOUNDED. When a vehicle and/or vessel is reported stolen but is later determined to be misplaced or legally in the possession of someone other than the reporting person, the officer making such determination shall cause "Rec-Unfounded" Vehicle Report, CHP Form 180, and/or Vessel Report 12.08.00 to be completed and notify the Automated Vehicle and Property Section (AVPS).

Note: When the vehicle and/or vessel is legally in the possession of a reposessor, the officer shall ensure that the reposessor immediately notifies the AVPS.

The investigating officer shall ensure that the owner is aware of the status and location of the vehicle.

220.75 REPOSSESSED VEHICLE. When a reposessor notifies the Automated Vehicle and Property Section that he/she has repossessed a vehicle or boat, the, prior to issuing the DR

number, shall verify with the Stolen Vehicle System (SVS) or the Automated Boat System (ABS) that the vehicle or boat has not been reported stolen.

When the vehicle has been reported stolen and a DR number was issued, the AVPS clerk shall:

- Complete a Change/Cancellation of DR Number, Form 08.45.00, using the original stolen DR number.
- Remove the stolen data from the SVS or ABS.
- Enter the repossession data into the SVS or ABS using a new DR number.
- Distribute copies of the Form 08.45.00 to the following:
 - Integrated Crime and Arrest System (ICARS) Unit, Records and Identification Division.
 - Coding Unit, Information Technology Division.
 - Concerned investigative division.
 - Concerned division record unit.
 - The concerned investigating officers shall notify the registered owner of the corrected status and location of the vehicle.

Note: The Form 08.45.00 eliminates the need for a recovery/unfounded report.

220.80 REPORTING RECOVERED OR FOUND VEHICLE AND/OR VESSEL. The officer recovering a stolen or lost vehicle and/or vessel shall make telephonic notification to the Automated Vehicle and Property Section, Records and Identification Division.

Recovered Vehicle and/or vessel in Possession of Owner or Owner's Agent. When an officer has a signed Vehicle Report, CHP Form 180, on a recovered vehicle or Vessel Report, Form 12.08.00 on a recovered vessel which is in possession of the owner or owner's agent, he/she shall, immediately notify the Communications Division control operator of the recovery and Automated Vehicle and Property Section, as soon as possible.

Upon receiving this notification, the control operator shall, without delay, broadcast a cancellation of the want on the vehicle.

220.85 PLACING HOLD ON IMPOUNDED VEHICLE AND/OR VESSEL. When circumstances require that a vehicle and/or vessel be held for investigation, the impounding employee shall:

- Caution the tow truck operator if there is danger of destroying evidence;
- Place a hold for the appropriate investigative unit by entering information in the proper space on the Vehicle Report, CHP Form 180 and/or the Vessel Report, Form 12.08.00;

Note: Do *Not* hold for Burglary Auto-Theft Section unless specifically requested. Hold for Area detectives.

- In the "Not Available for Release" space of the Vehicle Impound Notice, Form 15.23.00, indicate the responsible investigative unit, and the anticipated date of release (normally two business days);
- If practicable, telephonically notify the responsible investigative unit of the hold. If telephonic notification cannot be made at the time of impound, that fact shall be recorded on the Vehicle and/or vessel Investigation, and the Area Vehicle Control Clerk shall make such notification during the next business day; and,
- If a vehicle and/or vessel wanted for investigation cannot be impounded under authority of the Vehicle Code, contact the investigating officer of the concerned unit for advice.

220.90 MOTOR OR OTHER IDENTIFYING NUMBER. An employee at the scene examine and record on appropriate reports, the Vehicle Identification Number (VIN), and if possible, the motor number, or the number stamped on the frame. Number locations may be obtained from:

- Area investigating officers; or,
- Commercial Auto Theft Section, Commercial Crimes Division.

Any indication that a number has been altered shall be reported on the Vehicle Report, CHP Form 180, and/or the Vessel Report, Form 12.08.00. The vehicle and/or vessel shall be impounded, and a hold shall be placed on the vehicle and/or vessel for the *Area* investigating officer, *not* Commercial Auto Theft Section, Commercial Crimes Division. During normal business hours the Area investigating officer shall be notified telephonically (also see Conveyances Subject to Seizure, Department Manual Section 4/222.16.)

Prior to impounding *any* vehicle and/or vessel, the employee shall check the VIN *and* license number through the Stolen Vehicle System (SVS) or Automated Boat System (ABS). Prior to submitting the Vehicle Report and/or the Vessel Report for approval, an SVS teletype shall be attached for retention in the Area.

220.95 REPORTING OF PRIVATE-PERSON IMPOUNDED VEHICLE. When a private person notifies the Department that he/she intends to cause the removal of a vehicle from private property pursuant to Section 22658 V.C., the employee receiving the notification shall transfer the call to the Automated Vehicle and Property Section, Records and Identification Division. Any written notices received by the Department shall be forwarded to the Automated Vehicle and Property Section.

221. FIELD RELEASING VEHICLES.

221.10 RELEASING RECOVERED STOLEN VEHICLES AND/OR VESSEL. When feasible, a recovered stolen vehicle and/or vessel which does not require a hold shall be released to the owner registered and/or legal (or the owner's agent) without impounding. In the event there is possible evidence associated with the vehicle that cannot be easily removed (e.g., latent prints, DNA, etc., officers shall contact the Area Auto Detectives for advice and request a supervisor at scene, who shall then determine the feasibility of the vehicle's field release.

Note: Upon verification of the identity or authorization of the registered and/or legal owner, or the owner's agent, the reporting officer shall document the identity of the person taking possession of the vehicle.

Determining Feasibility. Officers who recover a vehicle and/or vessel which appears to be available for field release shall determine the feasibility of making a field release based on the following factors:

- The practicability of immediately contacting the registered and/or legal owner (e.g., availability of registered and/or legal owner's telephone number);
- The time required for the owner to arrive at the recovery location;
- The registered and/or legal owner's willingness to receive the vehicle; and,
- The current unit call load and need for police service.

Signature on Recovery Report. After verification of identity, the employee shall obtain the signature of the person receiving the vehicle and/or vessel in the "SIGNATURE OF PERSON TAKING POSSESSION" box on the Vehicle Report, CHP 180.

Victim's Report Memo. The person receiving the vehicle and/or vessel shall be given a completed Victim's Report Memo, Form 03.17.00, and shall be advised of the necessity for caution if stopped by a police unit.

Recovered Vehicle Broadcast. The employee shall immediately notify Communications Division of the release of the vehicle and/or vessel. The operator shall, without delay, broadcast a cancellation of the want on the vehicle and/or vessel.

Notification to Automated Vehicle and Property Section. The employee shall telephonically notify the Automated Vehicle and Property Section of the recovery as soon as practicable.

Latent Prints. When there is information or evidence regarding a possible suspect, consideration shall be given to the desirability of attempting to lift fingerprints prior to releasing the vehicle and/or vessel.

Special Instruction. The recovering employee shall not leave the vehicle and/or vessel unattended except under unusual or emergency situations. To preclude removal of the vehicle and/or vessel during the employee's unanticipated absence, upon initial contact the registered and/or legal owner shall be instructed not to remove the vehicle and/or vessel if the employee is not at the scene.

221.20 FOUND VEHICLES. A found vehicle normally shall not be impounded.

Notifications. An employee discovering a vehicle which is reported lost and which does not appear to have been stolen or used in a crime shall:

- Complete a "Found" Vehicle Report, CHP Form 180;

- Notify the Automated Vehicle and Property Section, Records and Identification Division;
- If practicable, notify the reporting person of the vehicle's location. Indicate date, time, and person notified in the narrative portion of the "Found" Report; and,
- If the employee discovering a lost vehicle is unable to notify the owner or person reporting the lost vehicle, he/she shall note in the Vehicle Report, CHP Form 180, that a notification has not been made. The notification shall then be the responsibility of the investigating officer.

222. IMPOUNDING VEHICLES.

222.05 COMMUNITY CARETAKING DOCTRINE AND THE VEHICLE IMPOUND PROCEDURES.

Community Caretaking Doctrine Overview. Officers shall be guided by the Community Caretaking Doctrine and the procedures set forth in this Order when deciding whether to impound a vehicle driven by an unlicensed driver, or a driver with a suspended or revoked license. The courts have ruled that this doctrine allows officers to impound a vehicle when doing so serves a community caretaking function. An impoundment based on the Community Caretaking Doctrine is likely warranted:

- When the vehicle is impeding traffic or jeopardizing public safety and convenience, such as when a vehicle is disabled following a traffic crash;
- When the vehicle is blocking a driveway or crosswalk or otherwise preventing the efficient movement of traffic (e.g., vehicle, pedestrian, bicycle);
- When the location of the stopped vehicle may create a public safety hazard (e.g., vehicle, pedestrian, bicyclist);
- When the location of the vehicle, if left at the location, may make it a target for vandalism or theft; or,
- To prevent the immediate and continued unlawful operation of the vehicle (e.g., licensed driver not immediately available).

The totality of circumstances, including the factors listed above, should be considered when deciding whether impoundment is reasonable under the Community Caretaking Doctrine and the Fourth Amendment. The decision to impound any vehicle must be reasonable and in furtherance of public safety. Any time a vehicle is impounded, Department personnel shall document the Community Caretaking Doctrine justification in the Remarks Section of the Vehicle Report, California Highway Patrol (CHP) Form 180.

Unlicensed Driver and Driver with a Suspended/Revoked License Impound

Authorities. California Vehicle Code (CVC) Section 22651(p) VC shall be used as the impound authority for all vehicles being impounded when it has been determined that the driver was involved in the following:

- Driving without a valid California Driver License (unless the driver is a nonresident with a valid driver license or otherwise exempt under the CVC);

- Driving with an expired, withheld, or out-of-class California Driver License;
- Driving with a suspended or revoked license; or,
- Driving with a restricted license pursuant to CVC Section 13352 or 23575, and the vehicle is not equipped with a functioning, certified interlock device.

Note: When the driver is driving on a restricted driver license pursuant to CVC Sections 13352 or 23575, and the vehicle is not equipped with a functioning, certified interlock device, officers shall impound the vehicle under CVC Section 22651(p), and shall either effect a custodial arrest of the driver or issue a traffic Notice to Appear citation in the field.

The name and driver license number of the licensed driver that the vehicle is being released to shall be documented in the narrative portion of the traffic Notice to Appear that is issued to the unlicensed driver. If it is determined that the registered owner knowingly allowed an unlicensed driver to operate the vehicle, he or she may be cited for CVC Section 14604(a), "Knowingly Allowing Unlicensed Driver to Drive."

Officers shall release the vehicle in lieu of impound provided **all** of the following conditions are met:

- The registered owner or his or her designee has a valid California Driver License or is a nonresident with a valid driver license or otherwise exempt under the CVC;
- The registered owner and licensed driver are immediately available;
- The registered owner authorizes the licensed driver to drive the vehicle; and,
- The vehicle's registration is not expired over six (6) months.

Note: If the traffic stop is conducted in the registered owner's residential driveway or a legal parking space in the immediate vicinity of the owner's residence, impounding the vehicle **would not** be appropriate. However, if the traffic stop is conducted in the driver's residential driveway or in the immediate vicinity of the driver's residence but the driver is not the registered owner, officers must consider the totality of the circumstances to determine if impoundment is reasonable.

When the vehicle cannot be released to a licensed driver, the vehicle shall be impounded pursuant to CVC Section 22651(p) or, if the vehicle's registration is expired over six (6) months, pursuant to CVC Section 22651(o), to prevent the immediate and continued unlawful operation as warranted under the Community Caretaking Doctrine. The Official Police Garage (OPG) tow should be requested when it is determined that the vehicle cannot be released.

Impounding Vehicles Driven by Habitual Driving Under the Influence Offenders.

California Vehicle Code Section 14602.8(a)(1) authorizes an officer to impound a vehicle from a driver when it is determined that a person has been convicted of CVC Section 23140, Juvenile Driving Under the Influence of Alcohol; CVC 23152, Driving Under the Influence of Drugs or Alcohol; or CVC 23153, Causing Bodily Injury While Driving Under the Influence

of Drugs or Alcohol, within the past 10 years **and** one or more of the following circumstances applies.

- The person was driving a vehicle with a blood alcohol content of 0.10 percent or more; or,
- The person driving the vehicle refused to submit to or complete a chemical test.

The officer shall immediately cause the removal and seizure of the vehicle that such a person was driving.

A vehicle impounded pursuant to the aforementioned section shall be impounded for CVC Section 14602.8 based on the following time periods:

- 5 Days – If the person has been convicted once for violating CVC Sections 23140, 23152 or 23153, and the violation occurred within the preceding 10 years; or,
- 15 Days – If the person has been convicted two or more times for violating CVC Sections 23140, 23152 or 23153 or any combination thereof, and the violations occurred within the preceding 10 years. The vehicle shall be released to the registered owner or his or her designee prior to the end of the impoundment period only under conditions set forth in CVC Section 14602.8(d).

Citing or Arresting Unlicensed Drivers at Traffic Crash Scenes and Related Vehicle Impounds. For an unlicensed driver or driver with a suspended/revoked license at traffic crash scenes, the appropriate impound authority or release-at-scene protocol shall be utilized in accordance with the "Unlicensed Driver and Driver with a Suspended/Revoked License Impound Authorities" section of this Order.

A driver involved in a traffic crash may be cited or placed under custodial arrest when the officer determines that the involved vehicle was operated by an unlicensed driver or a driver whose driving privilege was suspended or revoked.

The officer's determination shall be based upon witnesses' statements, a driver's admission and/or physical evidence. The related impound Vehicle Report shall contain the following:

- A full narrative listing all of the information/elements to establish the driver's offense; and,
- Names, addresses, telephone numbers and statements of witnesses that can establish the driver operating the vehicle.

If the traffic crash meets the Department's reporting criteria, officers shall complete the Traffic Crash Report, CHP 555. The officer shall ensure an exchange of information is completed between the involved parties. Officers shall issue a Traffic Notice to Appear citation to the unlicensed driver and document the name, address and telephone number of the witnessing party or parties on the back of the "Golden Rod" copy of the issuing officer's Traffic Notice to Appear citation.

If the violator challenges the citation during a subsequent court proceeding, the issuing officer shall be responsible for contacting the witnessing parties and requesting their attendance in court. When the unlicensed driver does not possess valid identification, officers shall advise the other involved party of the option to effect a private person's arrest. When a private person's arrest is made, officers shall indicate a charge of CVC Section 12500(a) or CVC Section 14601(a), or other appropriate CVC section(s) for driving when the privilege is suspended or revoked.

Impounding Vehicles at Driving Under the Influence Checkpoints. The following procedures apply if the driver's only offense is a violation of CVC Section 12500, even if the driver has a prior misdemeanor conviction, failure to appear, or warrant for CVC Section 12500. Officers shall make a reasonable attempt to identify the registered owner of the vehicle driven by an unlicensed driver. When the registered owner is present or able to respond to the scene prior to the conclusion of the Driving Under the Influence (DUI) checkpoint operation, or the officer is able, without delay, to identify the registered owner and obtain his/her authorization to release the vehicle to a licensed driver at the scene, the vehicle shall be released to either the registered owner or the authorized licensed driver provided the following conditions are met:

- The registered owner or his or her designee has a valid California Driver License or is a nonresident with a valid driver license or is otherwise exempt under the CVC; and,
- The registered owner authorizes the licensed driver to drive the vehicle.

The name and driver license number of the licensed driver the vehicle is being released to shall be documented in the narrative portion of the Traffic Notice to Appear citation issued to the violator or in the Arrest Report narrative.

When the vehicle cannot be released to the registered owner or his or her designee, officers shall impound the vehicle under the authority of CVC Section 22651(p). Officers impounding a vehicle under CVC Section 22651(p), shall either effect a custodial arrest of the driver or issue a Traffic Notice to Appear citation, Form 04.50.00.

Impounding Vehicles When the Driver is Arrested. California Vehicle Code Section 22651(h)(1) authorizes an officer to impound a vehicle when a driver has been arrested and taken into physical custody. However, officers must also determine if the totality of the circumstances supports impoundment of the vehicle under the Community Caretaking Doctrine.

When a driver is arrested, the vehicle **should not** be impounded under the following circumstances:

- If the arrestee is the registered owner and the vehicle is parked in the arrestee's residential driveway or a legal parking space in the immediate vicinity of the arrestee's residence;
- If the vehicle is parked in a legal parking space where it is not posing a traffic hazard and is not likely to be a target of vandalism or theft; or,

- If a licensed passenger is present and not impaired or otherwise unable to lawfully operate the vehicle and is given permission by the registered owner.

Note: In situations other than those above, when community caretaking warrants impoundment, CVC Section 22651(h)(1) shall be used as the impound authority. If the driver arrested has prior DUI convictions, officers shall be guided by CVC Section 14602.8(a)(1).

Impounding Vehicles Engaged in Street Racing and Reckless Driving. California vehicle Code Section 23109.2 authorizes officers to impound a vehicle engaged in street racing and reckless driving for up to 30 days. Officers seeking to impound the vehicle shall ensure that a custodial arrest of the driver is affected. Community Caretaking Doctrine considerations shall always be considered when making a determination to impound a vehicle engaged in street racing and/or reckless driving.

222.10 RESPONSIBILITY FOR ARRESTEE'S VEHICLE. Arresting officers shall be responsible for the reasonable care of a vehicle in the immediate physical possession of the arrestee.

Note: Outside agency officers shall care for the arrestee's vehicle when they are responsible for completing the investigation.

222.15 IMPOUNDING VEHICLE INVOLVED IN A CRAS. Employees shall impound a vehicle involved in a traffic crash when:

- The vehicle is on a traffic way, cannot readily be moved, and is obstructing traffic; and,
- The driver of the vehicle is injured to the extent that he/she is unable to care for the vehicle or provide for its care.

It is the responsibility of the tow truck operator to remove all broken glass and other debris from the street at the scene of the crash.

222.16 IMPOUNDING CONVEYANCES USED IN DRUG TRAFFICKING. Officers impounding conveyances in accordance with Section 11470 Health and Safety Code (H&S)(1) shall:

- Obtain impound and storage approval from the Forfeiture Coordinator, Gang and Narcotics Division, or Detective Support and Vice Division;
- Hold the conveyance for Gang and Narcotics Division;
- Indicate in the "Not Available for Release" space of the Vehicle Impound Notice, Form 15.23.00, the phone number of Gang and Narcotics Division;
- Indicate in the "Vehicle Release Order" portion of the Vehicle Report, CHP Form 180, "Release to Gang and Narcotics Division Only";
- Accurately describe in the Arrest Report, Form 05.02.00, the conveyance, its involvement in the case, and its disposition; and,

- Forward copies of all related reports to the Forfeiture Coordinator, Gang and Narcotics Division.

Conveyances Subject to Seizure. Section 11470 of the Health and Safety Code allows officers to seize certain involved conveyances pending forfeiture proceedings if the conveyances are used in the possession or transportation of a controlled substance for sale and the owners or operators are arrested for 11351, 11352, 11355, 11359, 11360, 11378, 11379, or 11382 Health and Safety Code, or if an attempt is made to arrest the owner or operators on these charges. This option is limited to those cases involving the below described conveyances:

- Any two-axle vehicle;
- Any motorcycle or motor-driven cycle;
- Any three-axle house car;
- A tractor trailer vehicle;
- A heavy duty vehicle, (i.e., three-axle truck or privately owned bus over 6,000 pounds gross weight);
- Any airplane; and,
- Any boat or ship.

Note: Implements of husbandry and common carriers are not subject to forfeiture.

222.18 IMPOUNDING VEHICLES PURSUANT TO VEHICLE CODE SECTION 22651(o) OR (p) - OFFICER RESPONSIBILITY. In addition to completing all necessary reports and notifications, an officer who causes the impound of a vehicle under authority of Section 22651(o) or (p) VC shall place a "HOLD" on the vehicle for the concerned Area Vehicle Coordinator.

222.19 IMPOUNDING VEHICLES PURSUANT TO LAMC SECTION 80.73.2 AS AUTHORIZED BY VEHICLE CODE SECTION 22561(k) OF THE CALIFORNIA VEHICLE CODE. If a vehicle remains parked in the same location and the chalk marks remain unchanged for 72 consecutive hours or longer, officers who choose to impound the vehicle shall:

- Issue the vehicle a parking citation for violation of LAMC Section 80.73.2;
- Impound the vehicle as authorized by 22651(k) of the California Vehicle Code;
- Record the information detailing the location of the chalk marks and tire valve stems (mentioned above) in the narrative portion of the Vehicle Impound Report;
- Record the date and time the vehicle's tires were originally marked with chalk along with the date and time the tire valve stem positions were originally observed, in the narrative section of the Vehicle Impound Report.

Note: If the officer citing and impounding the vehicle is different from the officer that originally observed and marked the tires of the vehicle, the impounding officer shall include the name and serial number of the officer making the initial observations in the narrative of the impound report.

222.20 ILLEGALLY PARKED VEHICLE. An employee may impound an illegally parked vehicle when it:

- Obstructs the normal movement of traffic;
- Is left standing upon a street or highway; and,
- Is impracticable to move the vehicle to a legal parking space in the near vicinity. A police vehicle shall not be used to move an illegally parked vehicle except as provided in Manual Section 4/223.40.

A citation shall be issued when an illegally parked vehicle is impounded or moved.

222.25 SPECIAL EVENTS. Instructions for impounding illegally parked vehicles in the vicinity of a special event shall be given prior to the event.

222.30 VEHICLE INVOLVED IN NATIONAL FIRE ARMS ACT INVESTIGATION. A vehicle in which there has been transported, or in which there is found an illegal weapon as defined by the National Firearms Act, shall be impounded in conjunction with a lawful arrest and held for Detective Support and Vice Division. A teletype shall be sent to Detective Support and Vice Division containing the following information:

- Reason for placing hold;
- The name, booking number, and charge of arrestee;
- Year, make, model, and license number of the impounded vehicle; and,
- DR number of the Vehicle Report.

Detective Support and Vice Division shall coordinate the release of the vehicle to the Bureau of Alcohol, Tobacco and Firearms (ATF), U.S. Treasury Department.

222.35 ABANDONED VEHICLES. Generally, all requests for the removal of abandoned vehicles should be forwarded to the Department of Transportation. However, should officers choose to take enforcement action, they shall:

- Mark the vehicle's tires with chalk;
- Mark the pavement around the vehicle's tires with chalk;
- Indicate the location of the valve stems of the tires as they relate to a clock face, (i.e., left front tire valve at 2 O'clock, right rear tire valve at 6 O'clock); and,
- Ensure this information is later documented in the narrative section of the Vehicle Impound Report CHP 180 Form.

Note: Pre-impound hearings are no longer required.

222.38 ABANDONED VEHICLES WITH ALTERED IDENTIFICATION NUMBERS. When the identification number(s) on an impounded abandoned vehicle are missing, have been altered, or do not correspond with those on file with the Department of Motor Vehicles, Vehicle Report, CHP Form 180, shall be completed and a hold placed on the vehicle.

Investigators in the Area where the vehicle has been impounded shall be responsible for the investigation of the vehicle and its disposition.

222.40 REMOVAL OF DISMANTLED VEHICLES. The Bureau of Street Maintenance is responsible for removing a dismantled vehicle from public property when the vehicle lacks evidence of registration or an identification number. The commanding officer of the concerned Area shall request its removal by forwarding a letter, in triplicate, to the Department of Transportation.

The letter shall contain the following information:

- Location of the vehicle;
- Extent of dismantling;
- Estimated length of time abandoned;
- Names and addresses of witnesses interviewed in attempting to locate the owner; and,
- Statement regarding lack of evidence of registration or identification.

222.42 REMOVAL OF MAJOR COMPONENT VEHICLE PARTS.

Impounding Officer's Responsibility. Generally, officers should not remove vehicle parts in the field. When an officer determines that a vehicle has a part with an altered or removed vehicle identification number, or has stolen parts attached which require removal, the officer shall comply with Section 4/220.90 of the Department Manual.

Note: If the officer recovers a major component part only (e.g., recovered engine), the officer shall obtain tow service as outlined in Manual Section 4/223.10. When practicable, the officer may transport the major vehicle component to an Official Police Garage (OPG) for storage. The impoundment of major component vehicle parts shall be reported on the Vehicle Report, CHP Form 180.

Detective's Responsibility. When a detective determines that an impounded vehicle has a vehicle part with an altered or removed vehicle identification number, or has stolen parts attached which require removal the detective shall:

- List the parts to be removed and the reason for removal on the Vehicle Report, CHP Form 180;

Note: Non-matching serialized parts which are stolen or have an altered or removed vehicle identification number require a separate report and DR and shall be stored at an Official Police Garage (OPG).

Exception: Non-matching serialized parts may be listed on one report if recovered at the same time and location. Employees shall obtain a general DR for the non-serialized parts and note where the property is stored in the narrative of the report.

- Request that the concerned detective commanding officer prepare correspondence on Department letterhead identifying the parts to be removed and directing the OPG storing the vehicle to remove and store the identified parts;
- Request that the concerned OPG forward an invoice, listing the parts removed, to the concerned detective commanding officer;
- Request that the concerned detective commanding officer prepare an Intradepartmental Correspondence, Form 15.02.00, requesting Fiscal Group to remit payment to the OPG;
- Forward the original OPG invoice and the request for payment (Intradepartmental Correspondence, Form 15.02.00) to Fiscal Group; and,
- Authorize the release of the recovered parts as soon as practicable (Manual Section 4/550).

Note: The detective commanding officer shall ensure that the concerned Detective III audits vehicle parts stored at OPG facilities every 30 days to ensure timely disposition of such parts.

222.50 NOTIFICATION TO OWNER OF IMPOUNDED VEHICLE.

Impounding Employee Responsibility. Any member of this Department impounding a vehicle shall cause notification to be made to the registered and legal owners of record within 48 hours of the impound. Notification shall be made by mailing or personally delivering a Notice of Stored/Impounded Vehicle, Form 15.23.00, immediately following approval of the Vehicle Report, CHP Form 180.

Exception: The new notification procedures do not apply to vehicles impounded for investigation by authority of Section 22655 V.C. (Hit-and-Run vehicle impounded for investigation), vehicles removed from private property by authority of 22658 V.C., or vehicles seized for forfeiture (Manual Section 4/222.16). Procedures for impounding vehicles by authority of the above sections remain unchanged.

Obtaining Information. Owner information is available through SVS, Department records, or records in the vehicle. If complete owner information is unavailable from these sources, the *impounding employee* shall cause a teletype request to be sent to the Department of Motor Vehicles, Sacramento, or, for a vehicle registered out of state, a teletype request through the National Law Enforcement Telecommunications System.

Upon receipt of the return teletype, the *supervisor approving* the Vehicle Investigation shall ensure that the information is entered and that any appropriate notices are mailed. If the return teletype is not received by the end of the business day following the impound, the report shall be forwarded to the Area Vehicle Control Clerk who shall obtain the information, complete the report processing, and make appropriate notifications.

Notification by Mail. Notification by mail shall be accomplished as follows:

- **Abandoned Vehicles-\$200 or Less.** If an abandoned vehicle is appraised at two hundred dollars or less, the impounding employee shall cause a Notice of Stored Impounded Vehicle, Form 15.23.00, and all required notifications related to

post-storage vehicle impound hearings (Manual Section 4/226.05) to be mailed to the present, legal, and registered owners.

- **Other Impounded Vehicles.** The impounding employee shall cause a Notice of Impounded Vehicle, Form 15.23.00, and all required notifications related to post-storage vehicle impound hearings (Manual Section 4/226.05) to be sent to the present, registered, and legal owners *and*, if the vehicle, was reported stolen, the person reporting.

Note: When a vehicle is impounded as a result of the driver's arrest, "22651 (h) V.C.," (*NOT* "driver arrested") shall be entered as the reason for impound. (See also Conveyances Subject to Seizure, Manual Section 4/222.16.)

Telephonic Notifications.

No Hold. When *no hold* is placed on the vehicle, the present owner, in addition to being notified by mail, shall, when practicable within the local or ATSS dialing area, be notified telephonically by the impounding employee. Such notification, or the reason for not notifying, shall be documented on the bottom line of the "Narrative" section of the Vehicle Investigation.

Holds. When a hold is placed on an impounded vehicle, the impounding employee shall not telephonically notify the owner or reporting party. (In these instances, telephonic notification is the responsibility of the Area Vehicle Control Clerk).

222.51 VEHICLE IMPOUND NOTICE.

Officer's Responsibility. An officer impounding a motor vehicle pursuant to Section 22651 (o) or (p) of the California Vehicle Code shall complete and serve a copy of the Vehicle Impound Notice, Form 16.27.6, to the driver of the vehicle. Officers shall attach the original Vehicle Impound Notice to the Vehicle Report, CHP Form 180. Additionally, the officer shall inform the driver of the vehicle that:

- The vehicle will only be released at the specified police facility and will not be released in the field;
- The vehicle will be released at the specified police facility and only to the registered owner or a notarized agent;
- To obtain a release for the vehicle, a valid driver license and current vehicle registration must be produced at the time of release;
- The registered owner or notarized agent must appear in person with the above documents at the specified police facility indicated on the reverse side of the Vehicle Impound Notice.

Note: If at the time of requesting a vehicle release at the specified police facility the vehicle registered owner is unlicensed but is accompanied by a licensed driver, the registered owner must produce a valid form of identification with photo to obtain the vehicle. Examples of acceptable forms of identification include, but are not limited to:

- California Identification Card;
- Valid out-of-state identification card with a picture;
- Federal immigration card (green);
- Department of Justice identification card; and,
- Passport with photo.

Area Records Unit's Responsibility. Area records unit personnel shall ensure that a copy of the Vehicle Impound Notice, Form 16.27.6 is attached to each copy of the Vehicle Report, CHP Form 180.

222.55 FINGERPRINTS ON IMPOUNDED VEHICLE AND/OR VESSEL. When a vehicle and/or vessel is held for prints (Manual Section 4/220.85), the impounding officer shall:

- Notify by telephone the Latent Print Section, Technical Investigation Division, or the Valley Section, Technical Investigation Division, if the vehicle was impounded in a Valley Area; and,
- Place in the Vehicle Report, CHP Form 180, and/or the Vessel Report, Form 12.08.00 the name, serial number, and division of assignment of the person notified that the vehicle and/or vessel is held for prints.

222.59 INVENTORY OF PROPERTY FROM VEHICLES TAKEN INTO LAWFUL POLICE CUSTODY.

Officers shall inventory the contents of all vehicles that are taken into lawful police custody.

A vehicle inventory is not intended to be a search for items of evidence, but is intended to identify and list all property that is contained within the vehicle being taken into lawful police custody.

The inventory shall include property contained within the vehicle's passenger compartment, glove compartment, console, trunk, and any other compartment or box that may contain property. All property located in these areas shall be listed in the "Remarks" section of the CHP Form 180.

All unlocked containers found in the vehicle shall be opened and their contents listed in the "Remarks" section on the CHP Form 180.

Exception: If the glove compartment, console, trunk, or unsecured container is locked, and there is no key or mechanical/electrical mechanism to open that area of the vehicle, officers shall not force entry into the locked area to inventory its contents. However, officers shall note that the particular area or item in the vehicle was locked, with no means to open it, in the "Remarks" section of the CHP Form 180.

Note: Items of contraband or evidence, which are discovered during the inventory, shall be seized and booked as outlined in the Manual (4/501-590.10) and detailed in corresponding reports.

The supervisor reviewing and approving the CHP Form 180 shall ensure that officers have inventoried and documented all property discovered during the vehicle inventory search.

222.60 PROPERTY IN A VEHICLE AND/OR VESSEL TAKEN INTO POLICE CUSTODY. When a vehicle and/or vessel is taken into police custody, the following items shall be removed and booked in accordance with established procedures:

- All property of evidential value;
- Property that is estimated by the employee to have a market value of more than \$50 per item or a total value of more than \$100 when these items cannot be locked in the driver's compartment, glove box, or trunk;
- All money; and,
- Any item declared to be of value by the person in apparent lawful control of the vehicle and/or vessel if the person insists.

All property which is left in an impounded vehicle and/or vessel shall be listed on the Vehicle Report, CHP Form 180 and/or the Vessel Report, Form 12.08.00.

Los Angeles Department of Transportation (LADOT) employees shall be permitted to book property removed from impounded vehicles and/or vessel into the Department's property system under the following condition:

- Property estimated by the employee to have a market value of more than \$50 per item or to have a total value of more than \$100; and,
- The items cannot be secured in the driver's compartment, glove box, or trunk.

The LADOT employee shall be responsible for the completion of the property report and the proper packaging of the item(s) to be booked.

Note: Items deemed to be of evidentiary value shall be booked by a sworn employee.

222.61 PROPERTY IN A VEHICLE TO BE LEFT PARKED. When a vehicle is left legally parked at the scene of a police investigation, the following items shall be removed and booked in accordance with established procedures:

- All property of evidential value, whether in plain sight or found as a result of a legal search;
- Property that is estimated by the employee to have a market value of more than \$50 per item or a total value of more than \$100 when these items cannot be locked in the driver's compartment, glove box, or trunk;
- Any items of evidential value in the trunk or glove box of the vehicle that come into the sight of employees securing property from the driver's compartment;

- All money found, whether in plain sight or a result of a legal search; and,
- Any item declared to be of value by the person in apparent lawful control of the vehicle if the person insists.

All property, whether in plain sight or found as a result of a legal search, which is left in the vehicle shall be listed on the Vehicle Report, CHP Form 180.

222.62 IMPOUNDED VEHICLE REPORT - CRIME REPORT INFORMATION. The impounding employee shall not complete items relative to witnesses, suspects, arrestees and narrative (other than impound remarks) until the garage copies have been detached.

222.65 KEYS AND REGISTRATION CERTIFICATE IN AN IMPOUNDED VEHICLE. Neither the ignition keys nor the registration certificate shall be removed from an impounded vehicle unless they are to be booked as evidence.

222.80 VEHICLE APPRAISERS. Any regular employee may be appointed to appraise vehicles for this Department. The selection and appointment of vehicle appraisers shall be accomplished as follows:

Selecting Appraisers. The commanding officer of each traffic division, or Area which regularly uses appraisers, shall select employees in his or her command to appraise vehicles. A sufficient number of appraisers shall be appointed to ensure availability during normal working hours.

Maintaining Roster of Appraisers. The names of all persons selected by commanding officers as Vehicle Appraisers shall be forwarded to the Commanding Officer, Commercial Crimes Division, on an Intradepartmental Correspondence, Form 15.02.00. The Commanding Officer, Commercial Crimes Division, shall be responsible for maintaining a current list of vehicle appraisers.

Note: Only employees whose names appear on the current roster maintained by Burglary Special Section are authorized to appraise abandoned vehicles.

Termination of Authority to Act as an Appraiser. When an appraiser is transferred or reassigned to a new position, his or her authority to act as an appraiser shall be terminated. The commanding officer of any employee designated as a Vehicle Appraiser may terminate the employee's appraiser status at any time. When a change is made to an employee's status as an appraiser, his or her commanding officer shall notify Burglary Special Section of the changes by submitting an Intradepartmental Correspondence, Form 15.02.00, to the Commanding Officer, Commercial Crimes Division.

Vehicle Appraiser's Responsibilities. Vehicle appraisers shall be responsible for appraising all vehicles impounded by this Department, including vehicles stored at Official Police Garages (OPG). Appraisers shall also be responsible for completing the applicable portions of the Department of Motor Vehicles (DMV) Form 4.62, *Notice of Vehicle to be Dismantled or*

Junked and Form 256, **Statement of Facts**. These forms are utilized during OPG lien sale proceedings.

Training of Appraisers. Commanding officers of employees selected as vehicle appraisers shall ensure that the appraisers have been properly trained. All training shall be coordinated by Training Division to ensure Department-wide uniformity.

223. TOW SERVICE.

223.10 TOW SERVICE - OBTAINING. Prior to impounding any vehicle, an employee shall check the identification number *and* license number through SVS. *All* requests for tow service shall be made through the communications control operator. The request shall include the license, motor, or identification number, when available. Additionally, moped identification numbers shall be checked through the Automated Property System (APS).

Heavy-Duty Tow. An employee shall request heavy-duty tow service when the vehicle to be towed:

- Has three or more axles; or,
- Has a gross weight, laden or unladen, in excess of 10,000 pounds; or,
- Is a combination of commercial trailers; or,
- Is determined by the requesting employee to require heavy-duty equipment.

Note: To ensure the dispatch of the proper tow unit, the employee should briefly explain why heavy-duty tow is being requested, the type of vehicle involved, and the nature of the towing requirement (e.g., "Heavy-duty tow service requested for three-axle truck-tractor with thirty-five-foot, fully loaded semi-trailer, both over-turned in roadway.")

223.20 TOW SERVICE REQUESTS FOR CHP OFFICERS. An employee at the scene of a traffic crash which is the responsibility of the CHP shall not normally request tow service. If circumstances require an immediate request, the employee shall indicate that the request is being made on behalf of the CHP.

223.30 ASSISTANCE REQUESTED BY PRIVATE PERSON. When the operator of a vehicle stalled on a highway desires assistance in the servicing, repairing, or removal of his vehicle, and no telephone facilities are reasonably available, he/she shall be informed that a request will be relayed to an agency of his choosing. When the operator is unable to specify a particular agency, employees shall notify, through the communications control operator, an official police garage.

The control operator shall be informed of the following:

- That assistance is being requested for the operator of a stalled vehicle.
- The name of the agency to be notified. (When the operator of a stalled vehicle requests service from an automobile club, the employee shall determine if the operator has a valid membership card.)

- The license number of the vehicle.
- Apparent trouble.
- Exact location of the vehicle.

The Department assumes no responsibility for the reliability or the cost of the service rendered.

223.40 MOVING STALLED VEHICLES WITH POLICE AUTOMOBILES. Employees may use a police automobile to push another vehicle only when:

- It is necessary to clear the road; AND,
- The circumstances indicate neither vehicle will be damaged by such action.

In such cases, the other automobile shall be moved no farther than the nearest place of safety or legal parking. No attempt shall be made to start the vehicle during such movement.

Note: Care shall be used in moving vehicles equipped with automatic transmissions. Such vehicles may be moved short distances at speeds less than 20 miles per hour.

225. ADVERTISING, UNLAWFUL.

225.50 ADVERTISING UNLAWFULLY POSTED, REMOVAL OF. When advertising posters are observed posted on utility poles or public property, officers shall remove them except when posted in such manner, or the amount of postings is such, as to make their removal impractical. Officers removing posters shall complete and forward an Employee's Report, Form 15.07.00, to the Bureau of Street Maintenance, Department of Public Works. The form shall contain the:

- Manner of posting.
- General content of the postings.
- Location from which removed.

When it is impractical for officers to remove such posters, the location of the posters and the reason for non-removal shall be indicated on an Employee's Report, which shall be forwarded in the same manner.

226. VEHICLE IMPOUND HEARINGS.

226.05 TYPES OF HEARINGS.

Pre-impound Hearings. A pre-impound hearing is held to determine if probable cause exists to remove a parked vehicle in violation of Section 80.77(a) of the Los Angeles Municipal Code (LAMC) 72-hour parking restriction or 22669(a) California Vehicle Code (CVC) abandoned vehicle.

Post-Impound Hearings. Post impound hearings are held to determine whether probable cause existed to impound a particular vehicle and to determine who is responsible for the payment of the impound and/or storage fees.

Note: Supervisors shall conduct hearings only for those vehicles impounded by employees of this Department.

Time Limit. Unless mutual arrangements are made to the contrary, all post-storage vehicle impound hearings shall be held within 48 hours of receipt of a written, telephonic, or personal request by the registered or legal owner of an impounded vehicle or their agent.

The outcome of the post-storage hearing shall not affect any related traffic citation or other criminal proceedings which may be brought against the owner or claimant of the impounded vehicle. The Department and/or the citizen *may* present witnesses and evidence at a post-storage vehicle impound hearing.

All vehicle impound hearings shall be conducted and available to the appellant (i.e., legal owner, registered owner, or their agent) Monday through Friday, excluding holidays. The hearing times shall be conducted during normal business hours as established by each Area.

Note: Refer to section 4/780.50 for vehicle Impound hearings regarding vehicles seized as evidence or vehicles stored for an unreasonable time period.

226.20 IMPOUND HEARINGS - EMPLOYEE'S RESPONSIBILITY.

Pre-Impound Hearings. A Department employee receiving a request for a pre-impound hearing shall:

- Check the duplicate Warning of Parking Violation File to determine if the request is within the 24-hour time limit; and,
- Direct the appellant to the Area Vehicle Impound Hearing Coordinator to schedule a hearing and provide the Area Vehicle Impound Hearing Coordinator a copy of the Vehicle Report, CHP Form 180.

Post-Impound Hearings. A Department employee receiving a request for a post-impound hearing shall:

- Determine if the vehicle was impounded from within the employee's Area/division. If not, direct the citizen to the appropriate Area or division, contact the appropriate Area Vehicle Impound Hearing Coordinator and schedule a hearing for the appellant;
- If impounded from within the Area of the request, obtain a copy of the Vehicle Report, CHP Form 180;
- Confirm that the request is within the 10 day time limit;

Note: The 10-day period may be extended by the Area Vehicle Impound Hearing Coordinator.

- Direct the appellant to the Area Vehicle Impound Hearing Coordinator to schedule a hearing; and,
- Provide the Area Vehicle Impound Hearing Coordinator with a copy of the Vehicle Report, CHP Form 180.

226.25 IMPOUND HEARINGS - COMMANDING OFFICER'S RESPONSIBILITY.

Area/division commanding officers shall ensure that:

- An adequate number of supervisors within their command receive Probable Cause Vehicle Impound Hearing Procedures training; and,
- Only those supervisors who have received Department approved training and certification conduct vehicle impound hearings.

226.30 IMPOUND HEARINGS – AREA VEHICLE IMPOUND HEARING COORDINATOR'S RESPONSIBILITY.

The auto theft detective coordinator is designated as the Area Vehicle Impound Hearing Coordinator and shall monitor and supervise impound hearing procedures. All vehicle impound hearings shall be conducted at the Area where the impound occurred. Hearings shall only be conducted by employees of a supervisory rank, who have received Probable Cause Vehicle Impound Hearing Procedures training and are assigned to the Area Detective Section, Auto Theft Unit.

Exception: If the impounding employee is assigned to the Area Detective Section, Auto Theft Unit, a detective supervisor trained in impound hearing procedures, other than a supervisor assigned to the Area Detective Section, Auto Theft Unit, shall conduct the hearing.

Impound hearings for vehicles impounded by traffic division units or non-patrol units shall be conducted within the Area of impoundment.

Upon receiving a request for an impound hearing, the Area Vehicle Impound Hearing Coordinator shall:

- Schedule an impound hearing within 48 hours of the request unless mutually waived by the requesting party and the Department; and,
- Notify the impounding officer(s) of the hearing date, time, and location. Inform the impounding officer(s) that he/she shall be present at the impound hearing. Notification shall be attempted first in person by serving the officer(s) with the Impound Summons and Notice, Form 16.27.04 (Service of the Impound Summons and Notice shall be in accordance with Manual Section 3/210). Department procedures governing court and administrative hearing appearances (e.g., sick, training) shall apply to impound hearings. Additionally, appearance by a sworn employee of the rank of Lieutenant or below at an impound hearing outside of normal duty hours shall be in accordance with

the court time provisions of the current Memorandum of Understanding. When in-person notification is not possible, telephonic notification shall be attempted.

Note: Telephonic notification should be accompanied by a facsimile of the Impound Summons and Notice form, when possible.

226.32 DOCUMENTATION OF VEHICLE IMPOUND HEARINGS. All vehicle impound hearings shall be conducted in person and tape-recorded to facilitate the testimony and cross-examination of the impounding officer(s) and witnesses.

Recordings shall be retained in accordance with established Department procedures outlined in Manual Sections 3/569.20 and 3/569.40.

The Area Vehicle Impound Hearing Coordinator shall retain all material in accordance with record retention guidelines and a roster of those participating in the impound hearing. These records shall be stored at the Area where the impound hearing occurred for a period of **three years**.

227. ASSAULT WITH A MOTOR VEHICLE.

Motor Vehicle Used As A Deadly Weapon. Unless no traffic officers are available, traffic divisions have primary responsibility for the preliminary investigation and/or reporting of Assault With a Deadly Weapon (ADW) crimes involving motor vehicles. Patrol officers who initially arrive at the scene of ADWs involving motor vehicles shall conduct the preliminary investigation until available traffic division officers arrive at the scene.

Traffic Officer's Responsibilities. Whenever a motor vehicle is used as a weapon in an ADW, the designated traffic officer shall arrest the suspect if present, or complete an Investigative Report (IR), Form 03.01.00, using the appropriate title if the suspect cannot be located.

When the suspect's vehicle makes contact with the victim (pedestrian or bicyclist) and/or any vehicle occupied by the victim, the reporting traffic officer shall:

- Complete an IR with the appropriate title:
 - "ADW with a Vehicle – **Pedestrian**";
 - "ADW with a Vehicle – Bicyclist"; or,
 - "ADW with a Vehicle – Victim in Vehicle";
- Complete a diagram which accurately depicts the assault on a blank white sheet of 8 ½" X 11" paper. Number the diagram as Page 2 of the IR, including the title of the crime report, and the Division of Record (DR) number in the upper-right hand corner; and,
- Complete the narrative portion of the IR on a continuation sheet.

When the suspect's vehicle does not make contact with the victim or the vehicle that the victim occupies, the reporting officer shall complete an IR titled, "ADW with a Vehicle." No diagram is required.

When the suspect's vehicle does not make contact with the victim, pedestrian, bicyclist or the vehicle that the victim occupies, but strikes another person, vehicle or fixed object, resulting in a transferred intent, the reporting officer shall complete an IR with the title, "ADW with a Vehicle - (Pedestrian, Bicyclist, or Victim in Vehicle)" for the unintended victim or the title, "Vandalism" for a fixed object. Another DR number for the IR titled, "ADW with a Vehicle" shall be created for the original intended victim.

Whenever a motor vehicle is involved in a crash with a party where the elements of ADW are not met, but the party insists that the crash was the result of the driver's malicious intent, the reporting traffic officer shall complete a traffic report and include any statements and evidence in support of such an allegation as a page of the report, regardless of whether the crash resulted in injuries.

Whenever a motor vehicle is involved in an incident with a party where no contact was made, but the other party sustained an injury in an attempt to avoid an imminent crash, a traffic report will be completed.

Obtain the appropriate vehicle or miscellaneous DR number (Department Manual Section 5/040.56).

Note: An ADW with a motor vehicle does not constitute a traffic crash.

Area Detective Section's Responsibilities. The Area detective section shall be responsible for the follow-up investigation concerning all ADWs in which the weapon used is a vehicle. The Area detectives reviewing a traffic report with allegations of ADW will conduct reasonable follow-up. If upon further investigation it is determined that the elements of an ADW or lesser assault crime are met, the Area detective will ensure the traffic report is appropriately reclassified.

Area Division's Area Crime and Community Intelligence Center Responsibilities. All Area Crime and Community Intelligence Center (ACCIC) personnel shall input all crime codes and Modus Operandi codes related to tracking ADWs with a vehicle, including the appropriate codes to indicate if the victim was a bicyclist, pedestrian, or victim inside a vehicle.

229. VEHICULAR AIR BAGS.

229.10 DETONATION AND BOOKING OF VEHICULAR AIR BAG MODULES.

Employee's Responsibility. Employees who come in contact with an uninstalled air bag module which has been detonated (i.e., bag deployed, preservative powder residue visible) shall recover and book the detonated air bag module in accordance with standard property booking procedures. No special handling is required.

Employees who come in contact with an uninstalled, undetonated air bag module shall:

- Secure the immediate area;
- Request the Bomb Squad, Hazardous Devices Section, Emergency Services Division, to respond to the scene;

Note: During off-hours, the Bomb Squad may be contacted through the Department Command Post, Department Operations Center (DOC).

- Complete a Property Report, Form 10.01.00, including the name of the Bomb Squad member who detonated or took custody of the air bag module; and,
- If the module was detonated by the Bomb Squad, recover and book the remains of the module in accordance with standard property booking procedures.

Hazardous Devices Section, Emergency Services Division's Responsibility. The Hazardous Devices Section shall:

- Respond to all requests involving air bag module(s);
- Detonate air bag modules if appropriate; and,
- Assume custody and storage of air bag modules contained in the manufacturer's original packaging.

232. BURGLARY.

232.10 BURGLARY - SAFE INVOLVED. Officers conducting a preliminary investigation of a burglary in which a safe was attacked, in addition to completing the required reports, shall immediately:

- Telephone all available information to the Safe Detail, Burglary Special Section, Commercial Crimes Division; and,
- Request the services of a specialist to conduct a fingerprint investigation (Manual Sections 4/212.15 and 4/212.44).

Exception: When the safe is removed from the premises or the item of attack is an insulated filing cabinet, telephone all available information to the concerned geographic investigative division.

232.15 ROBBERY OR BURGLARY OF JEWELRY BUSINESS LOCATIONS - NOTIFICATIONS REQUIRED. Officers conducting preliminary investigations of robberies or burglaries where jewelry is the primary object of attack (e.g., jewelry stores, department stores, jewelry counters, pawn shops, sales persons, couriers, motor vehicles, etc.) shall:

- Notify Robbery-Homicide Division if the crime is a robbery;
- Notify Burglary Special Section, Commercial Crimes Division if the crime is a burglary (includes Burglary from Motor Vehicle);

Note: During off-hours, notifications shall be made to Detective Support and Vice Division.

- Document the name and serial number of the person notified in the appropriate box on the Investigative Report; and,
- Ensure that the Investigative Report is marked so that a copy will be distributed to the concerned coordinating division (Robbery-Homicide Division and Burglary Special Section, Commercial Crimes Division).

232.20 TELEPHONIC NOTIFICATIONS. Officers conducting a preliminary investigation of an offense over which Burglary Special Section, Commercial Crimes Division, has jurisdiction (Manual Section 2/480.56) shall notify Burglary Special Section, Commercial Crimes Division, or Detective Support and Vice Division when Burglary Special Section, Commercial Crimes Division is closed.

232.40 BURGLARY TOTALING \$5,000 OR MORE-NOTIFICATION
(Manual Section 4/248.70).

232.50 BURGLARY - DAMAGE TO A BANK. Whenever an officer conducts a preliminary investigation of an attempted entry or of damage to any bank during those hours when the bank is closed, he shall report the incident to:

- Detective Support and Vice Division by telephone; or,
- The Communications control operator by radio.

232.60 BURGLARY - VEHICLE TAKEN (Manual Section 4/220.50).

232.70 BURGLARY FROM AIRCRAFT AND RAILROAD CARS. Burglaries from aircraft and railroad cars shall be reported on a Investigative Report, Form 03.01.00, and titled Preliminary Investigation of a burglary.

236. BICYCLE, STOLEN - LOST - FOUND - RECOVERED - IMPOUNDED.

236.10 BICYCLES, DEFINITION OF. "Bicycle," for the purpose of licensing enforcement and reporting on a bicycle related report, shall mean any device upon which a person may ride, which is propelled by human power through a system of belts, chains, or gears and which has wheels at least **20** inches in diameter and a frame size of at least **14** inches.

Note: All bicycles, regardless of size, shall be licensed at the request of the owner.

236.15 BICYCLE BOOKED EXCESS PERSONAL PROPERTY - REPORT REQUIRED. When a bicycle is booked as excess personal property of an arrestee, the Excess Personal Property Receipt, Form 10.08.00, is the only report required.

236.20 INVESTIGATION PRIOR TO COMPLETION OF A BICYCLE RELATED REPORT. Before completing a bicycle related report, or an Excess Personal Property Receipt, Form 10.08.00, the reporting employee shall:

- Contact Juvenile Division, to obtain any available registration data; and,

- Request the record clerk in the geographic area to query the Automated Property System (APS) to determine the present status of the bicycle.

236.30 NOTIFICATION BY REPORTING EMPLOYEE TO OWNER OF FOUND OR RECOVERED BICYCLE. When a bicycle is found or recovered and the owner's identity is determined at the time of impounding, the reporting employee shall cause a Property Owner's Notification, Form 10.14.00, to be completed and mailed.

Note: The reporting employee shall cause to be noted on the appropriate report, whether the Form 10.14.00 has been mailed.

236.45 TAGS ON BICYCLES OR BICYCLE FRAMES. A No. 7, plain manila tag shall be attached to each bicycle frame or bicycle with a wheel diameter of 20 inches or more which comes into the custody of the Department. The booking employee shall write the date, frame number, and DR number on each tag and attach it to the frame.

236.50 BICYCLES WITH FRAME NUMBERS MISSING OR ALTERED. When a bicycle is taken into custody which does not have a frame number or which has had the frame number altered or obliterated, the concerned employee shall:

- Book the bicycle "Found" or "Recovered," "Hold for Area Bicycle Officer;"
- Write the date and DR number on a No. 7, plain manila tag and attach it to the frame; and,
- Include in the body of the appropriate report, a statement of the condition of the frame number.

236.55 ERROR IN REPORTING RECOVERY. When a bicycle is erroneously reported as recovered, the employee discovering the error shall complete a Follow-up Report, Form 03.14.00. A copy of the Follow-up Report shall be forwarded to the Automated Vehicle and Property Section, Records and Identification Division.

236.75 REGISTRATION OF BICYCLES. When a person requests that a bicycle be registered regardless of the size, the responsible station personnel shall:

- Determine if the bicycle has a frame number. If the bicycle does not have a frame number, obtain a Department bicycle frame number from Juvenile Division, and stamp that number into the bottom of the sprocket hanger;
- Complete a California Bicycle License application and give the pink copy to the person registering the bicycle;
- Collect the registration fee and deposit it in the divisional Bicycle License Fund Account;
- Attach the bicycle license to the seat post mast two inches below the crossbar; and,
- Forward the completed Bicycle Registration to Juvenile Division.

238. DEAD BODIES.

238.10 DETERMINING DEATH. Except when a person is obviously dead, it shall be the responsibility of the emergency ambulance crew to determine if death has occurred.

238.15 DEATH INVESTIGATIONS ON FREEWAYS WITHIN THE CITY. The California Highway Patrol (CHP) has the primary responsibility for the investigation of deaths resulting from traffic crashES on freeways within the City. The Department is responsible for the investigation of **all** other deaths which occur on freeways within the City.

Officers who are called to the scene of an incident involving a death on a freeway shall conduct a preliminary investigation and make the required notifications when it is determined to be the investigative responsibility of the Los Angeles Police Department. When a conflict arises between Department and CHP personnel regarding investigative responsibility for the incident, a Department supervisor shall be requested immediately. The supervisor responding to the scene shall ensure that the call is properly handled and the appropriate notifications are made.

238.17 DEATH INVESTIGATIONS OF JUVENILES UNDER 11 YEARS OF AGE.

Officers assigned a call involving the preliminary investigation of the undetermined death of a juvenile under 11 years of age, must contact Juvenile Division, Abused Child Section.

Note: During non-business hours, patrol personnel must contact Department Operations Center.

Juvenile Division detectives are responsible for investigating and processing the crime scenes. This investigative procedure ensures that all efforts are maximized in gathering evidence and in preserving the critical witness testimony required for a successful prosecution.

Exception: Area detectives are responsible for investigating deaths resulting from the violation of California Penal Code Section 12035 - Storage of Firearms Accessible to Children.

238.20 AMBULANCE REQUESTED AT SCENE OF APPARENT DEATH. An ambulance shall be requested at the scene of an apparent death when:

- There is no doctor in attendance; and,
- There is a possibility, even if remote, that the person may be alive.

If death has occurred, a Rescue Report, Form F660, shall be obtained from the ambulance crew and attached to the Death Report, Form 03.11.00.

238.23 DEAD BODIES EXPOSED TO PUBLIC VIEW. When a dead body which does not come within the jurisdiction of the Coroner (Manual Section 4/238.46) is exposed to public view, an ambulance shall be requested. The body shall be released as directed by the investigating officers.

When a dead body which comes within the jurisdiction of the Coroner (Manual Section 4/238.46) is exposed to public view, the investigating officers shall notify the senior Coroner's

investigator immediately as soon as practicable. The investigating officers shall be guided by the instructions of the Coroner's representative dispatched to the scene.

When a supervisor at the scene of a death determines that a dead body exposed to public view would probably create an adverse incident, he/she shall notify the senior Coroner's investigator, who will arrange to have the body removed immediately by ambulance. The instructions of the Coroner shall be given to the ambulance crew.

238.26 TRANSPORTATION OF DEAD BODIES. A dead body which comes under the jurisdiction of the Coroner (Manual Section 4/238.46) shall not be removed to a funeral establishment except on instructions of a deputy coroner.

238.30 SEARCHING DEAD BODIES. The officer in charge at the scene of a dead body shall prevent any person, other than a deputy coroner, from searching the body.

Whenever possible, a witness, preferably a relative of the deceased or a member of the household, shall be requested to remain at the scene with the officer. The name and address of this person, and a statement verifying his presence, shall be included in the Death Report, Form 03.11.00. Whenever personal effects and possessions of the deceased are taken by the deputy coroner, a receipt shall be obtained (Manual Section 4/238.48). This receipt shall be attached to the Death Report.

238.35 NOTIFICATION TO DEPARTMENT OF JUSTICE. Force Investigation Division shall notify the Department of Justice, Bureau of Criminal Statistics, Statistical Data Center, in writing within ten days of the occurrence of each in-custody death and provide the appropriate information relating to the death.

Note: As per California Senate Bill 519, Force Investigation Division shall also provide notification and a copy of the final administrative report of **any** In-Custody Death Incident that occurs within a Department or city jail or detention facility to the Director, In-Custody Death Review, Board of State and Community Correction.

238.36 NOTIFICATION TO BOARD OF STATE AND COMMUNITY CORRECTIONS. Force Investigation Division shall notify the State of Board of State and Community Corrections, in writing within ten calendar days of the occurrence of each in-custody death of a detained juvenile. The notification shall include the appropriate information relating to the death.

Note: As per California Senate Bill 519, Force Investigation Division shall also provide notification and a copy of the final administrative report of **any** In-Custody Death Incident that occurs **within a Department or city jail or detention facility** to the Director, In-Custody Death Review, Board of State and Community Correction.

238.40 NOTIFICATION TO INVESTIGATING OFFICERS OF DEATH. Officers assigned a death investigation shall telephone, without delay, the concerned geographic Watch Commander (WC), and the Bureau Homicide Unit to notify them of the circumstances. The WC and

Bureau Homicide Unit shall be informed if there is any indication that the death might be the result of a suicide or homicide. Department Operations Center (DOC) shall be notified of the circumstances if the concerned Bureau Homicide Unit is not available. Officers shall abide by instructions of the Bureau investigating officers.

Exceptions. Officers do not have to notify the Bureau Homicide Unit when:

- There are no signs of foul play;
- The decedent was under the care of a physician who is willing to sign the Death Certificate;
- There are no questionable circumstances surrounding the death; and,
- The Geographic Night Watch Detective and/or WC concur with the officers' assessment.

Note: Officers assigned to a death investigation shall take into account the totality of circumstances at the scene when determining the questionable nature of a death (e.g., the age of the decedent, presence/absence of physical evidence, PR statements, etc.).

238.43 NOTIFICATION TO NEXT OF KIN OF DECEASED PERSON. Whenever practicable, notification to the next of kin of a deceased person shall be made in person by the investigating officers. If the next of kin lives in another Area, a police unit of that Area shall be requested to make the personal notification. If the next of kin lives outside the City, the Coroner shall be requested to make the notification. Generally, an in-person notification is the preferred method of informing the next of kin of a death. However, circumstances may necessitate a need for an alternative method of making the notification (e.g., telephonically). Officers should use their best judgment in making a determination as to the method of notification to the next of kin of a deceased person.

Notification for Death of an Inmate in a Department Jail Facility. As per California Assembly Bill 2761, the Department shall post particular information on its public website (see Department Manual Section 4/648.14, *Notifications When an Inmate Dies in a Department Jail Facility*) within ten calendar days of the date of an in-custody death in a Department Jail Facility. If the Department seeks to notify the next of kin and is unable to notify them within ten calendar days, an additional ten calendar days shall be afforded to make good faith efforts to notify next of kin before the information is posted.

Notification to a Parent or Guardian of a Minor. As per California Senate Bill 1268, in the event of a death of a minor, if the Department has primary responsibility for the investigation, it shall provide the victim's parent or guardian with the following information (if and when the parent or guardian is located):

- Contact information for each law enforcement agency involved in the investigation and the identification of the primary contact, if known, for the particular investigation at the involved law enforcement agency;
- The division of records number referencing the investigation;

- A list of the personal effects found with the minor and contact information necessary to collect the victim's personal effects (pursuant to Section 27491.3 of the Government Code); and,

Note: The list of the victim's personal effects may be withheld, providing such information would interfere with the investigation.

- Information regarding the status of the investigation, at the discretion of the law enforcement agency.

In the event that a parent or guardian is not located, the Department shall provide the above information to the victim's immediate family.

Note: For purposes of this Section, "immediate family" means the victim's spouse, parent, guardian, grandparent, aunt, uncle, brother, sister, and children or grandchildren who are related by blood, marriage, or adoption. As per California Senate Bill 1268, the Department may require any family member receiving the above information to confirm their identity through a certified declaration.

The Department is not required to provide any information that would jeopardize or otherwise allow an individual to interfere with an ongoing investigation, nor are personnel required to provide for inspection investigative records generated pursuant to their investigation.

238.46 NOTIFICATION TO CORONER. It shall be the responsibility of the investigating officers to immediately notify the Coroner of all deaths occurring: (1)

- When the deceased died while under arrest, while being temporarily detained or while under the care or control of an officer of the Department;
- When the deceased has not been attended by a physician within twenty days preceding death;
- When the deceased committed suicide;
- When the attending physician is unable to state the cause of death;
- When the deceased died as the result of a crash;
- When there is any suspicion that the death resulted from the use of narcotics; and,
- Under such circumstances as to afford a reasonable ground to suspect that death was caused by the criminal act of another.

[(1)Health and Safety Code Section 10250.]

If the Coroner is not immediately needed at the scene of a death which requires notification, the investigating officer shall advise the Coroner of an approximate time when the Coroner's deputy can respond. If no time can be estimated, the investigating officer shall arrange to make a second notification to the Coroner when response is appropriate.

Note: When circumstances indicate that the investigation of the death requires the expertise of a specialized investigator (e.g., homicide detective, traffic collision investigator), notification to the Coroner shall be made by the concerned specialized investigator who responds to the

scene of the incident, within one hour of his/her arrival to an incident. Preliminary notification to the Coroner's Office shall include an estimated time when the Coroner's investigator will be needed at the scene. The specialized investigator shall ensure the Coroner's investigator has access to the decedent, in order to conduct a preliminary exam of the body, as soon as possible. Particular consideration shall be given to those situations in which determining the time of death is a critical issue or in which the recovery of biological evidence is crucial to the investigation. The Coroner's investigator shall be advised of the facts necessary to preclude the possible destruction of evidence. If the death is determined to be an obvious natural death and falls within the purview of the Coroner's Office, the investigating officer initially responding to the scene shall make the immediate notification.

238.48 PROPERTY TO CORONER. An officer at the scene of a death requiring a Death Report, Form 03.11.00 (Manual Section 5/3.11), shall obtain an itemized receipt from the Coroner's deputy for all property, including the contents of wallets and purses, removed from the scene by such deputy. The receipt shall be stapled to the original of the Death Report.

Suicide Notes. Original suicide notes shall accompany the body to a Coroner's mortuary. Portions of suicide notes pertaining to the suicidal act shall be quoted in the Death Report when practicable. When a copy of the original suicide note is desired by investigating officers, a photocopy may be obtained from the Coroner's Office. When the original note is needed for crime laboratory study, it shall be obtained from the Coroner's Office by a member of Forensic Science division and/or Technical Investigation Division.

Poisons and Drugs. All poisons, drugs, and their containers suspected of being connected with a suicide shall accompany the body to the Coroner's Office.

Firearms. All firearms suspected of being suicide weapons shall be booked as evidence to provide the opportunity to test such firearms. The investigating officer shall be responsible for determining the final disposition of the firearm (Manual Section 4/560.40).

238.55 PHOTOGRAPHING DEAD BODIES AT THE CORONER'S OFFICE.

Photographers from Technical Investigation Division shall not photograph dead bodies at the Coroner's Office without being requested to do so by a concerned detective, and such requests shall be limited to specific situations.

Department personnel, responsible for investigations involving dead bodies that have come within the jurisdiction of the Coroner's Office, shall, in investigating routine cases, use those photographs taken during normal Coroner Office proceedings. Coroner photographs are taken in series which includes an identification photo and photographs appropriate to the concerned postmortem examination.

Detectives desiring specific photographs may request such photographs by consulting the concerned Coroner's Office Senior Investigator either prior to or at the time of the postmortem examination.

Detectives who need Coroner's photographs of a dead body shall:

- Telephonically contact the Subpoena Desk of the Coroner's Office;
- Provide the Coroner's Case Number; *and*,
- Request copies of the Coroner's photographs.

Note: Photographs are taken at the time of the autopsy and are normally available within three working days of the date on which the photographs were taken.

Photographers from Technical Investigation Division shall be requested to photograph dead bodies at the Coroner's Office only in the following cases:

- In-Custody Deaths; and,
- Unusual cases where routine Coroner photographs have missed some item which is vital to a successful homicide or traffic investigation.

In-Custody Deaths. When a Department photograph of a dead body at the Coroner's Office is required because of an in-custody death and/or officer-involved shooting death, the concerned Detective shall:

- Make a telephonic request to Technical Investigation Division, Photo Lab;
- Specify exactly what is to be photographed; and,
- Supply the DR number and Coroner's Case Number.

The concerned Department photographer shall:

- Contact the on-duty Senior Coroner Investigator and make arrangements for the photographing;
- Attempt to schedule the photography between 0500 and 1300 hours; and,
- Be present at the scheduled time and proceed with the photography.

Unusual Cases. When a Department photograph of a dead body at the Coroner's Office is necessary for an unusual case where routine Coroner photographs have missed some item which is vital to a successful homicide or traffic investigation, the concerned detective shall:

- Make a telephonic request to Technical Investigation Division, Photo Lab;
- Specify exactly what is to be photographed, and provide the DR number;
- Attempt to schedule the photography between 0500 and 1300 hours;
- Note the date and time the photographer will arrive at the Coroner's Office;
- Contact the on-duty Senior Coroner Investigator immediately thereafter, and make arrangements for the photographing; and,
- Be present to direct the photography for the Department photographer.

238.60 UNIDENTIFIED DEAD BODIES. When the identity of a dead body is unknown, the reporting officer shall obtain the "John Doe" or "Jane Doe" number from the Coroner's deputy *at the scene*. Pending identification, the number shall be used in lieu of the decedent's name.

238.65 DEATH OF INMATE IN DIVISION JAILS. When an inmate dies in a division jail, the investigating officer, in addition to conducting the usual investigation and completing the usual reports, shall:

- Cause the completion of a Jail Transfer Record, Form 06.11.00, transferring the inmates personal property to the Coroner;
- Send a Notification of Inmate Release Teletype to the Automated Justice Information System (Manual Section 4/165.32); and,
- Ensure that the Supervisor, Jail Dispensaries, Medical Services Division, Personnel Department, is notified. Notification shall be routinely made as soon as possible during normal duty hours, Monday-Friday, 0730-1630 hours.

238.83 HOMICIDE. The first officer to arrive at the scene of a homicide shall immediately isolate the vicinity where the crime was committed, or the body was found. It shall be his or her responsibility to see that no one be permitted to approach the scene until investigating officers arrive and take charge of the case. Upon arrival, the investigating officers shall be in charge of the investigation. Officers assigned to any duty at the scene shall remain until they are relieved by the investigating officers.

240. DRUNK ARRESTS.

240.10 DRUNK ARREST PROCEDURE.

Pre-Booking. Officers who arrest an individual for 647(f) P.C. (Drunk) shall:

- Ensure that the arrestee receives a screening by medically trained personnel to determine whether the arrestee should be booked or hospitalized;

Note: If the arrestee is to be released to an evaluation and treatment facility (detoxification center), medical treatment shall be obtained if the arrestee displayed symptoms of unconsciousness as described in Manual Section 4/210.23.

- An arrestee whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment shall be evaluated at a Department jail dispensary by medical staff.

Note: Those arrestees with a Gas Chromatograph Intoximeter (GCI) breath test results of .30 or higher shall be examined at a Custody Services Division dispensary or contract hospital, as delineated in Department Manual Sections 4/343.25 and 4/648.17.

- Secure a copy of the Medical Treatment Record (M.T.) for submission with the Arrest Report at the time the arrestee is booked; and,
- Present the arrestee to the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division, who shall determine whether the arrestee should be prosecuted or released under 849(b)(2) P.C.

Exception: In instances when 647(f) P.C. (Drunk) arrestees who are to be released under provision of 849(b) (2) P.C. are transported to Metropolitan Jail Section by B-Wagon, the watch commander assigned to Metropolitan Jail Section misdemeanor intake section shall, after reviewing the circumstances of the arrest and approving detention when appropriate, assume responsibility for ensuring that arrestees receive medical screening.

When prosecution is warranted, the arresting officer shall complete a long form arrest report thoroughly documenting the circumstances of the arrest.

Booking. Booking personnel shall determine from the arresting/transporting officer whether the arrestee is to be prosecuted or released. Arrestees who are to be prosecuted shall be fully processed. Arrestees who are to be released without prosecution shall not routinely be fingerprinted on Form FD249 and shall not be photographed.

Exception: Arresting and/or investigating officers may, however, request photographs and fingerprints for purposes of identification regardless of the impending release of the arrestee.

Officers booking an arrestee for 647(f) PC whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment shall present the arrestee to Custody Services Division staff along with the Sobering Cell Inmate Welfare Form and the Inmate Classification Questionnaire and Record of Medical Screening.

When no prosecution is warranted and the arrestee is eligible for release, the Short Arrest Report, Form 05.02.01, shall also serve as a booking approval and booking slip.

When prosecution is requested, the booking employee shall record, in the charge section of the Form 05.01.00, Consolidated Booking Form, the notation “647(f) P.C. Drunk/Filing Requested.”

240.25 RELEASE OF 647(f) P.C. ARRESTEES UNDER 849(b)(2) P.C. An adult who is booked *only* for 647(f) P.C. (Drunk) shall normally be released under 849(b) (2) P.C. after a period of detoxification (minimum of 4 hours) unless one or more of the following reasons exist for non-release:

- The arrestee has a want or warrant;
- The arrestee requests that he/she be taken before a magistrate;
- The safety of the arrestee or others may be jeopardized by the release; or,
- There are other specific articulated facts justifying continued detention and/or prosecution.

Exception: Prior to complete detoxification, arrestees may be released to a medical facility or to a friend or relative capable of assuming responsibility for the care of the arrestee.

The watch commander approving the booking of an arrestee *ineligible* for release under 849(b)(2) P.C. shall make a notation in the narrative portion of the Booking Approval, Form 12.31.00, indicating the reason(s) for ineligibility. Additionally, the watch commander shall ensure that the arresting officer(s) include all facts substantiating the reason(s) for non-release in a long form arrest report (Manual Section 5/5.2).

Exception: A long form arrest report is not required for an arrestee who is ineligible solely because of a misdemeanor warrant unless completion is required under Manual Section 4/725.48.

Circumstances arising *after* booking which necessitate continued detention of an arrestee shall be noted on the reverse side of the detention officer's copy of the Form 12.31.00. The notation shall be initialed by a supervisor.

If, with the passage of time, the reason for nonrelease is eliminated, the arrestee shall then be released under 849(b)(2) P.C. Examples:

- The arrestee posts bail for any warrants.
- The arrestee withdraws a request to be taken before a magistrate.

When circumstances indicate that the continued detention of an arrestee is no longer necessary but prosecution *is* desired, the arrestee shall be considered for a release on a written promise to appear (O.R.).

240.50 INSULIN SHOCK. When a person taken into custody on a drunk charge complains or otherwise indicates that the arrestee is a diabetic suffering from insulin shock, the arrestee shall be taken immediately to a jail dispensary or contract hospital. The arrestee shall be released if the examining physician finds that the arrestee is not intoxicated but is suffering from:

- Insulin shock, or the effects of some other drug taken under the direction of a physician; or,
- An illness or injury, the symptoms of which resemble those of intoxication.

242. FIRES.

242.25 NOTIFICATIONS TO FIRE DEPARTMENT. When officers at the scene of a potential fire (e.g. unignited fire bomb), or extinguished fire (e.g. torched stolen vehicle) determine that a call has not been sent to the Fire Department, they shall notify the Fire Department of the circumstances through Communications Division.

242.50 ARSON SUSPECTED. When officers at the scene of a potential fire or extinguished fire have reason to suspect that an arson-related crime has occurred, and the crime involves

great bodily injury, and/or is related to an arson series, notifications shall be made to Criminal Conspiracy Section (CCS), Major Crimes Division (MCD), without delay. Officers shall be guided by instructions received from CCS.

242.53 ARSON INVESTIGATIONS. When an arson is immediately associated with the commission of another crime, the investigation for the additional crime shall be reviewed and assessed by Criminal Conspiracy Section (CCS), Major Crimes Division (MCD). Criminal Conspiracy Section shall assume the investigative responsibility or determine the appropriate investigative unit to investigate the case.

The investigative unit assigned, as determined by CCS, shall be responsible for conducting the investigation. The Los Angeles Fire Department's Arson/Counter-Terrorism Section shall provide technical expertise regarding the origin of the fire.

Exception: Robbery-Homicide Division shall have investigative responsibility for all arson homicides.

Note: When an arson-related fraud does not involve another crime other than arson itself, the Los Angeles Fire Department will be responsible for conducting the investigation. Commercial Crimes Division shall provide investigative assistance to the Los Angeles Fire Department investigators.

Interviews of Arrestees. When an arrestee is to be interviewed regarding an arson-related offense, the investigating officer shall, whenever practicable, request the presence of a Los Angeles Fire Department arson investigator.

News Releases. News releases concerning arson-related crimes shall not be released to representatives of the news media until the contents have been approved by the appropriate personnel of both the Los Angeles Fire and Police Departments (Manual Section 1/420.50).

242.55 FIRE DEPARTMENT NOTIFICATIONS OF MOLOTOV COCKTAIL INCIDENTS. Upon receipt from the Los Angeles Fire Department of the field incident investigation report, forward one copy to the concerned Area commanding officer; and forward one copy to the Commanding Officer, Criminal Conspiracy Section, Major Crimes Division.

243. HIGH - RISK PRONE SEARCH.

Officer's Responsibility. When the high-risk prone search is used, the officer **shall** explain the reason for its use to the involved parties. If the officer is unsuccessful in convincing the parties that the search tactic was necessary and appropriate, the officer shall request that a supervisor respond to the scene.

Supervisor's Responsibility. When requested to respond to an incident where the high-risk prone search has been used, a supervisor shall determine whether use of the search tactic was

appropriate and assist the officer in making the proper explanation to the involved parties. The incident shall then be fully documented.

244. FIREARMS, DISCHARGE OF.

244.30 DISCHARGE OF FIREARMS NOTIFICATION. An officer, on or off duty, who discharges a firearm, or an officer conducting a preliminary investigation of the discharge of any firearms, involving an officer, shall notify, or cause to be notified, without delay, the employee's Area/division watch commander or a supervisor. If a watch commander or a supervisor is unavailable, notify the Department Operations Center DOC and the employee's division of assignment as soon as possible. If discharge occurred outside of the City, contact the local law enforcement agency having jurisdiction and inform them of the circumstances surrounding the incident and request a report.

244.50 WRITTEN REPORTS ON DISCHARGE OF FIREARMS. All discharges of firearms shall be reported. When the discharge of a firearm is not covered in other reports requiring a DR or booking number, an Investigation of Animal Shooting and Non-Tactical/ Accidental Discharge of Firearms Report, Form 01.67.08, shall be completed. . Investigators shall follow guidelines of Manual Sections 3/796 and 4/204.80 (Animal Shootings/ Accidental Discharges). A complete description of the firearm involved shall be included in all reports covering the facts of a shooting. This description shall include:

- Make;
- Type;
- Caliber or gauge;
- Finish;
- Barrel length;
- Serial number;
- Frame number;
- Type or color of grips or stock;
- Marks or initials; and,
- Unusual features.

When Los Angeles police officers discharge their firearm, neither the officer's residence address nor telephone number shall be included in the report. The description of the firearm need only include the make, caliber, and serial number.

244.55 DELIVERY OF REPORT OF DISCHARGE OF FIREARM. The officer completing the investigation of the discharge of a firearm not resulting in a gunshot wound by a Department employee shall ensure that a copy of the report is delivered to the Office of the Chief of Police within ten administrative working days of the incident. The distribution of such reports is listed in Manual Section 5/01.67.08.

244.90 FIREARMS USED FOR TRAINING. Officers shall never point a firearm capable of firing live ammunition at another person during training. Officers participating in any non live-fire training such as situation/simulation scenarios where the need to simulate the use of a

firearm is necessary, shall only utilize firearms that have been rendered unable to fire live ammunition. In addition, officers shall only utilize firearms that have been color-coded (Manual Section 3/610.97), and approved as training firearms by the Firearms Training Unit, Training Division.

245. EMPLOYEE - INVOLVED USE OF FORCE INCIDENTS.

245.02 OFFICER'S PUBLIC SAFETY STATEMENT - CATEGORICAL USE OF FORCE INCIDENTS. Employees involved in an officer-involved shooting incident (OIS), and when appropriate for other categorical uses of force where information is necessary in order to quickly identify immediate public safety concerns, shall provide a public safety statement to the first arriving supervisor using language from the Verbatim Public Safety statement, Form 15.03.00. The statement shall include, but not be limited to the following:

- The type of force used;
- The direction and approximate number of any shots fired by the involved employee(s) and/or suspect(s);
- The location of each involved employee when he or she fired their weapon;
- The location of any injured persons, including those in need of medical attention;
- The description of outstanding suspect(s) and direction(s) of travel, the mode of travel, time elapsed since the suspect(s) was last seen, and any suspect weapon(s);
- The description and location of any known victims or witnesses;
- The description and location of any known evidence; and,
- The other information as necessary to ensure officer and public safety and/or assist in the apprehension of any outstanding suspects(s).

Note: Officers shall stop recording of their Body-Worn Video (BWV) and Digital In-Car Video (DICV) prior to giving a PSS. Each officer shall give his or her PSS separately and apart from any involved officers. In accordance with current Department procedures, an employee shall be allowed to view his or her own BWV and/or DICV video prior to being interviewed by Force Investigation Division (FID).

Each substantially involved employee shall provide an individual PSS separately and apart from any involved employees.

After providing sufficient information, the employee shall remain separated from other involved/witness employees and shall not discuss the incident with anyone other than the assigned investigators and the employee's representative.

Substantially Involved - Defined. The term "substantially involved" includes the employees(s) applying force or who had a significant tactical or decision making role in the incident.

245.05 CATEGORIES AND INVESTIGATIVE RESPONSIBILITIES FOR USE OF FORCE. A reportable use of force incident is classified as either a Categorical Use of Force (CUOF) or a Non-Categorical Use of Force (NCUOF). Categorical Uses of Force are outlined

in Department Manual Section 3/794.10, Categorical Use of Force Investigations. Force Investigation Division (FID) is responsible for the investigation of all CUOF incidents. All other reportable uses of force are classified as NCUOF incidents, including any use of force to the neck of the person that does not rise to a CUOF, or any unintentional head strike(s) with an impact weapon or device which does not result in serious bodily injury, hospitalization or death and is approved to be handled as a NCUOF by the Commanding Officer, FID. Advice regarding the reportability or categorization of a use of force should be requested from FID or Critical Incident Review Division (CIRD) directly or via the Department Operations Center (DOC).

Non-Categorical Use of Force Incident-Defined. A NCUOF is defined as an incident in which any on-duty or off-duty Department employee whose occupation as a Department employee is a factor, uses physical force, or a control device to:

- Compel a person to comply with the employee's direction;
- Defend themselves;
- Defend others;
- Effect an arrest or detention;
- Prevent escape; or,
- Overcome resistance.

Note: A K-9 contact is when a Department K-9 makes forcible contact with a person other than a bite that results in complained of or visible injury (Department Manual Section 3/792.05, Note).

A K-9 bite or contact is not a reportable use of force if the K-9 bite or contact is inadvertent or accidental and does not occur during an active search/tactical deployment. In all such instances, an incident investigation shall be conducted by the K-9 supervisor to determine and document the cause and appropriate action. The findings of investigation shall be documented on an Intradepartmental Correspondence, Form 15.02.00, by the involved division and submitted to the employee's chain of command for review and filing.

A K-9 bite or contact is a reportable use of force if the K-9 bite or contact occurs during a search/tactical deployment even if the bite or contact are inadvertent or accidental. An involved K-9 handler shall receive a finding of the use of force when the handler directs the K-9 to use force in a directed deployment, or when the handler, upon becoming aware of the bite or contact, does not immediately recall the K-9 following the K-9's initiation of a contact or bite.

Note: It is the policy of the Department that personnel may use only that force which is objectively reasonable.

The following incidents are **not** reportable NCUOF incidents:

- Any incident investigated by FID (Department Manual Section 3/794.10);

- The use of a C-grip, firm grip, joint lock, joint lock walk-down, puch, pull, or bodyweight, which does not result in an injury or complained of injury to the subject;
- A push or baton push used by an officer working in an organized squad directly involved in a crowd control mission that does not result in injury or complained of injury to the subject; and,
- The tactical discharge of a projectile weapon (e.g., beanbag shotgun, 37mm or 40mm projectile launcher, or Compressed Air Projectile System), electronic control device (TASER), or any chemical agent that does not make contact with an individual.

Note: A tactical discharge is defined as any projectile from a less lethal control device launched with the intent to gain a tactical advantage by creating a distraction, removing obstacles, or altering the environment, and not directed at an individual (e.g., use of a baton or beanbag shotgun to break a window, or deployment of a chemical agent during a barricaded suspect incident).

Tactical discharges shall be reported on an Employee's Report, Form 15.07.00, and submitted to the employees commanding officer for review and appropriate action. After all risk management, misconduct, or policy issues are identified, the Employee's Report shall be forwarded to CIRD for review and retention. A copy can be forwarded to CIRD@lapd.lacy.org.

245.10 REPORTING A NON - CATEGORICAL USE OF FORCE INCIDENT.

Employee's Responsibilities. An employee who becomes involved in a reportable Non-Categorical Use of Force (NCUOF) incident shall:

- Notify a supervisor without delay;
- The author of the report shall report the full details of the use of force incident in the related Department arrest or investigative report;
- Use an Employee's Report, Form 15.07.00, to report the full details of the use of force incident when a investigative or arrest report is not required;
- Document the name of the investigating supervisor in the related arrest or investigative report, or Employee's Report, under the heading "Additional", and,
- Ensure that all descriptions of suspect's actions and officers' actions are in plain language (versus "aggressive/combative," or other conclusory language that does not specifically describe what the suspect was doing).

Off-duty employees who become involved in a reportable use of force incident in which the employee's occupation as a Department employee is a factor shall notify their supervisor or watch commander without unnecessary delay. Notification shall be made to the Department Operations Center when the employee's location of assignment is closed.

Note: Off-duty employees completing use of force related reports shall submit a copy to their supervisor no later than their next regularly scheduled tour of duty.

Investigating Supervisor's Responsibilities. When a NCUOF incident occurs, an uninvolved supervisor from the employee's command (or from the nearest Area when either the employee's command is closed [e.g., the employee works in an administrative assignment where there is no on-duty supervisor], or the employee's supervisor is not available to respond), shall be assigned to conduct the NCUOF investigation.

Generally, a supervisor who witnessed a NCUOF incident should not conduct a use of force investigation. However, the watch commander may make exceptions on a case-by-case basis, based on exceptional operational needs. The watch commander shall document the exceptional operational need in a Watch Commander's Daily Report, Form 15.80.00. Any supervisor who is involved in the use of force incident is not permitted to conduct the investigation.

Note: An involved supervisor is defined as a supervisor who used force, monitored the officer's actions and was in a position to intervene if necessary, provided guidance or direction during the use of force, or participated in the on-scene planning or directing related to the incident.

The supervisor assigned to conduct the investigation shall:

- Respond and conduct an on-scene investigation;

Exception: When an on-scene investigation is impractical due to exigent circumstances, such as a hostile group or an off-duty employee's distance from the City, the supervisor shall consult with their watch commander or officer in charge and arrange for a reasonable alternative.

- Collect and preserve all relevant evidence and canvas the scene to locate witnesses, when appropriate;
- Document the vantage point of officers and witness(es), as well as any part of the force observed for Level I incidents;
- Conduct independent interviews with all involved and witnessing Department employees, non-Department witnesses, and the person(s) against whom force was used (group interviews are prohibited). Supervisors shall activate their Body Worn Video (MWV) when interviewing all non-Department witnesses during all NCUOF investigations, except as specified below;
 - A witness or victim refuses to provide a statement if recorded and the encounter is non-confrontational;
 - In the supervisor's judgement, a recording would interfere with their ability to conduct an investigation, or may be inappropriate, because of the witness' physical condition, emotional state, age or other sensitive circumstances (e.g., a victim of rape, incest or other form of sexual assault);
 - Situations where recording would risk the safety of a confidential informant or citizen informant; or,
 - Inpatient-care areas of a hospital, rape treatment center, or other healthcare facility unless an enforcement action is taken in these areas.

Note: If a supervisor's BWV was not activated, and explanation shall be provided in the NCUOF investigation.

- Determine an initial classification of the NCUOF as either a Level I, Level II, or Level III incident;
- Review all audio and video recordings of the use of force and state in the report that recordings were reviewed;
- Identify the time frames relevant to the use of force and electronically “bookmark” the relevant portions for subsequent reviewers;
- For Level I investigations, electronically record the statement of the subject of the use of force and non-Department witnesses;

Note: If during the course of the investigation by Area personnel, a NCUOF incident is reclassified from a Level II or Level III to a Level I incident, the investigating supervisor shall attempt to re-interview and electronically record the statement of the subject of the use of force and of non-Department witnesses, if not done during the initial investigation. If unable to re-interview and/or record the interview at that time, an explanation of what attempts were made to re-interview the parties is required.

- Verify whether all statements are consistent with the arrest report or related reports;
- Identify and document any inconsistencies or conflicts between the accounts of the officers, the suspect(s), and/or the witness(es), and attempt to resolve those differences;
- Review any related investigative and/or arrest report or Employee’s Report, to ensure that the related reports contain a complete account of the incident. A Follow-up Investigation, Form 03.14.00, may be used to make any necessary corrections to the related report(s) or to provide additional information;
- Review all the related arrest reports of the NCUOF incident prior to end of watch;

Note: The supervisor who conducts the NCUOF investigation shall not approve any of the related report(s).

- Utilize the Use of Force System (UOFS) to complete the NCUOF Report; and,
- Forward the completed NCUOF Report along with all related reports, to the watch commander/officer in charge (OIC).

Note: Generally, a NCUOF Report should be initiated in the UOFS before the investigating supervisor’s end of watch. This requirement will be satisfied when the investigating supervisor generates a UOF case number. However, complex incidents or exigent circumstances may require additional time.

Multiple NCUOF incidents can be captured in one NCUOF Report case number (e.g., NCUOF during the arrest and a separate NCUOF during booking of the same subject). Additionally, multiple NCUOF incidents involving multiple subjects during one incident can also be reported in a single NCUOF Report, especially if the incident is documented in one arrest report narrative.

Watch Commander's Responsibilities. A watch commander or OIC reviewing a NCUOF investigation shall document their insight in the "Findings" section of the NCUOF Report. As part of this evaluation, watch commanders/OICs shall:

- Evaluate each force option used by each officer and determine if it was objectively reasonable based on the actions of the subject of force (i.e., suspect);
- Evaluate the officer's tactical de-escalation efforts and provide a rationale if tactical de-escalation was not feasible;
- Ensure that all relevant tactical, use of force, and policy issues are addressed, including the proportionality of the force used, the aid rendered, the requirement to intercede when excessive force is observed, and the requirement to provide a verbal warning when feasible;
- Ensure that all supervisors are interviewed regarding their actions at the scene during the incident;
- Evaluate the actions of each of these supervisors and the existence and effectiveness of supervisory command and control;
- Level I issues need to be identified and addressed in the "Insight" section, such as how the inconsistencies or conflicts were resolved (e.g., independent witnesses corroborated the officer's or subject's account, a lack of injuries one would expect to see with the force reported by the subject, or video/audio corroborated or refuted the subject's allegation); and,
- Review the relevant recordings of the incident "bookmarked" by the investigating supervisor and certify that this has been completed.

Note: Reviewers at each level are required to review and certify that they have reviewed all bookmarked recordings of the incident.

Authority to Approve Reports. Non-Categorical Use of Force investigations and any related report(s) (i.e., the investigative and/or arrest report or Employee's Report), **shall be approved by an on-duty watch commander/OIC or a designee of supervisory rank.**

Note: The watch commander/OIC approving the use of force investigation is not required to be the same watch commander/OIC who reviewed and approved the related report(s). Generally, the involved Department employee's chain of command will conduct and approve the use of force investigation.

Example: Officers from Metropolitan (Metro) Division submit an arrest report to the watch commander, Area of occurrence, while the Metro supervisor assigned to investigate the related use of force submits the completed investigation to their Metro OIC.

245.11 NON - CATEGORICAL USE OF FORCE REPORTING LEVELS. All Non-Categorical Use of Force (NCUOF) incidents shall be initially classified by the investigating supervisor as either a Level I, Level II, Level III incident.

Level I Incident. An NCUO shall be reported as a Level I incident under the following circumstances:

1. An allegation of unauthorized force is made regarding the force used by a Department employee(s); or,
2. The force used results in a serious bodily injury, as defined by California Penal Code Section 243(f)(4):
 - Loss of consciousness;
 - Concussion;
 - Bone Fracture;
 - Protracted loss of impairment of function of any bodily member or organ;
 - A wound requiring extensive suturing; and,
 - Serious disfigurement.

Note: If the investigating supervisor is unable to verify the seriousness of an injury or complained of injury, it shall be reported as a Level I incident. If the injury requires admission to a hospital, the incident becomes a Categorical Use of Force and will be investigated by Force Investigation Division (FID).

3. The injuries to the person upon whom force was used are inconsistent with the amount or type of force reported by involved Department employee(s); or,
4. Any use of force to the neck of the person that does not rise to a Categorical Use of Force; or,
5. Accounts of the incident provided by witnesses and/or the subject of the use of force substantially conflict with the involved employee(s) account; or,
6. Body Worn Video, digital In-Car Video, third-party video, or other physical evidence substantially differs from the involved employee(s) account; or,
7. Any unintentional (inadvertent or accidental) head strike(s) with an impact weapon or device, which does not result in serious bodily injury, hospitalization or death, and is approved to be handled as a NCUOF by the Commanding Officer, FID.

Level II Incident. A NCUOF shall be reported as a Level II incident under any of the following circumstances:

- The force used included any less-lethal munitions (Bean Bag Shotgun, 40mm Less-Lethal Launcher, TASER, Oleoresin Capsicum Spray, and/or baton) that contact a suspect or their clothing;
- A K-9 Bite or K-9 Contact that does not require hospitalization;
- Strike, punch, elbow;
- Kick, knee strike, or leg sweep; or,

- Any takedown.

Note: Any of the above uses of force that result in serious bodily injury (as defined above) shall be investigated as a Level I incident.

Level III Incident. A NCUOF shall be reported as a Level III incident under any of the following circumstances:

- Any wrist lock, joint lock, C-grip, firm grip, walk down, push, pull, or bodyweight that results in an injury or complained of injury to the subject, excluding injuries that would be reportable as a Categorical Use of Force, or a Level I use of force;
- The discharge of a projectile weapon (e.g., beanbag shotgun, 37mm or 40mm projectile launcher or Compressor Air Projectile System), electronic control device (TASER), or OC Spray that does not make contact with an individual or their clothing, excluding tactical discharges, as defined in Department Manual Section 4/245.05; or,
- Any use of force in a crowd control situation to include any discharge of a projectile weapon, baton strike, punch, elbow strike, kick, knee strike, leg sweep, takedown, or the use of chemical agents, including OC on a crowd as a whole, which does not go beyond the mission of the skirmish line, excluding injuries that would be reportable as a Categorical or Level I Use of Force.

Note: Any use of force in a crowd control situation where officer(s) become involved in an isolated incident with an individual which goes beyond the mission of the skirmish line shall be reported at the appropriate level (Level I, II, or III). An example of such an isolated incident would be when an officer leaves the skirmish line and uses reportable force to effect an arrest on a person who is behind the skirmish line committing vandalism on a police vehicle.

Note: The use of chemical agents, including OC on a crowd as a whole, during crowd control situations shall be approved by a commander or above.

245.12 COMPLETING THE NARRATIVE – LEVEL I INCIDENT. The following shall be included in all Non-Categorical Use of Force (NCUOF) investigations:

1. **WITNESS STATEMENT(S).** Supervisors shall interview the subject of the use of force, witnesses, and all Department employees who either witnessed and/or were involved in the incident. A **brief** written summary of the statement provided by the subject of the use of force and/or any witness is only required under this heading **if**:
 - The interview was not recorded (not applicable to Department employees); or,
 - The person's account of the use of force substantially conflicts with the involved employee(s) account.

Example: "Gregory Jones. This witness stated that he saw a female officer strike the suspect with a closed fist. The involved officers stated that she did not strike the suspect at any time."

Recording Witness Statements. Supervisors shall activate their Body Worn Video (BWV) when interviewing all non-Department witnesses during all NCUOF investigations, except in the following circumstances:

- A witness or victim refuses to provide a statement if recorded and the encounter is non-confrontational;
- A recording would interfere with their ability to conduct an investigation, or may be inappropriate, due to the witness or victim's physical condition, emotional state, age or other sensitive circumstance (e.g., a victim of sexual assault or incest);
- An incident where recording would risk the safety of a confidential or citizen informant, or,
- Patient treatment areas of a hospital, sexual assault treatment center, or other healthcare facility, unless an enforcement action is taken in these areas.

Note: If a supervisor's BWV was not activated, an explanation shall be documented in the NCUOF investigation, with a reason for the lack of activation. If a supervisor is not equipped with BWV, they shall record the statements of the subject of the use of force and non-Department witnesses via a Department-issued digital recorder or other appropriate means and either attach the recording to the NCUOF investigation or book the recording at Technical Investigation Division (TID). If a person refuses to provide a statement, this shall be documented in this section. An attempt shall still be made to obtain the witness' identifying information.

Recording interviews with Department employees is not required. The related investigative and/or arrest report or Form 15.07.00, will serve as documentation of the involved Department employee(s) statement.

Consistent Statements. Supervisors shall indicate in the NCUOF report if the statements provided by the subject, non-Department witnesses, and Department witnesses were consistent with the events described in the arrest, investigative, or employee report documenting the incident.

Example: "The statements provided by the following witnessing Department employees – Officers Nuno, Blake and Ramirez - were consistent with the incident as depicted in the arrest report."

2. **INJURIES/MEDICAL TREATMENT.** Document all visible and complained of injuries, including any medical treatment provided. All individuals receiving medical treatment shall be asked to sign an Authorization to Release Medical Information Form 05.03.00. If they refuse, the appropriate box shall be checked on the Non-Categorical Use of Force Report. If an individual is **unable** to sign the Authorization to Release Medical Information Form, supervisors shall explain why in this section (e.g., "Under the influence, psychological evaluation hold," etc.). If an individual is a juvenile (below 18 years of age) and the individual is not an emancipated minor, an officer shall provide the Authorization to Release Medical Information Form to the juvenile's parent or legal guardian. The juvenile's parent or legal guardian shall be

asked to sign the Authorization to Release Medical Information Form on behalf of the juvenile and mark the corresponding box.

Medical Release Obtained. If a signed Authorization to Release Medical Information Form is obtained, Department personnel shall attempt to collect the necessary injury and medical information in accordance with Manual Section 4/648. This includes attempting to collect and verify treatment information relevant to the use of force based on interviews with medical personnel.

Medical Release Not Obtained. Federal law now limits access to an individual's medical history and treatment information. Therefore, if a signed Authorization to Release Medical Information Form is **not** obtained, supervisors **shall not ask medical personnel** for injury and treatment information pertaining to an individual upon whom force was used. Rather, supervisors shall attempt to collect medical information based on personal observations and/or statements from the subject of the use of force, the involved employee(s), and non-medical witnesses. Supervisors shall only collect the medical information necessary to complete the use of force investigation.

Supervisors shall document medical treatment information on the face sheet of the Non-Categorical Use of Force Report and check the appropriate box to indicate the source of the information (i.e., "*Verified*" or provided by medical personnel; "*Observed*" and reported by (non-medical) witnesses and/or Department employees; or "*Reported*" by the subject of force. Only one box shall be checked. If verified information cannot be obtained, "Observed" is the next most desirable option, followed by information reported by the subject of the use of force.

Generally, it is permissible for Department employees to obtain medical information they may overhear or observe, as a bystander, if there is a legitimate law enforcement reason for their presence at the location (e.g., if a suspect in custody requires medical treatment, an officer may reasonably accompany them during treatment.) In such cases, information overheard from a treating physician shall be reported as "Verified," and an explanation as to how the information was collected shall be provided. In all cases, supervisors shall document their efforts to obtain medical information in this section.

Example: "The suspect declined to sign a Authorization to Release Medical Information Form. However, Officer Jones stated that he heard the suspect advise Fire Department personnel that he believed his left arm was broken. According to Officer Jones, the suspect stated to him that he believed he may have injured his arm in an attempt to avoid handcuffing. I arrived at the hospital and observed the suspect with a cast on his left arm." (In this case, supervisors would list "Possible Broken Arm" on the Non-Categorical Use of Force Report face sheet and check off "Observed.")

Regardless of whether a signed Authorization to Release Medical Information Form is obtained, supervisors shall ask the subject of the use of force if and how they were injured and document the response in this section. Any documentation of medical treatment obtained by Department employees shall be listed under “Addenda” and attached to the Non-Categorical Use of Force Report.

Note: Due to potential criminal and civil liability issues, Department employees shall not accept any medical documentation regarding the subject of the use of force unless a signed Authorization to Release Medical Information Form is obtained.

3. **VIDEO EVIDENCE AND REVIEW.** Investigating supervisors shall identify Body Worn Video (BWV), Digital In-Car Video (DICV), other Department video, and/or third-party video that captured a portion of the NCUOF. Investigating supervisors shall take all reasonable steps to secure third-party video and ensure all video is properly retained.

Level I and Level II Incident. The investigating supervisors shall review and document all videos related to the incident and identify the relevant portions of each video.

Level III Incident. The investigating supervisor shall review only the relevant portions of video sufficient to appropriately classify the Level III incident. All videos identified shall be reviewed and documented.

Those who subsequently review and adjudicate the matter shall review the relevant portions of the video, identified by the investigating supervisor, sufficient to make an informed recommendation or adjudication.

Note: An investigating supervisor or subsequent reviewer/adjudicator may view any and all video necessary to properly investigate, make a recommendation, or adjudicate a Level III NCUOF incident.

4. **PHOTOGRAPHS AND OTHER EVIDENCE.** Photographs should be taken and included in all Non-Categorical Use of Force (NCUOF) investigations. If a photograph is impractical (e.g., the subject of the use of force refuses to be photographed, etc.), an explanation shall be documented in the NCUOF report. Information related to photographic evidence should be documented in the Scene Canvassed for Physical Evidence section. Investigating supervisors are to ensure photographs are taken of the following:

- The subject of the use of force to document visible injury and any complained injury locations. Absent unavoidable circumstances, Technical Investigation Division (TID) staff shall take photographs if required of exposed breasts, buttocks, or genitalia;

Note: Photographs should always be taken of the impact locations when less lethal devices are used.

- Department employees to document visible injury and any complained of injury location resulting from the NCUOF incident or any evidence such as damaged equipment or torn uniform items;
- The scene of the incident and evidence collected if it is relevant to the use of force and/or sustained injuries;
- The vantage point of a witness when it may prove useful in resolving conflicting statements between witnesses as it relates to the use of force; and,
- Additional photographs may be taken at the discretion of the investigating supervisor for evidentiary purposes. This includes cases where a criminal filing may be sought, such as battery against a police officer.

Note: Investigating supervisors may use photographs/screen captures obtained through BWV and/or DICV.

Photographs taken with a digital camera by Department employees will suffice for recording Level III, Level II and Level I investigations, although photographs taken by TID are preferred for Level I investigations. All photographs, including those taken by TID, should be attached and listed individually in the Addenda and Attachments Sections of the NCUOF Report. A brief description of each photograph shall be included in this section. Photographs taken by TID shall reflect the appropriate reference number obtained from TID. Compact disks containing photographs shall be placed in an envelope and the envelope marked with the corresponding reference number.

Note: Investigating supervisors may use the cameras on department-issued cell phones to capture photographs for their NCUOF investigations.

5. **INVESTIGATING SUPERVISOR'S NOTES.** Supervisors shall use this heading to address substantial conflicts and/or discrepancies between statements provided by a witness or the subject of the use of force and statements provided by involved Department employees. To assist in the evaluation of these differences, supervisors shall attempt to establish each witness's vantage point when they observed the use of force, as well as any other variables such as time of day, lighting, weather conditions, noise level, or traffic patterns.

Requirements for Witnessing Investigating Supervisor. Investigating supervisors who witnessed the incident shall summarize their observations in this section and list themselves as a witness under "Witnesses/Non-Involved Employee Witnesses" on the Non-Categorical Use of Force Report.

Verbal Warning Requirements. Department employees are required to provide a verbal warning prior to using force, when feasible. This section shall be used to document the name of the employee giving the warning and what was said. Likewise,

in cases where a warning was required but not given, supervisors shall provide an explanation here.

Any other information relevant to the investigation that does not fall under the previous headings may be documented in this section.

6. **ADDENDA.** Supervisors shall numerically list all addenda items (attachments) to the Non-Categorical Use of Force Report (e.g., 1. Arrest Report, Form 05.02.00, 2. Vehicle Impound Report, Form CHP 180, 3. Authorization for Release of Medical Information, Form 05.03.00, etc.) and include a brief description of each item. The number that corresponds to the listed item shall be written in red pen or pencil on the lower right corner of each attached document.

Narrative Exceptions: The process for documenting/reporting Level II and Level III incidents shall mirror that of a Level I incident, with the following exceptions:

- The requirement for an “Incident Overview” is eliminated; and,
- The requirement to document any witness statements in the narrative of the Non-Categorical Use of Force Report is eliminated.

Note: The related crime and/or arrest report or Form 15.07.00 will serve as documentation of statements for the subject of the use of force, witnesses, and involved Department employees. Any discrepancies between statements shall still be addressed in “Investigating Supervisor’s Notes.”

245.13 REPORTING LEVEL II INCIDENTS. The process for documenting/ reporting Level II incidents shall mirror that of a Level I incident, with the following exceptions:

- Tape-recording non-Department employee witnesses is optional;
- The requirement for an “Incident Overview” is eliminated; and,
- The requirement to document *any* witness statements in the narrative of the Non-Categorical Use of Force Report is eliminated. The related crime and/or arrest report or Form 15.07.00 will serve as documentation of statements for the subject of the use of force, witnesses, and involved Department employees. Any discrepancies between statements shall still be addressed in “Investigating Supervisor’s Notes.”

Note: Discrepancies that constitute a substantial conflict between witness or suspect accounts and the involved employee(s) account shall be reported as a Level I incident.

245.30 REPORTING USES OF FORCE TO THE DEPARTMENT OF JUSTICE. Pursuant to California Government Code Section 12525.2, the Application Development and Support Division (ADSD), in coordination with Force Investigation Division (FID), Critical Incident Review Division (CIRD), and Robbery Homicide Division (RHD),

shall furnish to the California Department of Justice all instances when a sworn Department employee is involved in any of the following on a monthly basis:

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

Note: “Serious bodily injury” means a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

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

- The gender, race, and age of each individual who was shot, injured, or killed;
- The date, time, and location of the incident;
- Whether the civilian was armed, and, if so, the type of weapon;
- The type of force used against the officer, the civilian, or both, including the types of weapons used;
- The number of officers involved in the incident;
- The number of civilians involved in the incident;
- The reason for contact;
- The reason for using force;
- The injuries sustained;
- If any medical aid was rendered; and,
- If the officer observed signs of any of the following:
 - Disability:
 - Mental (per Section 5600.3 W.I.C.);
 - Physical (per Section 12926 of the Government Code); or,
 - Developmental (per Section 4512 W.I.C.).
 - Drug or alcohol impairment; or,
 - Erratic behavior.

245.35 RIFLE CADRE MEMBERS AND ROSTER. Listed below are classifications for the Patrol Rifle Cadre or other authorized rifle programs (hereafter collectively referred to as Rifle Cadre) members:

Note: A Rifle Certified Officer (RCO) is defined as any officer authorized to deploy a rifle. This includes, but is not limited to, personnel assigned to the Rifle Cadre, Metropolitan Division (all platoons), or any other specialized units authorized to deploy the rifle.

Active Rifle Cadre Member. An Active Rifle Cadre member is a Rifle Certified Officer (RCO) in good standing who is authorized to retain and deploy a rifle in the field, consistent with established policies and procedures.

Inactive Rifle Cadre Member. An Inactive Rifle Cadre member is an RCO who has been temporarily suspended from deploying the rifle in the field due to:

- A failure to requalify during a calendar year;
- A failure to recertify during a calendar year; or,

Note: Any RCO who has become Inactive due to a failure to requalify or recertify may automatically regain Active status by achieving a qualifying score at the next subsequent requalification or recertification.

- Placement on Inactive Status by his or her commanding officer, staff assigned to In-Service Training Division Patrol Rifle Tactical Shotgun Unit, Rifle Review Committee, Use of Force Review Board/Committee, or the Chief of Police.

Inactive RCOs shall store their Department-issued or privately-purchased rifles in a Department locker or secure work site and no longer deploy their rifle until such time as they are restored to Active status.

Decertified Rifle Cadre Member. A Decertified RCO is a member who has been decertified from the Rifle Cadre due to a failure to requalify and recertify within a calendar year, or who has exhibited improper deployment, use, tactics, or maintenance of the rifle. A Decertified RCO who has been assigned a Department patrol rifle shall return the Department patrol rifle and support equipment to the Department Armory within 10 calendar days of being notified of his or her Decertified status. A Decertified RCO who possesses a privately-purchased patrol rifle shall not deploy the rifle and shall store it at a location outside of Department facilities in accordance with applicable statutory provisions and/or local ordinances for the storage and private use of the weapon.

Commanding Officer, In-Service Training Division, Responsibilities. The Commanding Officer, In-Service Training Division, shall ensure that the Firearms Training Section, In-Service Training Division, maintains a roster of Active, Inactive, and Decertified RCOs and that officers and their commanding officers are notified when an RCO's classification changes.

245.40 MINIMUM REQUIREMENTS FOR THE RIFLE CADRE. In order to be considered for an Active Rifle Certified Officer (RCO) in the Rifle Cadre, an RCO shall meet the below-listed minimum requirements:

- No final adjudication of Administrative Disapproval – Out of Policy for any discharge of a firearm, including a negligent discharge, within the past two years;

- Not currently under credibility-related duty restrictions issued by the Risk Management Executive Committee;
- No pattern of Failures to Qualify within the past five years; and,
- Successful and documented completion of the Rifle Manipulation Test.

At the time of entry level rifle training, sworn personnel shall be full-duly and cannot have any medical restrictions that would preclude them from full participation in the training.

245.50 PATROL RIFLE STORAGE AND ACCESSIBILITY.

Officer's Responsibilities. Each Rifle Certified Officer (RCO) must use the rifle in the manner in which he or she was trained, while at all times adhering to the principle of Reverence for Human Life. Upon notification of being placed on Inactive status, an RCO shall store his or her rifle in a Department locker or secure work site and no longer deploy the rifle until he or she has been restored to Active status. Upon notification of being placed on Decertified status, an RCO issued a Department rifle shall return the Department-issued patrol rifle and support equipment to the Department Armory within 10 calendar days of being noted of his or her Decertified status. A Decertified RCO who possesses a privately-purchased rifle shall immediately store the rifle at his or her residence in a manner provided by applicable state and local laws, and shall not carry or store such rifle in any Department station, work site, vehicle, or in the field.

Department Patrol Rifles. All on-duty **uniformed** Active RCOs, who are currently issued Department patrol rifles, shall secure their patrol rifles in their patrol vehicles, per Department policy. When operating Department motorcycles, all on-duty RCOs who are currently issued Department patrol rifles, shall secure their patrol rifles on their Department motorcycles, if their motorcycles are so equipped, per Department policy.

All on-duty **non-uniformed** Active RCOs who are currently issued Department patrol rifles, shall have their patrol rifles readily available at their stations and work sites or in their Department vehicles or Department-authorized rental vehicles, per Department policy. Command and staff RCOs may also store their privately-purchased patrol rifles in their offices in secured storage units.

Private-Purchased Patrol Rifles. On-duty uniformed and non-uniformed Active RCOs with privately-purchased patrol rifles **are expected** to have their patrol rifles available at their stations, work sites, or in their department vehicles or Department-authorized rental vehicles, per Department policy. An Active RCO with a privately-purchased patrol rifle shall abide by the patrol rifle deployment criteria (Department Manual Section 245.60), all applicable, Department policies and procedures for the deployment and use of the patrol rifle, and the terms and conditions contained in the Agreement for Private Purchase of Patrol Rifle for Duty Use.

Exception: When a privately-purchased patrol rifle cannot be securely stored at a work site, or a Department locker is unavailable, the privately-purchased patrol rifle may be stored at the RCOs residence in a manner consistent with applicable state and local laws. Once a secure work site or Department locker is available, an on-duty Active

RCO is expected to secure his or her privately-purchased patrol rifle at the work site or a Department locker. The privately-purchased patrol rifle shall not be stored inside a personal vehicle at a work site while on-duty, except for transporting it to and from duty/work/range. Rifle Certified Officers with assigned vehicles that have Home Garaging Authorities (e.g., Metropolitan Division and command officers) may store their privately-purchased patrol rifles inside their vehicle trunks, when properly garaged.

Note: An RCO with a privately-purchased patrol rifle shall be responsible for its maintenance. The Department will not be liable for a privately-purchased patrol rifle if it is damaged, lost or stolen from an RCO, while on-duty.

While off-duty, an RCO may continue to use his or her privately-purchased patrol rifles at authorized shooting areas or ranges and competitions.

Supervisor's Responsibilities. Supervisors shall conduct periodic inspections to ensure that all RCOs under their supervision, who are currently issued Department patrol rifles or who possess privately-purchased patrol rifles, comply with Section 4/245.50 of the Department Manual.

Commanding Officer's Responsibilities. All commanding officers shall ensure adherence to the established protocols delineated for patrol rifle accessibility.

245.60 DEPLOYMENT OF THE PATROL RIFLE AND SLUG

AMMUNITION. Qualified Patrol Rifle (PR) or Slug Slug Ammunition (SSA) personnel may deploy their firearms in field operations, in accordance with Department Manual Sections 3/610.17, Deployment of the Patrol Rifle and 3/611.60 Deployment of Slug Ammunition. slug Ammunition may be deployed as is determined to be necessary. Personnel, however, must be able to articulate the specific tactical circumstances that warrant drawing, exhibiting and deploying the PR or SSA as opposed to a handgun.

Communications Division's Responsibility. Upon receiving a "Code Robert" request, Communications Division personnel shall:

- Broadcast an all units "Code Robert-PR" or "Code Robert-Slug" and the location of the request;
- Assign the call to a PR or SSA equipped unit; and,
- Assign a supervisor to respond.

In most cases, the frequency should remain on stand-by until the incident is resolved or the units move to a tactical frequency.

Responsibility of Personnel Equipped with a Patrol Rifle or Slug Ammunition. Only personnel who are PR or SSA trained and certified are authorized to deploy the PR or SSA in

the field. Personnel who are equipped with the PR or SSA shall respond to those requests for a PR or SSA as assigned.

Supervisor's Responsibilities. A supervisor shall:

- Respond to each "Code Robert" request and take charge of the tactical incident;
- Determine if the incident is within the capability of the unit(s) at scene or if Special Weapons and Tactics (SWAT) Team should be requested; and,
- Make the necessary notifications and follow existing Department policies and procedures if and firearm is discharged.

Watch Commander's Responsibilities. Each patrol and traffic watch commander shall ensure that:

- Patrol Rifle and SSA equipment is available at all times for response to a field incident;
- Patrol Rifle and SSA trained personnel are deployed on each watch;
- A "PR" or "SSA" notation is made on the Daily Work Sheet, Form 15.26.00, and on the Area Command Center Mobile Field Force roster indicating the units which are deployed with a PR and/or SSA; and,
- A supervisor is dispatched to all "Code Robert" requests.

Commanding Officer's Responsibilities. Commanding officers shall maintain a current list of officers within their command who are trained and certified to deploy the PR and/or SSA. This roster may be obtained from In-Service Training Division.

In-Service Training Division's Responsibilities. In-Service Training Division is responsible for maintaining rosters of the PR and SSA Cadres that will indicate whether trained and certified personnel are Active or Inactive, or Decertified. Certified personnel are those who have successfully passed training and comply with the required qualification schedules.

245.70 DECERTIFICATION AND RESTORATION PROCEDURES FOR THE RIFLE CADRE. The process of decertification typically begins by reclassification of the Rifle Certified Officer's (RCO) status to Inactive, notification to the RCO, and referral of the RCO to the Rifle Review Committee (RRC).

Authority to Change Status. An RCO's status can be reclassified to Inactive and he or she can be referred to the RRC for Decertification by any of the following:

- Any commanding officer (CO);
- The Use of Force Review Committee/Board;
- Staff assigned to In-Service Training Division Patrol Rifle Tactical Shotgun Unit;
- Rifle Review Committee; or,
- The Chief of Police.

Exception: If exigent circumstances exist, such as an RCO's failure to qualify, or an egregious departure from the Rifle Cadre's procedures or Department policy, the RRC or Chief

of Police can immediately decertify an RCO to protect other officers, RCOs, or the community. The RRC shall review and maintain a list of all RCOs who have been decertified.

Decertification Procedures.

Decertification Criteria. An RCO may be classified as Inactive and referred to the RRC for Decertification consideration under the following circumstances:

- The RCO no longer meets the Rifle Cadre minimum requirements;
- The RCO has failed a recertification and a requalification within a calendar year;
- The RCO has an unintentional non-tactical or unintentional tactical discharge;
- The RCO has exhibited improper deployment, use, tactics, or maintenance of the rifle;
- During any stage of the Categorical Use of Force investigation process including, but not limited to:
 - A 72-Hour Brief
 - The Use of Force Review Board (UOFRB) following the adjudication of any Categorical Use of Force (CUOF); or,
 - During the Chief's final review of the CUOF investigation.

Note: Referrals to the RRC from the UOFRB or a commanding officer are not limited to incidents or actions involving a rifle. Any action that causes the UOFRB or commanding officer to believe an officer can no longer responsibly maintain or deploy a rifle can cause an RCO to be recommended to the RRC for Decertification consideration.

- The RCO unnecessarily jeopardizes the safety of other officers, other RCOs, or the community;
- The RCO acts in a manner that deviates from Department policy, tactics, or established guidelines; or,
- The RCO displays considerably poor judgement.

Notifications. When an RCO's status is being reclassified to Inactive and he or she has been referred to the RRC for a determination, he or she shall be verbally notified by the referring person/entity. Subsequently, the referring person or entity shall notify the RRC and the Commanding Officer, In-Service Training Division, via an Intradepartmental Correspondence, Form 15.02.00, of the circumstances causing the officer to be placed on the Inactive list. The referring person or entity shall also identify and attach any supporting documents, video, or other material that may help the RRC review the incident. A copy of the Intradepartmental Correspondence shall be provided to the RCO.

Failure to Qualify. An RCO who fails one Patrol Rifle recertification or one Patrol Rifle requalification during his or her assigned period will be placed on the Inactive list. The Inactive RCO must achieve a qualifying score during the next subsequent recertification or requalification cycle in order to be placed back on Active status. An RCO who fails one Patrol Rifle recertification and one Patrol Rifle qualification within a calendar year during his or her assigned period will be placed on the Inactive list and referred to the RRC for decertification.

Military Service or Injured on Duty Exemptions from Patrol Rifle Qualification. When an RCO has been deployed for military service or has been Injured on Duty (IOD) during the requalification and recertification periods, he or she shall provide military orders or medical documentation to his or her training coordinator and CO, indicating that he or she will be activated for military duty or is on IOD status during the requalification and recertification periods, so as to be exempt from being considered Decertified. A Department-issued patrol rifle shall be stored at a Department Armory, while a privately purchased patrol rifle maybe stored at an RCO's residence during military service or IOD status. Once the RCO has returned from military service or IOD, the RCO shall immediately notes his or her training coordinator and CO, so as to schedule requalification and recertification training, as soon as practicable. Rifle Certified Officers who have not recertified for over one year due to military service or IOU status will be placed on the Inactive last and shall not deploy their rifle in the field until they have been restored to Active status.

Privately-Purchased Patrol Rifles and Resignation, Retirement, Transfer to Another Law Enforcement Agency, or Departure from the Department. When privately-purchased patrol rifle RCO resigns, retires, transfers to another law enforcement agency, or departs from the Department, the privately purchased patrol rifle will be retained by the purchasing individual and is legally the property of the owner. Ownership and transfer of the patrol rifle will be governed by laws the that apply to civilian-owned assault weapons.

Commanding Officer's Responsibilities. Commanding Officers shall monitor the roster of Active RCOs and ensure that those not on the Active list do not deploy rifles in the field. Upon notification that an RCO has become Inactive or Decertified, the concerned CO shall ensure that the RCO is immediately notified and that the appropriate measures are taken to secure the rifle.

Upon notification that an RCO under his or her command has become Decertified from the Rifle Cadre, a CO shall ensure that any Department-issued patrol rifle and support equipment is returned to the Department Armory within 10 calendar days of the RCO being notified of the Decertified status. A CO shall ensure any privately purchased patrol rifle be stored at the RCO's residence immediately.

If any employee observes an RCO misuse the rifle in a manner that unnecessarily jeopardizes the safety of the community, other officers, or himself or herself; or any action that is insubstantial deviation from Department policy, tactics, or established guidelines; or displays a serious lack of good judgement, the employee shall immediately notify the concerned employee's CO. After a review of the singular incident or pattern of conduct, the employee `s CO, if warranted, shall temporarily place the employee on Inactive status and recommend a review by the RRC. The CO shall immediately notify the employee that he or she has been placed on Inactive status. The CO shall notify the RRC and the Commanding Officer, In-Service Training Division, via an Intradepartmental Correspondence, Form 15.02.00, of the circumstances causing the officer to be placed on the Inactive list and also identify or attach any supporting documents, video, or other material that may help the RRC review the incident. The Intradepartmental Correspondence shall include a recommended status determination for

the RCO and any recommended restorative action, when warranted. A copy of the Intradepartmental Correspondence shall be provided to the RCO.

Commanding Officer Recommendation. Following a CUOF involving an RCO, the CO of the involved RCO shall make a recommendation at the 72-Hour Brief to the Chief of Police whether the RCO should be placed on the Inactive list, pending a full review by the UOFRB and RRC. If it is determined that the officer will be placed on the Inactive list, the concerned CO shall notify the RCO of his or her Inactive status.

Use of Force Review Board Recommendation. During its review of an RCO's deployment, tactics, and use of force during a CUOF, the UOFRB may place an RCO on Inactive status and make a referral to the RRC for review.

Restoration Procedures. Listed below are procedures for the restoration to Active Rifle Cadre member status:

- Failure to Qualify. Any RCO who has become Inactive due to a failure to requalify or recertify, may automatically regain Active status by achieving a qualifying score at the next subsequent requalification or recertification.
- Rifle Review Committee Appeal. Any RCO who has been Decertified or designated as Inactive for any reason other than failure to requalify or recertify must submit written correspondence, via an Employee Report, Form 15.07.00, to the RRC to request reinstatement as an Active member of the Rifle Cadre. The RRC shall review the RCO's request at the next regularly scheduled meeting and provide written notification to the RCO and his or her CO of the RRC's determination including any restorative actions that require completion by the RCO.

246. LESS-LETHAL CONTROL DEVICES.

246.10 TASER

“CODE TOM.” When an employee needs a TASER, the employee shall broadcast the unit designation, location and “Code Tom.”

“Code Tom” is a “Code Two” call for the unit assigned the call. If the field situation changes and the TASER is no longer needed at the scene, the requesting officer shall broadcast a cancellation of the “Code Tom.”

246.15 CHEMICAL IRRITANT CONTROL DEVICE GUIDELINES.

Issue of Chemical Irritant Control Devices. Chemical irritant control devices shall be issued in accordance with the following guidelines:

- Uniformed officers shall be issued a large (120 gram) chemical irritant control device and large holster;

- Case carrying detectives shall be issued a small (22 gram) chemical irritant control device and small holster;
- Undercover or plainclothes officers working in staff assignments may be issued a small device and holster at the discretion of their commanding officer, based on an assessment of the particular officer's on-duty need for the device; and,

Note: Employees transferring between uniformed and undercover or plainclothes assignments requiring large and small devices shall retain their currently issued device until it expires, is emptied, or the employee separates from City employment.

- Employees shall carry their currently issued device in the event of an unusual occurrence (UO) requiring them to be temporarily deployed in uniform.

On-Duty Possession and Use of Chemical Irritant Control Devices. Officers shall possess and maintain Department-authorized chemical irritant control devices subject to the following guidelines:

- Prior to possessing a chemical irritant control device in an on-duty capacity, personnel shall have successfully completed the Department-sponsored course of instruction;
- Uniformed field personnel *shall* carry the device in its holster on the equipment belt between the ammunition case and the baton holder;
- Plainclothes and non-field uniformed personnel *may* carry the device consistent with the needs of their assignment or at the direction of their commanding officer;
- The use of a chemical irritant control device that contacts a person requires the completion of a Non-Categorical Use of Force Report, Form 01.67.05. Officers shall mark the Use of Force box on all related reports and write the words "chemical spray" next to the box; and,
- Canisters involved in any type of malfunction shall be replaced in accordance with Manual Section 3/376.

Off-Duty Possession and Use of Chemical Irritant Control Devices. Off-duty officers may possess a chemical irritant control device provided they have successfully completed the Department-sponsored course of instruction, or possess a valid California State permit for possession of a chemical irritant control device.

When an off-duty officer becomes involved in a situation in which a chemical irritant control device is used and the officer's occupation as a peace officer is a factor, the officer shall:

- Report the full details of the use of force in a related Department arrest or crime report;
- Use an Employee's Report, Form 15.07.00, to report the incident when a crime or arrest report is not required;
- Ensure that the Use of Force box on the arrest or crime report is marked and the words "chemical spray control device" is written next to the box; and,
- Submit any related reports to an assigned supervisor no later than the next regularly scheduled tour of duty.

246.17 BEANBAG SHOTGUN.

“**CODE SAM.**” When an officer realizes the need for a Beanbag Shotgun, the officer shall broadcast his or her unit designation, location, and “Code Sam.”

“Code Sam” is a “Code Two” call for the unit assigned the call. If the field situation changes and the Beanbag Shotgun is no longer needed at the scene, the requesting officer shall broadcast a cancellation of the “Code Sam.”

246.18 40MM LFSS-LETHAL LAUNCHER.

“**CODE SAM -40.**” When an officer realizes the need for a 40mm Less-Lethal Launcher, the officer shall broadcast his or her unit designation, location, and “Code Sam-40.”

“Code Sam-40” is a “Code Two” call for the unit assigned the call. If the field situation changes and the 40mm Less-Lethal Launcher is no longer needed at the scene, the requesting officer shall broadcast a cancellation of the “Code Sam-40.”

246.20 AREA/DIVISIONAL TRAINING COORDINATOR (LESS-LETHAL CONTROL DEVICES COORDINATOR) -RESPONSIBILITIES. Each Area/division Training Coordinator (Less-lethal Control Devices Coordinator) shall:

- Receive, inspect and ensure the maintenance and replacement of less-lethal control devices assigned to the Area/division;
- Establish systems to store and issue TASERS, 40mm Less-Lethal Launchers, Oleoresin Capsicum, and Beanbag Shotguns;
- Calibrate the TASERS at least once every six months as demonstrated by In-Service Training Division;
- Return discharged, defective or damaged TASER probe cartridges to the Defensive Tactics Section, Davis Training Facility, In-Service Training Division;
- Obtain service and/or replacements for defective or damaged TASERS, 40mm Less-Lethal Launchers, Beanbag Shotguns and their components from In-Service Training Division;
- Ensure that expired chemical irritant control device canisters are replaced; and,
- Maintain a file of completed Non-Categorical Use of Force Reports via the TEAMS II Application System.

246.25 COMMANDING OFFICER’S RESPONSIBILITIES.

Area/Division Commanding Officers Responsibilities. Each Area/division commanding officer whose employees are equipped with less-lethal control devices shall:

- Coordinate the repair and replacement of damaged less-lethal equipment with In-Service Training Division through the Area/divisional Training Coordinator;

- Conduct less-lethal weapons inspections, when requested by his or her respective bureau; and,

Note: The inspection should include, but not be limited to, the number of available less-lethal weapons, the number of properly functioning less-lethal weapons, the number of defective less-lethal weapons, and the number of less-lethal weapons sent to In-Service Training Division for repair or replacement.

- Upon request, forward the results of the less-lethal weapons inspections to his or her respective bureau.

Bureau Commanding Officer's Responsibilities. Bureau commanding officers shall ensure that Areas/divisions under their command forward the results of any less-lethal weapons inspections to the bureau, when requested. The bureau shall forward a consolidated report of the less-lethal weapon inspections to its respective office, when request.

246.30 TRAINING DIVISIONS RESPONSIBILITIES. Training Division shall review and maintain the TASER audits. Additionally, Training Division personnel shall provide training and assistance in calibrating and resolving any other TASER related logistical problems.

247. REPORTING INCIDENTS INVOLVING RETIRED PEACE OFFICERS. An employee who encounters a retired peace officer from this Department or any other law enforcement agency shall forward a copy of all related reports to the Commanding Officer, Personnel Division, fully describing the incident when the individual:

- Is suffering from an emotional or nervous disorder;
- Has been committed either voluntarily or involuntarily to any hospital, mental institution or other facility for the use of alcohol, drugs or narcotics; or,
- Has committed an act of misconduct or been arrested for any crime involving moral turpitude, dishonesty, the use of narcotics, drugs, alcohol, or other intoxicants or for brandishing, discharge or use of any firearm or otherwise comes under the close scrutiny of any law enforcement agency.

When a crime or arrest report is not required, the incident shall be reported on an Employee's Report, Form 15.07.00.

The Commanding Officer, Personnel Division, shall review the related reports, initiate an investigation and, when appropriate, revoke the retired police officer's privilege to carry a concealed firearm. He or she shall also ensure that appropriate notification is made when an individual retired from another agency is encountered under any of the described conditions.

Note: Retired peace officers are required to possess an identification card bearing an endorsement authorizing the possession of a concealed or loaded firearm.

247.10 RESPONSE PROCEDURES TO USES OF FORCE AND UNINTENTIONAL DISCHARGES INVOLVING PRIVATE CONTRACT SECURITY ASSIGNED TO

CITY FACILITIES. Department employees shall follow the procedures within this Section when they become aware that a private contract security guard assigned to a City facility and employed by an approved City contracted security company has been involved in a use of force or unintentional discharge during the course and scope of his or her duties. These procedures do not change the Department's policy regarding the use of force, unintentional discharges, or reporting procedures involving sworn Department employees.

Note: Refer to Department Manual Section 4/245.05, Categories and Investigative Responsibilities for Use of Force.

Officer's Responsibilities. Officers arriving at a scene where a private contract security guard has been involved in a use of force or unintentional discharge at a City facility shall:

- Notify the Area watch commander (WC) of the incident;
- Canvass the scene for witnesses or evidence;
- Determine which security company employs the involved security guard and identify which City facility he or she is assigned; and,
- Immediately request a Security Services Division (SECS) supervisor to respond to their location.

Note: If no SECS supervisor is available, officers shall request a field supervisor from the Area/division of occurrence to respond to their location.

Security Services Division/Area Field Supervisor's Responsibilities. The SECS/Area field supervisor, upon arrival on scene, shall:

- Ensure a preliminary investigation is completed, sufficient to make an initial determination, based upon the preponderance of the evidence standard, if the security guard committed a crime or not;
- If a preliminary determination is made that the use of force or unintentional discharge is criminal in nature, ensure that Area detectives respond and conduct an investigation;
- Ensure the scene was canvassed for witnesses or evidence, including any digital in-car or body-worn video recordings of the incident;

Note: Contract security guards are not mandated to deploy digital in-car or body-worn video.

- Notify the on-duty SECS WC, as soon as practicable, regarding the use of force or unintentional discharge, including the type of force used, any injuries and medical treatment, if applicable, and any other extraordinary circumstances, and document the incident and information obtained in a Sergeant's Daily Report, Form 15.48.00;
- If a criminal investigation and/or arrest is appropriate, ensure an Investigative Report (IR), Form 03.01.00, and/or an Arrest Report, Form 05.02.00, is completed, in compliance with Department procedures;

- Verify with the private contract security guard that his or her company supervisor is responding to the location to conduct an independent investigation;
- Obtain the rank, name and identifying information of the involved private contract security guard(s) and the private contract security guard's supervisor who will conduct the use of force review or unintentional discharge investigation;
- If a preliminary determination is made that the use of force or unintentional discharge is non-criminal in nature, Complete a Contract Security Guard - Use of Force Report, Form 01.67.15, and a Security Services Division Use of Force Involving Private Contract Security Checklist, Form 01.67.14; and,
- Obtain copies of all reports detailing the incident, including any written review by the involved private contract security company (when available) and forward to SECSO via Department mail as soon as practical.

Area Watch Commander's Responsibilities. If an Area supervisor responds to the scene of a use of force or unintentional discharge involving a contracted security guard at a City facility, the Area WC shall:

- Document the use of force or unintentional discharge incident in a Watch Commander's Daily Report, Form 15.80.00; and,
- Forward one copy of the Sergeant's Daily Report and the Watch Commander's Daily Report to SECSO via Department mail as soon as practical.

Security Services Division Watch Commander's Responsibilities. Upon notification that a private contract security guard has been involved in a use of force or unintentional discharge, the SECSO watch commander shall:

- Ensure a SECSO supervisor or Area/division supervisor responds to the scene of the use of force or unintentional discharge involving the private contract security guard to conduct an investigation;
- Document the following in the narrative portion of the Watch Commander's Daily Report:
 - The name and serial number of the involved private contract security guard and the private security guard's supervisor that responded to the scene of the use of force or unintentional discharge; and,
 - The on-scene disposition, including which entity handled the incident/investigation (e.g., security company, SECSO and/or Area detectives).

Note: The on-scene disposition is how the incident was handled and by whom, along with whether the preliminary investigation is determined to be criminal or administrative in nature and the status of the involved Contract Security Guard(s).

- Ensure a SECSO supervisor or Area/division supervisor completes a Contract Security Guard - Use of Force Report, and a Security Services Division Use of Force Involving

Private Contract Security Checklist, when it is determined that the use of force or unintentional discharge is non-criminal in nature;

Note: The original Contract Security guard - Use of Force Report and Security Services Division Use of Force Involving Private Contract Security Checklist shall be filed within SECSO and a copy shall be forwarded to Counter-Terrorism and Special Operations Bureau (CTSOB).

- Ensure that an Area detective supervisor responds to the scene to conduct an investigation if it is determined that, based upon the preponderance of the evidence standard, the use of force or unintentional discharge is criminal in nature; and,
- Ensure that any discrepancy is documented in the Contract Security Guard - Use of Force Report, if it is determined that there is any deviation from the security company's procedures and protocols, as outlined in the contract between the security company and the department;
- Ensure timely notification of the incident is made to the CO, Civic Operations Section, SECSO, and the CO, SECSO;
- Notify the respective Area CO where the incident occurred;
- Include the use of force or unintentional discharge on the SECSO Morning Report; and,
- Forward all reports and attachments to the CO, Civic Operations Section and the CO, SECSO.

Area Detective's Responsibilities. Area detectives shall investigate all uses of force or unintentional discharges where a preliminary determination has been made that the use of force or unintentional discharge is criminal in nature. Area detectives shall handle all related arrests and file all related cases.

Security Services Division Commanding Officer's Responsibilities. The CO, SECSO, shall:

- Ensure a SECSO or Area/division supervisor conducts an investigation and completes a Contract Security Guard —Use of Force Report and Security Services Division Use of Force Involving Private Contract Security Checklist, when it is determined that the use of force or unintentional discharge is non-criminal in nature;
- Conduct a preliminary review of the incident and note any concerns regarding legality and reasonableness of the involved contract security guard's actions;
- Make a determination as to the contract security guard's work status pending the investigation;
- Ensure compliance with contracts with all private security companies; and,
- Determine the preliminary adjudication of the use of force or unintentional discharge and forward the adjudication, along with the rationale and recommendations to CTSOB.

Counter-Terrorism and Special Operations Bureau Commanding Officer's Responsibilities. The CO, CTSOB, shall review all uses of force and unintentional discharges

involving private contract security. The CO, CTSOB, will be the final adjudicator of the use of force or unintentional discharge.

248. THEFT.

248.10 IDENTITY THEFT. The victim of Identity Theft is the person or business whose identity has been fraudulently assumed by another with the intent to obtain credit, goods, or services without the victim's consent. No financial loss is necessary.

An Identity Theft Report should not normally be taken when a related crime report has already been filed with any law enforcement agency. If a resident of Los Angeles is not satisfied that another forgery-related report is sufficient, complete an Identity Theft Report. Note in the narrative, "victim insisted on report" and reference related reports.

The location of occurrence for an Identity Theft is the victim's residence. Therefore, non-residents should be referred to the law enforcement agency having jurisdiction over their residence.

Note: If a business is the victim, the location of occurrence for an Identity Theft is the business address.

Identity Theft Reports shall not normally be taken telephonically. Residents of the City making telephonic inquiries should be directed to appear in person at the nearest Police Station with copies of supporting documentation and identification to file a report.

Note: Courtesy Reports shall conform to Manual Section 5/030.05.

Officers conducting a preliminary investigation of an Identity Theft shall include with the report the following:

- Include all copies of documents supporting the allegation (credit reports, invoices, demand letters, affidavits of forgery, etc.) as pages of the report. If these documents are not available, explain in the narrative;
- Attach a copy of the victim's identification as a report page. If the victim is not in possession of identification at the time of the report, explain in the narrative;
- Include all notifications made by the victim to any financial institutions or credit reporting agencies in the narrative portion of the report; and,
- Complete a Forgery/Identity Theft Supplemental (FIS), Form 03.07.00 and attach it as a page to the IR

The employee completing an initial financial loss theft report shall also provide the victim with a Victim's Supplemental Financial Loss Report, Form 03.05.00 and a copy of the Investigative Report face sheet. The employee shall complete the shaded area at the top of the Victim's Supplemental Financial Loss Report, briefly explain its use and leave it with the victim for reporting future loss.

248.15 ATM CARD FRAUD – DEFINED. An Automated Teller Machine (ATM) card fraud occurs when an unauthorized person uses an ATM card to fraudulently access funds from checking or savings accounts that belong to another person, without their consent, through the use of an automated teller machine. The victim of an ATM card fraud is the person to whom the account belongs and not the financial institution.

Officer’s Responsibility. Officers conducting a preliminary investigation of an ATM card fraud shall complete a Investigative Report, Form 03.01.00, and FIS titled “Identity Theft,” and include the following information:

- The exact location of the ATM utilized to commit the fraud;

Note: Location of occurrence will be the location where the ATM was used to commit the fraud. This information may be obtained from the financial institution holding the account. If the ATM location cannot be determined, then advise the victim to contact his/her financial institution **before** a report can be taken. However, if the victim insists on a report, and meets all other criteria, then a Investigative Report shall be completed.

- The amount of money taken;
- Whether the victim is still in possession of his/her ATM card; and,
- Whether the victim has given his/her Personal Identification Number (PIN) to anyone.

They shall also provide the victim with a Victim’s Supplemental Financial Loss Report, Form 03.05.00 and a copy of the Investigative Report face sheet. The employee shall complete the shaded area at the top of the Victim’s Supplemental Financial Loss Report, briefly explain its use and leave it with the victim for reporting future loss.

Commercial Crimes Division’s Responsibility. Fraud cases by means of an ATM card shall be investigated by Forgery Section, Commercial Crimes Division. The detective receiving the Victim’s Supplemental Financial Loss Report from a reporting victim shall ensure that the information is legible, complete and accurate before signing the report.

When the Victim’s Supplemental Financial Loss Report is used to report additional financial loss, a separate Follow-up Investigation, Form 03.14.00 is not required.

Note: Burglary theft, or vandalism of an ATM will continue to be the investigative responsibility of the geographic detectives.

248.20 FALSE PERSONATION. The victim of False Personation is the person whose identity or personal information is used by another person that could result in the victim becoming liable for any suit or prosecution.

Officer’s Responsibility. Officers conducting a preliminary investigation of a false personation case shall:

- Complete a Investigative Report, titled “False Personation,” unless a related crime report has been completed by another law enforcement agency;
- Include photocopies of all documents supporting the allegation of false personation as pages of the report. If these documents are not available, explain the reason in the narrative of the report;
- Include a copy of the victim’s identification as a page of the report. If unable to attach a copy, explain the reason in the narrative of the report;
- Provide the victim with a Victim’s Supplemental Financial Loss Report, Form 03.05.00. The employee shall complete the shaded area at the top of the Victim’s Supplemental Financial Loss Report, briefly explain its use and leave it with the victim for reporting future loss; and
- Generally not complete reports telephonically. If the crime occurred in the City, the victim should be directed to appear in person at the nearest Area Community Police Station with copies of supporting documentation and identification to file a report.

Note: The elements of the crime of false personation require that a suspect successfully complete the act, which might result in criminal or civil liability for the victim. If a suspect attempts to personate another **at the time** of arrest, booking, traffic citation or traffic report, officers should handle the investigation via arrest for the appropriate violation (e.g., Penal Code Section 148.9 or Vehicle Code Section 31) or, if arrested for a more serious crime, include the information in the narrative of the report and request additional filing.

Area Detective Division’s Responsibility. False personation cases resulting from any arrest or any other incident, excluding a traffic citation or traffic report, shall be investigated by the Area Detective Division in the Area of occurrence.

Area Traffic Detective Section’s Responsibility. False personation cases resulting from a Traffic Notice to Appear (citation) or traffic crash report shall be investigated by the traffic detective section responsible for the Area of occurrence.

Note: The detective receiving the Victim’s Supplemental Financial Loss Report from a reporting victim shall ensure that the information is legible, complete and accurate before signing the report. When the Victim’s Supplemental Financial Loss Report is used to report additional financial loss, a separate Follow-up Investigation, Form 03.14.00 is not required.

248.30 THEFT OF BLANK CHECKS. Officers conducting a preliminary investigation of a theft where blank checks might reasonably have been taken shall request the victim to determine whether any blank personalized or business checks are missing. When such checks are missing, the following information shall be included in the crime report:

- Number of checks taken;
- Type of checks (business, payroll, or personalized);
- The firm's (or person's) name and address, when printed on checks.
- The color of the missing checks;
- The serial numbers of the missing checks; and,
- The name and address of the bank on which the checks are drawn.

248.40 STOLEN, LOST OR RECOVERED BOATS. When reporting, lost or recovered boats, reporting employees shall:

- Complete a Vessel Report, Form 12.08.00, for *each* boat or boat engine/transmission which is stolen, lost, recovered, found or impounded.
- Query the Department of Motor Vehicles' Vessel Registration File and the State's Automated Boat System through the Area/division records unit, prior to contacting the Vehicle/Property Unit (VPU), Records and Identification Division. Reporting employees shall mark the SVS/ABS box upon completion.

DR Numbers.

- Each Vehicle Investigation requires a separate vehicle DR number. If more than one boat or boat engine/transmission is stolen, each requires a separate DR number.

Exception: When an outboard engine(s) is attached to or accompanies a stolen or lost boat, a separate report and separate DR number is *not* required. All information relative to the outboard engine(s) shall be entered in the narrative portion of the report and submitted to VPU. When a boat is recovered and a previously reported outboard engine(s) is missing, a Follow-up Investigation, Form 03.14.00, shall be completed by the concerned detective using the same DR number as the recovered vehicle report.

- A recovered or found report shall bear the same DR number as the original stolen or lost report.

Completion. Reporting employees shall completely describe the boat by documenting the following information, if known, in the proper boxes on the Vessel Report, Form 12.08.00:

- State or country of registration, registration number and year of expiration.
- Manufacturer or builder and the use or general design (sail, cruiser, jet ski, etc.).
- Primary type or mode of propulsion (inboard, outboard, sail, etc.).
- Primary color.
- Inboard or outboard engine number(s).
- Builder's or State-issued hull identification number (BHN).
- File Control Number and the two-character "associate record identifier", if it appears on the Automated Boat System (ABS) teletype.

The following additional information, if known, shall be included in the narrative portion of the report:

- Length.
- Hull material.
- Owner-applied name/number.

248.50 LOST OR STOLEN BOAT ENGINES. Boat engines shall be completely described and identified. The following information, if known, shall be included in reports involving boat engines or lost or stolen boats:

- Year.
- Make.
- Model.
- Engine number.
- Horsepower rating.
- Inboard or outboard.
- Number of cylinders.
- Type (gas, diesel, or jet).
- Shaft length.
- Electric or manual start.

248.60 LOST OR STOLEN AIRCRAFT. When reporting lost or stolen aircraft, officers shall completely describe the aircraft by documenting the following information, if known, in the proper boxes on the Vehicle Report, CHP Form 180:

- Present owner's name.
- Aircraft registration number and year of registration.
- Make and model.
- Name of manufacturer.
- Year manufactured and type of aircraft.
- Color of aircraft.
- Aircraft identification number.

Note: Officers shall request a Vehicle DR number from the Automated Vehicle and Property Section, Records and Identification Division when reporting lost or stolen aircraft.

The following additional information, if known, shall be included in the narrative portion of the report:

- Type of propulsion and number of engines.
- Landing gear serial number.
- Markings.
- Make, model, and serial number of the radio and navigation equipment on board.
- Number of seats (places).
- Whether passenger, non-passenger, or freight.
- Whether private, commercial, or military.

248.70 THEFT TOTALING \$5000 OR MORE - NOTIFICATION. Officers conducting a preliminary investigation of a theft in which property valued at \$5000 or more was taken, in

addition to completing the required reports, shall notify the concerned investigative unit of the theft.

Note: When the concerned investigative unit is closed and property valued at **\$50,000** or more is taken, notification shall be made to Detective Support and Vice Division.

252. FORCIBLE RAPE.

252.10 REPORTING A FORCIBLE RAPE. A person desiring to make a forcible rape crime report shall be referred to the concerned investigative division for determination as to whether a report shall be taken when the offense is alleged to have occurred more than thirty days prior to the date reported to the Department.

252.12 REJECTION OF FORCIBLE RAPE REPORTS. When an investigating officer determines that a forcible rape crime report should not be taken for an offense alleged to have occurred more than thirty days prior, he/she shall immediately submit an Intradepartmental Correspondence, Form 15.02.00, to Robbery-Homicide Division. The report shall include:

- Victim's name and address.
- Date and time alleged offense was reported to the Department.
- Date and time alleged offense occurred.
- Reasons for not accepting the report.

258. NARCOTICS AND DANGEROUS DRUGS.

258.10 NARCOTIC OR DANGEROUS DRUG EVIDENCE ON ARRESTEE'S PREMISES. When narcotics, dangerous drugs, or equipment employed in the preparation or use of narcotics are found, not on the person of an arrestee but in any room, apartment building, or other premises occupied, controlled, or used by him, officers shall:

- Determine the name and address of the manager or landlord of the premises.
- Gather all mail and communications addressed to the arrestee at the location. Mail in a mailbox or mail receptacle shall not be removed by officers-only by the arrestee or his/her authorized representative.
- Determine the location of the key to the premises. When the key is in the possession of the arrestee, it shall be booked as evidence.
- Notify the manager or landlord, if present, of the arrest and obtain a statement from him/her as to the arrestee's status as tenant or occupant of the premises.
- Book all physical evidence gathered (Manual Section 4/525.).

The results of the foregoing operations shall be indicated in the Arrest Report, Form 05.02.00.

258.14 RECEIVING NARCOTIC INFORMATION. The Narcotics Report, Form 03.19.00 shall be used to report the existence of narcotics activity reported to, or observed by officers, except when an arrest is made at the time of the violation. Additionally, this form shall be used

to report narcotics conditions outside the City, which come to the attention of officers of this Department.

EMPLOYEE'S RESPONSIBILITIES. Narcotics activity in progress and in plain view. Any Department employee receiving information regarding the existence of narcotics activity from any source shall determine if the narcotics activity is in progress and in plain view. If these criteria are met, Communications Division shall be notified, and a call for service shall be generated. A Narcotics Report is not required.

Narcotics activity not in progress. When a Department employee receives information from a Person Reporting (PR), regarding narcotics activity that is not in progress, not specific as to the location or the suspects involved, the employee may confer with Narcotics Enforcement Detail (NED) and/or the concerned Area Senior Lead Officer (SLO) for proper handling.

Note: Some investigations may require a notification to the concerned Area NED, OIC (e.g., chronic location).

Narcotics activity with a specific suspect and/or not in progress or plain view. If the reported narcotic activity involves information on a specific suspect and/or location and the illegal activity is not in progress or in plain view, then a Narcotics Report shall be completed. The reporting employee may deviate from the above procedure, with supervisory approval, if the information provided indicates that the investigation would best be handled by the concerned Area NED. In those cases, a supervisor shall explain in their Sergeant's Daily Report, Form 15.48.00, the reason for the deviation.

Note: If the reported narcotics information is occurring outside the City, the officer shall provide contact information (e.g., the telephone number of the concerned police department) to the reporting party. If the reporting party requests completion of a Narcotics Report, the officer shall complete the report and submit it to the concerned supervisor for approval.

258.17 REPORTING NARCOTIC ACTIVITY. The Form 03.19.00 shall be used to report narcotic conditions, except when an arrest is made at the time of violation. The Form 03.19.00 shall include all known information relative to suspects, locations, type of activity, and methods of operation.

Note: When narcotics and vice activity are complained of at the same location, the Narcotics Report, Form 03.19.00, shall be completed and the vice activity shall be included in the narrative portion of the report. The narcotics activity shall be investigated by narcotics investigating officers; if the vice condition continues to exist at the conclusion of the narcotics investigation, the concerned investigating officer shall complete a Vice Report, Form 03.18.00, including the vice information. A vice DR number shall be obtained and the Form 03.18.00 distributed in the appropriate manner.

SUPERVISOR'S RESPONSIBILITIES - 03.19.00 INTAKE. The supervisor reviewing the Narcotics Report shall review it for completeness prior to approving the report.

When the investigation would be beyond the resources of the concerned Area patrol division and the reporting officer completes a Narcotics Report, rather than a call for service, the supervisor reviewing the Narcotics Report shall:

- Review the circumstances of the narcotics activity;
- Determine if the narcotics activity should be investigated by the concerned Area Narcotics Enforcement Detail (NED);
- Ensure that the Brief Description of Complaint section of the form is completed. Include the reason why a Narcotics Report was initiated;
- Immediately forward the original Narcotics Report to Investigative Support detail (ISD); and,
- Forward a copy of the Narcotics Report to the Gang Impact Team (GIT) Officer in Charge (OIC) of the concerned Area.

AREA COMMANDING OFFICER'S RESPONSIBILITY. The Area commanding officer shall ensure that each Narcotics Report assigned to their Area is investigated, tracked and closed-out as outlined in the Forms Use Link 5/03.19.00, in the LAPD E-Forms.

GANG AND NARCOTICS DIVISION'S RESPONSIBILITIES. Investigative Support Detail, Gang and Narcotics Division, is the Department entity responsible for the review, distribution, and tracking of Narcotics Reports. Upon receipt of a Narcotics Report, ISD shall:

- Determine which Department entity is handling the investigation;
- Review each Narcotics Report for completeness and assign a (DR) number;
- Enter all applicable information from the Narcotics Report into the Narcotics Activity Reporting Control System (NARCS); and,
- Retain a copy of the Narcotics Report, and forward the original to the concerned Area GIT OIC.

Note: Any additional Narcotics Reports completed for the same location that include additional information shall be marked "Follow-up", and shall have the same DR number as the original Narcotics Report.

GANG IMPACT TEAM, OFFICER IN CHARGE, RESPONSIBILITIES. A GIT OIC, after receiving a Narcotics Report shall:

- Immediately review the Narcotics Report and forward it to the NED OIC for investigation;
- Review and approve each completed Narcotics Report; and,
- Return the completed Narcotics Report to the investigating NED for filing and storage for future reference.

GANG AND NARCOTICS DIVISION (GND) AND AREA NARCOTICS ENFORCEMENT DETAIL, OFFICER IN CHARGE (OIC), RESPONSIBILITIES. After receiving a Narcotics Report, the GND or Area NED OIC shall:

- Immediately review and assign the Narcotics Report for investigation;
- Ensure that an entry in NARCS indicates the investigating officer's name and the due date;
- After the conclusion of the investigation, review the completed Narcotics Report;
- Approve the completed Narcotics Report prior to closing out the report in the NARCS database;
- Ensure that NARCS is updated with any additional information from the completed Narcotics Report;
- Approve the completed Narcotics Reports within seven calendar days from when the investigation was closed and submitted by the investigating officer;
- Area NEDs shall retain the completed Narcotics Report, file and store for future reference; and,
- Once the Form 03.19.00 has been closed in the NARCS system, GND shall print and file a copy of the Form 03.19.00 face sheet.

GANG AND NARCOTICS DIVISION (GND) AND AREA NARCOTICS ENFORCEMENT DETAIL (NED) OFFICER'S RESPONSIBILITIES. After receiving a Narcotics Report for investigation, the GND or NED investigating officer shall:

- When possible, the 03.19.00 investigation shall be completed and properly closed out within 45 calendar days; if not completed within 45 calendar days, extension(s) may be granted in accordance with the procedures detailed below in the Narcotics Report Investigation Time Limit section;
- When known, conduct an interview of the complainant and witnesses, as soon as practicable;
- Complete the Investigator's Checklist Section on the Narcotics Report;
- Identify all known suspects, and record pertinent information about them;
- List the date and time of each investigation at the concerned location, and the work hours expended on each narcotics investigation;
- Conduct a minimum of three field investigations to determine if the narcotics activity is taking place, and if those investigations fail to substantiate the activity, close-out the investigation as Unfounded;
- Complete an additional Narcotics Report (follow-up) if the original investigation is not completed within 45 calendar days after being assigned;
- Upon completion of the investigation, record the close-out classification; and,
- Obtain supervisory review and approval for the completed Narcotics Report.

NARCOTICS REPORT INVESTIGATION TIME LIMITS. Investigating officers shall have 45 calendar days from the date the Narcotics Report is assigned to them to complete and close-out the investigation. When a narcotics investigation is not closed out within 45 calendar days after being assigned, the investigating officer shall complete an additional Narcotics Report (follow-up), using the same DR number, and comply with those procedures outlined in the Form Use link applicable to Form 03.19.00 in the LAPD E-Forms. The concerned Area GIT OIC may grant one additional 45 calendar day extension. A second 45-day extension may be authorized by the Bureau GIT lieutenant. Any extension beyond that would require GND approval.

Note: Extensions may be granted for particularly complex narcotics investigations (e.g., investigations requiring extended surveillance, resources, etc.), and investigations that are unavoidably delayed (e.g., due to higher priority investigations, Department Mobilizations, or Unusual Occurrences, etc.).

MASTER 3.19 – DEFINED. A Master 3.19 narcotics investigation may be initiated at a specific location or area when a chronic narcotic problem exists, and/or numerous complaints have been received over an extended period of time. A Master 3.19 is an alternative to conducting several separate narcotics investigations regarding the same ongoing, unresolved narcotics activity. A Master 3.19 investigation is maintained throughout the year, and closed out by December 31 of the same year. A Master 3.19 may be reopened on January 1, with a current year DR number.

Note: Approval for a Master 3.19 shall be obtained from the Commanding Officer, ND.

NARCOTICS REPORT, CLOSE-OUT CLASSIFICATIONS. Upon completion of the investigation, the Narcotics Report shall be closed-out using one of the following close-out classification categories:

- **Arrest.** This category is used when at least one suspect is arrested for a narcotic-related offense that is related to information provided on the Narcotics Report.

Note: The Arrest Report shall not refer directly to the Narcotics Report. Such references may result in public exposure of these reports during adjudication, and thereby jeopardize their confidentiality. It is sufficient to report the source of activity as a complained of narcotics condition or location.

- **Unfounded.** This category is used when the investigation revealed that the suspect or location is not involved in the alleged narcotic activity. This category shall also be used when there is no such address and/or suspect at the location.
- **Abatement.** This category is used when the complained of location has been abated or assigned to the Narcotics Abatement Unit, ND. This category requires that a Nuisance Abatement Report, Form 03.19.01, be initiated.
- **Other.** This category is used when the investigating officer is unable to substantiate the alleged narcotic activity, and at least one suspect is arrested from that location for a non-narcotic offense. It is also used when the suspect has moved to another location and/or jurisdiction.
- **Investigative Support Detail.** This category is used when the Narcotics Report is closed by ISD for administrative reasons (e.g., reporting party verified as mentally ill, the case is active with another agency, a duplicate Narcotics Report exists from the same complainant, etc.).
- **Insufficient Information.** This category is used when the information provided in the Narcotics Report is vague, and/or incomplete, and the complainant wishes to remain anonymous, and/or is unable to provide any additional information.

Note: When known, prior to close-out, the investigator shall re-interview the PR, and provide them with the results of the investigation. The investigator shall also obtain and record the PR's response to the narcotics investigation on the Narcotics Report. When applicable, contact the property owner(s), inform them of the problem and request their assistance during any future investigations.

SECURITY OF NARCOTICS REPORT INFORMATION. Information contained in a Narcotics Report is protected under Section 1040 of the Evidence Code. Information on a Narcotics Report shall not be released for distribution, or incorporated in any other police report. Due to the sensitive nature of narcotics investigations, all information contained in the Narcotics Report is confidential, and shall only be released on a need-to-know and right-to-know basis.

Information regarding the addresses of Narcotics Report locations shall be afforded the highest level of security (e.g., the information shall not be released to non-Department sources). Information regarding the identity of reporting parties shall not be released. However, limited information from the Narcotics Report (e.g., the number of Narcotics Reports by reporting district or Areas) may be released for crime analysis.

258.20 PHOTOGRAPHING NARCOTIC MARKS. Narcotic marks on arrestees shall be photographed at the location where the arrestee is booked, with the following exceptions:

- Females who are to be booked into Sheriff's custody shall be photographed at the Photographic Section, Technical Investigation Division (TID).
- When the marks are on the private parts or unusual portions of the body, officers shall notify Photographic Section, Technical Investigation Division, who shall take the photographs.

258.30 OPIATE - URINE TEST.

Admonition of Arrestee. An arrestee who displays objective symptoms of being under the influence of an opiate shall be admonished according to the format on the Admonishment for Urine Test, Form 08.40.01.

Exception: If the charge is 23152 or 23153 VC, the arrestee shall be admonished according to the "Drug Admonition" format on the DUI Arrest Report, Form 05.02.05.

Obtaining Urine Sample. Urine samples shall be obtained from male arrestees at the location of booking in the presence of a male officer. Urine samples shall be obtained from female arrestees in the presence of a female officer at one of the locations listed in Manual Section 4/343.42.

When necessary, telephonic inquiry shall be made to locate a female officer. When it is impracticable for the female officer to respond to the arrestee's location, the arrestee shall be

transported to the female officer's location. Urine tests shall be administered according to procedures outlined in Manual Section 4/343.42.

Exception: For opiate testing, there is no requirement that the arrestee void his/her bladder 20 minutes prior to providing the sample.

The time the sample was obtained and the name and serial number of the officer obtaining it shall be included in the arrest report.

Booking Urine Sample. The sample shall be booked according to procedures outlined in Manual Section 4/343.42.

260. PERSONS WITH A MENTAL ILLNESS.

260.05 A PERSON SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS – CONSIDERATIONS. In formulating the opinion that a person may be suffering from a mental illness, officers shall consider the following:

- The officer's observations, based on his or her training and experience;
- A self-reported condition by the subject, i.e., diagnosis and/or medication;
- Statements from a credible third party, i.e., family member, caregiver, mental health professional, and/or citizen; or,
- History of law enforcement contacts, mental health evaluations or hospitalizations, e.g., Mental Evaluation Report via the Mental Evaluation Unit.

260.07 TACTICAL DISENGAGEMENT. Disengagement is the tactical decision to leave, delay contacts, delay custody, or plan to make contact at a different time and under different circumstances. This tactic should be considered when an officer reasonably believes continued contact may result in an unreasonable risk to the person in crisis, the public, and/or Department members, especially in situations involving a barricaded suspect, a suicidal subject, or a person believed to be experiencing a mental health crisis (pursuant to the Department Training Bulletin, Tactical Disengagement, dated July 2019).

Investigating Officer's Responsibilities. Disengagement can be proposed by the primary unit, but shall **not** be effected prior to:

- Consultation with the field supervisor;
- Consultation with the Mental Evaluation Unit (MEU) watch commander, if the subject is experiencing a mental health crisis; and,
- Approval by the Area watch commander.

Tactical situations vary and there is no single solution to resolving every incident.

Disengagement is only one of many tactics that should be considered, if feasible, to potentially reduce the intensity of the encounter if believed it would de-escalate the situation and no crime or a minor crime has occurred (i.e., non-violent misdemeanor or felony, weapons uninvolved).

Note: Minor crimes include, but are not limited to, infractions or crimes that can be followed up with an Investigative Report, Form 03.01.00.

Officers should continually assess the situation as circumstances change and new information is received. Officers should additionally evaluate if further contact with the subject may result in an undue safety risk to the person, the public, and/or officers.

The primary unit shall document their notifications and any direction received from Department personnel on their Daily Field Activities Report, Form 15.52.00.

Field Supervisor's Responsibilities. The incident commander (IC) at scene shall contact the Area watch commander, and when feasible, contact Metropolitan Division's watch commander to request the Special Weapons and Tactics team (SWAT) and/or the Crisis Negotiations Team (CNT) whenever:

- The incident meets the criteria for a barricaded suspect; or,
- A suicidal subject is armed; or,
- A suicidal subject is on an elevated or unstable surface which could cause a fall that may result in a significant impact injury.

The IC shall also contact MEU, Detective Support and Vice Division, for advice if the incident involves an individual experiencing a mental health crisis. **However, the watch commander for the geographic Area of occurrence shall be the final authority on whether to disengage from any of the above circumstances.** The IC shall document his or her notifications and any direction received from Department personnel on their Sergeant's Daily Report, Form 15.48.00.

Note: Not all suicidal subjects are considered barricaded or require a SWAT/CNT response or immediate police action.

Watch Commander's Responsibilities. The Area watch commander shall make direct contact with the incident commander in incidents under consideration for tactical disengagement. Where appropriate, the watch commander shall review the incident with the MEU and Metropolitan Division watch commanders. The Area watch commander shall:

- Weigh the situation against the community's interests (i.e., Balance Test);
- Provide direction to at-scene personnel consistent with the Department's guiding principle of reverence for human life and pursuant to the Tactical Disengagement Training Bulletin (dated July 2019); and,
- Document his or her notifications and any direction received from and given to Department personnel on his or her Watch Commander's Daily Report, Form 15.80.00.

260.10 PRIVATE PERSONS' REQUEST FOR INFORMATION. Private persons who inquire about treatment of persons with a mental illness or the filing of mental health petitions shall be advised to telephone the National Alliance on Mental Illness (NAMI) Greater Los

Angeles County or the Los Angeles County Department of Mental Health Access Center for guidance.

260.12 NOTIFICATIONS FROM A MENTAL HEALTH PROFESSIONAL. When an officer receives a notification from a mental health professional regarding a communicated threat of physical violence against a reasonably identifiable victim(s), also known as a “**Tarasoff Notification**,” he or she shall immediately notify the Mental Evaluation Unit (MEU), Detective Support and Vice Division. The MEU shall complete the required documentation and notification to the California Department of Justice.

The reporting officer shall conduct the appropriate criminal investigation, to include any required investigative reports.

260.15 MENTAL EVALUATION UNIT NOTIFICATIONS. Any incident commander, crisis negotiation team, or officer who is in charge of an attempted suicide, barricaded suspect, or hostage incident shall notify the Mental Evaluation Unit, Detective Support and Vice Division, for information regarding the involved person.

260.17 WELFARE CHECK FOR A PERSON SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS. When an officer receives information that a welfare check is being requested for a person suspected of suffering from a mental illness, the officer, when reasonable, shall conduct a search of the Department of Justice (DOJ), Automated Firearms System (AFS), via the California Law Enforcement Telecommunications System (CLETS), to determine whether the person is a registered owner of a firearm, per Penal Code Section 11106.4.

260.20 TAKING PERSONS WITH A MENTAL ILLNESS INTO CUSTODY. When Department personnel make the determination to take custody of a person suspected of suffering from a mental illness, and the only reason for the detention is the person’s suspected mental illness, officers shall communicate the Detainment Advisement for Persons with a Mental Illness, Form 15.04.00, to the individual. Officers shall further ensure that they document on their activities log, [e.g., Computer Aided Dispatch (CAD) Summary Report, Daily Field Activities Report (DFAR), Form 15.52.00, or its electronic version (i.e., e-DFAR); or the Traffic Daily Field Activities Report (TDFAR), Form 15.52.01], that the Detainment Advisement was given.

The Mental Evaluation Unit (MEU) **shall** be contacted prior to transporting a person with mental illness to any health facility or hospital.

Exception: In those situations where an exigency exists (i.e., hostile crowd, combative suspect or the subject is injured and requires immediate medical treatment), the MEU shall be contacted after the subject is transported to an appropriate medical facility. Officers shall fax or forward via Department mail a copy of the Los Angeles County department of Mental Health - MH 302 NCR Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment Form to the MEU.

When a person is taken into custody for a criminal offense and the person is suspected of having a mental illness, the MEU shall be contacted prior to the person being booked. When the subject is a suspect in a felony or high-grade misdemeanor crime, or has a felony or high-grade misdemeanor warrant, the criminal matters shall take precedence. If the subject is under arrest for a low-grade misdemeanor crime, misdemeanor warrant, or infraction, and meets the criteria for an Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment Form, booking is at the discretion of the Area watch commander. Arrestees suffering from a mental illness may be booked at any Department jail facility. Brief information concerning the mental illness should be documented in any booking reports and under the "Additional" heading in the Arrest Report.

The MEU, Detective Support and Vice Division, is available for advice and assistance in facilitating the transfer of the subject to a Los Angeles County jail facility. Any questions concerning the arrest, booking, housing, or transfer of an individual suspected of suffering from a mental illness shall be directed to the MEU Watch Commander. If the subject is not booked for the criminal offense, officers shall complete the appropriate criminal Investigative Report (IR), Form 03.01.00. Brief information concerning the mental illness shall be documented under the "Additional" heading in the IR, as well as the notifications made (i.e., who was contacted and/or provided advice). Follow-up shall be conducted by the appropriate investigative entity.

When practical, provide the subject and/or family with the Department's Community Mental Health Resource Guide and 911 Checklist, available from the MEU, and on E-forms. Upon request, uniformed officers shall assist the Lanterman-Petris-Short (LPS) Act-designated County Psychiatric Mobile Response Teams, LPS Act-designated mental health clinician, or the court-designated conservator, or the court mandated treatment provider, in the apprehension of persons suffering from a mental illness or violent patients with mental illness who are being placed on a mental health hold.

260.25 FIREARMS OR OTHER DEADLY WEAPONS IN POSSESSION OF PERSONS WITH A MENTAL ILLNESS. Whenever a person, who has been detained or apprehended for examination of his/her mental condition or who is a person described in Welfare and Institution Code (WIC) Section 8100 or 8103, is found to own, or have in his/her possession or under his/her control, any firearm whatsoever, or any other deadly weapon, shall be confiscated by any law enforcement agency. Officers shall retain custody of the firearm or other deadly weapon and follow procedures for booking firearms (Department Manual Section 4/540.30).

Where the detention or apprehension of a person for examination of his/her mental condition or who is a person described in WIC Sections 8100 or 8103 occurs either inside or outside the person's residence or other premises, and where officers have reasonable cause to believe (based on the totality of facts and circumstances known to the officer at the time of the detention) that the detainee owns, possesses, or has under his/her control a firearm or any other deadly weapon, the officer shall:

- Where practical, attempt to obtain valid consent from either the detainee, a cohabitant or other person with standing within the residence or premises to enter and search the location in order to confiscate the firearms/deadly weapon(s);
- Absent consent to search, officers shall only confiscate firearms or other deadly weapons from the person of the detainee, the area immediately within the detainee's wingspan, or within the plain view of the officer in the area where the detention/apprehension occurred; and,
- Obtain a search warrant, pursuant to California Penal Code Section 1524(a) (10), authorizing confiscation of all other firearms or other deadly weapons pursuant to WIC Section 8102, outside the parameters identified above.

If a firearm or other deadly weapon within the residence or premises is owned by a person **other than** the person being detained or apprehended pursuant to WIC Sections 5150, 8100 or 8103, **and** the firearm or deadly weapon is secured and not accessible to the person being detained, officers must not seize the firearm or other deadly weapon. The officer(s) shall provide the owner a Release of Firearm Advisement, Form 10.10.06, which provides him/her with an overview of the law and the responsibilities delineated within WIC Section 8101.

Note: Searches for the purpose of public safety cannot be utilized by law enforcement in furtherance of a criminal investigation (People v. Sweig, 2008_Cal.App.4th).

The Receipt and Notice of Right for Confiscated Firearms/Other Deadly Weapons, Form 10.10.05, shall be completed by the officer and given to any person with a mental illness from whom a firearm(s) or other deadly weapon(s) has been seized. Officers must telephonically notify the Mental Evaluation Unit (MEU), Detective Support and Vice Division, of the seizure of any firearms or deadly weapons. Officers shall ensure that copies of the Receipt and Notice of Rights for Confiscated Firearms/Other Deadly Weapons and reports associated with the confiscation are forwarded to the MEU/Case Assessment Management Program (CAMP) Unit, as soon as practicable. This will prevent persons with a mental illness from recovering their firearm(s) or deadly weapon(s) before they have been judged competent to own a firearm(s) or other deadly weapon(s). Additionally, because of the legal complexities of the WIC, and in the interest of public safety, officer(s) shall contact the MEU/CAMP Unit for guidance prior to releasing a confiscated firearm(s) or other deadly weapon(s) which has been confiscated pursuant to WIC Section 8102.

260.40 TRANSPORTATION OF PERSONS WITH A MENTAL ILLNESS - REQUEST FOR AMBULANCE. Officers shall request an ambulance to transport persons with a mental illness only:

- If the person is violent and requires restraint to the extent that he/she must be transported in a recumbent position; or,
- If the person is injured or physically ill and is in need of immediate medical attention.

Note: Los Angeles Fire Department (LAFD) personnel cannot refuse a request for transportation made pursuant to the above circumstances. If LAFD personnel refuse to

transport a subject, the officers shall request a LAPD and LAFD supervisor to assist with resolving the issue.

260.46 ACCOMPANYING PERSONS WITH A MENTAL ILLNESS. When a person with a mental illness is transported by ambulance, at least one officer shall ride in the ambulance with the person.

260.50 ENTERING PSYCHIATRIC WARD - WEAPONS TO BE CHECKED. When a person with a mental illness is taken to any locked psychiatric ward the transporting officers shall secure their weapons at the Admittance Office, other approved holding facility, or other location of safety, before accompanying the person into the psychiatric ward.

Note: Weapons shall include, but are not limited to, firearms, knives, tasers, OC sprays and batons.

260.52 PERSON CONFINED IN PSYCHIATRIC WARD, LOS ANGELES COUNTY - USC MEDICAL CENTER - PROPERTY DISPOSITION. When a person is confined in the Los Angeles County-USC Medical Center, psychiatric ward, his or her personal property shall accompany him or her.

Arrestee to Psychiatric Ward. When the person to be confined is an arrestee, the deputy sheriff or the hospital attendant receiving the arrestee shall be given the arrestee's personal property, including articles with which he or she might injure himself or herself or others; and, shall be required to sign a Receipt for Property Taken into Custody, Form 10.10.00. The transporting officer(s) shall submit the Receipt for Property Taken into Custody to the Area Records Unit.

Exception: Firearms or other deadly weapons shall be booked as evidence (Department Manual Section 4/260.25). This includes items possessed and used by the person during the initial police mental health contact, which may be of a public safety concern. This also includes items such as replica firearm(s), crossbow(s), sword(s), and other items which could be used as a deadly weapon or may result in an application of deadly force by officer(s).

Non-arrestee to Psychiatric Ward. When the person to be confined is not an arrestee, officers taking the person into custody for evaluation, shall take reasonable precautions to preserve and safeguard the personal property in the possession of or on the premises occupied by the person or within a reasonable time thereafter, unless a responsible relative, guardian or conservator of the person is in possession of the person's personal property. Upon arrival at the psychiatric ward, transporting officers shall:

- Release to the attendant any articles with which the individual might injure himself or herself;

Exception: Firearms or other deadly weapons shall be booked as evidence (Department Manual Section 4/260.25). This includes items possessed and used by the person during the initial police mental health contact, which may be of a public safety concern. This also

includes items such as replica firearm(s), crossbow(s), sword(s), and other items which could be used as a deadly weapon or may result in an application of deadly force by officer(s).

- Remain in the presence of the person with a mental illness while he or she is searched by the attendant; and,
- Complete the Los Angeles County Department of Mental Health Patient Property Receipt, County Form No. MH-331, or the Patient Property Receipt provided by the facility. Once completed, give the original receipt to the hospital staff and retain a copy of the receipt.

Note: The transporting officers shall write the MEU No. provided to them in the upper left corner of any receipt(s) and submit to the Area Records Unit.

260.55 TRANSPORTATION OF A FEMALE WITH A MENTAL ILLNESS TO A STATE HOSPITAL. When practicable, a female person with a mental illness shall be transported to a State hospital with a relative or a female police officer in attendance.

260.60 APPREHENSION AND TRANSPORTATION ORDER SERVICE. A State of California Department of Mental Health Apprehension and Transportation Order (A&T Order) issued to the Department shall be processed by the Mental Evaluation Unit (MEU), Detective Support and Vice Division, and forwarded to the involved Area. The involved Area commanding officer shall ensure that officers are assigned to execute the A&T Order.

If the assigned officers are unsuccessful at executing the A&T Order, the officers shall complete a Missing/Found Persons Investigation Report, Form 03.16.00.

Officers assigned to apprehend a person named on an A&T Order shall contact the MEU prior to discharging their duties.

Note: Section 7325 of the Welfare and Institutions Code requires that the Department, upon receipt of an A&T Order issued by the State Department of Mental Health, shall apprehend, take into custody and deliver the person named in the order to a place authorized by the State Department of Mental Health.

When practicable, the apprehension of a person with a mental illness, pursuant to an A&T Order, shall be made during daylight hours.

Juveniles. Juveniles shall be transported to a location designated by the MEU.

Adults. Adults shall be transported to the issuing hospital, or to the Metropolitan State Hospital, 11401 Bloomfield Avenue, Norwalk, California.

262. ROBBERY.

262.10 211 IN PROGRESS CALL. All units in the vicinity of a 211 in progress call shall proceed directly to the location of the crime except:

- When they are engaged in other duties.
- When a Code Four or Code Four Adam has been broadcast.

262.15 211 JUST OCCURRED CALL. A unit other than the assigned unit shall go Code Six upon arrival at the scene of a 211 just occurred call. Other units upon hearing an unassigned unit go Code Six at the scene of a call shall then concentrate their efforts on searching the surrounding area.

262.20 DELAYED RESPONSE TO 211 CALL BY ASSIGNED UNIT. The communications control operator shall be notified by the officers assigned to a 211 call when they are engaged in duties which will delay their arrival at the scene.

262.58 IMMEDIATE INVESTIGATION-ROBBERY. When an immediate follow-up investigation of a robbery should be made, the officers assigned to the call shall notify immediately, by telephone, the responsible investigating division. When the responsible division is not available, notification shall be made to Detective Support and Vice Division.

262.70 NON-RESIDENT WITNESS TO ROBBERY. When a witness is not a resident of this City, or is homeless, a temporary local address, as well as his or her regular home address, shall be placed in the Investigative Report, Form 03.01.00. If the witness is intending to leave town shortly, the name and address of a friend or relative shall be placed in the Investigative Report.

262.90 SUBMITTING INVESTIGATIVE REPORTS OF ROBBERY FOR APPROVAL. An officer or a record clerk who completes a Investigative Report, Form 03.01.00, shall deliver it, without delay, to the supervisor responsible for approving reports.

263. POLICE ACTION ON FEDERAL COURTHOUSE PROPERTY. Personnel of this Department shall respond to major disturbances at the Federal Courthouse (Title 40 U.S. Code, Section 318b) after it has been verified that one of the following has made a request for assistance:

- The United States Attorney for the Central District of California.
- The acting United States Attorney for the Central District of California.

When policing a disturbance on Federal Courthouse property, Los Angeles Police Department supervisors will make all decisions necessary to perform enforcement activities and will be solely responsible for the supervision of Department personnel.

264. FEDERAL VIOLATIONS.

264.10 ADVICE BEFORE BOOKING FEDERAL VIOLATIONS. Prior to being booked, an interview shall be given to any person arrested or detained:

- For the illegal wearing of service uniforms.
- As an escaped military inmate.
- As a deserter.

Persons arrested or detained on the foregoing violations shall be interviewed by the geographic detectives or, when the detectives are not available, by the patrol division watch commander.

Booking preference shall be given to a state or municipal charge, if one exists.

264.15 COUNTERFEITING VIOLATIONS.

Definition of Counterfeit Currency. Counterfeit currency consists of any currency which has been fraudulently produced, printed, manufactured or forged, and which purports to be United States Currency; or, any United States Currency which has been altered or raised so as to portray a value other than its true face value.

Note: Although currency is most frequently counterfeited, the provisions outlined in this section apply to all forms of counterfeiting prohibited by Title 18, Section 472, of the U.S. Government Code. This includes coins, negotiable postage stamps, bonds, food stamps, etc.

Officer's Responsibility. Officers investigating a counterfeiting violation shall:

- Notify Commercial Crimes Division or, when that office is closed, Detective Support and Vice Division, when any of the following conditions exist:
 - An arrest for a counterfeiting violation is made;

Note: Booking advice shall be obtained from Commercial Crimes Division or, when that office is closed, Detective Support and Vice Division. Booking approval shall only be obtained from the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division. Prior to booking, the U.S. Secret Service shall be contacted.

- An investigation by the U.S. Secret Service is, or appears to be warranted;
- Any of the following items is observed in a suspect's possession:
 - Counterfeit currency;
 - Raised currency (currency having the corners of larger bills illegally affixed to raise the face value);
 - An unusual number of corners cut from currency above two dollar denominations; and,
 - Currency of large denominations with ends torn off.
- Book evidence in accordance with established procedures. (Manual Section 4/515.20)

Note: Counterfeit currency is not legal tender and has no intrinsic value. Officers booking counterfeit currency shall use the standard evidence envelope rather than the "Money" envelope.

- Book adult suspects at the following location:
 - All Valley Bureau Areas, Pacific and West Los Angeles-Valley Jail Section.
 - All other Areas.
 - Male Arrestees-Metropolitan Jail Section.
 - Female Arrestees-77th Street Jail Section or Van Nuys Jail Section.

Note: Juvenile arrestees shall be booked in accordance with established procedures.

264.40 FEDERAL BUREAU OF INVESTIGATION APPROVAL - ILLEGAL WEARING OF UNIFORM. The advice of the Federal Bureau of Investigation shall be obtained prior to the booking of any person on Illegal Wearing of Uniform.

The name of the Federal Bureau of Investigation officer advising the booking shall appear on the Arrest Report, Form 05.02.00.

264.50 ENFORCEMENT OF UNITED STATES IMMIGRATION LAWS. Officers shall not initiate police action where the objective is to discover the civil immigrant status of a person. Officers shall neither arrest nor book persons for violation of Title 8, Section 1325 of the United States Code (U.S.C.), (Improper Entry) unless pursuant to an arrest warrant issued by a federal district court or magistrate judge.

Federal Criminal Arrest Warrants. Pursuant to the California Values Act, California Government (Cal. Gov.) Code §7284.6 (a)(4), Department personnel shall continue to honor arrest warrants issued by a federal district court or magistrate judge for criminal offenses including arrest warrants for federal immigration crimes.

Temporary Detentions for Illegal Reentry Criminal Offenses. Pursuant to Cal. Gov. Code §7284.6(b)(1), officers may detain for investigation, based on reasonable suspicion, a person suspected of violating 8 U.S.C. §1326(a), (b)(2), Illegal Reentry after Conviction of an Aggravated Felony, a felony immigration offense, under the following circumstances:

- Department personnel initiated contact with the person for reasons unrelated to immigration enforcement;
- The person is reasonably suspected of having a prior conviction for an aggravated felony under federal law;
- The purpose of the detention is to determine if the prior conviction for an aggravated felony is also classified as a serious or violent felony, as defined in California penal Code §§1192.7(c) and 667.5(c); and,
- The person is not a victim of, or a witness to, a crime or can otherwise provide evidence in a criminal investigation.

Release Requirement. Department personnel shall release a person detained for an 8 U.S.C. §1326(a), (b)(2) investigation if, during the detention, it is determined that the prior felony conviction is neither a serious nor violent felony under California law and the person is not otherwise subject to arrest or detention based on a non-immigration local, state or federal offense.

Approval Required Prior to Arrest or Transfer. Prior to conducting a probable cause arrest for a violation of 8 U.S.C. §1326(a), (b)(2), or transferring a suspect to federal authorities such as the United States Immigration and Customs Enforcement (US-ICE) or the United States Customs and Border Protection (US-CBP) based on a probable cause arrest for 8 U.S.C. §1326(a), (b)(2), Department personnel shall obtain approval from the Department's Immigration Liaison Officer appointed by the Chief of Police.

264.55 INQUIRIES REGARDING CIVIL IMMIGRATION STATUS. Pursuant to the California Values Act, California Government (Cal. Gov.) Code §7284, et seq., Department personnel shall not:

- Investigate, interrogate, detain, or arrest a person for civil immigration purposes; or,
- Inquire into an individual's civil immigration status.

Exceptions: Crime or Trafficking Victim-Visa Applications (U- and T-Visas). State law does not prohibit inquiring about information necessary to certify an individual who may be a trafficking or other crime victim and potentially eligible for a U- or T-Visa under federal immigration law. [See Cal. Gov. Code §7284.6(b)(4).] It is not necessary, however, to record the immigration status of the individual on the certification form or in Department records.

Accordingly, Department personnel shall not inquire about, or record, a person's civil immigration status unless, under the particular circumstance, it is necessary to:

- Provide victim services such as T- or U-Visa information or certifications;
- Investigate a criminal offense (e.g., sexual exploitation, trafficking, involuntary servitude, extortion); or,
- Otherwise required bylaw.

Obligations Under Federal Law (8U.S.C. §1373). Notwithstanding the above, nor any other department policy or procedure, Department personnel are not restricted from:

- Sending information regarding the immigration or citizenship status (lawful or unlawful) of any individual to, or requesting or receiving such information from, the United States Department of Homeland Security or United States Immigration and Customs Enforcement;
- Maintaining information about the immigration or citizenship status (lawful or unlawful) of any individual; or,
- Exchanging information about the immigration or citizenship status (lawful or unlawful) of any individual with any other Federal, State, or local government entity.

264.60 DEPARTMENT IMMIGRATION LIAISON OFFICER. The Chief of Police may appoint a command officer or staff officer as the primary or secondary Department Immigration Liaison Officer (DILO). The DILO represents the Department on matters related to federal immigration enforcement and communicates with federal immigration agency representatives.

The DILO is responsible for the following:

- Maintaining liaison between the Department and federal immigration authorities;
- Maintaining liaison between the Department and the community on matters concerning federal immigration enforcement;
- Providing advice to all Department entities and personnel related to issues involving federal immigration enforcement;
- Approving probable cause arrests for Illegal Re-Entry under federal law (see below); and,
- Approving criminal immigration enforcement actions as specified in the Office of the Chief of Police Notice, Immigration Enforcement Procedures, dated December 29, 2017.

In the absence of the primary DILO, the secondary DILO shall be responsible for the above duties and responsibilities.

Probable Cause Arrest for Illegal Re-Entry. Department personnel shall obtain approval from the DILO prior to conducting a probable cause arrest for a violation of 8 U.S.C. §1326(a), (b)(2), (Illegal Re-entry after Conviction of an Aggravated Felony), or transferring a suspect to federal immigration authorities based on a probable cause arrest for 8 U.S.C. §1326(a), (b)(2).

264.70 LAW ENFORCEMENT AGENCY DECLARATION FOR IMMIGRANT VICTIMS OF HUMAN TRAFFICKING (T-VISA). The Department is responsible for completing a Law Enforcement Agency (LEA) declaration **upon request of the immigrant victim**, providing the immigrant victim meets the qualifications as delineated in this section.

T-visa Defined. The T Nonimmigrant status visa (also known as the T-visa) provides immigration protection to victims of severe forms of human trafficking who assist law enforcement in the investigation or prosecution of human trafficking cases. A LEA declaration is evidence of a victim's cooperation and it may be submitted in support of a T-visa application.

T-visa Qualifications. Immigrant victims of human trafficking and the immigrant victim's family members may be eligible to apply for a T-visa. A LEA declaration shall be provided to the victim of human trafficking upon request, if the victim meets the qualifications. This will be based upon the investigating officer's (I/O) knowledge of the case, and any additional evidence developed. The I/O shall determine if the applicant is present in the United States as a result of being a victim of a severe form of trafficking in persons; and, determine if the applicant has complied with reasonable requests throughout the investigation.

Note: The declaration shall be completed on the Department of Homeland Security, United States Citizenship and Immigration Services (USCIS), Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons.

The assigned investigating Area/division is responsible for completing the declaration. California Penal Code Section 236.5(a) mandates the declaration for a victim seeking a T-visa be completed within 15 business days of the first encounter with the victim. The first encounter will be the day the assigned investigating division receives the declaration request.

Investigating Officer's Responsibilities. The I/O shall verify the following when issuing a T-visa declaration:

- Upon receipt of a declaration request, verify the Department conducted the investigation;

Note: Declaration requests can be submitted by United States Postal Service (USPS), private courier, in person delivery, or email.

- Attempt to verify the victim's identity either by government-issued identification (e.g., state-issued identification, foreign passport or identification, consulate identification) or by personal knowledge of the victim (e.g., prior in-person interview, courtroom testimony, photographic evidence);
- Enter the declaration request into the U/T-visa database;
- If the victim qualifies for a declaration, complete the Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons;
- If the victim does not qualify for a declaration, adhere to **LEA Declaration Denial Procedures** as delineated in this policy;
- Ensure the declaration is signed in a color of ink other than black for verification purposes by a designated certifying official;

Note: A certifying official is a sworn officer of supervisory rank whose signature is on the Certifying Official Information Form authorized by the Chief of Police and on file with USCIS. All original Certifying Official Information Forms shall be completed and returned to Detective Bureau for processing. Areas or specialized divisions that experience a change in certifying officials due to retirement, permanent deployment changes, etc., shall notify the Department U-Visa Coordinator, Detective Bureau, of such changes and provide a replacement. A new Certifying Official Information Form will need to be completed when there is a personnel change.

- Scan a copy of the declaration to upload into the U/T-visa database;
- Provide the original declaration to the victim or their legal representative by USPS or in-person pick up within the 15 business days time limit;
- Ensure all information related to the LEA declaration is updated in the Detective Case Tracking System (DCTS); and,

- Update the U/T-visa database with the dates the declaration was signed and mailed/picked up, and include in the notes who the declaration was mailed to or who took receipt of the declaration.

Law Enforcement Agency Declaration Denial Procedures. If the victim does not qualify for a declaration, the I/O shall:

- Document the finding and reason for denial in the U/T-visa database;
- Complete a denial letter on Department letterhead signed by the Area Detective/Specialized Division Commanding Officer (CO);
- Provide the denial letter to the victim or their legal representative within the 15 business days time limit; and,
- Update DCTS with the denial information.

Law Enforcement Agency Declaration Appeal Procedure. In the event the declaration is denied and the victim or their legal representative would like to appeal the denial, the case shall be reviewed by the Department U-Visa Coordinator. The victim may submit additional evidence to the law enforcement agency, which the Department U-Visa Coordinator will review and respond to within one week of the receipt of additional evidence [236.5 (c) PC]. The Department U-Visa Coordinator has been designated as the final level of appeal and shall make the final decision regarding the issuance or denial of the T-visa declaration.

Note: All updated information shall be maintained in the U/T-visa database.

Detective Bureau Commanding Officer's Responsibilities. The Detective Bureau CO will designate a Department U-Visa Coordinator to track the number and outcome of all U/T-visa requests Department-wide, review all appeal requests, and coordinate meetings for Area/Specialized Division U-Visa Coordinators, as needed.

264.72 LAW ENFORCEMENT CERTIFICATION FOR IMMIGRANT VICTIMS OF SERIOUS CRIMES AGAINST PERSONS (U-VISA). The Department is responsible for completing a Law Enforcement Agency (LEA) certification **upon request of the immigrant victim**, providing the immigrant victim meets the qualifications as delineated in this section.

U-visa defined. The U Nonimmigrant status visa (also known as the U-visa) provides immigration protection for victims of qualifying crimes who have been helpful, are being helpful, or are likely to be helpful to law enforcement in the investigation or prosecution of the criminal activity. The U-visa provides temporary legal status to immigrant victims. An arrest, prosecution, or conviction is not required for law enforcement to sign the certification. A LEA certification is one piece of a larger application that a victim must submit for U-visa consideration to the United States Citizenship and Immigration Services (USCIS).

The Victims of Trafficking and Violence Protection Act requires that the immigrant victim has suffered substantial physical or mental abuse for U-visa consideration; however, the USCIS will make the determination as to whether the victim has met the "substantial physical or mental" standard on a case-by-case basis during its adjudication of the U-visa petition.

California Penal Code Section 679.10 mandates certification requests be completed within 30 calendar days of receiving the request, or 7 calendar days if the victim is in immigration removal proceedings. The law also assumes that the victim was helpful, is being helpful, or is likely to be helpful. If the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement, the victim will qualify for a U-visa.

Qualifications that the victim must meet are as follows:

- Must be a victim of qualifying criminal activity (refer to list of crimes on Department of Homeland Security, USCIS, Form I-918 Supplement B, U Nonimmigrant Status Certification, Part 3. Criminal Acts);
- Must possess information relevant to the crime;
- The victim was helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the crime; and,
- The crime(s) must have violated United States law, have occurred within the City of Los Angeles, and have been investigated by the Department.

Indirect victims. Certain immediate family members can qualify to request a U-visa certification as an indirect victim of crime if all of the following conditions are met:

- The individual must have a qualifying family relationship to the direct victim:
 - If the direct victim is age 21 or older at the time of the crime, their spouse, and unmarried children under age 21 may qualify; or,
 - If the direct victim is under age 21 at the time of the crime, their spouse, unmarried children under age 21, parents, and unmarried siblings under age 18 may qualify.
- The direct victim is unable to assist law enforcement because they are:
 - Deceased due to murder or manslaughter; or,
 - Incompetent or incapacitated, including due to injury, trauma, or age.

Note: A certification may be signed for an indirect victim regardless of whether the direct victim is a United States citizen or non-citizen.

Derivative family members. Certain immediate family members of U-visa recipients may also be eligible to live and work in the United States as a derivative U-visa recipient based on their relationship with the principal recipient. These derivative applications do not require law enforcement certification.

These family members include:

- Unmarried children under the age of 21 of U-visa recipients;
- Spouses of U-visa recipients;

- Parents of U-visa recipients under age 21; and,
- Unmarried siblings under the age of 18 of U-visa recipients under age 21.

Note: Step-parent, stepchildren, adoptive parent, and adoptive children may also qualify as derivative family members.

Area/Specialized Division U-Visa Coordinator's Responsibilities. The Area Detective/Specialized Division CO shall designate a primary and secondary U-Visa Coordinator. The U-Visa Coordinator can be sworn or civilian. Their responsibilities include:

- Coordinating the processing of the certification requests, which can be submitted by United States Postal Service (USPS), private courier, in person delivery, or email;
- Upon receipt of a certification request, verifying the Department conducted the investigation;

Note: The assigned investigating Area/division is responsible for completing the certification. The 30 calendar days or 7 calendar days time limit does not start until the investigating Area/division receives the certification request.

- Attempting to verify the victim's identity, either by government-issued identification (e.g., state-issued identification, foreign passport or identification, consulate identification) or by personal knowledge of the victim (e.g., prior in-person interview, courtroom testimony, photographic evidence);
- Entering the certification request into the U/T-visa database;
- Obtaining a copy of the crime or arrest report;

Note: The victim does not need to provide a copy of the crime or arrest report. The report can be obtained through Department resources. The victim is not entitled to a copy of the report unless they qualify for a copy of the report without cost due to the crime (domestic violence, sexual assault, stalking, human trafficking, and elder abuse per California Family Code Section 6228).

- Reviewing the crime or arrest report, investigative notes, and, if applicable, the court minutes (to ensure the victim was cooperative throughout the court process) to determine if the victim meets the qualification criteria;
- If the victim qualifies for a certification, completing the Form I-918, Supplement B, U Nonimmigrant Status Certification;
- If the victim does not qualify for a certification, adhering to **LEA Certification Denial Procedures** as delineated in this policy;
- Ensuring the certification is signed in a color of ink other than black for verification purposes by a designated certifying official;

Note: A certifying official is a sworn officer of supervisory rank whose signature is on the Certifying Official Information Form authorized by the Chief of Police and on file with USCIS. All original Certifying Official Information Forms shall be completed and returned to Detective Bureau for processing. Areas or specialized divisions that

experience a change in certifying officials due to retirement, permanent deployment changes, etc., shall notify the Department U-Visa Coordinator, Detective Bureau, of such changes and provide a replacement. A new Certifying Official Information Form shall be completed when there is a personnel change.

- Scanning a copy of the certification to upload into the U/T-visa database;
- Providing the original certification to the victim or their legal representative by USPS or in person pick up within the 30 calendar days;
- Ensuring all information related to the certification is updated in the Detective Case Tracking System (DCTS); and,
- Updating the U/T-visa database with the dates the certification was signed and mailed/picked up and include in the notes who the certification was mailed to or picked up by.

Exceptional Handling:

- Cases where there is no investigative follow up by Area/Specialized Division Detectives (i.e., direct file cases), the victim's level of cooperation should be assessed based on their cooperation during the preliminary investigation;
- U-visa certification requests can be prioritized based on time sensitive issues, needing to meet a deadline for USCIS; and,
- A witness to a crime can obtain a certification if all the qualification factors are met.

Law Enforcement Agency Certification Denial Procedures: If the victim does not qualify for a certification, the U-Visa Coordinator shall:

- Document the finding and reason for denial in the U/T-visa database;
- Complete a denial letter on Department letterhead signed by the Area Detective/Division CO or the Specialized Division CO;
- Provide the denial letter to the victim or their legal representative; and,
- Update DCTS with the denial information.

Law Enforcement Agency Certification Appeal Procedure. In the event the certification is denied and the victim or their legal representative would like to appeal the denial, the case shall be reviewed by the Department U-Visa Coordinator. The Department U-Visa Coordinator will be the final level of appeal and shall make the final decision regarding the issuance or denial of the U-visa certification.

Disavowing/Withdrawing of LEA Certification. A certifying agency may disavow or withdraw their certification if the victim stops being helpful. To do so, the U-Visa Coordinator shall notify the USCIS in writing on Department letterhead, which should include:

- The name and date of birth of the individual;
- The name of the individual who originally signed the certification and date it was signed;

- The reason why the certification is being disavowed/withdrawn describing how the victim had refused to cooperate with reasonable requests made by the Department;
- The reason why the victim stopped being helpful if known;
- The signature and title of the individual who is disavowing/withdrawing the certification; and,
- A copy of the previously signed certification, if there is one on file.

Area Detective/Specialized Division Commanding Officer's Responsibilities. The Area Detective/Specialized Division CO shall designate a primary and secondary U-Visa Coordinator and ensure compliance with this section.

Detective Bureau Commanding Officer's Responsibilities. The Detective Bureau Commanding Officer shall designate a Department U-Visa Coordinator to track the number and outcome of all U-visa requests Department-wide, review all appeal requests, and coordinate meetings for Area/Specialized Division U-Visa Coordinators, as needed.

265. VETERANS ADMINISTRATION FACILITIES. Officers of this Department summoned to the Veterans Administration Hospital, or the Veterans Administration Outpatient Clinic, shall follow normal policies and procedures for investigating incidents and making arrests.

Note: The Veterans Administration Police shall retain responsibility for federal law enforcement activities at Veterans Administration facilities located on federal property.

Private Person's Arrest. When a private person's arrest is made at the Veterans Administration Hospital or the Veterans Administration Outpatient Clinic, the arresting person need not accompany the officers to the station when:

- The arrest is made on the concerned Veterans Administration property;
- The arresting person is an *employee* of the facility; and,
- It would be impractical for the arresting person to accompany the officers.

(Private Person's Arrest-See Manual Section 4/216.33)

266. PROWLERS.

266.50 PROWLER REPORTS. A Investigative Report, Form 03.01.00, shall be made on prowlers or "peeping toms" when:

- An arrest under Penal Code Section 647(h) is made, or,
- The victim has actually observed a prowler suspect in the commission of an act not amounting to an attempt burglary, or,
- Physical evidence of prowling is found, or,
- The victim insists that a report be made.

267. ESPIONAGE OR SABOTAGE ACTIVITIES.

267.50 REPORTING ESPIONAGE OR SABOTAGE ACTIVITIES. Employees receiving information pertaining to espionage or sabotage activities shall:

- Telephonically notify Criminal Conspiracy Section, Major Crimes Division;
- Complete an Intelligence Report, Form 01.89.00, in duplicate, forwarding the original to Criminal Conspiracy Section, Major Crimes Division in a sealed envelope via intra-departmental mail.

Exception: When the information is of such a confidential nature that the integrity of an ensuing investigation might be jeopardized by reducing the information to writing, the Form 01.89.00 shall not be completed.

Note: When Criminal Conspiracy Section, Major Crimes Division is closed, the reporting employee shall request that the Watch Commander, Detective Support and Vice Division, advise the concerned on-call personnel of the closed unit to contact the employee.

269. CAL/GANG SYSTEM AND GANG FILE GUIDELINES. The Cal/Gang System is a criminal intelligence database and adheres to the US code of federal regulations 28CFR part 23. The Cal/Gang System will be the Department's only authorized system for the collection, storage, and retrieval of gang information. The Los Angeles County Sheriff's Department is the Los Angeles County Cal/Gang Administrator. The Commanding Officer, Gang and Narcotics Division (GND), is the Department's Cal/Gang Administrator.

269.10 DEFINITIONS.

Gang. A group of three or more persons who have a common identifying sign, symbol, or name, and whose members individually or collectively engage in, or have engaged in, a pattern of definable criminal activity creating an atmosphere of fear and intimidation within the community.

Note: Any group, including outlaw motorcycle gangs, prison gangs, posses, taggers, party crews, subversive groups and their associated membership that qualify under the definition of a gang may be maintained in the Cal/Gang System.

Active Gang Member. A juvenile or adult who has been positively identified and documented as a gang member under the California Department of Justice's (DOJ) approved criteria.

Active Affiliate Gang Member. A juvenile or adult who is identified as one who associates with a gang, but is not necessarily a full member.

Gang Officer. Any officer, sergeant or detective assigned to a Department authorized gang investigation unit including, but not limited to, Area Gang Impact Teams (GIT), Bureau Gang Coordinator, and Gang and Narcotics Division (GND).

Gang-Related Crime. Any crime may constitute a gang-related crime when the suspect or victim is an active or affiliate gang member, or when circumstances indicate that the crime is consistent with gang activity.

Note: Crime consistent with gang activity can include, but is not limited to, incidents when:

- The suspect or victim has a gang tattoo(s);
- The suspect or victim has a gang moniker;
- A statement indicating gang involvement was made;
- The suspect or victim demonstrated gang behavior; or,
- Multiple suspects and gang modus operandi (MO) were involved.

Determining if a crime is gang-related is subjective in nature and is a result of the totality of the circumstances. Classification cannot be accomplished accurately without a high degree of gang expertise or validation through the Cal/Gang System.

One or more of the following gang-related criteria will be used to justify that a crime is gang-related. The reference number correlating to the applicable criteria will be entered on the Gang Tracking Information Record for each crime classified as gang-related and should be highlighted and/or circled on the report (e.g. Investigative Report, Arrest Report, etc.) itself.

Reference Gang-Related Number Justification Criteria.

1. The suspect or victim is a known gang member previously entered into the Cal/Gang System.
2. The suspect or victim is a known gang member or affiliate [Validated by information in the Automated Field Interview (AFI)/NECS, or witness/victim statements].
3. The suspect or victim has a gang tattoo(s).
4. The suspect or victim has a gang moniker.
5. A statement indicating gang involvement was made.
6. The suspect or victim was “dressed down” or wearing gang colors or clothing.
7. The suspect or victim was demonstrating gang behavior (using gang hand signs).
8. Multiple suspects and gang Modus Operandi (MO) involved.

9. The location of the crime was within identified gang boundaries, or at a known gang location or hangout.
10. Similar reports where the suspects were identified as gang members (similar MOs, suspects, times and location).
11. The type and/or MO of the crime is inherently gang-related (e.g. drive-by shootings, etc.)

The Area GIT officer in charge must approve the gang-related crime classification. In the rare circumstance when the classification cannot be determined at the Area level, the Bureau Gang Coordinator must make the determination. When the Bureau Gang Coordinator cannot determine the classification, the Commanding Officer, GND, will make the final determination.

Gang-Related Statistical Crimes. When the following violent crimes are determined to be gang-related, they will be monitored statistically by the Department to assess the level of gang crime in an Area. The statistically monitored gang-related crimes are:

- Murder;
- Attempted Murder;
- Felony Assault;
- Assault on a Police Officer (includes Battery, Assault with a Deadly Weapon and Attempted Murder on a Police Officer);
- Robbery;
- Shots Fired into an Inhabited Dwelling;
- Kidnap;
- Rape;
- Arson;
- Witness Intimidation (including Criminal Threats);
- Extortion;
- Carjacking; and,
- Violation of Gang Injunctions.

Hard-Copy File. The Subject Identification Card, Form 12.16.09, will be the only Department authorized hard-copy file that contains detailed information on gang members. The hard copies will be maintained and secured by the originating gang investigation unit.

Note: All completed Cal/Gang Cards existing prior to the issuance of the Subject Identification Card must be retained and secured by the originating gang investigation unit.

269.20 CRITERIA FOR GANG MEMBER DOCUMENTATION. The following criteria have been established by the Cal/Gang Executive Board that oversees the operation of the Cal/Gang System Statewide, for identifying individuals as gang members or gang associates:

Gang Membership Criteria. Indicators of gang membership shall include at least two of the following criteria:

- Subject has admitted to being a gang member;
- Subject has been arrested for offenses consistent with gang activity;
- Subject has been identified as a gang member by a reliable informant/source;
- Subject has been seen associating with documented gang members;
- Subject has been seen displaying gang symbols and/or hand signs;
- Subject has been seen frequenting gang areas;
- Subject has been seen wearing gang dress; or,
- Subject is known to have gang tattoos.

When two or more of these criteria are met, a Subject Identification Card, Form 12.16.09, shall be completed by a gang officer or gang support staff for entry into the Cal/Gang System. Subject Identification Cards shall not be completed for individuals that do not meet the criteria.

Gang Associate Criteria. An individual who meets two of the above criteria and is detained with a documented gang member, may be designated as a gang associate and entered into the Cal/Gang System. The gang officer or gang support staff must document the name of the documented gang member with whom the associate is with, the gang member's date of birth, and his or her Cal/Gang number on the associates Subject Identification Card.

269.25 AREA CRIME AND COMMUNITY INTELLIGENCE CENTER AND GANG IMPACT TEAM SUPPORT STAFF - RESPONSIBILITIES. The Cal/Gang System is based entirely on the accuracy and timeliness of the information entered into it. Area Crime and Community Intelligence Center (ACCIC) and GIT support staff with requisite Cal/Gang training must:

- Input and update records in the Cal/Gang System;
- Ensure that all gang-related statistical crimes are MO coded "0906" in the Consolidated Crime Analysis Database (CCAD);
- Input all gang-related statistical crimes into the Cal/Gang Case Management System (CMS);
- Reconcile the entry of gang-related crimes between the Cal/Gang CMS and the CCAD;
- Enter predicate convictions into the CMS;
- Input active or affiliate gang member information into both the Cal/Gang and AFI Systems, as required;
- Assist gang officers by providing gang-related investigative leads;
- Compile and interpret gang-related information searches; and,
- Compile Area gang crime statistics.

269.30 CONTACTS WITH GANG MEMBERS.

Investigations and Arrests. When the arrest or preliminary investigation reveals that the crime is gang-related, the reporting officer shall check the "Extra Copy" box on the front of the Arrest Report, Form 05.02.00, or the Investigative Report, Form 03.01.00, indicating that the

copies shall be sent to the appropriate Area gang detectives. The reporting officer shall ensure that the narrative fully explains the rationale for determining that the arrest or investigation is gang-related.

Note: Suspected gang membership information may also be further investigated by contacting the Area Gang Impact Team or Bureau Gang Coordinator.

Field Identification. Officers who contact a suspected active or associate gang member and determine that the completion of a Field Interview Report (FI), Form 15.43.00, is appropriate, shall document at least two required gang membership criteria (as listed in Department Manual Section 4/269.20, Criteria For Gang Member Documentation) and may include the following additional information on the FI:

- How gang membership was established (e.g., admits gang membership, tattoos, attire, etc.); and,
- The specific type of gang activity involved.

Upon supervisory review and approval of any source document (e.g., Arrest Report, Crime Report, FI) containing gang-related information, it shall be routed to the Area GIT where the source document was completed for review and verification. Only a GIT officer, sergeant, detective or gang support staff may complete a Subject Identification Card, Form 12.16.09. if the criteria for a gang member or gang associate has been met.

The Subject Identification Card shall be reviewed, approved and signed by a GIT supervisor, prior to it being entered into the Cal/Gang System. After completing the Subject Identification Card, the Area Database Coordinator (ADC) or assigned personnel, shall complete a Written Notification of Inclusion Letter, Form 12.16.05. The written Notification of Inclusion Letter shall advise the individual of the reason why he or she was identified as an active gang member or associate gang member and that his or her name will be added to the shared gang database. Gang enforcement personnel shall also immediately sent the involved juvenile's parent(s) or guardian(s) (when the person to be added is a juvenile) a copy of the Written Notification of Inclusion Letter. The ADC shall then enter the new information into the Cal/Gang System as soon as practicable. The source documents containing gang information shall be securely stored inside the gang office (Department Manual Section 4/269.70).

Note: Gang officers and other personnel who have completed the required Cal/Gang training may also input and update information into the Cal/Gang System.

269.40 MAINTAINING DEPARTMENT GANG FILES. Any non- Cal/Gang System or gang database is not authorized and shall not be maintained by any individual or Department entity. Private or localized gang databases lack security controls and audit capability required for an intelligence database. As a result, their confidentiality and reliability is severely jeopardized.

Hard-Copy Files. Hard-copy files refer to the completed Subject Identification Cards, Form 12.16.09, the Gang History Books and the Gang Photograph Books. These files contain

information on street gangs, their members and associates who are, have been, or are likely to be involved in criminal activity and shall only be maintained by Department-authorized gang investigation units.

Hard-copy files shall remain secured and locked at all times inside the gang office. However, these files shall have 24-hour accessibility through the Area watch commander for emergency usage.

Hard-copy files of Outlaw Motorcycle Gang members shall be maintained at the originating gang investigative unit. A copy of the hard-copy file shall be sent to Gang Support Section (GSS), Gang and Narcotics Division (GND). The original hard-copy Subject Identification Cards on prison gang members shall only be maintained by GSS, GND. Hard-copy files related to Asian gang members may be maintained by Gang Impact Teams or Bureau Gang Coordinators.

Note: Street Terrorism Enforcement and Prevention (STEP) books are not considered intelligence files.

Subject Identification Card Completion. Hard-copy Subject Identification Cards should be completed on all gang members and gang associates. The purpose for completing a Subject Identification Card is to document the original source for entry into the Cal/Gang System.

The completed Subject Identification Card shall contain at least the following information:

- Complete name;
- Moniker;
- Date of birth;
- Identifying number(s);
- Written Notification of Inclusion Letter, Form 12.16.05 (mailing or in-person notification verification);
- Cal/Gang number;
- Criteria rationale, circumstances and date documented;
- Name and serial number of officer obtaining information;
- Individual's photograph (if available);
- Complete name of gang or group; and,
- Approving Gang Impact Team supervisor's signature.

This information and all future updates shall be entered into the Cal/Gang System as soon as practicable.

Note: As much information as possible should be placed on the Subject Identification Card. Once a Subject Identification Card has been completed with at least the above information, all future contacts or information shall be documented on a Field Interview Report, Form 15.43.00, or Arrest Report, Form 05.02.00, and input into the Cal/Gang System. Updating the Subject Identification Card for members and associates is not required.

Hard-Copy File Organization. The Department hard-copy files shall be organized as follows:

- The Subject Identification Cards may include a copy of a current photograph of the gang member/associate. All Subject Identification Cards with a Cal/Gang number shall remain on file regardless of status; and,
- Cards of inactive and deceased individuals without a Cal/Gang number shall be removed from the files and destroyed.

269.50 CAL/GANG SYSTEM AND GANG FILE SECURITY. The purpose of the Cal/Gang System is to provide Department personnel with an investigative tool for conducting criminal investigations which may involve gang members or associates.

Predicate crimes and gang expertise in the Cal/Gang system. Successful prosecutions of gang enhancement cases shall be entered into the Cal/Gang System, including current and all predicate crimes related to the case. In essence, the Cal/Gang System can serve as an automated resource for easily obtaining gang experts and predicate crime information for specific gangs. Gang Support Section (GSS), Gang and Narcotics Division (GND), shall advise and assist in updating Cal/Gang user profiles for predicate crimes.

In order to make predicate crimes and gang experts available countywide, it shall be the responsibility of every gang officer to verify that his or her gang expertise is documented in the Cal/Gang System by the GSS, GND. Gang officers shall document their court-qualified gang expertise in the Gang History Books maintained at their Areas of assignments.

The Bureau Gang Coordinator (BGC) shall update their existing gang expertise lists for each officer in the database, on a quarterly schedule. The Cal/Gang Node Administrator is responsible for updating the gang expertise information from the database into the Cal/Gang System quarterly, for each gang officer.

Gang officer's responsibilities. Every gang officer should become an expert in each of his or her assigned gang(s) as soon as practicable. Once expertise has been established, it shall be documented in the Gang History Book.

Gang Detective's Responsibilities. Gang expertise by detectives shall be documented in the Gang History Book. When a gang detective becomes aware of an arrest of any gang member in his or her Area, gang enhancements shall be considered before filing charges. If necessary, the detective should be guided by the recommendation of the filing deputy from the City Attorney's or District Attorney's Office. When a case is filed with gang enhancements, the gang detective shall ensure that the information on the predicate crimes is entered into the Cal/Gang System

Confidentiality. All Department personnel are reminded that it is not a crime in and of itself to be a gang member. It is incumbent upon the Department to protect the confidentiality of the Cal/Gang System and the Department gang files, and to safeguard the Constitutional Rights of those identified. As a result, access is restricted to gang officers or personnel who have met the "right to know and need to know" criteria. The Cal/Gang System, or information contained

therein, shall not be referenced in any report, affidavit, court testimony, or deposition nor should it be used to prove or disprove gang membership.

Note: The Cal/Gang System is a “pointer” system or “search engine” that compiles and links information derived from primary sources (source documents), such as Field Interview Reports (FI), Form 15.43.00, arrest and crime reports, and other sources of information. These primary sources shall be the only documents used to demonstrate gang membership or association and shall contain the requisite number of classification criteria as described in Section 4/269.20 of the Department Manual.

Retrieval of System Files and Photocopies. Authorization to print from the Cal/Gang System shall only be obtained from the Commanding Officer, GND or his or her designee. If approval is obtained, these printouts shall not be copied, faxed, or mailed without approval from the Commanding Officer, GND or his or her designee. Any printouts or copies from the Cal/Gang System or hard-copy files **shall not** be used as addenda for reports (e.g., search warrants, arrest warrants, or gang injunctions, etc.). They **shall not** be placed in personal ready reference files, investigative notebooks, case packages, or homicide books.

At the culmination of an investigation, the investigating entity shall contact GND for guidance in the handling of documents and forward any Cal/Gang printouts to GND for proper filing or destruction.

Printouts from the Cal/Gang System or hard-copy files photocopies, facsimiles (faxes), or any form of reproductions **shall not** be taken out of the gang investigation entity's office without prior approval from the Commanding Officer (CO), GND.

Off-Hour and Emergency Access. Murders, assaults on police officers, and high-profile crimes may occur at anytime and may require access to the Cal/Gang System to ensure timely information is available to the investigating officer, (I/O).

Access. Accessing the Cal/Gang System requires proper training and a password. Training is provided by GND personnel. Approval training for different access levels is available. Under emergency situations, when personnel who are trained to access the Cal/Gang System are not available, the I/O shall telephonically request assistance by contacting the person named in the GND/GSS notification roster. This roster is maintained by the Department Command Post, Department Operations Center (DOC).

Printing. If the I/O determines that Cal/Gang information needs to be printed, the I/O shall follow the above procedure for the approval and its use.

The I/O shall be guided by the directions of the CO, GND or his or her designee for the proper disposition of the printed information.

Discovery Motions and Court Requests for Records. The CO, GND, is the Department Custodian of Records for the Cal/Gang System and for all hard-copy gang files throughout the Department.

The CO, GND or his or her designee (Node Administrator), shall be notified of all legal requests pertaining to information or records from the Cal/Gang System and/or any hard-copy gang files. Gang investigation units shall follow the direction from the CO, GND or his or her designee, in handling legal requests for gang information. These units shall receive prior approval from the CO, GND or his or her designee, before releasing any information.

Note: Department employees who have been served with Subpoenas Duces Tecum (SDT) or discovery requests pertaining to Cal/Gang records shall notify the GND Cal/Gang Node Administrator for the handling of these legal requests and shall receive prior approval from the Node Administrator before releasing any information.

269.60 PHOTOGRAPHING KNOWN OR SUSPECTED GANG MEMBERS. Only gang officers, gang sergeants and gang detectives are authorized to take non-booking identification photographs of active and associate gang members.

Field Photographs of Suspected Gang Members. Gang officers, gang sergeants and gang detectives shall adhere to the following guidelines when photographing a suspected gang member or gang associates:

- Officers shall not use physical force or any other form of coercion in acquiring a photograph;
- Officers shall request and receive permission from the individual prior to taking a photograph when that person is not being arrested or otherwise legally detained;
- Officers shall not pose the individual with his or her name or Subject Identification Cards;
- Individuals photographed shall be unrestrained and on public property (e.g., not handcuffed or in the back seat of a police vehicle);
- Officers shall conduct the photographing process contemporaneously with the completion of the FI;
- Photographing may not extend the time necessary to complete the interview process; and,
- A full explanation shall be provided to the individual as to the purpose of the photograph.

Security of Gang Member/Associate Photographs. Gang Photo Books shall only be maintained by gang units and shall be secured at all times. Gang Photo Books are an important tool in the investigation of gang-related crimes and differ from regular photo or mug books in that they are assembled by gang and not by criminal offense. Gang Photo Books are considered part of the Department's hard-copy gang files. Gang officers shall follow the same security measures with respect to protecting gang member and associate photos as exercised for the Cal/Gang System and the hard-copy files. Gang Photo Books shall only be taken into

the field with the approval of a GIT supervisor or the Area watch commander and the Document Sign Out Log, Form 15.31.00, shall be utilized.

Note: An automated database is permitted to be used as an index for the Gang Photo Books, consisting only of the gang member(s)/associate(s) name, Cal/Gang number, moniker and Gang Photo Book page number. If an automated database is used, a copy of the printed index shall be attached to the index portion of the Gang Photo Book. All prior printing conditions apply if this index is printed out.

Photograph Line-Up Procedures. The Cal/Gang System has the capability of producing a photographic line-up for investigative purposes. Photographs shall not have the name of the gang member on the photo. Photographs may be copied for Gang Photo Books.

When Cal/Gang generated photo line-ups are not available, I/O's use the Department's existing established photo line-up procedures when selecting photos.

269.70 NOTIFICATION TO GANG MEMBER OR ASSOCIATE. Gang enforcement personnel who identify a person as an active gang member or associate gang member shall enter the person's information into the shared gang database. **Prior** to entering the persons information into the shared gang database, gang enforcement personnel shall send the involved person a Written Notification of Inclusion Letter, Form 12.16.06.

The Written Notification of Inclusion Letter shall advise him or her of the reason why he or she was identified as an active gang member or associate gang member and that his or her name shall be added to the shared gang database. Gang enforcement personnel shall also immediately send the involved juvenile's parent(s) or guardian(s) (when the person to be added is a juvenile) a copy of the Written Notification of Inclusion Letter.

Exception: Department personnel are not required to complete a Written Notification of Inclusion Letter; a Response to Request for Status in the Shared Gang Database Letter, Form 12.16.16; or a Response to Request for Removal from the Shared Gang Database Letter, Form 12.16.14, if it would compromise a criminal investigation or compromise the health or safety of a minor, per California Penal Code (PC) Sections 186.34(c)(1) or 186.34(d)(2). If a Database Coordinator (DC) or Gang Impact Team (GIT) personnel assigned with ancillary duties reflecting the DC's duties, invokes the exception to mail or provide in person, a Written Notification of Inclusion Letter, a Response to Request for Status in the Shared Gang Database Letter, or a Response to Request for Removal from the Shared Gang Database Letter, to the requestor within 30 calendar days of the receipt of the request, the DC shall:

- Complete an Employee's Report, Form 15.07.00. The Employee's Report shall include a detailed justification for the exception;

Note: A signed copy of the Employee's Report, as well as any documentation related to the request, shall be retained in a file, separate from the gang files, in the Area gang office.

- Forward the completed report(s) to the GIT Officer in Charge (OIC) or the GIT supervisor in the OIC's absence; and,
- Ensure that the copies of the applicable reports and original designated reports, Employee's Report (when applicable), petition for review, and all related documentation are kept on file in the Area gang office, separate from other gang files.

Gang Impact Team personnel, Supervisor's, Database Coordinator's, Officer in Charge's, and Area/Division Commanding Officer's Responsibilities. All personnel **shall refer** to the Form Use Link and the Department's E-Forms on the Department's Local Area Network for detailed procedures on how to complete and process the following forms and guides:

Procedure for the Written Notification of Inclusion Letter:

- Procedure to Provide Written Notification of Inclusion Guide, Form 12.16.18; and,
- Written Notification of Inclusion Letter, Form 12.16.05.

Procedure for the Request for Status in the Shared Gang Database:

- Procedure to Address Request for Status in the Shared Gang Database Guide, Form 12.16.20;
- Request for Status in the Shared Gang Database, Form 12.16.04; and,
- Response to Request for Status in the Shared Gang Database Letter, Form 12.16.16

Note: Penal Code Section 186.34(d)(3) mandates that a law enforcement agency respond, in writing or in person, via the Department's Response to Request for Status in the Shared Gang Database Letter, to an authorized requestor (a person, or if the person is under 18 years of age, his or her parent or guardian, or an attorney working on behalf of the person who is designated as a suspected gang member or associate in a shared gang database) **within 30 calendar days of the receipt of the Request for Status in the Shared Gang Database.**

Procedure for the Request for Removal from the Shared gang Database:

- Procedure to Address Request for Removal from the Shared Gang Database Guide, Form 12.16.22;
- Request for Removal from the Shared Gang Database, Form 12.16.12; and,
- Response to Request for Removal from the Shared Gang Database Letter, Form 12.16.14.

Note: Penal Code Section 186.34(e) mandates that a law enforcement agency respond, in writing or in person, via the Department's Response to Request for Removal from the Shared Gang Database Letter, to an authorized requestor (a person, or if the person is under 18 years of age, his or her parent or guardian, who is designated as a suspected gang member or associate in a shared gang database, or an attorney working on his or

her behalf) **within 30 calendar days of the receipt of the Request for Removal from the Shared Gang Database.**

Copies of all documents related to notifications, status requests, and removal requests shall be kept indefinitely on file in the Area gang office, separate from other gang files.

Note: The shared gang database retains records related to the gang activity of the individuals in the database, consistent with the provisions contained in Section 23.20(h) of Title 28 of the Code of Federal Regulations. Nothing in this section shall require Department personnel to disclose any information protected under Section 1040 or 1041 of the Evidence Code or Section 6254 of the Government Code.

269.80 INSPECTIONS AND PURGING OF CAL/GANG RECORDS. Routine and thorough inspections and purging of outdated Cal/Gang records enhances the credibility and reliability of both the Cal/Gang System and the hard-copy files.

Inspections. Inspections of all gang-related hard-copy files will be conducted on a quarterly basis by the Cal/Gang Node Administrator to maintain compliance with mandates of the California Gang Node Advisory Committee (CGNAC). The findings of these inspections must be reported in writing to the Department Gang Coordinator, as well as the respective Bureau Gang Coordinator.

The Cal/Gang Node Administrator will periodically conduct inspections of the geo-coding status of locations entered into the Cal/Gang System, the Inactive and Deceased Files, and the accuracy of Cal/Gang records and their entries. The findings of these inspections will be reported to the Department Gang Coordinator as well as the respective Bureau Gang Coordinator.

Purging. The Cal/Gang System will automatically purge individual's from the database after five years of inactivity and the existing Cal/Gang Card or Subject Identification Card will be moved to the Inactive File. A deceased gang member's Cal/Gang Card or Subject Identification Card must be filed in the Inactive File and/or deceased file. Incarcerated gang members/affiliates will remain in the Cal/Gang System for a maximum period of five years unless the database file is updated with current information to extend their active status.

Note: Cal/Gang or Subject Identification Cards of inactive and deceased individuals without a Cal/Gang number must be removed from the files and destroyed.

270. VICE.

270.10 RECEIVING VICE INFORMATION. When an officer receives, or becomes aware of, information concerning a vice violation and an arrest is not made at the time of the violation, he/she shall:

- If the condition exists in the City, complete a Vice Report, Form 03.18.00. When the urgency of the situation demands, the officer shall also contact his/her immediate supervisor for instructions.
- If the condition exists outside the City, but within Los Angeles County, complete a Vice Report, Form 03.18.00. In addition, when the urgency of the situation demands, the officer shall contact Vice Division; or when that division is closed, he/she shall notify the Administrative Unit, Detective Support and Vice_Division, which shall make the proper notifications.

Upon receipt of the Vice Report, the Area commanding officer shall cause the reported vice activity to be investigated when the condition exists in the City. If the condition exists outside the City, the Commanding Officer, Vice Division, shall forward the vice information to the concerned law enforcement agency.

270.20 REPORTING VICE CONDITIONS. The Vice Report, Form 03.18.00, shall be used by officers to report known or suspected vice activity except when an arrest is made at the time of violation. The Vice Report shall include all known information relative to suspects, type of activity, and methods of operation.

270.35 FORTUNE TELLERS, REPORTING. If officers become aware of crimes associated with fortune telling, such as bunco schemes, they shall complete the appropriate crime report and notify Area detectives.

Fortune telling is no longer considered a vice activity and shall not be reported on the Vice Report, Form 03.18.00.

270.50 BARS AND LIQUOR ESTABLISHMENTS, REPORTING POLICE PROBLEMS. Officers shall report any information concerning premises licensed by the Department of Alcoholic Beverage Control which have become a police problem, and when it is believed that the Department of Alcoholic Beverage Control may assist through investigative or enforcement action. This information shall be forwarded to Vice Division on an Employee's Report, Form 15.07.00, and shall include:

- The name of the licensee.
- The type of license.
- The address of the premises.
- The number of the license.

An officer having information indicating organized criminal activity or extensive criminal association of a licensee or an applicant for a license granted by the Department of Alcoholic Beverage Control shall proceed as set forth in Manual Section 4/271.20.

270.60 PROSTITUTION ARRESTS IN PUBLIC DWELLINGS. The person in charge of a public dwelling where an arrest for prostitution has been made shall be:

- Shown the persons arrested.

- Informed of the arrest and any statements made by the arrested persons as to the use of the premises for prostitution.

The Arrest Report, Form 05.02.00, shall include:

- The name, address, and capacity of the person so informed.
- The person's statements and reaction when informed that prostitution was being practiced on the premises.

271. INTELLIGENCE.

271.20 REPORTING INTELLIGENCE INFORMATION. Employees shall notify the concerned intelligence division when intelligence information comes to their attention which may be of significance to the Department.

Major Crimes Division. Major Crimes Division shall be notified when the information is related to persons, organizations, or activities connected with, or suspected of being connected with:

- Organized crime.
- The unlawful disruption of public order through civil disobedience.
- The unlawful overthrow of constituted government.
- A threat to the safety of the President of the United States or other persons under the protection of the United States Secret Service.
- A threat to the safety of any elected or appointed official or other person of public prominence.

Notifications shall be reported on an Intelligence Report, Form 01.89.00, and forwarded to the watch commander of the concerned intelligence division via intradepartmental mail. In emergencies, or when the information is confidential, the notification shall be made to the information control officer of the concerned intelligence division in person or by telephone. When the offices of the concerned intelligence division are closed and the nature of the information requires immediate action, the Watch Commander, Detective Support and Vice Division, shall be requested to notify the concerned stand-by intelligence personnel to contact the reporting employee. When practicable, the report shall include names, addresses, associates of persons reported upon, and other pertinent information.

271.21 FALSE EMERGENCY REPORTING PROCEDURE.

False Emergency Reporting is defined by California Penal Code Section 148.3(a) as "Any individual who reports, or causes any report to be made, to any city, county, city and county, or state department, district, agency, division, commission, or board, that an 'emergency' exists, knowing that the report is false." It includes high profile false emergency reports that:

- Attract considerable community/media attention;

- Involve a public/celebrity figure or a critical infrastructure or key resource (CIKR); and/or,
- Provide notoriety to individuals or groups operating within electronic or digital domains for the purposes of status or fame.

The perpetrators of false emergency reporting are sometimes motivated by the media recognition that these incident(s) create. To reduce or eliminate the perpetrator's motivation, the Department will not release the nature of any false emergency reporting call to the public/media, nor the location or the name of the resident.

Officer's Responsibilities. The primary officer(s) assigned to a false emergency reporting incident shall:

- Criminal Investigation Section (CIS), Major Crimes Division (MCD), as soon as practicable, to determine if the incident qualifies to be handled by CIS;

Note: The CIS will only handle false emergency reporting incidents that involve, but are not limited to, celebrities, politicians, and/or critical infrastructures or key resources. If the false emergency reporting incident does not meet CIS criteria, the investigation will remain within the geographic Area. During off-hours, CIS can be reached via Department Operations Center (DOC).

- If CIS determines that they will handle the false emergency reporting incident, place "MCD" in the "INVEST DIV" box, check the "CTSOB MAJOR CRIMES" box, and place the name and serial number of the CIS employee that was notified on the IR face-sheet and on the report narrative;
- Complete a Department Response and Cost Recovery Statement, Form 04.03.02, listing only at-scene activities and attach the Department Response and Cost Recovery Statement to the IR or Arrest Report, along with a copy of the incident history printout;
- Document that a completed Department Response and Cost Recovery Statement was attached to the IR or Arrest Report within the IR or Arrest Report; and,
- Notify DOC.

Area Detective Division Responsibilities. Upon receiving a copy of an IR or Arrest Report related to a false emergency reporting for follow-up investigation, the assigned Area detectives shall:

- Ensure that the primary officer(s) assigned to a false emergency reporting completed an **original** Department Response and Cost Recovery Statement, attached it to the IR or Arrest Report, and documented in the IR or Arrest Report that they attached the Department Response and Cost Recovery Statement; and,
- Immediately forward copies of the IR or Arrest Report, Department Response and Cost Recovery Statement, and incident history printout to the Budget Section, Fiscal Group (FG), as soon as the detective hours have been documented within the Department Response and Cost Recovery Statement; and,

- Ensure that the assigned detectives document the date that they immediately forwarded the copies of the IR or Arrest Report, Department Response and Cost Recovery Statement, and incident history printout to the Budget Section, FG, on a Follow-Up Investigation, form 03.14.00.

Note: The Office of the City Attorney requires the completed Department Response and Cost Recovery Statement as soon as practical, so as to forward it to the court, as the defendant must be provided directions by the court regarding the total restitution cost and where to make restitution payments, upon conviction for False Emergency Reporting.

Upon receiving a copy of the estimated restitution costs calculated by FG on the Department Response and Cost Recovery Statement, the assigned Area detective shall contact the Office of the City Attorney to determine if a conviction resulted from the arrest for false emergency reporting.

Major Crimes Division's Responsibilities. The CIS, MCD, including on-call CIS personnel are responsible for investigating and arresting individuals for false emergency reporting incidents pertaining to all celebrities, politicians, and/or critical infrastructures or key resources.

Note: The Commanding Officer, MCD, has the final authority for determining which cases will be assigned to CIS. If it is determined that CIS will investigate the incident, the CIS investigator shall complete any additional at-scene, follow-up, and report writing activities on the Department Response and Cost Recovery Statement, along with an IR or Arrest Report. The concerned investigator shall immediately forward a copy of the Department Response and Cost Recovery Statement to the Budget Section, FG, along with a copy of the IR or Arrest Report and an incident history printout and document within the narrative of the IR or Arrest Report that a copy of the Department Response and Cost Recovery Statement was forwarded to the Budget Section, FG.

Upon receiving a copy of the estimated restitution costs calculated by FG on the Department Response and Cost Recovery Statement, the assigned MCD detective shall contact the Office of the City Attorney to determine if a conviction resulted from the arrest for false emergency reporting.

Area Records Unit's Responsibilities. The Area records unit shall enter the Modus Operandi Codes 0392 for "False Emergency Reporting" when processing a "False Emergency Reporting" IR or Arrest Report. The Area records unit shall forward a copy of the IR, the incident history printout and the Department Response and Cost Recovery Statement to MCD when the incident meets their criteria. Furthermore, Area records units will continue to use the Crime Classification Code 946 of "Other Miscellaneous Crime" for a False Emergency Reporting IR or Arrest Report.

Communications Division's Responsibilities. Communications Division (CD) operators who receive incoming **non-medical**-related calls for emergency services from

Telecommunications Relay Service (TRS) call centers shall attempt to obtain the Internet Protocol (IP) address of the caller from the TRS operator and also determine if the caller utilized an instant messaging service. This information shall be included in the incident history of the call. Furthermore, CD shall dispatch the call in the same manner as a "bomb call" via the Mobile Digital Computer. A patrol unit shall be assigned Code Three and a supervisor Code Two to the incident.

Fiscal Group Responsibilities. The Budget Section, FG, shall be responsible for reviewing all completed Department Response and Cost Recovery Statements associated with False Emergency Reporting cost recoveries and calculating the total costs for restitution.

Upon receiving completed Department Response and Cost Recovery Statements from Area detectives or MCD detectives, FG shall immediately notify the Office of the City Attorney and then forward copies of the completed Department Response and Cost Recovery Statements containing the estimated costs associated with the responding Department personnel to false emergency incidents that shall be completed by FG, to both the Office of the City Attorney and the originating requestors.

Note: The Office of the City Attorney shall forward the completed Department Response and Cost Recovery Statements to the court system. The court shall direct the defendant to make payments directly to FG. Fiscal Group shall provide receipts back to the defendants for their restitution payments.

Fiscal Group shall be responsible for depositing all the monies received related to false emergency calls into the Financial Management System.

271.25 STALKING, THREATS, AND HARASSMENT. When officers become aware of an individual who demonstrates an abnormal fixation and generates a long-term pattern of harassment, threats, stalking, or unsolicited acts of visitation or telephonic or written communication in an annoying or threatening manner toward another person, officers shall contact the Threat Management Unit (TMU), Detective Support and Vice Division (DSVD), for advice. The TMU, DSVD, is responsible for investigating all written and verbal and threats of harm to public officials or prominent persons.

Note: During off hours, TMU can be reached via the Mental Evaluation Unit, DSVD. If TMU personnel cannot be reached contact DSVD watch commander for advice.

Copies of any arrest or crime reports involving cases known to be under investigation by TMU, or fitting the criteria required by TMU for investigation, shall be forwarded to TMU.

271.30 THREATENING LETTERS. When written communications threatening harm to public officials or prominent persons come into the custody of the Department, they shall be preserved for a fingerprint investigation and forwarded to:

Threat Management Unit, Detective Support and Vice Division, for the following:

- Mayor;
- City Council members;
- City Attorney;
- City Controller; and,
- Persons designated by the Commanding Officer, Detective Bureau, and the Director, Office of Operations.

Note: Threat Management Unit shall conduct an investigation prior to forwarding the communications to Major Crimes Division.

- Commanding Officer, Major Crimes Division, for all persons not listed above.

The Commanding Officer, Detective Bureau, shall ensure that each communication receives appropriate police action and is forwarded to the California Department of Justice for inclusion in the Automated Threatening Letter File.

271.35 THREATS AGAINST PUBLIC OFFICIALS. Any employee who receives information concerning a threat against the life of a California state public official shall, in addition to completing the appropriate crime report:

- Telephonically report the threat and the circumstances surrounding the threat to the Executive Protection Bureau, California State Police, (213) 620-3216, available 24 hours.
- Record the date and time of the notification and the name of the person notified in the appropriate section of the arrest and/or crime report.

Note: A California state public official is an elected state official, an officer or employee of the State of California appointed by the Governor and exempt from civil service, or a justice of the California Supreme Court or Court of Appeals.

271.45 TERRORISM LIAISON OFFICER (TLO)'S RESPONSIBILITIES. The Terrorism Liaison Officer (TLO) shall be responsible for the following:

- Acting as a point of contact with Major Crimes Division (MCD);
- Be familiar with reporting of possible terrorist activity as outlined in Special Order No. 11, 2008, *Reporting Incidents Potentially Related to Foreign or Domestic Terrorism*, as well as www.tlo.org, which is a direct link for officers and civilians alike to report suspicious activity in their area;
- Relaying advisories and other terrorism related information provided by MCD, and the Joint Regional Intelligence Center (JRIC) to Area/divisional personnel in the form of roll call training at a minimum of once every two weeks, preferably on rotating watches;
- In the event of real-time transmission of threat information, utilizing Department communications technologies (ACC, MDC, ASTRO, etc.) to disseminate the information as deemed appropriate;
- Informing MCD of TLO personnel changes;

- Attending periodic coordination and training meetings; and,
- Attending the California Commission on Peace Officer Standards and Training (POST) certified TLO Basic Course no later than six months after being assigned as a TLO. The TLOs shall coordinate with MCD or JRIC to arrange this training.

Note: It is important to remember that TLOs are **not** considered intelligence and/or terrorism experts. they are trained in terrorism awareness and the proper procedure for reporting information to MCD and their Area/division.

Terrorism Liaison Officers are **not** responsible for collecting and disseminating information to the public regarding terrorism related activity. However, once TLOs receive terrorism-related information from MCD or JRIC, they shall notify the Area/division command staff, and as directed, to Area/Division personnel so that they may relay pertinent information to officers and/or the community, as appropriate.

Area/Division Commanding Officer's Responsibilities. The commanding officer of each Area/division shall:

- Designate minimum of two to a maximum of five employees as TLOs to represent their respective Area. Two TLOs shall be of a supervisory rank and the remaining TLOs, up to three, can be of any rank. All TLO positions shall be assigned at the commanding officer's discretion;

Note: Commanding officers may consider that officers in their command may have experience, knowledge, and/or military experience whom may be suitable for the TLO position.

- Ensure that each TLO is properly coordinating with the MCD Terrorism Liaison Officer Section on all terrorism-related issues;
- Ensure an Interdepartmental Correspondence Form 15.02.00, be generated from the Area/division commanding officer to the Commanding Officer, MCD, designating the respective Area/division assigned TLOs;
- Ensure the TLOs attend the POST certified TLO Basic course within six months of being designated as a TLO; and,
- Monitor the regular JRIC informational products in regard to terrorism and homeland security issues that may affect their jurisdiction.

Note: Specialized divisions include, but are not limited to, the four bureau traffic divisions; Recruitment and Employment Division; Communications Division; Forensic Science Division; Technical Investigation Division; specialized detective divisions from Detective Bureau (i.e., Gang and Narcotics Division, Detective Support and Vice Division, and Commercial Crimes Division); and, Counter-Terrorism and Special Operations Bureau (i.e., Air Support Division, and Metropolitan Division).

271.46 REPORTING SUSPICIOUS ACTIVITY POTENTIALLY RELATED TO FOREIGN/ DOMESTIC TERRORISM OR OTHER CRIMINAL ACTIVITY.

DEFINITIONS.

Suspicious Activity. Suspicious Activity is defined as observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity.

Note: For the purpose of documentation and evaluation within a Suspicious Activity Report (SAR), the term “other criminal activity” refers to criminal activity associated with terrorism and must fall within the scope of the eighteen terrorism pre-operational behaviors herein defined as: criminal, potential criminal and non-criminal activities.

Terrorism. Terrorism is defined as the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives. This is consistent with the Code of Federal Regulations (28 C.F.R. Section 0.85). This definition includes individuals and groups who plan, threaten, finance, aid/abet, and attempt or perform unlawful acts in furtherance of terrorist activity.

Suspicious Activity Report. A Suspicious Activity Report, Form 03.24.00, is an official documentation of observed behavior reasonably indicative of pre-operational planning related to terrorism or other criminal activity. The SAR is a stand-alone report. The information reported in a SAR may result from observations or investigations by police officers, or may be reported to them by private source.

Potential Target. A potential target is a person, facility/building, infrastructure or protected site that is or may be the object of the suspicious activity.

Consensual Encounter. A consensual encounter is an encounter between a police officer and an individual in which the individual voluntarily agrees to stop and speak with the officer. The individual is free to leave at any time during a consensual encounter unless there is reasonable suspicion to detain or probable cause to arrest.

Lawful Detention. A lawful detention must be based on reasonable suspicion that criminal activity has taken place or is about to take place, and that the person detained is connected to that activity.

Arrest. Probable cause to arrest is a set of facts that would cause a person of ordinary care and prudence to entertain an honest and strong suspicion that the person to be arrested is guilty of a crime.

Certain terrorism-related behaviors may indicate intelligence gathering or pre-operational planning related to terrorist activities or other criminal activity. These activities and behaviors include:

Criminal Activity and Potential Terrorism Nexus Activity.

- **Breach/Attempted Intrusion.** Unauthorized individuals attempting to enter or actually entering a restricted area, secured facility/infrastructure or protected site, or non-public area. Impersonation of authorized personnel (e.g., police/security officers, janitor, or other personnel);
- **Misrepresentation.** Presenting false information or misusing insignia, documents, and/or identification to misrepresent one's affiliation as a means of concealing possible illegal activity;
- **Theft/Loss/Diversion.** Stealing or diverting something associated with a facility/infrastructure, or secured protected site [e.g., badges, uniforms, identification, emergency vehicles, technology or documents (classified or unclassified), which are proprietary to the facility/infrastructure or secured protected site];
- **Sabotage/Tampering/Vandalism.** Damaging, manipulating, or defacing or destroying part of a facility/infrastructure or secured protected site;
- **Cyber Attack.** Compromising or attempting to compromise or disrupt an organization's information technology infrastructure;
- **Expressed or Implied Threat.** Communicating a spoken or written threat to commit a crime that will result in death or bodily injury to another person or persons or to damage or compromise a facility/infrastructure, or secured protected site; or,
- **Aviation Activity.** Learning to operate or operating an aircraft, or interfering with the operation of an aircraft in a manner that poses a threat of harm to people or property and that would arouse suspicion of terrorism or other criminality in a reasonable person. Such activity may or may not be a violation of Federal Aviation Administration regulations.

Potential Criminal or Non-Criminal Activity Requiring Additional Fact Information During Vetting.

- **Eliciting Information.** Questioning individuals or otherwise soliciting information at a level beyond mere curiosity about a public or private event or particular facets of a facility's or building's purpose, operations, security procedures, etc., in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Testing or Probing of Security.** Deliberate interactions with, or challenges to, installations, personnel, or systems that reveal physical, personnel or cyber security capabilities in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Recruiting/Financing.** Providing direct financial support to operations teams and contacts or building operations teams and contacts, or compiling personnel data, banking data or travel data in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Photography.** Taking pictures or videos of persons, facilities, buildings, or infrastructure in an unusual or surreptitious manner that would arouse suspicion of terrorism or other criminality in a reasonable person. Examples include taking pictures or videos of infrequently used access points, the superstructure of a bridge, personnel performing security functions (e.g., patrols, badge/vehicle checking), security-related equipment (e.g., perimeter fencing, security cameras), etc.;

- **Observation/Surveillance.** Demonstrating unusual or prolonged interest in facilities, buildings, or infrastructure beyond mere casual (e.g., tourists) or professional (e.g., engineers) interest and in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person. Examples include observations through binoculars, taking notes, attempting to mark off or measure distances, etc.;
- **Materials Acquisition/Storage.** Acquisition and/or storage of unusual quantities of materials such as cell phones, pagers, radio control toy servos or controllers, fuel, chemicals, toxic materials, and timers or other triggering devices, in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Acquisition of Expertise.** Attempts to obtain or conduct training or otherwise obtain knowledge or skills in security concepts, military weapons or tactics, or other unusual capabilities in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Weapons Collection.** Collection of unusual amounts and/or types of weapons, including explosives, chemicals and other destructive materials in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Weapons Discovery.** Discovery of unusual amounts of types of weapons, including explosives, chemicals and other destructive materials in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person;
- **Indicators of Weapon Handling.** Evidence of detonations, including residue, wounds or chemical burns in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person; or,
- **Sector-Specific Incident.** Actions associated with a characteristic of unique concern to specific sectors (e.g., the public health sector) with regard to their personnel, facilities, systems or functions in a manner that would arouse suspicion of terrorism or other criminality in a reasonable person.

Note: These activities are generally protected by the First Amendment to the United States Constitution and should not be reported in a SAR, absent articulable facts and circumstances that support suspicion that the behavior observed is not innocent, but rather reasonably indicative of criminal activity associated with terrorism, including evidence of pre-operational planning related to terrorism. Race, ethnicity, national origin, or religious affiliation should not be considered as factors that create suspicion (although these factors may be used as specific-involved person descriptors).

Reporting and Investigative Responsibilities for SAR-Related Incidents and Crime and/or Arrest Reports. All reports of suspicious activity are to be reported on a SAR. The Division of Records (DR) number for all associated reports (e.g., Property Report, Form 10.01.00; Investigative Report (IR), Form 03.01.00; and Arrest Report, Form 05.02.00) is to be listed in the space provided on the upper left-hand corner of the SAR face sheet.

Employee's Responsibilities. Any Department employee receiving any information regarding suspicious activity and/or observing any suspicious activity shall investigate and take appropriate action, including any tactical response or notifications to specialized entities.

Note: This section does not preclude, in any way, an employee taking immediate action during the commission of a criminal act, or in circumstances which require the immediate defense of life, regardless of the nature of origin.

Activities that are generally protected by the First Amendment (e.g., religious assembly or free speech) should not be reported as a SAR, unless additional facts and circumstances can be clearly articulated that support an officer's or agency's determination that the behavior observed is reasonably indicative of criminal activity associated with terrorism or other criminal activity.

Officers are reminded of constitutional and case law as they pertain to detention as well as search and seizure. Officers, who have neither reasonable suspicion to detain nor probable cause to arrest, cannot legally prevent an individual from walking away.

If the suspicious activity observed (e.g., suspicious behaviors or activities only) is not directly related to a reportable crime and/or any other type of investigation.

- **Contact the SAR Unit, Major Crimes Division (MCD), for advice when it appears a SAR may be necessary via the Department Operations Center (DOC), Communications Division;**

Note: Also see Administrative Order No. 3, dated February 19, 2014 – General Reporting Instructions – Field Notebook Divider, Form 18.30.00 – Revised; and denoted within Form 18.30.00 as “**NOTIFICATIONS. *Espionage/Sabotage activity** – Terrorist & Criminal Conspiracy Section, MCD.

- Record the information collected from the person reporting, or officer's observations on a SAR;
- If the potential target of the activity can be identified (e.g., government, person, building/facility, infrastructure or protected site, or an official being surveilled), that location or individual is to be listed within the “Potential Target” section of the SAR. Otherwise the “City of Los Angeles” is to be listed as the potential target;
- List the person reporting within the “Witness” section of the SAR. If the person reporting refuses to identify themselves, list them as “Anonymous”;
- List any additional witnesses;
- List the parties engaged in the suspicious behavior as Involved Persons within the “Involved Persons” portion of the SAR. **With no reportable crime, persons cannot be listed as suspects.** Utilize page 2 of the SAR to include additional descriptive information;

Note: A copy of the SAR face sheet **SHALL NOT** be provided to the Person Reporting.

- Notify the watch commander, Area of occurrence of the incident and that MCD has provided DAR advice. Upon approval by the watch commander, ensure that the Area Records Unit is made aware of the report and immediately assigns a DR and incident

number for the SAR. Refer to the Area Records Unit's Responsibilities "Note" Section regarding manual DR numbers;

- If there is property or evidence associated with the suspicious activity, a separate Property Report shall be completed. The Property Report shall bear a separate DR and incident number from the SAR, along with the following:
 - The Evidence box shall be marked;
 - The Investigative Unit box shall be marked MCD;
 - The Connecting Reports box shall be marked "None";
 - In the narrative portion of the report, officers shall write, "Do not release or destroy prior to contacting MCD. Below listed property booked on advice from MCD";
- The Property Report DR number shall be referenced in the "Prop Rpt DR#" box on the upper left-hand corner of the SAR face sheet;
- The booked property and the Property Report shall remain in the Area/division of occurrence;
- After obtaining the DR number for SAR, immediately fax the report(s) to the SAR Unit, MCD; and,
- Once the report(s) have been successfully faxed, send the original SAR to the SAR Unit, MCD, Stop 400, as soon as practicable, but no later than 24 hours after the report is taken and faxed to MCD.

Note: Copies of the SAR shall not be maintained at the Area/division or saved by reporting officers.

Note: The SAR DR and incident numbers shall not be referenced in the Property Report or any other report.

If the suspicious activity observed is related to a criminal or other type of investigation (e.g., bomb threat, vandalism, trespass, assault, domestic violence, impound, narcotics, property report), officers shall complete the following:

- **Contact the SAR Unit, MCD prior to completion of any SAR;**
- **Notify MCD via the DOC, Communications Division, that the report involves an arrest or crime with follow-up potential;**
- Complete the investigation and any appropriate reports [e.g., IR; Arrest Report; Property Report; Vehicle Report, CHP 180 (impound) and/or any other related reports];
- **Complete a SAR (after obtaining SAR advice from MCD) with a separate DR and incident number. Refer to the Area Records Unit's Responsibilities "Note" Section regarding manual DR numbers;**
- **Ensure that the DR number(s) of all completed crime, arrest, and/or property reports are listed and referenced in the appropriate boxes provided in the upper left-hand corner of the SAR face sheet.** Include any additional information that provides the nexus to terrorism within the narrative of the SAR on page 2;
- **Ensure that the SAR DR and incident numbers are not referenced in any other reports (e.g., crime, arrest);**

Note: The physical disclosure of a SAR during criminal and/or civil discovery should only occur pursuant to a lawful court order.

- Notify the watch commander, Area of occurrence, of the incident and that MCD, has provided SAR advice. Upon approval by the watch commander, ensure that the Area Records Unit is made aware of the report and wait for the DR number to be issued. **These reports are to be processed separately;**
- Fax the SAR (and copies of all associated reports) to the SAR Unit, MCD, immediately after obtaining the DR number for the SAR; and,
- Send the **original** SAR, including a copy of all associated reports (once they have been successfully faxed), to SAR Unit, MCD, Stop 400, as soon as practicable, but no later than 24 hours after the report is taken. **Copies of the SAR shall not be maintained at the Area/division or saved by the reporting officers.**

Hazardous Devices Materials Section, Emergency Services Division –

Responsibilities. Personnel assigned to the Explosive Unit (Bomb Squad), Hazardous Materials Unit, or Los Angeles Police Department Bomb Detection Canine (K-9) Section shall ensure that a SAR is completed on all incidents on which they respond where a potential nexus to terrorism exists. Suspicious Activity Reports completed by personnel assigned to these units shall be processed through a geographic Area Records Unit as directed below.

Watch Commander's Responsibilities. Upon notification that officers have received information regarding suspicious activity, the watch commander shall:

- Ensure that the SAR Unit, MCD, was contacted for SAR advice (via the DOC during off-hours);
- Ensure that the information supports the completion of a SAR and that no greater law enforcement response or notifications to MCD are currently needed;
- Review the SAR for completeness and ensure that the contact with the IP(s) was lawful and does not violate Department policy;
- Ensure the report is delivered by the reporting officer(s) to a records clerk for immediate DR number assignment;
- Ensure the Area Records Unit completes the following:
- Immediately assigns a DR Number for the SAR;
- Enters the information into the Consolidated Crime Analysis Database (CCAD) system;
- Successfully faxes all reports to the SAR Unit, MCD, immediately after obtaining necessary DR numbers for all associated reports; and,
- Forwards the original SAR, including a copy of all associated reports to MCD.

Note: Refer to the Area Records Unit's Responsibilities "Note" section regarding manual DR numbers.

- **If the fax is unsuccessful or no fax is available, ensure that the original SAR and copies of all associated reports are delivered to MCD (during off hours to MCD mailbox located at Police Headquarters Facility mail room).**

Note: Supervisors and watch commanders may reference that a SAR was completed and indicate the SAR DR number **only**, and not the IP's information in their Sergeant's Daily Report, Form 15.48.00, or Watch Commander's Daily Report, Form 15.80.00, (e.g., "SAR report completed, DR No. __"). The involved person's name(s) from the SAR shall not to be documented on the aforementioned reports or any other related reports, (e.g., IR, Arrest).

Major Crimes Division's Responsibilities. Upon receiving a telephonic notification of suspicious activity, MCD personnel shall, when appropriate, conduct immediate debriefs of arrestees, and/or witnesses, and provide the appropriate guidance to patrol officers. Upon receiving a SAR which has been forwarded and faxed to MCD, assigned MCD personnel shall follow established protocols regarding the processing of such information. **Refer to the Area Record Unit's Responsibilities "Note" Section regarding manual DR numbers and MCD's responsibilities.**

Note: Major Crimes Division shall review Body Worn Video (BWV) and Digital In-Car Video Systems (DICVS) associated with the SAR to ensure consistency between video evidence and what is articulated in the SAR.

Area Records Unit's Responsibilities. Upon receipt of the original SAR and associated reports (e.g., Property Report, IR, and/or Arrest Report) records personnel shall:

- Assign DR number(s) for the SAR and other related reports, as appropriate;

Note: If unable to obtain a DR number, **DO NOT** obtain a **manual DR number** for the SAR and do not keep a copy of the SAR. Fax a copy of the original SAR to MCD and forward the original SAR to the SAR Unit, MCD, Stop 400. The SAR Unit personnel will obtain the required DR number and incident number. If an arrest is involved, MCD will notify the Area of a **manual** SAR DR number.

- Ensure that the DR number(s) of all associated reports (crime, arrest, property, impound report, etc.) are listed in the appropriate boxes provided on the face sheet of the SAR;
- Enter the information into the CCAD system, including any appropriate Counter-Terrorism and Special Operations Bureau-related codes; and,
- **Send the original SAR, including a copy of all associated reports, to "SAR Unit, MCD, Stop 400" as soon as practicable, but no later than 24 hours after the report is taken and successfully faxed to MCD. No copies of the SAR are to be maintained at the Area/division.**

Area Detective's Responsibilities. For any associated reports, (e.g., Property Report, IR, and/or Arrest Report), which arrive at an Area Detective Division without having been reviewed by MCD personnel, Area detectives shall:

- Immediately notify MCD and forward the SAR to MCD (**No copies of the SAR are to be retained at the Area/division**) and fax copies of the SAR and all reports to

MCD. Refer to the Area Records Unit's Responsibilities "Note" Section regarding manual DR numbers;

- Ensure the SAR has been screened by MCD personnel; and,
- **Complete any criminal investigation per existing Department policies and guidelines.**

Counter-Terrorism and Special Operations Bureau Responsibilities. Counter-Terrorism and Special Operations Bureau is responsible for providing Department personnel with training pertaining to the proper handling of suspected terrorism-related activity and ensuring adherence to the guidelines established regarding developmental information and intelligence systems.

272. SPOUSE BEATING.

272.20 REPORTING SPOUSE BEATING OFFENSE. Spouse beating offenses shall be reported on the Investigative Report, Form 03.01.00.

272.40 PHOTOGRAPHING VICTIM OF SPOUSE BEATING. The officer making a Investigative Report, Form 03.01.00, on a spouse beating offense shall have photographs taken of the victim's injury. Photographs shall be made by the Photographic Section, Technical Investigation Division. If the Photographic Section is not open, Detective Support and Vice Division shall be notified.

272.45 REMOVING CLOTHING FROM FEMALE TO PHOTOGRAPH INJURY. An adult female shall be present whenever any clothes are removed from any other female for the purpose of photographing an injury. The name and address of the adult female witness shall be placed in the crime report.

273. BATTERY.

273.40 PHOTOGRAPHING VICTIM OF BATTERY. When the victim of a reported battery has injuries which should be photographed, the reporting officer shall issue the Victim's Report Memo, Form 03.17.00, and advise the victim to contact the Photographic Section, Technical Investigation Division, to make an appointment to have the injuries photographed. "Photos Advised" shall be entered in the narrative portion of the report.

274. INTERVIEWING.

274.10 TAKING REPORTS AT THE STATION. When a person appears at a station and wishes to report an incident, the desk officer shall:

- Determine if a report should be taken.
- Complete the appropriate report.
- Cause the reporting person to sign the report.
- Submit the report to a supervisor for approval.

When the taking of the report is beyond the ability of the desk officer or requires expert knowledge, the desk officer shall refer the reporting person to the concerned division investigating unit. When the concerned division investigating unit is not available, referral shall be made to the division watch commander. In all cases, the final interviewing officer shall take the report.

Exception: When the person wishes to make a traffic crash report or an auto theft report at the station, the desk officer shall follow the procedure set forth for:

- Traffic crash reporting (Manual Section 4/430.05).
- Auto theft reporting (Manual Section 4/220).

274.20 COMMUNITY ONLINE REPORTING SERVICE AND TELEPHONIC REPORTS. The following crimes/incidents shall utilize the Community Online Reporting Service (CORS) as the primary reporting system if the appropriate criteria are met.

Identity Theft, when:

- The incident involved the use of a credit card, or debit card to purchase items (e.g., gasoline, hotel room, electronics, or withdraw cash).

Lost Property, when:

- Property was unintentionally left by its true owner.

Harassing/Annoying Phone Calls/Electronic mail, when:

- Any person who repeatedly, with the intent to annoy, telephones, or makes contact by means of an electronic communication.

Hit and Run Crashes, when:

- No injury; and,
- Does not involve City property.

Traffic Crashes that involve:

- Complained of pain and/or other visible injuries; and,
- Minor damage.

Burglary/Theft from Vehicle, or Plain Theft, when:

- The property taken is valued at less than \$5,000;
- Theft was not a result of a forged or counterfeit check, credit card fraud, a financial scam, or extortion;
- The property taken was not a gun; and,
- The person reporting is the owner of the property taken (e.g., individual, or employee of a business).

Grand Theft-Pickpocket when:

- The suspect is not at the scene;
- There is no possibility of locating the suspect through a limited follow-up investigation by field personnel; and,
- The property taken is valued at less than \$5,000.

Vandalism, when:

- Damage is less than \$5, 000;
- Does not involve a Hate Crime;
- Does not involve Domestic Violence;
- Vandalism is not the result of gun shots;
- Does not involve a Restraining Order; or,
- Does not involve a labor dispute.

Note: If any of the following exist in the reported incident, they are not eligible for CORS or telephonic reporting:

- Hate Crime;
- Suspect at scene;
- A gun is involved (as the reported stolen item or is used in the crime);
- Possibility of immediate violence;
- Crime involves a labor dispute; or,
- Amount of property loss or vandalized \$5, 000 or higher.

The following are not eligible for CORS, but are eligible for telephonic reports:

Assault or Battery, when:

- No additional battery is likely to occur; and,
- The injury, if any, does not require immediate medical attention.

Stolen vehicle, when:

- The person reporting is the registered owner or lessee of the vehicle; **and**,
- The employee taking the report has verified through Department of Motor Vehicles files:

- o The registration and ownership of the vehicle;
- o The identity of the reporting person;
- o The vehicle has not been towed by an authorized authority; and,
- o The vehicle has not been reported by another responsible party (e.g., stolen, impounded, repossessed).

Note: Stolen vehicle reports shall **not** be taken telephonically for rented vehicles.

Any misdemeanor property crime reportable on an Investigative Report, Form 03.01.00, when:

- The amount of damage is estimated at less than \$5,000;
- The offense is not directly related to a labor dispute;
- The offense is not a hate crime; and,
- The offense is not domestic violence.

Note: If the reporting person requests a receipt, he or she shall be advised that a Victim's Report Memo, Form 03.17.00, may be obtained at the station where the report was completed.

Hate Incident (when preferred by the person reporting):

- A Hate Incident is any non-criminal act, including words directed against a person(s), based on that person's actual or perceived race, nationality, religion, sexual orientation, disability, gender, gender expression, or gender identity that is not punishable under the California Penal Code or federal law. Hate Incidents differ from hate crimes in that they do not violate criminal or civil law. Instead, such incidents are generally protected free speech under the First Amendment to the U.S. Constitution;
- Hate incidents include, but are not limited to, epithets, distribution of hate material in public places, posting of hate material on public property that does not result in property damage, and the display of hate material on one's own property. However, if over an extended period of time, a person directs numerous bigoted, biased, or prejudiced statements to the same person, such a pattern of conduct could rise to the level of unlawful criminal harassment or stalking under certain state laws;
- Online reporting of hate Incidents does not require the completion of supplemental forms at the time of reporting; and,
- Reference Department Manual Section 4/203.25, Reporting Incidents Motivated by Hatred or Prejudice.

Note: Hate incidents may also be reported directly to Department personnel – sworn or civilian, in person or via 911.

Department Operations Center (DOC) Responsibilities. The DOC shall:

- Process each hate incident report through the first and second CORS preapproval process;

- During the review process, if a hate incident report is determined to involve a hate crime, the DOC shall implement the following response procedure:
 - Dispatch a unit immediately or as appropriate based on the reported information;
 - Absent immediate response, DOC personnel shall contact the victim, create a call for service, and responding officer(s) shall take the hate crime report.
 - If the DOC cannot get ahold of the victim (at least three phone calls attempted), the DOC shall generate a CORS report rejection email message, indicating the following: “As a result of multiple attempts to contact you via phone, the Los Angeles Police Department advises to contact your local Area police station or call 1(877) ASK-LAPD for police response;” and,
- Once the CORS hate incident report returns from Area records with a Division of Records (DR) No., the DOC shall add it to their notifications to the Chief of Police 24-hour occurrence log.

Area Records Units Responsibilities. Upon receipt of a hate incident report in which the suspect’s actions were motivated by hatred or prejudice, Area Records Unit personnel shall:

- Process and Approve the CORS Hate Incident report, by assigning a DR number;
- Ensure that the appropriate crime code (999) for a hate incident has been correctly denoted;
- Denote the Uniform Crime Reporting (UCR) crime code of 999 with an MO code of 0921 for Hate Incident reports;
- Denote the appropriate corresponding Bias and Sub Bias Modus Operandi (MO) codes; and,
- Distribute the report(s) as soon as possible. In addition to the established distribution list below, records units shall send a copy with the assigned DR number to the DOC.
 - One copy – Detective Bureau;
 - One copy – Criminal Conspiracy Section (CCS), Major Crimes Division (MCD);
 - One copy – Public Engagement Section (PES), Office of Operations;
 - One copy – Hate Crimes Coordinator’s investigative designee, Robbery-Homicide Division (RHD); and,
 - One copy – DOC (New procedure).

Processing. Plain paper reports shall be processed in the same manner (i.e., approval, DR number, distribution, and filing requirements) as the Investigative Report, Form 03.01.00, or the Vehicle Report, CHP Form 180.

274.25 COMMUNITY ONLINE REPORTING SYSTEM. The Department has established the Community Online Reporting Service (CORS) to enhance public service delivery through the use of technology. The provisions of this service will provide a convenient method for the public to report crime to the police. The CORS is the primary

reporting system to be utilized to officially report certain types of crimes which are listed in Department Manual Section 4/274.20 and on the Department's public website.

When a community member makes direct contact with an employee of the Department - in person or telephonically - and wishes to make a report for a crash involving: possible injury and/or suspected minor injury or a Hit-and-Run Misdemeanor where no license plate or vehicle were left at scene, officers shall direct the individual to the CORS to report the incident. Department employees should educate the community member about the Department's traffic crash reporting criteria and the reporting requirements for CORS whether the contact is made in person or telephonically. When a crash does not meet the CORS criteria, a Department employee shall complete the appropriate report. Community members who do not have access to technology in order to complete the report should be directed to their insurance agent, a relative, public library or the City Council field office for assistance. In rare circumstances, Department employees may assist the community member in completing the CORS report.

Note: When a vehicle is abandoned, or license plate is left at-scene, a Traffic Crash Report, CHP 555 Form Set shall be completed. The community member shall not be directed to CORS.

274.30 VEHICLE LICENSE PLATE INFORMATION. Officers who receive verbal information about the license plate number of a vehicle involved in a crime shall:

- Direct the victim or witness to write the license plate information on a piece of paper, then have the victim or witness sign, date, and record the time on the piece of paper.
- Book the piece of paper as evidence (Manual Section 4/510).

Exception: When the license plate number is that of a vehicle involved in a traffic crash, such as a hit-and-run vehicle, officers shall attach the piece of paper to a separate Narrative/Supplemental, CHP Form 556, with transparent tape, complete the first two lines of the CHP Form 556 and forward it with the Traffic Crash Report.

275. PIN MAPS.

275.10 CRIME PIN MAPS. Those divisions or units maintaining crime pin maps shall post such maps with the following designated pins:

**DIVISIONAL PIN
MAPS**

<i>Crime</i>	<i>Pin Color</i>	<i>Plain</i>	<i>With Bar</i>	<i>With Dot</i>
Burglary	Red	Day	Night	A.M.
Robbery	Green	“	”	“
Rape and Assaults	Black	“	”	“

Theft from Auto	Yellow	“	”	“
Auto Theft	Orange	“	”	“
Purse Snatching	Chocolate	“	”	“
Recovered Auto	White	“	”	“
Burglary from Auto	Blue	“	”	“

WATCH PIN MAPS

<i>Crime</i>	<i>Pin</i>
Residence Burglary	Plain Red
Business Burglary	Red With Bar
Gas Station Burglary	Red With Dot
Street Robbery	Plain Green
Business Robbery	Green With Bar
All Other Robberies	Green With Dot
Rape	Plain Black
Assaults	Black With Bar
Theft from Auto	Plain Yellow
Theft from Business	Yellow With Bar
Other Thefts	Yellow With Dot
Auto Theft (Street)	Plain Orange
Auto Theft (Parking Lot)	Orange With Bar
Auto Theft (Other)	Orange With Dot
Purse Snatching	Plain Chocolate
Recovered Auto	Plain White
Burglary from Auto	Plain Blue

275.50 TRAFFIC PIN MAP INFORMATION. Traffic crash pin maps shall be kept up to date on the basis of information received from the Crime and Miscellaneous Reports Section, Records and Identification Division.

276. TRESPASS.

276.10 TRESPASS WARNING AND TRESPASS ARREST AUTHORIZATION.

Officer's Responsibilities. Whenever an officer determines that an individual has entered upon private property (including private property open to the general public) without lawful permission, in violation of Los Angeles Municipal Code (LAMC) Sections 41.24(a), 21.24(b), or 41.24(d), the officer shall advise the individual that he or she is trespassing. Additionally, the officer shall check with the division of occurrence to determine if a Trespass Arrest Authorization, Form 03.21.00, is on file for that location. If the officer determines that the individual has entered the subject property without permission in violation of LAMC Section 41.24(b) or 41.24(d), the officer shall check to determine if there is a Trespass Warning, Form 03.21.00 [or any other documentation, such as a Field Interview Report, Form 15.43.00, a Computer Aided Dispatch (CAD) Summary Report, or a Daily Field Activities Report, Form 15.52.00] on file, documenting that the suspect has been previously warned.

Note: Per LAMC Section 41.24(e), the term “**private property**” shall mean any real property, including but not limited to, buildings, structures, yards, open spaces, walkways, courtyards, driveways, carports, parking areas and vacant lots, except land which is used exclusively for agricultural purposes, owned by any person or legal entity other than property owned or lawfully possessed by any governmental entity or agency.

If there is a Trespass Warning on file for LAMC Sections 41.24(a), 41.24(b), or 41.24(d), the violator will be subject to arrest. If there is a Trespass Arrest Authorization on file and the violator is in violation of LAMC Section 41.24(a) without a previous Trespass Warning, the violator will be subject to arrest. If there is a Trespass Arrest Authorization on file and the violator is in violation of LAMC Section 41.24(b) or 41.24 (d) without a previous Trespass Warning, the violator shall be warned via a Trespass Warning. A copy of the Trespass Arrest Authorization and the Trespass Warning shall be attached to the arrest report. The **original** Trespass Arrest Authorization and the Trespass Warning shall remain in the trespass warning book where it is readily accessible.

If there is not Trespass Arrest Authorization or Trespass Warning (or any other documentation, such as a Field Interview Report, CAD Summary Report, or a Daily Field Activities Report) on file, the violator shall be warned and a Trespass Warning should be completed for LAMC Section 41.24(a), 41.24(b), or 41.24(d). The officer shall request that the violator sign the Trespass Warning. If the violator refuses to sign the Trespass Warning, the officer shall print "Refused" on the violator's signature line followed by the officer's initials. The original document and one copy shall be turned in with the officer's CAD Summary Report or Daily Field Activities Report, or to the watch commander if the officer utilizes the Automated Daily Field Activities Report System.

Note: An individual who was previously warned via a Trespass Warning for Section 41.24(a), 41.24(b), or 41.24 (d), will be subject to arrest when the warning and arrest are for the same property.

Subpoena Control Officer's Responsibilities. Subpoena control officers shall ensure that the **original** Trespass Arrest Authorization and Trespass Warning are retained in a notebook. A copy shall also be placed in a three-ring notebook where it is readily accessible.

Commanding Officer's Responsibilities. Commanding officers shall ensure that a notebook is maintained by the division's subpoena control office to retain the **original** Trespass Arrest Authorization and Trespass Warning. A Trespass Warning notebook shall also be maintained at the Areas front desk for use by field personnel. Commanding officers shall ensure that copies of the Trespass Arrest Authorization and Trespass Warning are purged from the book once a year. These expired forms shall be stored per the Department's records retention procedure.

278. DEPOSITING WEAPONS AT JAIL. Officers entering any area of a jail where arrestees are booked or detained shall deposit weapons in a weapons locker or other location of safety prior to, or immediately upon, entering the jail.

Note: Weapons shall include, but are not limited to, firearms, saps, and batons.

279. SHOTGUNS IN POLICE VEHICLES. A loaded Department shotgun carried in a police vehicle shall contain four rounds of ammunition in the magazine, shall be cocked, and the safety shall be in the "ON" position. A shotgun shall not be carried in a police vehicle with a round of ammunition in the chamber.

280. PRIVATE PERSONS IN POLICE VEHICLES. All requests to ride in police vehicles for the purpose of gathering information for use in feature articles shall be referred to the Director, Public Communications Group. All requests by private persons to ride in police vehicles for purposes other than feature articles shall be referred to the concerned division commanding officer.

282. LOST OR DAMAGED DEPARTMENT EQUIPMENT. Loss, recovery, unserviceable condition of, or damage to, City-owned equipment shall be reported by the discovering employee(s) to a supervisor as soon as practicable. The supervisor shall conduct an investigation to determine if the loss, damage or condition of the item was a result of negligence or carelessness on the part of a Department employee. The supervisor conducting the investigation shall ensure that a lost or theft report is completed on all missing items. Should employee negligence or carelessness be indicated in the investigation, an Employee's Report to that effect shall be initiated by the investigating supervisor. The commanding officer of the unit to which the equipment is assigned, shall forward an Intradepartmental Correspondence, Form 15.02.00, explaining the circumstances of the loss, and/or corrective action taken, along with a copy of any related report(s) to the Commanding Officer, Administrative Services Bureau.

When employees' Department identification cards or badges are lost or stolen, they shall obtain a replacement from Personnel Division.

When supervisors approve a crime or lost property report which includes a lost or stolen Department Badge or identification card, they shall cause a teletype to be sent to all Department facilities with the heading: "ATTENTION LOST/STOLEN DEPARTMENT IDENTIFICATION CARD/BADGE."

Any lost, theft, damage or destruction of electronic communication equipment shall be reported as directed in Manual Section 3/579.

283. DAMAGE TO PRIVATE PROPERTY. Employees who have taken police action resulting in the mistaken damage of private property shall immediately notify their supervisor or watch commander and complete an Employee's Report, Form 15.07.00, prior to the end of his/her tour of duty, giving the details of the occurrence. The employee's supervisor shall ensure that telephonic notification is made to the Police Supply Section, Fiscal Group, requesting the repair of the property. The concerned supervisor shall report the incident to the concerned commanding officer. The commanding officer shall complete an Intradepartmental Correspondence, Form 15.02.00, explaining the circumstances of the incident and ensure that the completed correspondence is forwarded to the Commanding Officer, Fiscal Group. The Form 15.07.00 completed by the concerned officer and a copy of the commanding officer's Form 15.02.00 shall be filed in the officer's unit of assignment.

Note: When Fiscal Group is closed, the telephonic notification shall be made to Detective Support and Vice Division.

284. INTERNATIONAL RELATIONS.

284.10 DIPLOMATIC AND CONSULAR CONTACTS.

Officer's Responsibility. When officers detain an individual suspected of committing a crime who claims to be a diplomatic agent, a career consular officer, an honorary consular officer, or a family member or employee of such agent, and there is a question as to the suspect's identity or immunity, the officer shall:

- Immediately obtain the assistance of a supervisor;
- Immediately cause the Diplomatic Liaison Officer, to be notified of the detention, identity, and claim of the individual; and,
- Be guided by the advice of the Diplomatic Liaison Officer.

Note: When the Diplomatic Liaison Officer is unavailable, notification should be made to the Department Operations Center (DOC).

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.

In all cases where a diplomatic agent, consular officer, honorary consular officer, or member of the diplomatic agent's staff is detained for a felony crime or for driving under the influence, notification shall be made to the Diplomatic Liaison Officer, or, when the Diplomatic Liaison Officer is unavailable, the Department Operations Center (DOC).

Diplomatic Liaison Officer Responsibility. When notified that a foreign national has been detained by a member of this Department and claims to have diplomatic or consular immunity, the Diplomatic Liaison Officer shall:

- Contact the Protocol Office, United States Department of State, for verification; and,
- Advise the requesting department personnel of the status of the foreign national and procedures to be followed during the contact.

Note: When the Diplomatic Liaison Officer is unavailable, the Department Operations Center Division shall be responsible for making the appropriate inquiries and advising the notifying officer.

284.15 DIPLOMATIC AGENT IMMUNITY. A diplomatic agent is any person entrusted by a foreign government and approved by the United States government to exercise diplomatic functions in this country. This includes the Ambassador, Minister, and the Minister Counselor, Counselor, First Secretary, Second Secretary, attaché, or other diplomatic officer. Diplomatic agents enjoy the highest degree of privileges and immunities.

Criminal Incidents. 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.

Diplomatic agents, their family members and members of their administrative or technical staff stopped while driving under the influence should not be permitted to continue driving. Officers shall immediately obtain the assistance of a supervisor who shall assess the situation and determine the appropriate action to be taken. Field sobriety tests should be offered, but cannot be compelled. When practicable, the supervisor shall assist the individual in securing an alternate means of transportation (e.g., request a cab, contact a responsible party) or when, reasonable, transport the individual to a location of their choice. All the facts of the incident, including all objective signs of intoxication should be documented in the appropriate Department report (e.g., CHP, Form 555.03, Traffic Collision Information, Form 04.37.00, etc.) If no other Department report is completed, the facts shall be documented in an Employee's Report, Form 15.07.00, and forwarded to the Diplomatic Liaison Officer.

Note: Service staff of diplomatic agents are immune from prosecution for acts committed while performing diplomatic functions. However, they are subject to criminal offense under other circumstances.

Traffic Enforcement. Officers shall not normally issue personal service 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 when 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. If the individual refuses to sign the citation, he or she shall be permitted to leave the location. All copies of the unsigned citation, accompanied by an Employee's Report, Form 15.07.00, explaining circumstances of the contact, shall be forwarded to the Diplomatic Liaison Officer the next business day following

the incident. If the individual signs the citation, a photocopy of the citation accompanied by an Employee's Report, Form 15.07.00, explaining the circumstances of the contact shall be forwarded to the Diplomatic Liaison Officer the next business day following the incident.

Note: The Department Diplomatic Liaison Officer (DDLO) shall be notified of any aggravated contact involving a incident involving their family members, offices, or residence within the City (i.e., demonstrations, vandalism, etc.). The Department Diplomatic Liaison Officer shall also receive a copy of any report completed that involves a diplomatic or consular officer.

Exception: The vehicle of the diplomatic agent, their family, or member of their administrative or technical staff may be impounded when it constitutes a traffic hazard or when parked on a tow-away zone. The vehicles shall be cited when they are impounded.

Premises and Property Immunity. Officers shall not enter the premises of the diplomatic agent or the premises of the administrative or technical staff. The premises can include the residence, office or office space within the residence, even in "hot pursuit," without the express consent of the head of the diplomatic post or his or her designee. Consent may be assumed in the case of fire or other disaster requiring prompt action.

Officers shall take all appropriate steps to protect the diplomatic agent's premise and the premises of their administrative and technical staff against any disturbance of the peace of the diplomat post or impairment of its dignity. No arrest or other probable cause is necessary to remove unwanted persons from the premises upon request of the individual.

Diplomatic agent archives, files, and documents, including official mail are immune from local jurisdiction at all times wherever they may be. The diplomatic mailbag shall not be opened or detained. The diplomatic courier is immune from any form of arrest or detention during the performance of his or her duty.

284.20 CAREER CONSULAR OFFICER IMMUNITY. A career consular officer is any person entrusted by a foreign government and authorized by the United States Government to perform formal consular functions in this country. This includes the Consul-General, Consuls, and Vice-Consuls. A career consular officer is a citizen of a foreign country empowered by its government to act in its behalf on trade matters and other limited governmental functions. Each career consular officer possesses State Department credentials (bearing the State Department's seal, the name of the officer, his or her title, and the signatures of State Department officials) and other official identification.

Criminal Incidents. Career consular officers have only official acts or functional immunity in respect to both criminal and civil matters. Career consular officers may only 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. If the career consular officer

commits or is in the process of committing a felony, which is an immediate danger to the public safety, the consular officer shall be taken into custody and held until booking advice is received.

Career consular officers stopped while driving under the influence should not be permitted to continue driving. Officers shall immediately obtain the assistance of a supervisor who shall assess the situation and determine the appropriate action to be taken. Field sobriety tests should be offered but they cannot be compelled. When practicable, the supervisor shall assist the consular officer in securing an alternate means of transportation (e.g., request a cab; contact a responsible party) or, when reasonable, transport the consular officer to a location of the consular officer's choice. All the facts of the incident, including all objective signs of intoxication, should be documented in the appropriate Department report (e.g., Traffic Crash Report, CHP Form 180, Municipal Supplement, Form 04.03.01, etc.). If no other Department report is completed, the facts should be documented in an Employee Report, Form 15.07.00, and forwarded to the Diplomatic Liaison Officer.

Traffic Enforcement. The traffic enforcement section regarding diplomatic agents (Manual Section 4/284.15) shall apply to career consular officers as well.

Premises and Property Immunity. Officers shall not enter a career consular officer's official office or the official office space within the consular officer's residence, even in "hot pursuit," without the express consent of the head of the consular post or his or her designee. Consent may be assumed in the case of fire or other disaster requiring prompt action.

Officers shall take all appropriate steps to protect the consular officer's premises against any disturbance of the peace of the diplomatic post or impairment of its dignity. No arrest or other probable cause is necessary to remove unwanted persons from the premises upon request of the consular officer.

Career consular officer archives, files, and documents including official mail, are immune from local jurisdiction at all times wherever they may be. The consular mailbag shall not be opened or detained. The consular courier is immune from any form of arrest or detention during the performance of his or her duty.

Note: The United States may have reached bilateral agreement with certain foreign governments, whereby their consular personnel in the United States (and their families) have privileges and immunities approximating those afforded diplomatic officers. Police officers should be guided by the Diplomatic Liaison Officer in these instances.

284.25 HONORARY CONSULAR OFFICER IMMUNITY. An honorary consular officer is a United States citizen or a citizen of a foreign country who is a permanent resident of the United States appointed to perform the functions of a career consular officer. They do not possess a State Department identification card, but may have other official identification.

Criminal Incidents. Honorary consular officers may be detained and arrested for felony or misdemeanor offenses. They may not be prosecuted for acts committed only when performing

consular functions. After an honorary consular officer or employee has been arrested, he or she may raise the defense of immunity at the trial. The determination regarding immunity will be made by the judge. Members of an honorary consular officer's family and private or domestic staff have no consular inviolability whatsoever.

Traffic Enforcement. The traffic enforcement section regarding diplomatic agents (Manual Section 4/284.15) shall apply to honorary consular officers as well.

Premises and Property Immunity. Official office, archives, files and documents, including mail, are immune from local jurisdiction at all times wherever they may be. The consular mailbag shall not be opened or detained. The consular courier is immune from any form of arrest or detention during the performance of his or her duty.

284.35 REQUESTS FOR INFORMATION REGARDING CONSULAR OFFICERS.

Officers desiring additional information regarding consuls and consular relations will contact the Diplomatic Liaison Officer. Legal information regarding consular immunity may be obtained from Legal Affairs Division, during normal business hours.

284.38 REPORT - DISTRIBUTION WHEN CIRCUMSTANCES INVOLVE

CONSULAR OFFICERS. The supervisor approving the report shall cause one copy of all crime, arrest, traffic and other related reports involving consular officers to be distributed to the following entities: The Diplomatic Liaison Officer; Commanding Officer, Counter Terrorism and Special Operations Bureau; Commanding Officer, Major Crimes Division; Director, Public Communications Group, Office of the Chief of Police.

284.40 NOTIFICATION PROCEDURES FOR AGGRAVATED CONTACTS INVOLVING CONSULAR OFFICERS.

Officer's Responsibility. An officer who has observed or who is called to the scene of an incident involving a consular officer or a member of his or her family which is, or may become, aggravated shall:

- **Immediately** obtain the assistance of a supervisor.
- As soon as practicable, notify the Diplomatic Liaison Officer, or the Department Operations Center (DOC), after hours.
- Complete an Employee's Report, Form 15.07.00, and any other report necessary under the circumstances.

Note: The Form 15.07.00 need not be completed when all the information necessary for the Chief of Police is included in another written report.

Supervisor's Responsibility. A supervisor called to the scene of an aggravated incident involving a consular officer or a member of his or her family shall:

- Assess the situation and take any appropriate action.

- **Immediately** notify the Diplomatic Liaison Officer, describing the situation and circumstances of the aggravated incident. During those hours when the Diplomatic Liaison Officer is unavailable, the Watch Commander, Department Operations Center Division, shall be notified and directed to contact the concerned staff officer. The supervisor shall remain available for a return call from the concerned staff officer.
- Contact the Protocol Officer or Assistant Protocol Officer, Office of the Mayor. During those hours when the Protocol Office is closed, the City Hall switchboard operator shall be requested to transfer the call to either of the concerned protocol officers.
- Cause a copy of the concerned reports to be forwarded without delay in accordance with Manual Section 5/030.66.

Watch Commander, Department Operations Center Division Responsibility. When requested by the field supervisor, the Watch Commander, Department Operations Center Division, shall notify the Diplomatic Liaison Officer and request him/her to call the field supervisor.

Note: Although consular immunity does not extend to a consular officer's family, this notification procedure shall be observed for aggravated incidents involving a consular officer or a member of his or her family. Aggravated incidents are not limited to driving under the influence or felony offenses but shall be considered incidents of any nature which may tend to become aggravated due to the circumstances or personalities involved.

284.45 REQUESTS FOR POLITICAL ASYLUM.

Employee's Responsibility. An employee receiving a request for political asylum from a foreign national shall immediately notify a supervisor.

- If the total circumstances are not recorded on another report, complete an Employee's Report, Form 15.07.00, setting forth the facts of the situation.

Note: A foreign national, including a minor, within the United States is entitled to the same protections under the law guaranteed a United States citizen; therefore, officers may use that force necessary to protect a person requesting asylum and to ensure the safety of that person.

Supervisor's Responsibility. A supervisor notified of a request for political asylum by a foreign national shall:

- Cause the Diplomatic Liaison Officer, and Watch Commander, Department Operations Center Division to be notified and be guided by their advice; and,
- Cause a copy of all reports to be forwarded, without delay, in accordance with Manual Section 5/15.7-84.

DOC's Responsibility. The Watch Commander, DOC, shall immediately notify the Operations Center, Department of State, Washington, D.C., of a request (or imminent request) for political asylum which:

- Is politically sensitive;
- Involves the possibility of forcible repatriation;
- Is determined by the DOC Watch Commander to be of special interest to the Department of State;
- Involves a foreign national who is present in the United States as part of an official visit, formal cultural or athletic exchange, exchange student program or state-owned business or enterprise activity, or who is in transit through the United States in such capacity; or,
- Involves any foreign diplomat, foreign consular officer, or foreign official, regardless of the country.

Any other requests for political asylum shall be referred to the Immigration and Naturalization Service.

The Watch Commander, DOC, shall ensure that the Diplomatic Liaison Officer is notified of any request for political asylum as soon as practicable.

284.47 DEATH OR GUARDIANSHIP OF A FOREIGN NATIONAL.

Employee's Responsibility. An officer shall notify DOC and the Diplomatic Liaison Officer when investigating:

- The death of a foreign national; or,
- Any situation which requires the appointment of a guardian or trustee for a foreign national.

DOC's Responsibility. The Watch Commander, DOC, shall ensure that the appropriate foreign consular officials are notified of:

- The death of a foreign national; or,
- The need to appoint a guardian or trustee for a foreign national.

286. MAIN STREET FACILITY POOL VEHICLES.

286.10 OBTAINING VEHICLES FROM THE MAIN STREET FACILITY MOTOR POOL. When requesting a Main Street Facility Motor Pool vehicle, the requesting employee shall:

- Complete the appropriate sections of the LAPD Transportation Order, Form 11.34.00, and forward it to the appropriate supervisor for approval;
- Advise the approving supervisor of the reason the pool vehicle is needed; the estimated mileage the pool vehicle will be driven; and how long the vehicle will be in use; and,
- Submit the approved LAPD Transportation Order, Form 11.34.00, to the Main Street Facility Motor Pool Dispatcher (Manual Section 3/582.50).

286.20 RETURNING VEHICLES TO THE MAIN STREET FACILITY MOTOR POOL. Once the specified use for a Main Street Facility Motor Pool vehicle has been completed, return the vehicle **immediately** as follows:

- To the Main Street Facility Motor Pool Dispatcher;
- When the Motor Pool Dispatch Office is closed, return the vehicle to Evidence and Property Management Division; or
- When the Motor Pool Dispatch Office and Evidence and Property Management Division are closed, return the vehicle to the Main Street Facility Motor Pool Dispatcher before 0900 hours the following business day.

287. FUEL CREDIT CARDS.

287.10 CHECKING OUT FUEL CREDIT CARDS. The Criteria for issuing either an assigned or loaned fuel credit card are as follows:

- Department business requires an employee to utilize a Department vehicle to travel on an extended trip outside the City; or,
- Where specific circumstances might preempt the use of Department fueling facilities because of a conflict with the employee's assignment; or,
- The division/employee is assigned a vehicle/motorcycle or other conveyance that requires premium fuel.

Assigned fuel credit cards shall be issued and controlled by the commanding officers office/ bureau/ area or division.

Loaned fuel credit cards are used for extended trips outside the City and shall be issued and controlled by the Administrative Unit, Department Operations Center (DOC).

Note: Upon return of a loaned credit card, Department Operations Center personnel shall ensure that the employee submits a Fuel Credit Card Expenditure Report, Form 11.01.01, and provides receipts for any gasoline obtained, and that the receipts bear the employee's serial number and the license number, shop number, and mileage of the City vehicle.

Requests for additional or replacement fuel credit cards shall be made by forwarding the appropriate correspondence to Motor Transport Division.

287.50 USE OF FUEL CREDIT CARDS. Credit cards shall be used only to purchase 87 Octane (Regular/Unleaded Gasoline), diesel fuel, motor oils, and fluids for use in City-owned vehicles (vehicles, motorcycles, or other conveyances that require premium fuel are exempt). **No other purchases are authorized.**

Employee's Responsibility. Every employee using a Department fuel credit card shall:

- Submit a Fuel Credit Card Expenditure Report, Form 11.01.01, with attached receipt/s (vehicles, motorcycles, or other conveyances that require premium fuel are exempt).
- Obtain fuel from a Department facility whenever possible, unless it would jeopardize his/her assignment when traveling within the City or surrounding areas;
- Purchase only approved items (e.g., 87 Octane gasoline, diesel fuel, or oil). Gasoline or diesel fuel shall be purchased from self-service pumps when available;
- Obtain a written receipt for all charges made on the credit card;
- Ensure the credit card receipt bears the credit card number, the name and address of the service station from which the supplies were purchased, an itemized list of purchases, quantity of fuel in whole and tenths of gallon, and a legible total cost;
- Place his/her serial number and the license number, shop number, and mileage of the City vehicle on the front side of the credit card receipt; and,
- Submit receipts to the Administrative Unit, DOC, when a loaned fuel credit card is used; or,
- Submit receipts to their immediate supervisor when an assigned fuel credit card of a specialized division is used.

Note: Employees shall not use the Department fuel credit card for purchasing repairs or servicing of Department vehicles. When an employee experiences mechanical problems outside the City, the employee shall contact the Motor Transport Division watch commander (during off hours Central Garage) for instructions.

A Department issued fuel credit card shall only be used by the person to whom it was issued and shall only be used at appropriate service stations. If necessary, fuel may be purchased for more than one vehicle with the same credit card at one time, but a separate receipt shall be obtained for each vehicle.

Exception: Prearranged group purchases of fuel for solo motorcycles do not require a separate receipt.

Supervisor's Responsibility. Each supervisor shall ensure that a Fuel Credit Card Expenditure Report, Form 11.01.01, was completed, if applicable; and,

- Ensure each receipt is properly completed and attached to the Fuel Credit Card Expenditure Report, Form 11.01.01, to verify that the usage was for Department business in a City vehicle; and,
- Forward the Fuel Credit Card Expenditure Report, Form 11.01.01, and credit card receipt to his/her commanding officer.

Commanding Officer's Responsibility. Each commanding officer reviewing a Fuel Credit Card Expenditure Report, Form 11.01.01, shall:

- Ensure the form and receipts are complete and valid;
- Original form and receipts to Risk Management and Policies Division (RMPD) for filing;
- Maintain a copy of the form and receipts for two years; and,

- Assist Motor Transport Division in resolving errors or exceptions upon receipt of a credit card use of exception report.

Motor Transport Division's Responsibility. Motor Transport Division shall:

- Review monthly fuel invoices from the credit card company for errors and exceptions;
- Create an exception report, listing purchases other than approved items;
- Submit an exception report to the appropriate commanding officer(s);
- Maintain copies of approved invoices and exception reports; and,
- Forward approved invoices to the Department of General Services, Fuel Services and Environmental Compliance.

287.60. ELECTRIC VEHICLE CHARGING AT DEPARTMENT FACILITIES AND ELECTRIC VEHICLE CHARGE CARD POLICIES.

Only charging of Department owned/operated vehicles (Department Vehicles) is permissible at the following Department facilities, and only at designated charging stations:

- Geographic Areas;
- Training facilities;
- Motor Transport Division (MTD);
- Traffic Divisions; and,
- Other authorized City locations.

A Department vehicle is a vehicle that the Department has explicitly authorized for use by Department employees and is a Department fleet vehicle that has a Department issued Radio Frequency Identification (RFID) Electric Vehicle Charge Card assigned.

The use of Department issued cards for personal and/or other vehicles is prohibited. Only authorized vehicles may park and/or charge batteries at Department or other authorized City Electric Vehicle (EV) charging stations.

Exception: A report of all purchases is generated by Department vendors.

Required order of charging station use is as follows:

- Employees shall make every effort to use Department or other City owned facilities to charge Department owned and/or operated vehicles.
- Employees shall use authorized Department vendor charging stations when the above referenced facilities are unavailable and/or not practicable for charging the EVs. Time limits do apply and are normally two hours for charging of a Department vehicle.

Procedures and instructions for charging vehicles at charging stations in Department facilities:

- Employees shall swipe their RFID or EV Card to charge their Department owned and/or operated vehicle.
- When unable to swipe their card at a Department or other City facility, employees shall notify MTD as soon as practicable.

The procedures for using participating retailers outside of a City Owned/Operated Network:

- All charging of Department vehicles shall be done at authorized Department vendor charging stations.
- Department verifies the charges were a business expense incurred by the employee conducting Department business using a Department vehicle.
- When an employee is unable to swipe his or her card at an authorized Department vendor location, the employee shall contact the company to obtain an exception to charge the vehicle. Employees shall submit an Employee's Report, Form 15.07.00, explaining the reason.

Employee's Responsibilities. Employees using a Department EV shall:

- Complete Learning Management System (LMS) EV training prior to the operation and charging of any Department-owned and/or operated vehicle.
- Complete a monthly Electric Vehicle Charge Card Expenditure Report, Form 11.02.02, when charging their vehicles at non-City and/or non-Department facilities.
- If an outside vendor facility is utilized, provide an explanation on the Electric Vehicle Charge Card Expenditure Report within the "Explain any deviation from policy or other miscellaneous notes" box.
- When using authorized vendor facilities and unable to swipe the RFID Card, submit an Employee's Report, signed by their commanding officer within five business days, indicating why they were unable to swipe their card and had to contact the vendor to allow for charging to occur, or to request reimbursement.
- When reporting lost, stolen or damaged cards, submit a "lost or stolen" Investigative Report, Form 03.01.00, to MTD by the next business day.

Supervisor's Responsibilities. Supervisors shall ensure that:

- A monthly Electric Vehicle Charge Card Expenditure Report is completed, if applicable; and,
- Ensure each receipt, if available, is properly completed and attached to the Electric Vehicle Charge Card Expenditure Report to verify that the usage was for Department business in a City vehicle; and,
- Forward the Electric Vehicle Charge Card Expenditure Report and charge receipts to their commanding officer.

Commanding Officer's Responsibilities. Each commanding officer reviewing an Electric Vehicle Charge Card Expenditure Report shall:

- Ensure the form and receipts are complete and valid;
- Maintain a copy of the form and receipts for two years;
- Forward one copy of the form to MTD; and,
- Assist MTD in resolving errors or exceptions upon receipt of a credit card use of exception report.

288. "UNDERCOVER" LICENSE PLATES. "Undercover" license plates shall not be used at any time on a Department vehicle equipped with a visible red light, siren, or any other visible police equipment or on a vehicle which is painted or otherwise identified as a police vehicle, or which is operated by a uniformed officer.

289. SAFETY BELTS IN DEPARTMENT VEHICLES.

Employee's Responsibilities. Employees and all others operating or riding in Department vehicles shall wear three-point safety belts when provided. Two-point safety belts (lap belts) shall be worn when three-point safety belts are not provided. Employees intending to operate or ride in a Department vehicle shall ensure that all occupants of the vehicle are using the available safety belts before the vehicle is operated.

Child Seat Restraints. A child **twelve** (12) years of age and under, who is to be transported in any Department vehicle, shall be secured in the **rear** seat of the vehicle. A child who is under eight (8) years of age or less than 4 feet 9 inches tall shall be secured in a child passenger seat restraint (car seat or booster seat). Any child under the age of two (2) shall be in a rear facing car seat. A car seat or booster seat **shall never** be secured in a Department vehicle that has a hard plastic rear seat.

Employees shall place the child in a car seat or booster seat which is Federal Safety Standard approved, and employees should attempt to place the child in a car seat or booster seat which is appropriate for the child's height and weight.

Traffic Coordination Section should be contacted for clarification regarding the appropriate car seat or booster seat for the child's height and weight.

Note: A Department vehicle is any motor vehicle which is under the direction and control of the Department, including privately-owned vehicles used for City business.

Safety belts shall be adjusted so they provide maximum protection with reasonable comfort.

Safety belts shall be inspected at the start of each watch. Any Department vehicle equipped with an unserviceable safety belt shall be removed from service.

Tactical Considerations. When a potentially dangerous tactical situation is perceived or anticipated, the safety belt may be removed to allow adequate time for safe response to the situation. During special operations, the safety belt may be removed when, in the belted

employee's judgment, wearing the safety belt might adversely affect the special operation or endanger the employee.

Examples:

- Officers may remove their safety belts immediately prior to arriving at the location of an emergency call so they can quickly leave their vehicles upon arrival.
- Officers may remove their safety belts immediately prior to stopping a suspect. However, officers should be careful not to remove their safety belts prematurely and thus risk being without safety belt protection during a pursuit.

292. MOTION PICTURE/TELEVISION FILMING WORK PERMITS.

292.05 EMPLOYEE/RETIRED OFFICER'S RESPONSIBILITIES. Active officers or retired officers seeking employment at motion picture/television filming locations shall:

- Complete the Motion Picture/Television Filming Work Permit Application/Renewal Form, Form 01.47.01; and,

Active Officers. Active officers shall submit the completed application to his/her immediate supervisor for processing;

Retired Officers. Retired officers shall submit the completed application directly to the Film Unit, Contract Services Section (CSS), Emergency Operation Division (EOD), for review.

Note: Neither active employees nor retired officers shall engage in off-duty motion picture/television filming employment until final approval from Personnel Division has been obtained.

- Comply with all rules and regulations as outlined on the Motion Picture/Television Filming Work Permit Application/Renewal Form; and,

Note: Active or retired officers who fail to comply with the rules and regulations of their Motion Picture/Television Filming Work Permits may be subject to suspension or revocation of their Motion Picture/Television Filming Work Permits. Active officers may also be subject to disciplinary action by the Department.

- When renewing their Motion Picture/Television Filming Work Permit, submit their renewal application thirty (30) days prior to their current Motion Picture/Television Filming Work Permit expiration date.

Note: The Motion Picture/Television Filming Work Permit is valid for a period of two (2) years from the date of approval from the Film Unit, EOD.

Retired officers who received a Service-Connected Disability or Non-Service Disability Pension must provide documentation stating that the retired officer is able to work in the manner and scope listed in their Motion Picture/Television Filming Work Permits.

Active officers employed by a filming company for the purpose of traffic control shall not issue citations for moving, non-moving or parking violations. An active officer who believes enforcement action is appropriate at a filming location may proceed by submitting a Complaint Application, Form 05.15.00, or shall summon on-duty personnel who shall be responsible for the final determination regarding enforcement action.

Retired/active officers who are denied a Motion Picture/Television Filming Work Permit may appeal the denial by utilizing the appeal procedure in accordance with Los Angeles Municipal Code Section 80.30.1 and Manual Section 3/733.30.

Supervisor's Responsibilities. A supervisor receiving a Motion Picture/Television Filming Work Permit Application/Renewal Form shall:

- Review the application for completeness;
- Acknowledge receipt of the application by completing the "SUPERVISOR REVIEWING APPLICATION" line;
- Ensure that the employment does not conflict with any duty restrictions the employee may have;

Note: An active officer's duty restrictions **shall** be obtained by contacting Medical Liaison Section, and/or the Area Sick/IOD Coordinator.

- Document any information discovered that may result in a denial of the request for motion picture/television filming employment;
- Forward the original application along with all associated documents to the requesting active officer's commanding officer;
- If the active/retired officer is requesting to use a two-wheeled motorcycle, ensure the requirements of Rule No. 4 on the application are verified; and,
- If the active/retired officer is requesting to use a two-wheeled motorcycle, ensure that the requesting employee has included copies of his/her current driver's license endorsed for motorcycle operation, current motorcycle registration, and proof of insurance.

Commanding Officer's Responsibilities. A Commanding officer receiving a request for secondary employment at a motion picture/television filming location shall:

- Review the application for appropriateness;
- Ensure that the requesting active officer and reviewing supervisor have included copies of the required documentation;
- Review the documents to ensure the reviewing supervisor has conducted the appropriate investigation and that it does not conflict with any duty restrictions the active officer may have;

- Recommend approval or denial of the application by completing the “CO, DIVISION OF ASSIGNMENT” line; and,

Note: The commanding officer’s signature **does not** constitute approval of the request for motion picture/television filming employment.

- Submit the application to the Film Unit, CSS, EOD.

If denial of the application is recommended, the reason shall be stated in an Intradepartmental Correspondence, Form 15.02.00, and submitted to the CO, EOD.

Commanding Officer, Emergency Services Division’s Responsibility. The CO, EOD shall:

- Investigating all complaints made against retired officers who have violated Los Angeles Municipal Code (LAMC) sections or Department rules and regulations covered by the Motion Picture/Television Filming Work Permit;
- Completing all investigations and administrative complaint adjudications concerning retired officers;
- Review, process, and investigate each active and/or retired officer’s Motion Picture/Television Filming Work Permit Application/Renewal Form;
- Make final approval or denial of each active and/or retired officer’s application; and,
- Ensure that the employment request by the active officer does not conflict with any duty restrictions.

A motion picture/television filming work permit may not be suspended, revoked, or denied until such time that a hearing is held by a Deputy Chief of Police, appointed by the Chief of Police, in accordance with LAMC Section 80.03.1. The CO, EOD, is responsible for coordinating the hearing.

In cases where an active officer is alleged to have violated LAMC sections or Department rules and regulations, the CO, EOD, shall notify the involved officer's commanding officer for appropriate action.

Commanding Officer, Information Technology Bureau, Responsibilities. The Commanding Officer, Information Technology Bureau, upon electronic notification from EOD, must ensure that the approved Motion Picture/Television Filming Work Permit is posted in the active officer's TEAMS II report.

294. IDENTIFICATION OF PERSONNEL REQUESTING TO CHECK

DEPARTMENT RECORDS. An employee desiring to inspect the records maintained by Records and Identification Division shall present his/her identification card for inspection except when he is in uniform.

295. USE OF DEPARTMENT TELEVISION PRODUCTION EQUIPMENT.

Routine Requests. A commanding officer who desires to utilize the Department's television production equipment shall submit an Intradepartmental Correspondence, Form 15.02.00, to the Chief of Staff, at least one month prior to the date the equipment is needed. The request shall include a script or a description of the proposed production.

Exception: In cases of extreme urgency, a telephonic request may be made to the Commanding Officer, Training Division.

Major Police Incident Requests. During a major police incident, requests for the use of the color-video van shall be made to the Commanding Officer, Training Division. When Training Division is closed, requests shall be made to the Administrative Unit, Detective Support and Vice Division.

Note: Because the van requires a crew of six and an hour to "set up" and an hour to "shut down," each request for the use of the color-video van shall be carefully evaluated.

At the scene of a major police incident, the incident commander shall ensure that adequate security is provided for the van and equipment.

Outside Requests. Requests for the use of Department television production equipment which originate outside the Department shall be referred to the Office of the Chief of Police.

296. BUSINESS CARDS. When investigating officers interview an arrestee, witness, victim, or reporting person they shall offer to provide an official Police Department business card and upon request, issues one complete with their name and Area/division or detail to which they are assigned.

296.01 BUSINESS CARDS - DETAINEE RELEASED WITHOUT BEING BOOKED OR CITED. When any person detained by an employee of this Department is subsequently released without being booked or cited, the responsible officer shall explain the reason for the detention. Prior to the person's release, the officer shall offer to provide the detained person an official Department business card, and, if requested, provide the business card complete with the officer's name and the division of assignment.

Note: Officers issuing Field Data Reports shall be guided by business card requirements as detailed in Manual Section 4/202.02.

During the performance of their official duties, Department employees shall provide a business card to any person upon request, providing the action does not interfere with the officer's performance of his or her duty.

296.02 BUSINESS CARDS - FORMATTING AND LANGUAGE GUIDELINES. The front of the Department-issued business card must contain the following information:

- The telephone number of the issuing employee's bureau, group, Area/division of assignment;
- “Join the LAPD (866) 444-LAPD – Recruitment Hotline” at the bottom of the card;
- The Department’s recruitment website, www.joinLAPD.com underneath the www.LAPDonline.org website; and,
- The specific telephone number of the NexTalk TTY application located in the Area, division, or section in which the employee is assigned. However if the NexTalk TTY application is not available where the employee is assigned, the Communications Division TTY number, (877) 275-5273 will be used in its place.

The back of the Department-issued business card must contain the following information:

- The upper portion must contain appropriately identified spaces for the date, time, incident number; and,
- Each card must state the following information verbatim: If you wish to comment on the level of service you received, please contact a Department supervisor or telephone 1-800-339-6868, or TTY for hearing-impaired (213) 485-3604.”

Non-Department-issued business cards used while on duty, or for identification as a Department employee while off duty, must contain identical information provided on the Department-issued business cards. This includes the information and phone numbers on the back of the card. The City seal may be replaced with the Department seal or an image of the Department badge of the appropriate rank. All images, slogans, or verbiage other than those contained on the Department-issued business cards, must be approved by the employee’s commanding officer prior to use. Consideration for the cards’ content should include its format, professionalism, and appropriateness of the Department’s image to both the public and law enforcement community.

297. ACTING PUBLIC INFORMATION OFFICER, ASSIGNMENT OF. Pending the arrival of the Public Information Officer, the Incident Commander at the scene of a serious police incident of an emergency nature shall immediately assign an officer of the highest subordinate rank as the Acting Public Information Officer. The appointed officer shall be responsible for assisting press representatives in the performance of their functions until the arrival of the Department Public Information Officer.

298. NEWS MEDIA IDENTIFICATION CARDS.

298.40 NEWS MEDIA IDENTIFICATION CARDS AT FIRE OR DISASTER. At the scene of a fire or other disaster, an employee shall permit holders of news media identification cards to pass through police and fire lines to obtain news or photographs.

298.80 NEWS MEDIA IDENTIFICATION CARDS AT THE SCENE OF A CRIME. The senior officer assigned to the follow-up investigation of a crime shall be responsible for determining the advisability of permitting members of the news media access to the scene.

299. USE OF DEPARTMENT AIRCRAFT. Department aircraft shall be used as a tactical aid to regular police operations; in addition, the aircraft may be used for specific assignments that will assist in furthering the objectives of the Department.

Note: Pilots, observers, and those persons regularly assigned to helicopter duty shall be provided with a custom-fitted, Department-approved helmet.

299.20 FLIGHT REQUEST PROCEDURE. The following procedures shall be used to request aircraft flight operations:

- Aircraft flights, except those initiated by personnel of Gang and Narcotics Division, shall be requested by a commanding officer on an Intradepartmental Correspondence, Form 15.02.00, and upon approval by a staff officer in his/her chain of command, forwarded to the Commanding Officer, Air Support Division.
- Aircraft flights initiated by personnel of Gang and Narcotics Division shall be approved by a command officer of Gang and Narcotics Division, who shall be responsible for notifying the Commanding Officer, Air Support Division, of the approved request.
- Requests for approval of aircraft flights for transportation of personnel of other City departments shall be referred to the Director, Office of Operations.
- In cases when time does not permit the use of written requests, or when spontaneous activities require air support, requests may be made *telephonically* to Air Support Division.

Note: Field units may make requests for air support over Tactical Frequency I or II.

Administrative Flights - Defined. Administrative flights are transportation flights provided to staff officers.

Administrative Flight Request Procedures. The following procedures shall be used to request administrative flights.

- Administrative flights should be requested for major incidents that require a staff officer's presence, the time to respond to the location is of the essence, and regular use of a City vehicle would create a problem in facilitating a timely response.
- Requests for the use of Department aircraft for administrative flights shall be approved by the Director, Office of Operations, or in his or her absence, by the Commanding Officer, Counter Terrorism and Special Operations Bureau. If neither is available, emergency requests shall be referred to the watch commander of Air Support Division.
- The Commanding Officer, Air Support Division, shall maintain a recordation of all administrative flights.

299.40 FLIGHT OPERATION APPROVAL. The Commanding Officer or, in his/her absence, the Watch Commander, Air Support Division, shall be responsible for the operational approval of Department aircraft flights.

299.45 HELICOPTER LANDINGS AT COMMUNITY EVENTS. When a commanding officer, in the interests of Department community relations, desires a Department helicopter to land at a site not previously approved for helicopter landings, he or she shall:

- Forward the following to Air Support Division:
 - An Intradepartmental Correspondence, Form 15.02.00, requesting the helicopter landing and an inspection of the proposed landing site; and,
 - Written approval from the owner of the property on which the helicopter is to land.

Note: A helicopter is prohibited by law from landing within 1,000 feet of a public or private school consisting of any grades from one through twelve.

- Upon approval of the landing site by Air Support Division, obtain the detailed procedures from Air Support Division necessary for securing final approval for the landing of a helicopter. Necessary approvals included in this procedure are:
 - Fire Department permit;
 - One time zone variance, when required;

Note: A three-to six-week delay may be anticipated between requesting and obtaining a zone variance.

- Telephonic approval of the General Aviation District Office of the Federal Aviation Administration; and,
- Written approval of the California Department of Transportation, Division of Aeronautics.
- Forward all required approvals to Air Support Division.

Upon receipt of a Form 15.02.00 requesting helicopter landing at a community event and a letter of approval from the owner of the property on which the helicopter will land, the Commanding Officer, Air Support Division, shall:

- Cause the landing site to be inspected to ensure an adequate landing area and notify the concerned commanding officer of the results of the inspection;
- Upon approval of the landing site, ensure that the commanding officer of the requesting division receives guidance in obtaining approvals; and,
- Ensure that a helicopter makes an appearance at the requested time and location.

Note: The requesting division shall be immediately notified when it is determined that a helicopter will not be available for the appearance.

TRAFFIC CONTROL

305. TRAFFIC ENFORCEMENT.

305.10 RADAR ENFORCEMENT. Radar enforcement of speed-law violations shall be requested only on streets which are either topographically or operationally impractical for traditional enforcement methods, and,

- Have a history of speed-related crashes, or,
- Are the subject of numerous citizens' complaints regarding excessive speed.

A request for radar enforcement shall be initiated on an Employee's Report, Form 15.07.00, outlining reasons for requesting radar at the particular location. The Form 15.07.00 shall be submitted to the employee's commanding officer. The commanding officer shall cause the request to be reviewed and, if appropriate, forward the Form 15.07.00 to the concerned traffic division commanding officer for approval.

Disapproved requests shall be returned to the concerned commanding officer on a Form 15.02.00 delineating the reasons for disapproval.

305.60 VISIBLE PATROL. To assist in the apprehension of traffic violators, a police unit may be parked on the street during periods of light traffic in a position readily visible to the driving public. However, during heavy traffic, visible patrol shall be maintained except when the unit is assigned other duties.

318. CITATIONS, USE OF.

318.10 TRAFFIC NOTICE TO APPEAR, USE OF. A Traffic Notice to Appear, Form 04.50.00, shall be used only when the citing officer witnesses the essential elements of the violation by the person cited.

All parking citations, other than a violation of 22526 (a) CVC (Gridlock), shall be issued on an absentee citation. A Gridlock violation may be cited either on an absentee citation or on a Traffic Notice to Appear when the citing officer observes the driver commit the violation.

Exception: An officer assigned to a bureau traffic division, Collision Investigation Follow-up (CIFU) Section, may issue a Traffic Notice to Appear in absentia to a juvenile violator for an alleged traffic violation, not declared to be a felony, based on information contained in a traffic crash report or resulting from a follow-up investigation.

318.40 ABSENTEE CITATIONS, USE OF. Absentee citations shall be used only for parking violations and violations of Sections 5200 CVC (Display of License Plates), 5204 CVC (Current License Plate Tab Not Displayed), or 4000(a)(1) CVC (No Evidence of Current Registration).

Note: Employees enforcing parking violations **shall not** use a Traffic Notice to Appear, Form 04.50.00 (traffic citation), even when the parking violation is committed in the presence of the officer and is not specifically designated as being eligible for enforcement on a traffic citation.

Exceptions: Violations of CVC Sections 22526(a), Blocking an Intersection, shall be cited on a Traffic Notice-To-Appear.

318.80 RETURNING COMPLETED CITATIONS. The citing employee shall submit the originals of the completed Traffic Notices to Appear, Form 04.50.00, [with the original Continuation of Notice to Appear, Form 04.50.05, stapled to them, (when appropriate)] and the originals of all completed absentee (parking) citations to the designated supervisor, or if not available, the on-duty the watch commander:

- At the end of watch if the employee returns to the station, or,
- No later than roll call the following day if the employee does not return to the station at the end of the watch, or,
- By other arrangements with the concerned supervisor if the employee will be absent the following day and it is impracticable to return to the station at the end of watch.

320. CITATIONS, COMPLETION OF.

320.10 COMPLETING CITATIONS. When issuing a Traffic Notice to Appear or Continuation of Notice to Appear (Manual Section 4/320.12), the citing employee shall use a medium black ball point pen. The citing employee shall place an aluminum plate, or similar hard-surfaced material, under the last copy of the citation before starting to complete it.

Note: Special care shall be given to the portion of the citation bearing the citation number, to prevent that portion from being marked, torn, folded, or otherwise mutilated.

The original of the Traffic Notice to Appear or the Continuation of Notice to Appear shall not contain any information which does not appear on the defendant's copy (40505 VC).

320.12 CITATION CONTINUATION. The Continuation of Notice to Appear, Form 04.50.05, shall be used as a continuation page for the Traffic Notice to Appear when citing for:

- Complex traffic infractions;

Note: The Traffic Notice to Appear (alone) shall be used for citing simple traffic infractions and Section 12500(a) of the California Vehicle Code.

- Numerous mechanical infractions; and/or,
- Misdemeanor traffic violations which do not require booking (Section 40302 of the Vehicle Code lists violations which require mandatory booking), or for which citing is opted (Section 40303 of the Vehicle Code lists violations which may be cited or booked at the discretion of the arresting officer).

Note: The Traffic Notice to Appear and Continuation of Notice to Appear shall be used in lieu of the Non - Traffic Notice to Appear, Form 05.02.02, for citing misdemeanor traffic violations.

Defendants of the following misdemeanor traffic sections shall normally be booked, and an Arrest Report, Form 05.02.00, completed, unless a watch commander determines that citing is more feasible due to extenuating circumstances (and all other release from custody criteria are met):

- Evading or vehicle pursuit (2800.1 VC).
- Vehicle tampering (10852 VC).
- Vandalism to vehicle (10853 VC).
- Hit-and-Run (20002 VC).
- Reckless driving (23101 or 23104 VC).
- Speed contest (23109 VC).

320.14 CORRECTABLE VIOLATIONS. An officer issuing a Traffic Notice to Appear (citation) for certain offenses and under certain conditions shall indicate that the charge will be dismissed by the court on proof of correction. Check the appropriate "yes" or "no" check box for each violation on the citation. The appropriate dismissal status for commonly cited CVC violations is contained in the Citation Guide, Form 16.65.00.

California Vehicle Code Sections that are Correctable (40303.5 CVC). Violations of the following VC Sections will be dismissed by the court on proof of correction. Generally, the "yes" box shall be checked if the following applies:

- Any registration infraction listed in Division 3, CVC, and also listed as "correctable" in the Citation Guide, Form 16.65.00;
- Any driver license infraction listed in Division 6, CVC, Section 12951(a) CVC (driver license not in possession); or,
- Any equipment infraction listed in Divisions 12, 13, 14.8, 16, 16.5 and 16.7 CVC, or Section 21201 (bicycle equipment), and also listed as "correctable" in the Citation Guide, Form 16.65.00.

Conditions Required for Making a Correctable Violations as Not Correctable (40610(b) CVC). Pursuant to 40601(b) CVC, a citing officer may mark a correctable violation as not correctable when any of the following conditions exist:

- Evidence of fraud or persistent neglect; or,
- The violation presents an immediate safety hazard; or,
- The violator does not agree to, or cannot, promptly correct the violation.

Certificate of Correction. The reverse of the violator's copy of the Traffic Notice to Appear (citation) has a section for a signature certifying that a violation has been corrected. Officers shall *not* certify violations as being corrected.

Exception: Officers assigned to the Specialized Enforcement Unit and Motor Training Unit, Emergency Operations Division, may certify certain violations as being corrected.

320.15 DATE OF VIOLATION ENTERED ON CITATIONS. The month written in full, or the accepted written abbreviation of the month, shall be used on a traffic citation. The sequence for the date of the violation shall be month, day, and year. If the citation is issued on a date other than actual date of the violation, the date shall be entered in the space provided.

Note: The actual date of the violation shall be entered in the space provided on the top portion of the citation.

320.16 TIME ENTERED ON CITATIONS. Use non-military time and check the appropriate AM or PM box (i.e., 8:30 instead of 0830; 2:20 instead of 1420).

Note: If military time is used, Notice of Correction and Proof of Service, Form 04.07.00, shall be completed to change the time from military to non-military.

320.17 MISDEMEANOR CHECK BOX ON CITATIONS. Check the misdemeanor check box if any cited violation is a misdemeanor. The Citation Guide, Form 16.65.00, shows misdemeanors with an "M" and infractions with an "I" preceding the section number.

320.20 LICENSE PLATE NUMBERS ENTERED ON CITATIONS

Personalized License Plates. When the vehicle bears a personalized license plate, the letters and/or numbers shall be recorded on the citation followed by the letters "PLP" enclosed in parentheses.

Example: LAPD 1 (PLP).

320.21 COMMERCIAL VEHICLE (C.V.) CHECK BOX ON CITATIONS. Check the C.V. box if Section 15210(b) VC applies. Section 15210(b) VC defines a commercial vehicle as a motor vehicle or combination of motor vehicles used to transport passengers or property and:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- Has a gross vehicle weight rating of 26,001 or more pounds; or
- Is designed to transport 16 or more persons, including the driver; or
- Is used in the transportation of hazardous materials.

320.22 HAZARDOUS MATERIALS (H.M.) CHECK BOX ON CITATIONS. Check the H.M. box if a vehicle is transporting hazardous materials as defined in Sections 353 and 2452 VC. Hazardous material haulers are defined as commercial vehicles in the VC. However, the "H.M." rather than the "C.V." check box shall be checked when hazardous cargo is being transported. Hazardous materials include, but are not limited to radioactive material, poison, flammable gas, nonflammable gas, flammable liquid, oxidizer, flammable solid, corrosive material, irritating materials, combustible liquids, explosives, blasting agents, etiologic agents, organic peroxides, hazardous wastes, and other regulated materials of classes A, B, C, D, and E listed in the VC.

320.25 INFORMATION TO BE PRINTED ON CITATIONS. The following information shall be printed on a citation:

- Name and address of the violator, as required.
- Location of violation.
- Name of citing officer, as it appears on the payroll roster.
- Name of arresting officer, if different from the citing officer, as it appears on the payroll roster.

320.28 DIAGRAMS ON CITATIONS. The diagram shall be used to indicate the movement of the vehicles and pedestrians. When the violation occurs in the City and not on a freeway, a single check mark (+) shall be used to indicate the corner nearest to the violation.

320.30 VIOLATIONS ENTERED ON CITATIONS. List each code and section number or separate count of the same section on a separate line, followed by a brief description of the corpus delicti and related information. Circle the "M" or "I" to denote whether a violation is a misdemeanor or an infraction. Enter the most serious violation first. A moving violation shall be considered more serious than a non-moving violation.

320.33 LIST PROBABLE CAUSE FOR TRAFFIC STOP ON TRAFFIC CITATION. When issuing a Traffic Notice to Appear (citation), the issuing officer shall either cite for or list the probable cause for the traffic stop in the citation narrative. When the probable cause for the traffic stop is not being cited, the reason shall be described without using the actual numerical section and code violation.

320.35 FINANCIAL RESPONSIBILITY REQUIREMENTS. An officer issuing a Traffic Notice to Appear for a California Vehicle Code (VC) violations other than a parking violation shall write the financial responsibility information on the citation (Section 16028(b) VC). There are four forms of financial responsibility that are recognized by the State of California. These four forms consist of:

- A motor vehicle liability insurance policy;
- A deposit of \$35,000 with the Department of Motor Vehicles (DMV);
- A surety bond of \$35,000 obtained from a company licensed to do business in California; and,

- A DMV-issued self-insurance certificate.

Note: Section 16028 VC applies only to vehicles required to be registered in California, and to mopeds driven upon the highway.

Evidence of Financial Responsibility. For purposes of Section 16028 VC, evidence of financial responsibility may be in writing or by presenting a mobile electronic device. The only accepted form of financial responsibility accepted on a mobile electronic device is a motor vehicle liability insurance policy, the three other forms listed above must be presented in written form.

Note: For purposes of this Section, officers are prohibited from searching any other content on the mobile electronic device that is presented for the purpose of providing evidence of financial liability.

The name of the insurance company and the number for the policy must be provided. If either item is unavailable, the citation shall be completed as if no evidence of financial responsibility was produced.

Citing Section. Section 16028(a) VC, an infraction, shall be used as the citing section for violations of failing to provide evidence of financial responsibility.

Citing a Out-of-State Vehicle.

Commercial Vehicles. Certain out-of-state commercial vehicles are required to be registered in the state of California. This registration and proof of financial responsibility are evidenced by a Uniform Identification Cab Card issued by the Public Utilities Commission. Other out-of-state commercial vehicles are not required to be registered in California due to reciprocity agreements. Enforcement of Section 16028(a) VC on out-of-state commercial vehicles is limited to officers assigned to the Specialized Enforcement Section, Emergency Operations Division.

Passenger Vehicles. The owner of an out-of-state passenger vehicle is required to apply for California registration within 20 days after accepting gainful employment or establishing residence in this state, whichever occurs first.

Exception: Military personnel on active duty in the State of California (Active duty military personnel are identifiable by a standard issued identification card known as a “Common Access Card”) are not required to register their vehicle in this state, as long as the vehicle has valid out-of-state plates (Section 6701 VC - Exemptions of Nonresident Armed Forces members from Registration).

Officers familiar with the provisions of Section 6700 VC-Exemptions of Nonresident from Registration and related VC sections may cite out-of-state passenger vehicles for a violation of Section 16028 (a) VC when appropriate.

Citing an Employer. If the driver of a vehicle owned, operated, or leased by the driver's employer fails to provide evidence of financial responsibility, officers shall use the following citing procedure:

- The driver shall be cited for the original violation.
- A separate Traffic Notice to Appear shall be issued to the employer for failure to provide evidence of financial responsibility.
- Officers shall tell the driver that Section 16028(2) requires the driver to notify the employer of the citation within 5 days.
- The driver shall be requested to sign the citation on behalf of the employer.

Note: The driver is not required to sign the citation. If the driver opts not to sign, "DRIVER REFUSED" shall be entered in the signature space.

- The driver shall be requested to give the employer the defendant's copy of the citation.

Note: If the driver refuses to accept the employer's copy of the citation, it shall be inserted back into the form set and "DRIVER REFUSED TO ACCEPT COPY" shall be entered in the "Violations" space. The employer's copy shall be turned in with the original (green) copy of this citation. The supervisor checking citations shall forward both copies to the Traffic Court Liaison Unit, 1945 South Hill Street. The Traffic Court Liaison Unit shall ensure that the employer is notified of the citation.

320.38 VIOLATIONS NOT COMMITTED IN OFFICER'S PRESENCE CHECK BOX ON CITATIONS. Do not use this check box. At this time, the Department does not cite for violations not committed in the officer's presence. However, this item is still required to be included on the citations by the Judicial Council of California.

320.40 VACATION PERIODS ENTERED ON CITATIONS. The citing officer shall enter his/her complete vacation period, including regular and special days off, when known, in the appropriate space. When the vacation has been taken, the word "past" shall be entered on the citation.

320.45 APPEARANCE DATE ENTERED ON CITATIONS. The court date for both adult **traffic** defendants and juvenile infraction **traffic** defendants will be assigned utilizing the Citation Guide, Form 16.65.00.

Note: If persons cited to court request more time in which to appear, they must be advised that such requests are to be made by them or their representative to the court indicated on the citation.

For juveniles cited for Vehicle Code misdemeanors and all other **non-traffic** violations (both infractions and misdemeanors), the officer will not indicate a court location, date or time for appearance and must:

- Check the “To Be Notified” box at the bottom left-hand portion of the Traffic Notice-To-Appear, Form 04.50.00; and,
- Advise the juvenile that they will be notified via mail by the Los Angeles County Probation Department or the Los Angeles District Attorney’s Office regarding their case.

320.46 PLACE OF APPEARANCE INDICATED ON CITATIONS. The place of appearance on a citation will be determined by the location of occurrence and must be indicated on the citation by placing an "X" in the proper square.

Juvenile infraction **traffic** defendants must be cited to the adult **traffic** court location for the area of the violation and the juvenile’s parent or guardian is not required to appear with them in court.

Officers citing juveniles for Vehicle Code misdemeanors or **non-traffic** violations (both infractions and misdemeanors) must check the “To Be Notified” box of the Traffic Notice-To-Appear, Form 04.50.00, and advise the juvenile they will be notified via mail by the Los Angeles County Probation Department or the Los Angeles District Attorney’s Office regarding their case. The officer will **not** indicate a court location, date or time for appearance on the Traffic Notice-To-Appear.

Violators requesting to be cited to the “County Seat” or an alternative court location will be cited to the requested court location when the following conditions exist:

- The requested court location is one listed on the Traffic Notice-To-Appear or is eligible for addition to the form; and,
- The violator’s place of residence or the violator’s principal place of employment is located closer to the requested court location than to the court location normally utilized for the Area of occurrence. (Section 40502(b) CVC).

Note: All traffic court locations located within the City of Los Angeles which are preprinted on the traffic citation qualify as a “County Seat.” Officer must not cite violators to non-traffic courts nor to court locations outside the City of Los Angeles.

If the traffic citation form is being used is out of date and there are eligible court locations that are not preprinted on the citation, the violator may select one of the new court locations subject to the conditions above.

Note: When an officer changes the assigned court location pursuant to a violator's request for a change of venue, the officer will note this request in the narrative section of the Traffic Notice-To-Appear.

320.47 COURT LOCATION CHECK BOXES ON CITATIONS. Check the appropriate court location by referring to the cover of the Traffic Notice-To-Appear, Form 04.50.00, book. Determine the violation location and then simply check the appropriate court.

Note: Care should be taken to check the correct court location.

320.48 TO BE NOTIFIED CHECK BOX ON CITATIONS. This check box must only be used when citing juveniles for Vehicle Code misdemeanors or **non-traffic** violations (both infractions and misdemeanors).

320.50 BAILABLE TRAFFIC OFFENSES, COURT APPEARANCE. When a traffic defendant demands to be cited before a Municipal Court judge, he/she shall be advised to follow the instructions on the reverse side of the defendant's copy of the citation.

(1)Vehicle Code Section 40502(b).

320.55 NOTES ON CITATIONS. When issuing a traffic citation, an officer shall include, in addition to any other notes, all data necessary to establish a prime facie case for each of the sections cited.

When the citation is issued for a speed violation and the speedometer of the police vehicle was used as a clocking device, the officer shall record the following information after the description of the violation:

- Police vehicle shop number.
- Date of last calibration.
- Speedometer reading.
- Calibrated speed.

If a defendant's employer is cited for no evidence of financial responsibility and the employee refuses to accept the employer's copy, the citing officer shall enter the following on the last line of the "Violations" section: "DRIVER REFUSED TO ACCEPT COPY."

320.57 DESCRIPTION OF DEFENDANT ON CITATION. In addition to specific descriptors required on a Traffic Notice to Appear, the officer completing the citation shall list visible, obvious tattoos, scars, birthmarks, missing extremities and/or deformities in the "Miscellaneous Descriptive Information" space.

320.60 ABBREVIATIONS ON CITATIONS. Abbreviations used in traffic citation notes shall be limited to:

I/S	Intersection		Res Dist	Residential district
Deft	Defendant		Reg	Registration
Approx	Approximately		Traf	Traffic
Veh	Vehicle		BL Stop	Boulevard stop
N/B, S/B, E/B, W/B	Direction		Lt/T	Left turn
Ped	Pedestrian		Rt/T	Right turn
MPH	Miles per hour		Spd	Speed

POV	Passed other vehicle		Blks	Blocks
ROW	Right-of-way		FY	Freeway
X-ing	Crossing		Obs	Observed
Mkd X-walk	Marked crosswalk		X-walk	Crosswalk
Dble Line	Double line		SP-CNS	Specially Constructed Vehicle
45/25	Clocked speed in zone		Est	Estimate
Driv Lic	Driver's license		FTC	Following too closely
Exp	Expired		Ln Chg	Lane change
Temp	Temporary		Max	Maximum
Plts	Plates		M/L	Moving lane
Sig	Signal		Pkd	Parked
M/C	Motorcycle		War	Warrant check
Bus Dist	Business district		(PLP)	Personalized License Plate

320.70 LOS ANGELES POLICE DEPARTMENT NOTICE TO DEFENDANT/PROOF OF SERVICE. The Special Enforcement Section (SES), Traffic Group, is responsible for all Citywide commercial enforcement, which includes issuing traffic citations, i.e., Owner's Responsibility (OR), to companies for various commercial vehicle violations. To expedite the administrative process for OR citations, a copy of the citation shall be attached to the Notice to Defendant/Proof of Service and mailed to the defendant. The SES has been designated as the **only entity** that is responsible for processing and mailing out all OR Traffic Notice to Appear citations. In addition, the Notice to Defendant/Proof of Service shall only be completed by SES, Traffic Group, personnel.

320.80 ERRORS OR OMISSIONS ON CITATIONS OR CITATION

CONTINUATIONS. When an error is made on a Traffic Notice to Appear and the defendant's copy is still available, the citing employee shall correct the error by drawing a single line through the error and legibly printing the correct information as near as possible to the error. The initials "VCC" (Violator's {defendant} copy corrected), followed by the concerned employee's initials, shall be written on the original citation directly below the citation number located at the top of the citation. No part of the initials shall interfere with the citation number.

When an error or omission is noted on a traffic citation other than in the notes or diagram and the defendant's copy is no longer available the correct information shall be entered on a Notice of Correction and Proof of Service, Form 04.07.00. In the Proof of Service section of Form 04.07.00, the issuing officer shall provide the defendant's name and mailing address in the box provided. A supervisor shall review the Form 04.07.00 and provide the date the Proof of

Service was placed in the Departmental mail, and the Area/division shall be indicated in the space provided for the postal mailbox address.

Note: The “United States postal mailbox” is required language by the Judicial Council of California which is standardized on forms statewide. The Departmental mail system is the acceptable method to cause the Notice of Correction and Proof of Service to be sent via United States Mail.

Additionally, the supervisor shall sign and date the Proof of Service in the spaces provided and;

- Ensure the original (white) copy is stapled at the lower left corner on top of the original Traffic Notice to Appear. The Proof of Service portion of the form shall be folded over to the back of the Traffic Notice to Appear; and,
- Ensure the duplicate (pink) copy of the form is folded in half, placed in a Department envelope with the address box showing in the window and placed in the Departmental mail.

When an employee becomes aware of an error in the notes or diagram of a Traffic Notice to Appear or Continuation of Notice to Appear, and the defendant's copy is no longer available, the employee shall not correct the error. The employee shall write the correct information on the reverse side of the last copy of the citation in the citation book to use as reference for court proceedings.

320.85 REMOVAL OF CITATIONS FROM BOOKS. Upon completion of a citation, the appropriate page(s) (Manual Section 4/318.80) shall be immediately removed from the book. Those citations removed from the book shall be cared for in such a manner as to prevent them from being torn, folded, or otherwise mutilated.

322. CITATIONS - OFFICER - DEFENDANT CONTACTS.

322.10 RECEIVING THE DRIVER'S LICENSE. A driver's license shall not be accepted from a person when it is contained in a billfold or card case. The defendant shall be requested to remove and exhibit the license only. When the driver's license is received, the person shall be addressed by the last name indicated on the driver's license, preceded by the person's correct title.

322.12 CONFISCATING SUSPENDED OR REVOKED DRIVER'S LICENSES.

Officer's Responsibility. When an officer becomes aware that an individual is in possession of a suspended or revoked driver's license, the officer shall:

- Confiscate the driver's license pursuant to Section 4460 VC;
- Advise the individual of the reason for the license confiscation;
- Complete a Verbal Notice by Peace Officer, DMV or Court Employee, DMV Form DL 310;
- Provide the pink copy to the driver;

- Mail the original (white) copy of the DMV Form DL310, the DMV driver's history printout and the associated driver's license directly to the DMV address listed on the DMV Form DL310; and,
- Attach the completed yellow copy of the DMV Form DL 310 to the Daily Field Activities Report, Form 15.52.00.

Supervisor's Responsibility. Supervisors shall, after review, ensure that confiscated suspended or revoked driver's licenses are forwarded directly to the DMV. The licenses shall be forwarded with:

- Completed DMV Form DL 310;
- DMV driver's history printout; and,
- Citation, if any.

322.30 INSTRUCTIONS NOT TO BE GIVEN TO TRAFFIC DEFENDANTS. Officers shall not:

- Quote amounts of bail.
- Suggest the defendant telephone the Traffic Violations Bureau for information.
- Suggest that the case may be handled by mail.
- Attempt to outline the policy of the court or Traffic Violations Bureau in regard to adjustment of certain types of violations.
- Suggest or recommend any automobile club or similar organization.

322.80 DEPARTING FROM TRAFFIC DEFENDANT. After a Traffic Notice to Appear is completed, the defendant should be assisted into the traffic flow and unless impracticable, the officers shall legally change their patrol to a direction other than that which the defendant is traveling.

324. OTHER JURISDICTION - TRAFFIC OFFENSES.

324.20 TRAFFIC VIOLATOR ENTERS ANOTHER JURISDICTION. Whenever a traffic violation takes place within the City of Los Angeles and the defendant, before being apprehended, enters another jurisdiction, a traffic citation shall be issued or a physical arrest made in accordance with the circumstances of the violation committed within the City limits. When, after entering the other jurisdiction, the violator commits an offense of greater severity than that committed within the City of Los Angeles, the officer shall:

- When the offense committed requires a physical arrest, make the arrest and the booking in the capacity of a private person at the nearest police station of the jurisdiction of the arrest; or,
- When the offense is a citable violation, file an application for complaint with the prosecutor having jurisdiction of the location of occurrence; and,
- Issue a citation or complete a Complaint Application, Form 05.15.00, for the violation committed within the City of Los Angeles.

324.30 TAKING TRAFFIC ENFORCEMENT ACTION OUTSIDE THE CITY OF LOS ANGELES. Generally, Department personnel shall refrain from taking enforcement action for traffic violations which occur outside the City of Los Angeles. When the nature and/or severity of the offense involves immediate danger to persons or property, or of the escape of the violator, officers may detain the violator for the observed traffic violation and the officer shall:

- Request the response of a member of the law enforcement agency having primary jurisdiction for the location of occurrence and request that agency complete a Traffic Notice to Appear listing the Department employee as a witness on the citation; or,
- File an application for complaint (Complaint Application, Form 05.15.00) with the prosecutor having jurisdiction of the location of occurrence.

Exception: When the traffic violation is committed on the boundary (or within 500 yards) of the Los Angeles City limits, Department personnel may cite the violator and cause them to appear at the appropriate traffic court listed on the Traffic Notice to Appear (Penal Code Section 782).

326. CANCELING CITATIONS.

326.10 CANCELLATION OF CITATIONS - WHEN AND BY WHOM REQUESTED. A Citation Cancellation Request, Form 04.45.00, shall be completed for the below listed circumstances. Such requests may be initiated by the bureau commanding officer, the citing employee's Area/division commanding officer, or the employee indicated in parenthesis after each circumstance below as follows:

Note: Requests initiated by a Department staff officer **shall** be submitted to the next higher level of review within the staff officer's chain of command for approval.

B.O. Meter. A parking meter noted on an Absentee Citation is found to be defective (employee making on-scene determination).

Note: When a defendant has already departed the scene and later complains that a parking meter was defective, the defendant shall be referred to the Parking Violations Bureau, LADOT for adjudication.

Lost Traffic Notice to Appear (Citation) Book. When a Traffic Notice to Appear book is lost (Manual Section 4/328.70) (employee discovering the loss).

Stolen Vehicle. An Absentee Citation was attached to a vehicle after it had been reported stolen (employee recovering vehicle).

Note: If a stolen vehicle has received multiple absentee citations during the period it was stolen, only one Citation Cancellation Request shall be completed. The additional citations shall be listed in the "Explanation" section.

City Vehicle Exempt from Meters. A City vehicle is cited for a parking meter violation (employee who parked vehicle).

Imperfect Citation or Mutilated Citation Book. A defect is found of which might affect the legibility, legality, or processing of the citation (employee first observing defect).

Error in Posted Sign. A citation has been issued as a result of an error on a traffic control sign (employee making on-scene determination).

Note: When a defendant has already departed the scene and later complains that a traffic control sign was defective or illegible, the defendant shall be referred to the Parking Violations Bureau, LADOT, for adjudication.

Inoperative Vehicle. An Absentee Citation has been attached to a vehicle illegally parked because of mechanical failure and the operator has taken reasonable measures to remove the vehicle as soon as possible (employee determining that the vehicle is inoperative and that reasonable measures were taken).

False Information Given to Officer. A Traffic Notice to Appear has been started or completed and the citing officer determines that false information has been given to the extent that a new citation must be completed (citing officer). If Section 31 VC is to be charged, the citing officer shall arrest and book for Section 31 VC under the authority of 40302(a)VC (Manual Section 4/354.10).

Error in Judgment or Identity by Citing Employee. An error in judgment or identity by the citing employee results in the belief that the citation is not justified-citing employee.

Department Rules Violated. The citing employee's commanding officer determines that the citation was issued in violation of Department rules-citing employee.

Legal Immunity. The law provides that the operator or the vehicle cited is legally immune from prosecution-citing employee.

Adult Arrested or Complaint Application Completed in Lieu of Citation-Citing Employee. (See Manual Section 4/346.40 regarding juveniles.)

Driver Physically Unable to Move Vehicle. An Absentee Citation was issued to a parked vehicle and the driver was physically unable to move the vehicle because of his/her arrest, illness, injury, or death-citing employee.

Government Employee Executing Official Task. An Absentee Citation is attached to any vehicle parked by a government employee executing an official task-LAPD employee who parked vehicle. (The Form 04.45.00 shall be forwarded, via the chain of command, to the Parking Enforcement Bureau, LADOT. Persons requesting cancellation of citations issued to

vehicles controlled by other City departments or outside agencies shall be directed to the Parking Enforcement Bureau.)

Citation Not Completed Due to an Emergency. A citation was started but not completed due to an emergency-citing employee.

Other. Circumstances not specified above in which a citation has been issued but obviously should be canceled in the interest of justice (any employee who can verify facts.)

326.11 TRACKING AND PROCESSING PROCEDURES FOR PARKING AND TRAFFIC VIOLATION NOTICES ISSUED TO DEPARTMENT EMPLOYEES. Motor Transport Division (MTD) receives and tracks traffic and parking violation notices issued to Los Angeles Police Department (Department) employees if the vehicles are owned/operated by the Department. In addition, MTD also receives and tracks violations for personal vehicles registered to Department employees who have requested Department of Motor Vehicles (DMV) confidentiality.

Employees who have DMV Confidentiality of Home Address applied to their personal vehicle shall be responsible for all penalties, fines and late fees accrued resulting from any violation involving a vehicle registered to them. It is the employee's responsibility to ensure the mailing address listed on his or her DMV Request for Confidentiality of Home Address (Form INV 32) corresponds to a current personal address. Employees are also responsible for updating the DMV if their personal information changes. The Department is not responsible for any delays in notification resulting from a notice of violation which is sent to a Department address.

Employees who violate traffic laws in their personal vehicles are financially responsible for the citation. Employees who, without legal authority to do so, violate traffic laws (including Toll-Road violations) while operating a Department vehicle may be financially liable for any fines accrued and may be subject to disciplinary action.

Note: Department employees with DMV confidentiality are reminded that delays in notification of a citation may occur based on violations being sent to a Department address first and then routed to the responsible employee. Any additional penalties or late fees because of the delay in notification are the responsibility of the concerned employee.

Exceptions: The Department, in conjunction with the Los Angeles County Metropolitan Transportation Authority (MTA), has agreed on exceptions for law enforcement on the 110-Harbor Metro ExpressLanes.

Only Department vehicles placed on the exemption list by MTA and approved by the Chief of Police are authorized to use the 110-Harbor Metro ExpressLanes for the following:

- Responding to emergency calls for service; or,

- While commuting to book an arrestee at a Regional Jail or a detention facility.

Department employees are not authorized to use any other Toll-Roads or ExpressLanes while operating a Department vehicle unless they are responding to a verifiable emergency; or, if they were equipped with a transponder. Violations received by the Department will be dismissed only when the employee can provide proof via a Daily Field Activity Report, Form 18.31.00, Computer Aided Dispatch Summary Report, or a copy of the Incident History printout that verifies the need for an emergency response.

Parking Violations. No exemption will be granted to any employee while on routine business for the following restrictions at any time:

- No Stopping Zones
- No Parking Zones
- No Closer to Two Blocks from Employees Work Address
- Alleys
- Commercial Loading Zones
- Tow Away Zones
- Red Curb
- Red Curb for Bus Zones
- No Parking for Street Cleaning
- Passenger Loading Zones (White Zone)
- Handicapped Zones (Blue Zone)
- Fire Hydrants
- Taxi Zones
- Temporary No Parking or No Stopping Restrictions

Authorized parking placards issued by the Los Angeles Department of Transportation (LADOT) for unmarked vehicles shall be prominently displayed and visible on the driver's side dashboard. These parking placards shall only be utilized within the City of Los Angeles.

Note: Parking placards provide limited exemptions to City parking rules. Employees shall read the reverse side of the parking placards and familiarize themselves with the Rules for Use of LADOT Placards.

Motor Transport Division's Responsibilities. Motor Transport Division is responsible for coordinating violation notices issued to Department employees if the vehicle is owned or operated by the Department. Upon receipt of a violation notice, MTD shall:

- Determine the vehicle's bureau of assignment at the time the violation occurred;
- Forward the violation notice via email within five (5) working days to the concerned bureau commanding officer (CO) for appropriate action and violation resolution;
- Maintain a database documenting the date of receipt of the violation notice (including citations received for a Department employee due to DMV confidentiality) and the date it was sent to the concerned bureau CO;
- Record violation notice updates and final disposition;

- Provide all bureaus with a monthly report detailing violation notices that have not been resolved; and,
- If the vehicle is assigned to an entity which is not subordinate to a specific bureau, the violation notice shall be sent to the CO or highest-ranking officer of the entity for appropriate action.

Note: If the receiving entity is unable to locate the employee, correspondence shall be sent to the agency issuing the citation advising that the individual identified on the citation can not be reached at the listed address.

Bureau Commanding Officer's Responsibilities. Upon receipt of the violation notice from MTD, the concerned bureau CO (or highest-ranking officer in charge, if the concerned entity is not subordinate to a bureau) shall:

- Forward the violation notice within five (5) working days to the appropriate command;
- Direct the Area/division to notify the concerned employee; and,
- Respond to MTD within five (5) working days via an Intradepartmental Correspondence, Form 15.02.00, after the employee has been notified outlining the actions taken and resolution of the violation.

Area/Division Commanding Officer's Responsibilities. The Area/division CO shall:

- Upon receipt of a violation notice from the bureau or MTD, forward the violation notice to the responsible employee;
- After the employee has been notified, respond within five (5) working days to the CO, MTD outlining the actions taken to resolve the citation (e.g., an extension, dismissal/cancellation, or payment in full of the fine and all penalties);
- Immediately notify the CO, MTD, for advice if the concerned employee is unavailable due to long term leave (e.g., Military, vacation, Sick/Injury On Duty); and,
- Report to COMPSTAT on citations to a Department vehicle issued to his or her command which are not resolved in a timely manner.

Note: If the violation is for an employee's personal vehicle, registered to the Department based on confidentiality registration, the Area/division CO shall determine the appropriate action for the employee if the issue is not resolved. The employee is financially responsible for citations issued to his or her personal vehicle(s).

When a traffic violation notice for a personal vehicle is received by any Department entity the COs shall ensure that an attempt is made to verify the employee's current assignment and that the notice of violation is forwarded as soon as possible to the employee's bureau CO.

Employee's Responsibilities. When a Department employee receives a violation notice from his or her CO, he or she shall respond to the CO by completing an Employee's Report, Form 15.07.00, of the action taken to resolve the citation (e.g., extension, dismissal/cancellation, or payment in full of the fine and all penalties) within five (5) working days. Citations not resolved may lead to disciplinary action.

Note: For citations issued by the LADOT, employees shall refer to Department Manual Section 4/326.15, Cancellation of Citations Issued by the Los Angeles Department of Transportation.

326.15 CANCELLATION OF CITATIONS ISSUED ON DEPARTMENT VEHICLES BY THE LOS ANGELES DEPARTMENT OF TRANSPORTATION (LADOT).

Citations issued on Department vehicles by LADOT employees may be canceled when the vehicle was parked at an LADOT exempt location by a Department employee conducting City business.

Note: Traffic Coordination Section maintains a list of LADOT exempt locations. If the vehicle is unmarked and does not display exempt (“E”) license plates, the vehicle must have a Los Angeles Police Department, official City vehicle placard visible on the vehicle’s dashboard.

After determining that the employee was conducting City business, the commanding officer shall forward the citation and a letter to the Parking Administrator, LADOT. The letter shall state that the employee was conducting City business at the time the citation was issued.

326.67 CITATION CANCELLATIONS RELATING TO COMPLAINT

INVESTIGATIONS. Absentee Citations (parking). An Absentee Citation shall not be placed on “hold” pending the result of a complaint investigation. An Absentee Citation related to a complaint investigation shall either be submitted to the Traffic Court Liaison Unit (TCLU) without delay or the supervisor shall request cancellation in accordance with Department procedure (Manual Section 4/326.75).

Traffic Notice to Appear (traffic citation). During the preliminary stages of a complaint investigation involving a traffic citation, the supervisor shall determine if cancellation of the citation is appropriate.

When immediate cancellation is appropriate, the supervisor shall submit a Citation Cancellation Request, Form 04.45.00, with the original citation attached, to the employee’s commanding officer for approval. The employee’s commanding officer shall forward the cancellation request and original citation to the bureau commanding officer for final approval; or,

- When further investigation is required determining whether a cancellation is appropriate, the supervisor, after obtaining approval from the employee’s commanding officer, shall forward the original traffic citation to the Officer in Charge (OIC), Traffic Court Liaison Unit with instructions to place a "hold" on the traffic citation.
- If the original traffic citation is not available, the supervisor shall contact the OIC, TCLU telephonically and request that a “hold” be placed on the traffic citation.

Note: The defendant's copy of the traffic citation, if available, shall be maintained with the complaint investigation file until the investigation is completed.

- When a "hold" has been placed on the traffic citation, the supervisor shall ensure that the defendant is notified of the temporary suspension of judicial proceedings against him/her, and that the defendant will not have to appear in court or pay any fines in connection with the traffic citation until he/she is notified otherwise by the Department.

Processing a “Held” Citation Upon Completion of a Complaint Investigation. Upon completion of the complaint investigation, the supervisor shall determine the proper disposition of the traffic citation and notify the OIC, Traffic Court Liaison Unit of the action to be taken:

- If the hold is to be released, a supervisor shall ensure that the defendant’s copy is returned to the defendant with the pink (violator’s) copy of the Notice of Correction and Proof of Service, Form 04.07.00, advising the defendant of the new court date. The original (white) copy of the Notice of Correction and Proof of Service shall be forwarded to the OIC, TCLU for filing with the original traffic citation; or,

Note: The Department has one year to file a traffic citation case (California Penal Code Section 802). When a “hold” is released, that date shall be used to determine the new court date utilizing the Citation Guide, Form 16.65.00. If the date of the commission of the offense is more than one year prior to the release date, a Citation Cancellation Request shall be completed and the defendant notified of the action taken.

- If the traffic citation is to be cancelled, the supervisor shall ensure that a Citation Cancellation Request is completed and the defendant notified of the action taken.

326.70 LOST ORIGINAL TRAFFIC NOTICE TO APPEAR.

Officer's Responsibilities. When a Traffic Notice to Appear, Form 04.50.00, has been issued and the original (green) copy is lost or unavailable, the citing employee shall:

- Remove the citation book copy (goldenrod or yellow copy) from the book and replace it with a photocopy;
- Submit the goldenrod, or yellow copy of the citation to Traffic Court Liaison Unit;

Note: If the original (green) copy has been mistakenly given to the violator, officers shall submit the white copy of the citation instead of the goldenrod or yellow copy.

- Submit (with the goldenrod, yellow or white copy) a Photocopy of the citation with the following notation in the margin:

“Certified to be a True Copy of the Original”;

X_____;

Sign the photocopy certifying it to be a true copy of the original citation;

- Submit to his/her supervisor, for review, the goldenrod, yellow, or white copy, the certified copy of the citation, and a completed Employee's Report, Form 15.07.00, addressed to the Officer-in-Charge, Traffic Court Liaison Unit (TCLU), advising that the original traffic citation has been lost or is otherwise unavailable; and,
- When the assigned court date is within thirty days, a completed Notice of Correction and Proof of Service, Form 04.07.00, shall be attached to the Employee's Report, Form 15.07.00, and the violator notified as required. After reviewing the Form 15.07.00, the supervisor shall immediately forward the citation and related documentation to the TCLU.

Note: A Traffic Notice To Appear issued for an offense when the commission of the offense is in excess of one year, shall be cancelled in accordance with Department Manual Section 4/326.10.

Traffic Court Liaison Unit's Responsibility. Upon receipt of the citation and related documentation, the TCLU shall file the goldenrod, yellow, or white copy of the citation and a photocopy with the Los Angeles Superior Court.

If only the original Continuation of Notice to Appear, Form 04.50.05 is lost, the original citation shall still be processed; but the court will not enforce the violations listed on the lost Continuation of Notice to Appear.

326.75 NOTIFYING DEFENDANT OF CITATION CANCELLATION. An employee requesting a citation cancellation after the defendant's copy has been issued, shall complete a Citation Cancellation Request, Form 04.45.00, and prepare a letter and addressed envelope notifying the defendant of the cancellation. The letter shall be signed by the commanding officer of the requesting employee, and forwarded with the Citation Cancellation Request through channels to the Traffic Court Liaison Unit (TCLU), Traffic Coordination Section (TCS). Upon receipt of a Citation Cancellation Request, TCLU shall submit the citation and attached request to the appropriate court. When the court approves a request for citation cancellation, TCLU shall mail the letter notifying the defendant of the citation cancellation.

Note: Whenever TCLU is notified that the court has denied the Department's request to cancel a citation, TCLU shall process the citation as directed by the court and notify the commanding officer of the court's decision on the cancellation request.

Defendant's Copy of Citation. When possible, the defendant's copy of a citation to be canceled shall be obtained and forwarded with the Citation Cancellation Request, Form 04.45.00.

When the defendant's copy cannot be obtained, the circumstances shall be included in the "EXPLANATION" portion of the Form 04.45.00.

328. CITATION BOOKS.

328.10 RECEIVING CITATION BOOKS. Upon receiving a citation book, the employee shall write, in ink, his/her name, serial number, division, and date of receipt on the front cover of the book. No notation of any kind shall be made on any citation prior to issuance.

328.40 DISPOSITION OF TRANSFERRED OFFICERS' CITATION BOOKS (Manual Section 3/202.26).

328.60 COMPLETED CITATION BOOKS. When a citation book is completely used, the book shall be returned and a new book obtained. The completed citation book shall be retained in compliance with the Los Angeles Administrative Code, Section 12.3.

328.70 LOST CITATION BOOKS. When a citation book is lost, a Citation Cancellation Request, Form 04.45.00, shall be made canceling the unused citations. The request shall include the numbers of the first and last citation in the book and shall specify numbers of the citations which have not been issued. When a lost citation book is found after a Citation Cancellation Request has been completed, it shall be stored (Manual Section 4/328.60) and shall not be further used by the Department.

328.80 RECALL AND REISSUANCE OF CITATION BOOKS. All traffic citation books that are not completed within three months after issuance shall be recalled and reissued to more enforcement-active employees (Manual Section 3/202.24).

334. REFUSAL TO SIGN CITATION.

334.10 INFORMATION TO TRAFFIC VIOLATOR-REFUSAL TO SIGN CITATION.

When a violator refuses to sign a traffic citation, the citing officer shall refer the violator to the printed information on the face of the citation directly above the space provided for his/her signature. He/she shall be informed that the signing of the citation does not constitute an admission of guilt, but that it is merely a signed promise to appear in answer to the charge.

When the violator has been so advised and continues to refuse to sign the traffic citation, the citing officer shall request that a supervisor be dispatched to the scene. The supervisor shall, whenever possible, resolve the matter at the scene.

Note: When an officer is taking enforcement action for a violator (employee) not having proof of financial responsibility for an employer's vehicle, the violator (employee) shall not be arrested for refusing to sign the traffic citation. Officers shall follow the procedure delineated in Manual Section 4/320.35 (Financial Responsibility Requirements – Citing an Employer). A supervisor request is not required in this instance.

The violator shall be requested to sign the Continuation Form, in addition to the Traffic Notice to Appear. If the violator signs the citation, but refuses to sign the Continuation, the issuing

officer shall print "REFUSED TO SIGN" in the space provided for the signature, and release the violator.

334.40 REFERRAL OF TRAFFIC VIOLATOR WHO REFUSES TO SIGN CITATION.

If, after the procedures outlined in Manual Section 4/334.10 have been followed, the violator still refuses to sign the citation, he/she shall be processed as follows:

Adults. The adult violator shall be brought before the watch commander, Area of occurrence, who, upon determining that all necessary elements of a traffic offense are present and indicated on the citation, shall reemphasize to the violator the content of Manual Section 4/334.10. If the violator will then sign the citation, he/she shall be permitted to do so and be released. If he/she refuses to sign his/her name, the violator shall be booked (Manual Section 4/334.50).

Note: When an officer is taking enforcement action for a violator (employee) not having proof of financial responsibility for an employer's vehicle, the violator (employee) shall not be arrested for refusing to sign the traffic citation. Officers shall follow the procedure delineated in Manual Section 4/320.35 (Financial Responsibility Requirements – Citing an Employer). A supervisor request is not required in this instance.

Juveniles. The juvenile violator shall be brought before the appropriate Area juvenile coordinator who, upon determining that all necessary elements of a traffic offense are present and indicated on the citation, shall reemphasize to the juvenile the content of Manual Section 4/334.10. If the juvenile will then sign the citation, he/she shall be permitted to do so and be released. If the violator refuses to sign his/her name, the juvenile coordinator shall cause the juvenile to be processed according to established procedures (Manual Section 4/218).

Note: When the juvenile coordinator is unavailable, the juvenile shall be taken before the watch commander in the Area of arrest, who shall assume this responsibility.

334.50 BOOKING TRAFFIC DEFENDANTS CHARGED WITH MORE THAN ONE

OFFENSE. When a person who refuses to sign a citation is charged with more than one offense, he/she shall be booked on the more serious offense. The elements of all other offenses charged shall be included in the Arrest Report, Form 05.02.00. The charge shall be listed as specified in Manual Section 4/610.55.

334.70 CANCELLATION OF CITATION WHEN TRAFFIC DEFENDANTS BOOKED.

When a defendant refuses to sign a traffic citation and the defendant is booked as a result of his/her refusal to sign, the citation shall be canceled (Manual Section 4/326.10).

336 TRAFFIC VIOLATION WARNING PROCEDURES. The Traffic Violation Warning is another tool that officers may use to educate the public regarding traffic safety and assist in obtaining voluntary compliance with traffic laws.

Officer's Responsibilities. Officers should use discretion in determining whether a citation, verbal warning, application for complaint or written warning is most appropriate. Relevant factors to consider in using a Traffic Violation Warning include:

- The likelihood a Traffic Violation Warning would be effective;
- The severity of the traffic violation;
- The observance of multiple traffic violations;
- Chronic violations occurring at the location; and,
- The license status of the violator (e.g., provisional license or out-of-state license).

The issuance of a Traffic Violation Warning is recorded within the "DISPOSITION", "Comments" and "RECAP" sections of the Computer Aided Dispatch (CAD) Summary Report. If the officer is driving a vehicle not equipped with a Mobile Digital Computer (MDC), the issuance of a Traffic Violation Warning will be documented as "TVW" in the "Special Survey" box of the Daily Field Activities Report (DFAR), Form 15.52.00, or the Traffic Daily Field Activities Report (TDFAR), Form 15.52.01.

Traffic Violators. The operator of each motor vehicle or bicycle, as well as any passenger or a pedestrian who is detained for committing a California Vehicle Code (CVC) infraction may be issued a Traffic Violation Warning.

Note: A signature by the traffic violator on the Traffic Violation Warning is **strictly voluntary**. If a violator refuses to sign, the officer must write "Refused", along with the officer's name and serial number, in the signature box. A refusal to sign the completed Traffic Violation Warning shall not be used as a cause to issue a Traffic Notice to Appear. Such action would defeat the purpose of this tool, which is focused on educating the public.

Supervisor's Responsibilities. When reviewing a Traffic Violation Warning, the supervisor shall ensure:

- The submitted Traffic Violation Warning is complete and accurate;
- The issuance of a Traffic Violation Warning is recorded within the "DISPOSITION", "Comments" and "RECAP" sections of the CAD Summary Report; and,

Note: If the officer is driving a vehicle not equipped with an MDC, the issuance of a Traffic Violation Warning will be documented as "TVW" in the "Special Survey" box of the DFAR, or the TDFAR.

- The number of Traffic Violation Warnings issued is documented in the same manner as the Traffic Notice to Appear; thereafter, the Traffic Violation Warning will be handled in the same manner as a Field Interview Report, Form 15.43.00, for input into the Incident Tracking System-Field Interview Database.

Commanding Officer's Responsibilities. The Area commanding officer shall:

- Ensure the number of Traffic Violation Warnings issued in their command is reported in the same manner as the Traffic Notices to Appear;

- Designate personnel to record the data contained on the Traffic Violation Warning in the Incident Tracking System-Field Interview Database;
- Establish appropriate controls for the issuance, maintenance and storage of Traffic Violation Warning books;
- Ensure record keeping, archival, and destruction protocols are consistent with Department procedures; and,
- Ensure the Traffic Violation Warnings are incorporated into COMPSTAT reporting.

340. FREEWAYS.

340.10 FREEWAY DIRECTION DESIGNATIONS. The following direction designations shall be used when referring to a freeway location:

Artesia-Redondo Freeway	East-West	Pasadena Freeway	North-South
Century Freeway	East-West	Pomona Freeway	East-West
Foothill Freeway	East-West	Route 47 Freeway	North-South
Glen Anderson Freeway	East-West	San Bernardino Freeway	East-West
Glendale Freeway	East-West	San Diego Freeway	North-South
Golden State Freeway	North-South	Santa Ana Freeway	North-South
Harbor Freeway	North-South	Santa Monica Freeway	East-West
Hollywood Freeway	North-South	Simi Valley Freeway	East-West
Long Beach Freeway	North-South	Ventura Freeway	East-West
Marina Freeway	East-West		

340.20 FREEWAY NAME ABBREVIATIONS. When referring to a freeway name, the abbreviations used shall be limited to:

Artesia-Redondo Freeway	Art Rdo FY	Pasadena Freeway	Pasa FY
Century Freeway	Cent FY	Pomona Freeway	Pom FY
Foothill Freeway	Fhl FY	Route 47 Freeway	RT 47 FY
Glendale Freeway	Glen FY	San Bernardino Freeway	San Ber FY
Golden State Freeway	G State FY	San Diego Freeway	S Diego FY
Harbor Freeway	Harb FY	Santa Ana Freeway	S Ana FY
Hollywood Freeway	Hwd FY	Santa Monica Freeway	S Mon FY
Long Beach Freeway	L B FY	Simi Valley Freeway	Simi Val FY
Marina Freeway	Mar FY	Ventura Freeway	Vent FY

340.30 DELINEATION OF FREEWAY RESPONSIBILITY. The California Highway Patrol (CHP) is responsible for traffic supervision on all freeways within the City of Los

Angeles. This responsibility includes all portions of the highway within a freeway right-of-way, in addition to other improvements as indicated below:

- Off-Ramp-The CHP's responsibility will terminate at the prolongation of the nearest curb or edge of the roadway of the first intersecting City street.
- On-Ramp-The CHP's responsibility will commence at the prolongation of the nearest curb or edge of roadway of the last intersecting City street.
- Bus and Passenger Ramps-The CHP's responsibilities for those portions of the freeway designated as bus stops, which are separate roadways set aside from the normal traffic lanes, will include the entire bus ramp and the bus passenger ramps or stairways to the sidewalk, the curb, or edge of the nearest City street, property, or freeway perimeter fence.

Officers of this Department may cite traffic violators and shall provide assistance to motorists on the freeways within the City.

Diversion of Freeway Traffic to Surface Streets. When it is necessary to divert freeway traffic onto surface streets, the CHP will notify the Commanding Officer, Communications Division, who shall be responsible for notifying the concerned field services division commanding officer. The field services division commanding officer shall deploy sufficient personnel to handle the increased traffic flow on surface streets. The CHP will be responsible for blocking on-ramps where traffic is not permitted to enter the freeway.

342. REPORTING INCOMPETENT DRIVERS. When an officer has reason to believe that a licensed driver is not a competent driver, he or she shall forward a Department of Motor Vehicles, Notice of Priority Reexamination of Driver/Request for Reexamination of Driver, Form DS 427, to the detective section of the concerned traffic division. One copy of the form shall be completed describing the reason for the requested re-examination. Each officer completing the form shall:

- Record all observations which substantiate the officer's opinion that the driver needs to be re-examined for driving ability.
- List in the summary portion any statements made by the driver regarding his/her own physical condition or defects.

Exception: In cases involving an epileptic seizure, an Injury Report, Form 03.15.00, shall be completed instead of the Department of Motor Vehicles, Notice of Priority Reexamination of Driver/Request for Reexamination of Driver, Form DS 427.

343. UNDER - THE - INFLUENCE DRIVERS.

343.10 DRIVING - UNDER - THE - INFLUENCE ARRESTS. An arrest for driving under the influence shall be made when:

- An officer witnesses a person commit the elements of driving while under the influence; or,

- The under-the-influence driver was lawfully detained by an officer of this or another law enforcement agency; or,
- The under-the-influence driver was lawfully arrested or detained by a private person who witnessed the driving element of the offense.

An arrest may be made for 23152(a) VC per authority of 40300.5 VC when a traffic crash has occurred but the arresting officer did not witness driving, when:

- The arresting officer has reasonable cause to believe that a person involved in the traffic crash was driving a vehicle while under the influence of intoxicating liquor, or the combined influence of intoxicating liquor and any drug; and,
- The arrest is effected as a continuous uninterrupted portion of the investigation.

Note: The arrest shall be limited to the location of the traffic crash or the location of any timely follow-up investigation.

The element of being under-the-influence shall be based on the objective symptoms observed by the arresting officer. Results of other examinations shall be corroborative evidence only.

For Felony Driving Under the Influence Non-Consensual "Forced" Blood Draw see Department Manual Section 4/343.40.

343.20 SOBRIETY EXAMINATION. The physical phases of the sobriety examination shall be given when an under-the-influence driver is able and willing to perform them and, when practicable, shall be conducted at the scene of the incident in the presence of witnesses.

A sobriety examination, as per Form 05.02.05, shall be completed when an officer:

- Arrests a person whom he/she witnesses commit the elements of driving while under the influence; or,
- Arrests a driver suspected of being intoxicated who was lawfully arrested or detained by another peace officer or a private person (Manual Section 4/343.10); or,
- Is investigating a suspect for driving-under-the-influence; or,
- Is investigating a traffic crash and an involved driver displays any objective symptoms of being under-the-influence, regardless of whether the driver is arrested.

When a suspected under-the-influence driver refuses to submit to a field sobriety test, the investigating officer shall, read the Field Sobriety Test Admonition to the driver.

343.25 DRIVING - UNDER - THE - INFLUENCE (DUI) DRUG ARREST PROCEDURES.

Arresting Officer's Responsibility. When an arrest is made for driving under-the-influence of drugs or combination of drugs and alcohol, the arresting officer shall:

- Admonish the arrestee regarding a chemical test as per the Chemical Test Admonition on the DUI Arrest Report, Form 05.02.05.
- Administer a chemical test to the arrestee.

Note: Whenever possible, a breath test should be administered to determine alcohol intoxication.

- If the breath test is obtained and the results are .08% or higher, book the arrestee for Section 23152(a) (DUI) V.C. When the results are below .08%, complete the following:
 - Read to the arrestee verbatim the Drug Admonition from the DUI Arrest Report.
 - Obtain a urine or blood sample from the arrestee.

Note: If urine is the only chemical examination administered, officers shall obtain the first void for possible detection of drugs, and the second void for the possible detection of alcohol. Both samples shall be marked accordingly and booked as evidence.

- If the breath test is obtained and the results are .30% or higher, the arrestee **shall** be examined by medical personnel pursuant to Manual Section 4/648.17.
- Request a Drug Recognition Expert (DRE) or, if none available, a Narcotics Expert.
- If an on-duty DRE or Narcotics Expert is not available within the concerned bureau, the arresting officer shall obtain an MT for the arrestee and request the examining physician to include an opinion regarding objective symptoms and possible drug ingestion.

Exception: If a traffic death or traffic felony arrest is involved and a DRE or Narcotics Expert is not available within the concerned bureau, the arresting officer shall contact Communications Division and request an on-duty DRE or Narcotics Expert from anywhere in the City. If no on-duty DRE or Narcotics Expert is available, the officer shall contact the Administrative Unit, Detective Support and Vice Division, and request that an off-duty DRE be dispatched.

- When applicable, include the Drug Influence Evaluation Form (completed by an expert) as a page of the arrest report.

Drug Recognition Expert (DRE)/Narcotics Expert's Responsibility. A DRE or Narcotics Expert is responsible for evaluating and rendering an opinion of the drug influence of DUI Drug arrestees. As part of that examination, the expert shall:

- Advise the arresting officer of any additional tests required.
- Determine if an MT is needed.
- Complete the Drug Influence Evaluation Form.
- Enter a brief description of the findings and the examining officer's name and serial number in the Remarks Section of the Booking Approval, Form 12.31.00.

Note: If during a drug evaluation, the expert determines that he/she is not qualified to render an opinion, the watch commander approving the booking shall determine if another expert should be called.

343.28 ADMINISTRATIVE PER SE ORDER OF SUSPENSION.

343.30 ARRESTING OFFICER'S RESPONSIBILITIES. An officer making an arrest for Driving Under the Influence (DUI) shall complete a Driving Under the Influence Arrest Report Supplemental, Form 05.02.05, in the usual manner and confiscate the California Driver's License from the arrestee when the arrestee:

Note: Out-of-state/foreign licenses are not included under California law and cannot be confiscated.

- Refuses to submit to and complete a chemical test; or,

Note: The Chemical Test Admonition portion must be read to the arrestee in its entirety, even when the arrestee refuses to submit to or complete a chemical test.

- Takes a breath test which shows a blood alcohol concentration (BAC) level of .08 percent or more (if over 21 years of age) or .01 percent or more (if under 21 years of age); or,
- Takes a blood test (voluntary or forced) and the officer believes that subsequent test results will show that the driver is at or above a BAC of .08 percent or more (if under 21, a BAC of .01 percent or more).
- Has been driving a vehicle that requires a commercial driver's license when the subject had a BAC of .04 percent or more; or,
- Has been on probation for California Vehicle Code (CVC) Sections 23152 or 23153 and had a BAC of .01 percent or more as measured by a Preliminary Alcohol Screening (PAS) test or other chemical test; or,
- Has been on DUI-related probation for CVC Sections 23103, 23152, or 23153, Penal Code Section 191.5 and refuses to complete the PAS test; or,
- Is under the age of 21 and refuses to complete the PAS test.

Note: A person under 21 years old who has a BAC level between .01 to .04 percent should be cited for CVC Section 23136(a) and issued a Department of Motor Vehicles (DMV) Officer's Statement, Form 367M (Administrative Per Se). Officers shall wait 15 minutes and then conduct two Preliminary Alcohol Screening (PAS) device BAC readings and document the results on the DS 367M form.

A person under 21 years old who has a BAC level between .05 to .07 percent should be cited for CVC Section 23140(a) and issued a DMV Form DS 367M. Officers shall wait 15 minutes and then conduct two PAS device BAC readings and document the results on the DS 367M form.

Note: A urine test is only administered as an additional chemical test or when a breath test is unavailable and the arrestee is a hemophiliac or is taking anticoagulants for a heart condition, which precludes them from providing a blood sample. If a urine test is administered, the arresting officer shall follow procedures described in Department Manual Section 4/343.42.

Upon completion of the Driving Under the Influence Arrest Report Supplemental, and confiscation of the arrestee's California Driver's License, the arresting officer shall complete a Department of Motor Vehicles (DMV) Officer's Statement, Form DS367 [Administrative Per Se (Admin Per Se), and Form DS 367M (if under 21)], and write the arrestee's booking number in the upper left corner [or Division of Records No. in instances of an unbooked DUI].

Upon approval of the Driving Under the Influence Arrest Report Supplemental and Administrative Per Se documentation, officers shall:

- Attach the yellow copy of the DMV Form DS 367 to the Driving Under the Influence Arrest Report Supplemental (if under 21, attach the yellow copy of the DMV Form DS 367M to the Arrest Report);
- Copy Page 1 (front and back) and Page 2 of the DMV Form 367 or DMV Form 367M (if under 21) and attach these pages to the arrest report;
- Issue the pink copy of the DMV Form DS 367 to the arrestee (if under 21, issue the pink copy of the DMV Form DS 367M to the arrestee); and,
- Mail the original DMV Form DS 367 (if under 21, original Form DS 367M) with the arrestee's original California Driver's License; a complete copy of the Arrest Report and a completed Los Angeles Police Department EC/IR Operator Checklist, Form 05.20.07, to the DMV location which corresponds with the geographic bureau of arrest.

In all the above scenarios, the California Driver's License shall be confiscated and attached to the DMV Form 367 or Form 367M (if under 21).

If officer(s) arrest a person for DUI drug(s), officer(s) shall complete a DMV Form 367 or Form 367M (if under 21) but shall not confiscate their California Driver's License.

The law requires that all reports and forms be received by the DMV within five working days from the date of arrest. The pink copy of the DMV Form DS 367 (if under 21, the pink copy of the DMV Form DS 367M) issued to the arrestee, will serve as a temporary driver's license for 30 days from the date of arrest for an arrestee with a valid California Driver's License. The arrestee will have 10 days to request a DMV hearing. Failure by the arrestee to request a hearing will result in an automatic suspension of the arrestee's California Driver's License.

Supervisor's Responsibilities. Supervisors approving a Driving Under the Influence Arrest Report, Supplemental, Form 05.02.05, shall ensure that arresting officers have complied with Administrative Per Se procedures, when applicable, and related reports.

343.33 INDEPENDENT TEST BY QUALIFIED PERSON. When qualified persons appear at the place of confinement by requests of the inmate (Manual Sections 4/658.12 and 4/658.17)

or other person, for the purpose of obtaining a breath, blood, or urine sample, they shall be permitted to do so upon consent of the inmate.

- Only a duly licensed doctor, laboratory technologist, bioanalyst, or registered nurse shall be permitted to withdraw a sample of the arrestee's blood. This limitation shall not apply to the taking of breath or urine specimens;
- The doctor must be a physician or surgeon (M.D. or osteopath) licensed to practice in the State of California. If there is a question as to the identification of the doctor, Detective Support and Vice Division shall be called to see if the doctor is listed in the Directory of the State Board of Osteopathic Examiners;
- The laboratory technologists or bio-analysts must be licensed to practice in the State of California. If there is a question as to their identification, Detective Support and Vice Division shall be called to see if they are listed in the Department of Public Health directory for licensed laboratory technologists and bioanalysts; and,
- The registered nurse must be licensed to practice in the State of California and must perform the blood extraction under the supervision or at the immediate direction, of a doctor.

A Follow-Up Report, Form 03.14.00, shall be used, by the officer having custody of the inmate, to record:

- The time the telephone call was made by or for the inmate;
- The time the person arrived at the place of confinement and requested to see the inmate;
- The person's name, address, and telephone number, including business office address and telephone number;
- The time the sample was taken;
- The amount of blood taken as stated by the person;
- The names and serial numbers of the officers witnessing the telephone call and the taking of the breath, blood, or urine sample;
- The name of the doctor employing or supervising the registered nurse; and,
- Any other appropriate information.

343.36 CHEMICAL TEST ADMONITIONS. Prior to administering a chemical test to a Driving Under the Influence (DUI) arrestee, the Chemical Test Admonition (23612 VC) section of the Driving Under the Influence Arrest Report, Supplemental, Form 05.02.05, Form 05.02.05, shall be read to the arrestee. The name and serial number of the admonishing officer shall be entered in the space provided in this section.

Note: The Chemical Test Admonition (23612 VC section Spanish version) contained in the Los Angeles Police Department Citation Guide, Form 16.65.00, shall be read to Spanish speaking DUI arrestees, by an officer fluent in, and capable of, testifying in Spanish.

After a breath test, if the arrestee is suspected of DUI of alcohol, the Additional Chemical Test Admonition (23614 VC) section of the Driving Under the Influence Arrest Report Supplemental, shall be read to the arrestee. The name and serial number of the admonishing

officer shall be entered in the space provided in this section. If drug use is suspected, the Drug Admonition section of the Driving Under The Influence Arrest Report Supplemental, shall be read to the arrestee instead of the additional Chemical Test Admonition. The name and serial number of the admonishing officer shall be entered in the space provided in this section.

343.38 BREATH TEST.

Use of Equipment. Operation of the breath-testing equipment shall be restricted to personnel who have been trained in its use. When the arresting officers has not been trained in the use of the breath-testing equipment, the test shall be administered by an officer qualified to do so

The Los Angeles Police Department EC/IR Operator Checklist, Form 05.20.07, shall be completed by the qualified officer each time the EC/IR is set up for a test.

Note: Breath-testing equipment may be used as an investigative aid in DUI arrests involving alcohol, drugs or for other purposes at the discretion of the concerned watch commander.

Forensic Science Division shall ensure that EC/IR breath-testing equipment receive timely calibration by qualified personnel.

Administering Test. Prior to administering the breath test, the testing officer shall observe the arrestee for a 15-minute period. During this period, the arrestee shall not eat, drink, smoke, regurgitate, or vomit.

Note: If the arrestee regurgitates, vomits, eats, drinks, or smokes during that time period or between samplings, the pre-testing observation shall be repeated.

At least two breath samples shall be collected (no waiting period is required between samples.) If the readings of the two samples vary by more than .02 percent, **a third sample is required.** If five samples have been collected and the test is not complete (no two samples, within .02 percent), the officer shall direct the arrestee to submit to either a blood test. Failure to successfully complete one of the available tests shall be deemed a-refusal.

Note: Arrestees who obtain an EC/IR reading of .30 percent or higher **shall** be examined by medical personnel pursuant to Department Manual Section 4/648.17.

Recording Results. The EC/IR test tape shall be separated from the machine **only** when:

- The test is completed (two samples, within .02 percent); or,
- Five samples have been collected and the test is not completed.

Note: If the breath test ends without obtaining two successful breath test results on the same breath test printout, and a second or third breath test is required, tape each additional breath test printout(s) to a separate Los Angeles Police Department EC/IR Operator Checklist.

The EC/IR test printout shall be taped to the Los Angeles Police Department EC/IR Operator Checklist on the space provided. The tape shall be positioned in a manner that will not interfere with reading the test results. When the test printout is longer than the Los Angeles Police Department EC/IR Checklist, the printout shall be folded in a manner that will not interfere with reading the test results.

The Los Angeles Police Department EC/IR Operator Checklist shall be completed by the administering officer and:

- Attached to the Arrest Report or complaint Application, Form 05.15.00; or,
- Submitted with the officer's Daily Field Activities Report (DFAR), Form 15.52.00, and a Driving Under the Influence Arrest Report Supplemental, Form 05.02.05, when no Arrest Report is completed; or,
- Attached to a Traffic Crash Report, CHP 555, when completed as a result of a traffic crash investigation.

Note: When no such DFAR is available (i.e., CAD summary) the Driving Under the Influence Arrest Report Supplemental will instead be submitted to the officer's supervisor and attached to the Sergeant's Daily Report, Form 15.48.00. Attach the Los Angeles Police Department EC/IR Operator Checklist, when applicable.

343.40 BLOOD TEST.

Criteria for Requesting. A blood sample may be requested in the following situations:

- The arrestee indicates a willingness to submit to a blood test incidental to a Driving Under the Influence (DUI) arrest; or,
- The arrestee is in custody for a misdemeanor or felony and the level of intoxication would be an essential element in the alleged violation; or,
- The arrestee is unconscious or is so impaired and is unable to consent to a chemical test. When such a condition exists, the following steps shall be taken in order to determine if the arrestee is a hemophiliac or a heart patient possibly using anticoagulant medication:
 - Check for medical information on the arrestee's person such as a "Medic Alert" bracelet or necklace, or any other item indicative of the arrestee's medical background;
 - If a relative or a friend of the arrestee is present who can provide information about the arrestee's medical condition, record the name, the relationship to the arrestee, and the statements of that person in the arrest report; and,
 - Inform the attending physician of all information in the officer's possession which may have a bearing on the arrestee's physical condition.

The Supreme Court acknowledged at least two situations where an unavoidable delay could justify a **warrantless** blood draw as follows:

- **No magistrate available.** Improvements in communication technology do not guarantee that a magistrate judge will be available when an officer needs a warrant after making a late-night arrest; or,
- **Delays from the application process.** Exigent circumstances justifying a warrantless blood sample may arise in the regular course of law enforcement due to delays from the warrant application process (e.g., equipment malfunctions).

Note: If an exigency exists, both the supervisor and officer shall consult with their bureau traffic watch commander for concurrence and document the exigency in the Arrest Report, Form 05.02.00. The dissipation of alcohol in the bloodstream is not, in and of itself, a sufficient exigency to justify a warrantless blood draw (*Missouri v. McNeely*).

Search Warrant. Department employees shall utilize the following procedures to obtain a search warrant when it is necessary to obtain a blood sample from an arrestee for a misdemeanor or felony DUI who refuses to comply with the “implied consent” law.

Officer's Responsibilities. If after an officer has given the chemical consent admonition to the arrestee and he or she refuses to provide a blood sample (Vehicle Code Section 23612 – Implied Consent for Chemical Testing), the officer shall:

- Notify a supervisor;
- After the supervisor witnesses the refusal, the officer shall complete the Chemical Test Admonition portion of the Driving Under The Influence Arrest Report Supplemental, Form 05.02.05;
- Record observations, and complete the Request of Medical Professional & Consent for Withdrawal of Blood, Form 04.35.00;
- Seek advice and approval from the concerned bureau/traffic watch commander prior to obtaining a search warrant. If the bureau traffic watch commander concurs, complete the Affidavit in Support of Search Warrant, Form 12.25.05;
- Contact the Department Operations Center (DOC), Communications Division, to be connected with the Los Angeles County District Attorney’s 24-hour Command Post in order to be transferred to a judge;
- Once approval is obtained from the judge, officers shall transport the arrestee to a Custody Services Division jail dispensary or local hospital for a blood sample withdrawal;

Note: If the hospital refuses to withdraw blood, officers shall document the hospital’s refusal in the Arrest Report.

- Ensure a supervisor is present to witness the blood withdrawal;
- Once the blood sample is collected, the blood sample vial(s) shall be booked as evidence in an Analyzed Evidence – To Be Refrigerated Envelope, Form 12.51.01. Officers shall document in the Arrest Report, the name of the person obtaining the blood sample and the exact time the blood sample was obtained;

Note: Ensure the names and serial numbers of the advising traffic watch commander, the booking approval watch commander, and the supervisor present during the forced blood withdrawal are written on the Arrest Report.

- Return all documents to the traffic watch commander for approval; and,
- Ensure the Return to Search Warrant has been completed, signed and returned to a judge or magistrate within 10 calendar days from the date of issuance.

Exception: An arrestee whose **medical condition prohibits** a blood sample (e.g. hemophiliac, or usage of an anticoagulant medication) from being taken shall not be forced to submit to a blood withdrawal.

Requesting Withdrawal. Whenever a blood sample is to be obtained from an arrestee, the arresting officer shall direct a Request of Medical Professional & Consent for Withdrawal of Blood, Form 04.35.00, to any of the following hospital personnel:

- Physician;
- Registered nurse or licensed vocational nurse;
- Certified phlebotomy technician;
- Licensed clinical laboratory technologist; or,
- Licensed clinical phelbotomist.

Requesting Forced Blood Sample Withdrawal. A forced blood sample may be obtained from an arrestee only when **all** of the following conditions have been met:

- The arrestee is in custody for a misdemeanor or felony traffic offense; **and,**
- The arrestee refuses to voluntarily submit to **any of the available chemical tests; and,**
- Prior approval from a traffic watch commander has been obtained; **and,**
- A supervisor is present at the medical facility (e.g., Custody Services Division, local hospital) to witness the withdrawal of blood from the arrestee; **and,**
- A search warrant has been obtained (if no exigency exists).

Exception: An arrestee whose medical condition prohibits a blood sample from being taken shall not be forced to submit to a blood test.

Physician or Hospital Employee Refusal. When a physician or hospital employee authorized by Vehicle Code Section 23158 VC refuses to withdraw a blood sample, the officers having custody of the arrestee shall request a supervisor to respond to their location. Upon arrival, the responding supervisor shall:

- Conduct an investigation into the circumstances of the arrest and the request to withdraw a blood sample to verify that Department policy was followed; and,
- Verify the refusal by the hospital employee to withdraw blood.

If the hospital employee still refuses to withdraw a blood sample, the supervisor shall then request the arrestee to submit to one of the other two remaining chemical tests. When the

arrestee refuses the other tests, the supervisor shall advise the officers to complete the appropriate arrest report, including a notation regarding the absence of a chemical test.

Note: The supervisor shall contact the Traffic Bureau Watch Commander for an on-call licensed phlebotomist when hospital staff is refusing to withdraw a blood sample. If a licensed phlebotomist is not available the arrestee shall be transported to a Custody Services Division jail dispensary to obtain the blood sample, if no other existing medical treatment is needed.

After the arrestee is booked and all appropriate reports are completed, the concerned supervisor and officers shall each complete an Employee's Report, Form 15.07.00, recording all pertinent information regarding the refusal to withdraw blood. The completed Employee's Reports shall be forwarded through channels to the DOC.

Obtaining and Packaging. The withdrawal of all blood samples shall be witnessed by the requesting officer. Officers shall provide two blood vials when drugs are suspected and one blood vile when alcohol is suspected to hospital/medical personnel. Officers obtaining blood samples for alcohol or drug analysis shall, in addition to following the procedures outlined on the Analyzed Evidence To Be Refrigerated Envelope, Form 12.51.01, place the defendant's booking number above the officer's serial number when completing the Sealed Evidence Label. If there is no arrestee, the Division of Records (DR) number shall be placed in the space above the booking officer's serial number. When there is more than one suspect and a DR number is used, both the DR number and the last name of the suspect shall be used. When a blood sample is taken, officers shall collect two vials, if possible, when drugs are suspected and one blood vile when alcohol is suspected. When two or more blood vials are obtained, the officer shall ensure all vials are collected from the same venipuncture. This is then documented under the evidence heading of the arrest report and on either the arrest face sheet (Form 05.01.02) Under "COMBINED EVID." or on the Property Report (Form 10.01.00). If a second venipuncture is needed to obtain a second sample, the blood vial shall be listed as a separate item on either the arrest face sheet under "COMBINED EVID. RPT." or on the Property Report.

When officers obtain whole blood samples from medical staff, employees shall:

- Invert the vial(s) several times to ensure that the preservative in the vial mixes with the blood;
- Complete the label on the vial(s) with the suspect's name, date of blood withdrawal, booking officer's initials, and the initials of the person conducting the blood withdrawal;
- Check the appropriate boxes on the Analyzed Evidence To Be Refrigerated Envelope, and complete all other applicable reports;
- Place the vial(s) in the Analyzed Evidence - To Be Refrigerated Envelope and seal the envelope with a Sealed Evidence Label bearing the date the Sealed Evidence Label was placed on the envelope and DR number and the officer's payroll signature and serial number signed in ink;
- Affix the Biohazard Label, or write in red "Biohazard", to the **upper left corner** of the front of the Analyzed Evidence To Be Refrigerated Envelope; and,

- If a separate venipuncture occurs for a second sample, this shall be booked as a separate item and in a separate Analyzed Evidence To Be Refrigerated Envelope.

Supervisor Approving. The supervisor approving the booking of the blood sample shall inspect the blood sample vial or container label to ensure that the required identifying information is included.

Booking. Whole blood samples shall be booked in the evidence courier refrigerated temporary storage locker most convenient for the booking employee. The evidence courier shall be responsible for transporting items to be analyzed to Forensic Science Division.

Traffic Watch Commander's Responsibilities. Upon being advised of a request for a forced blood withdrawal, the watch commander shall:

- Determine if the criteria for forced blood withdrawal is met;
- Ensure the investigating officer received advice from the concerned traffic watch commander;
- Ensure a supervisor is present during the blood withdrawal procedure;

Note: The supervisor who is present at the scene of a forced blood withdrawal where a use of force becomes necessary, shall ensure that the use of force investigation is conducted by a non-involved supervisor.

- Review the Affidavit in Support of Search Warrant, placing his or her initials and serial number on the bottom right-hand corner confirming he or she reviewed the documents; and,
- For **misdemeanor** arrests, attach the original Affidavit in Support of Search Warrant to a copy of the Arrest Report, Form 05.02.00, and Traffic Crash Report, CHP 555 OPI 065, if applicable and forward to the Records Unit for processing.

Records Unit's Responsibilities. The Records Unit shall:

- Assign a DR number to the Arrest Report, Affidavit in Support of Search Warrant, and any other related document; and
- Ensure a copy of the Arrest Report, Affidavit in Support of Search Warrant, and any other related documents are hand carried to the warrant review officer or his or her designee in a timely manner.

Warrant Review Officer's Responsibilities. The warrant review officer shall conduct a final quality assurance review for completeness and accuracy of all warrant documentation and shall ensure that:

- The Return to Search Warrant has been completed by the arresting officer and signed by a judge or magistrate within 10 calendar days from the date of issuance;
- The Warrant Tracking Log, Form 08.17.05, entry is complete and accurate;
- The Property Report and the Receipt for Property Taken Into Custody forms match; and,

- Any errors, inaccuracies, or omissions within the Affidavit in Support of Search Warrant are promptly corrected prior to proper storage.

Detective Officer In Charge Responsibilities. The Area detective officer in charge shall determine that:

- The Affidavit in Support of Search Warrant is entered into the Warrant Tracking Log;
- The Return to Search Warrant is completed and filed with the court within 10 calendar days after being signed by the judge or magistrate; and,
- Any necessary follow-up investigation is conducted in a timely manner.

343.42 URINE TEST.

Location Obtained. A urine sample shall be obtained from the arrestee at the booking

Administering Test for Alcohol. An officer or detention officer of the same gender as the arrestee shall:

- Escort the arrestee to an appropriate restroom facility;
- Instruct the arrestee that he or she must empty his or her bladder;
- Remain present while the arrestee empties his or her bladder;
- Wait twenty minutes, or as soon as possible thereafter, before attempting to collect a urine sample;
- Provide the arrestee with a pretreated urine sample container;
- Ensure that the container is not rinsed prior to sample collection;
- Remain present while the arrestee provides a urine sample; and,
- Ensure that the label identifying the chemist responsible for preparation of the container is not removed.

Administering Test for Drugs Other than Alcohol. An officer or detention officer of the same gender as the arrestee shall:

- Escort the arrestee to an appropriate restroom facility;
- Provide the arrestee with a pretreated urine sample container;
- Ensure that the container is not rinsed prior to sample collection;
- Remain present while the arrestee provides a urine sample; and,
- Ensure that the label identifying the chemist responsible for preparation of the container is not removed.

Protective gloves must be worn when handling a urine sample.

Note: A blood test is the only acceptable test to determine a person's drug content for the purpose of a DUI investigation. A urine test for drugs other than alcohol shall only be used if the person has hemophilia or is using an anticoagulant for a heart condition.

The Driving Under the Influence Arrest Report Supplemental, Form 05.02.05, shall indicate:

- The name of the employee who administered the urine test;
- The location the urine sample was collected;
- The time the bladder of the arrestee was first emptied (alcohol test **only**); and,
- The time the urine sample was collected.

Note: When an arresting officer becomes aware that an arrestee has emptied his or her bladder after coming into the custody of the officer, the twenty-minute waiting period shall begin at the time the bladder was first emptied. The time and circumstances of the emptying must be recorded on the Driving Under the Influence Arrest Report Supplemental.

Booking Sample. The officer booking a urine sample shall:

- Ensure that the lid is placed *tightly* on the container;
- Place a completed Sealed-Evidence label on the side of the container, and place the arrestee's booking number below the date when completing the Sealed-Evidence label. If there is no arrestee, the Division of Record (DR) number must be placed in the space below the date. When there is more than one arrestee and a DR number is used, both the DR number and the last name of the arrestee must be used;
- Complete the Analyzed Evidence - To Be Refrigerated Envelope, Form 12.51.01, and check the appropriate box, "Alcohol Analysis" or "Drug Analysis;"
- Place the container in the provided plastic sealable bag, seal it, and then place it in the Analyzed Evidence – To Be Refrigerated Envelope;
- Seal the envelope with three completed Sealed Evidence labels covering the top and bottom flaps and center seam of the Analyzed Evidence – To Be Refrigerated Envelope; and,
- Affix the Biohazard Label to the front of the Analyzed Evidence – To Be Refrigerated Envelope. If no Biohazard Label is available, the officer shall write "Biohazard" in **red** ink, in the center of the Analyzed Evidence – To Be Refrigerated Envelope.

Urine samples must be booked in the refrigerated temporary storage locker most convenient for the booking employee, or at Central Property Section or Valley Property Section. The evidence courier will be responsible for transporting items to Evidence and Property Management Division to be analyzed by Forensic Science Division.

Supervisor Approving. The supervisor approving the booking of the sample must inspect the sample vial or container label to ensure that the required identifying information is included.

343.57 REFUSAL TO SUBMIT TO OR COMPLETE CHEMICAL TEST -

NOTIFICATION TO DMV. When a person who has been arrested for operating a motor vehicle while under the influence of intoxicating liquor and/or drugs refuses to submit to or complete a chemical test, the arresting officer shall mark the left margin of the related Driving-Under-The-Influence Arrest Report, "Copy to Bureau Traffic Division Auditor."

343.60 DRIVING - UNDER - THE - INFLUENCE ARREST-OFFICER REPORTING.

When an arrest is made for any offense committed while driving a vehicle under the influence of alcohol and/or drugs, one officer shall normally complete the report and be prepared to testify regarding all phases of the arrest. That officer's name shall be placed in the upper portion of the "Reporting Officer's" box on page 1 of the Arrest Report and in the appropriate boxes of Form 05.02.05.

343.65 MISDEMEANOR TRAFFIC CRASH RELATED

DRIVING - UNDER - THE - INFLUENCE BOOKINGS. When an arrestee involved in a traffic crash is booked for driving under the influence (23152(a) VC) the officer responsible for completing the arrest and traffic crash reports shall cause the arrest report and a copy of the traffic crash report to be submitted together at the location of booking for processing and distribution.

Exception: When the arrestee is booked into the Los Angeles County-USC Medical Center jail ward or Los Angeles County Jail, the reports shall be submitted to the approving supervisor at the Communications Division Telephonic Report Counter, Police Administration Building.

Note: Records unit personnel shall ensure that one copy of the Traffic Crash Report is forwarded, with the copies of the DUI arrest report, to the appropriate custodial detention officer. The original reports and subsequent copies shall be processed and distributed according to current procedures.

343.70 DRIVING - UNDER - THE - INFLUENCE BOOKINGS. A teletype request shall be sent to DMV concerning each arrestee booked for 23152(a) VC. This request shall be teletyped by divisional record clerks immediately upon receipt of the Booking and Identification Record, Form 05.01.00, from the location of the arrestee's detention. Requests may be sent using either the driver's license number or the full name of the arrestee.

When using the driver's license number, the teletype shall be sent in the following form:

- ID.
- (Information code, driver's license number.)

When no driver's license number is available, the teletype shall contain: (Manual Section 4/155.15)

- STATUS AND RECORD.
- Arrestee's full name.
- Arrestee's address.
- Arrestee's birthdate (if unknown, give age).

Teletype requests shall originate from the division at which the arrest reports are completed for distribution. The employee shall use the appropriate teletype code to ensure that the docket number and the court of prior conviction, if applicable, appear on the reply from DMV. The

employee making the inquiry shall attach the return teletype information to the court copy of the arrest report and forward them to the detention officer having custody of the arrestee.

344. TRAFFIC CASES INVOLVING PHYSICIANS.

344.50 ARREST OF PHYSICIAN ENROUTE TO TREAT EMERGENCY CASE. When a physician is taken into custody while enroute to treat an emergency case, the arresting officer shall immediately cause the patient to be notified. If this is not possible, the person who summoned the physician shall be notified.

A physician traveling in response to an emergency shall be exempt from the provisions of Vehicle Code Section 22351 (Speed Law Violations) and 22352 (Prima Facie Speed Limits), if the vehicle so used by the physician displays an insignia approved by the Department of Motor Vehicles indicating that the vehicle is owned by a licensed physician (21058 VC).

Note: The caduceus, symbol of the American Medical Association, is the approved insignia.

346. TRAFFIC CASES INVOLVING JUVENILES.

346.10 CITING PROCEDURE - TRAFFIC NOTICE TO APPEAR (CITATION). When a juvenile is issued a Traffic Notice to Appear, Form 04.50.00 for a moving or non-moving violation, the juvenile shall be advised that a parent or guardian's presence is required when at Juvenile Traffic Court in answer to the citation.

346.20 REFUSAL TO SIGN CITATION - JUVENILES. When a juvenile refuses to sign a citation, the juvenile shall be processed according to Manual Section 4/334.40.

346.40 MISDEMEANOR TRAFFIC VIOLATION - JUVENILE ARRESTED. When a juvenile is booked for a misdemeanor Vehicle or Municipal Code (traffic-related) violation, the arresting officer shall:

- Complete a Traffic Notice to Appear in the normal manner and have the juvenile sign the citation.
- Cite the juvenile to the morning or afternoon session (Manual Section 4/320.45) of the Juvenile Traffic Court on the appropriate citing date.
- Give the juvenile the defendant's copy.

Note: If the juvenile is to be released to a parent or guardian, the defendant's copy of the citation should be given to the parent or guardian at the time of release.

- Complete an Arrest Report, Form 05.02.00, and include the citation number and the notation that the court copy of the citation is attached to the investigating officer's copy of the arrest report.
- Attach the court copy of the citation to the arrest report.
- When the juvenile is to be released to a parent or guardian, provide the adult with a copy of the Juvenile, Notice to Appear, Form 09.03.00.

Exception: Juveniles arrested for violation of Section 23152 VC shall be processed in the same manner as a non-traffic misdemeanor arrest. A Traffic Notice to Appear shall not be issued for driving under the influence.

The investigating officer shall:

- When the juvenile is not detained, forward one copy of the arrest report and the court copy of the citation to Traffic Court Liaison, Traffic Coordination Section.
- When continued detention is deemed necessary, process the detained petition request, court copy of the citation, and related reports in the same manner as a detained petition request for any other charge.

346.45 JUVENILE OFFENSES INVOLVING ALCOHOL. Officers citing a juvenile for a violation of 23140(a) VC shall:

- Document probable cause for administering the Intoximeter EC/IR Test in the narrative section of a Traffic Notice to Appear or on a Continuation of Notice to Appear, if necessary;
- Write the corresponding citation number in the box entitled "DR NO." in the upper right corner of the completed Intoximeter EC/IR Operator Check List, Form 05.20.07;
- Attach the completed Form 05.20.07 to the Traffic Notice to Appear "court copy" (green), and forward it to the appropriate Juvenile Traffic Court; and,
- Release the juvenile to a parent or guardian.

Note: Section 23140(a) VC does not require a Field Sobriety Test (FST); however, should an officer administer an FST, the results of the FST shall be documented on a Driving Under the Influence Arrest Report (Continuation), Form 05.02.05. The completed Form 05.02.05 shall include the corresponding citation number in the upper right corner in the box entitled "DR" and be attached to the Traffic Notice to Appear "court copy" (green) and forwarded to the appropriate Juvenile Traffic Court. Enforcement of Section 23140(a) VC does not preclude the enforcement of 23152(a) VC, Driving Under the Influence of Alcohol or Drugs.

347. TRAFFIC CASES INVOLVING PUBLIC TRANSPORTATION.

347.10 TRAFFIC VIOLATIONS BY PUBLIC TRANSPORTATION VEHICLES. When an officer observes a citable traffic violation committed by the operator of a vehicle subject to the jurisdiction of the Department of Transportation, the MTA, or any municipal bus line, the officer shall, if appropriate, complete a Traffic Notice to Appear (Citation).

When practicable, buses should be allowed to proceed to the next regular stopping point before enforcement action is taken. A bus shall not be detained any longer than is necessary to complete the citation. All other public transportation vehicles shall be stopped at the nearest available parking space.

Note: The Department of Transportation has jurisdiction over motor buses, private school buses, sightseeing buses, charter buses, taxicabs, automobiles for hire, and private ambulances.

347.30 CITING PROCEDURES - PUBLIC TRANSPORTATION VEHICLES. When a citation is issued to the operator of a public transportation vehicle or a vehicle subject to the jurisdiction of the Department of Transportation, it shall be completed in the normally prescribed manner.

347.80 ARREST OF PERSON OPERATING PUBLIC TRANSPORTATION VEHICLE. If a person operating a vehicle under the jurisdiction of the Department of Transportation, the SCRTD, or a municipal bus line, is taken into custody and no other crew member is available, the arresting officer shall:

- Notify the concerned company dispatcher, if available; and,
- Remain at the scene until an authorized person takes charge of the vehicle.

349. TRAFFIC VIOLATIONS INVOLVING POST OFFICE EMPLOYEES.

349.05 POST OFFICE VEHICLES - DEFINED. Post Office vehicles, as used in this section, shall include all publicly or privately owned vehicles operated by the United States Post Office for the purpose of, and while engaged in, the transportation, delivery or pick-up of United States mail.

349.20 TURNING EXEMPTIONS - POST OFFICE EMPLOYEES. Operators of Post Office vehicles on scheduled routes shall be exempt from the provisions of special signs regulating street turning movements. This exemption shall not apply when one-way streets are affected.

349.40 CITING PROCEDURE - POST OFFICE EMPLOYEES. When an officer observes a citable traffic violation committed by the operator of a Post Office vehicle, the officer shall, if appropriate, complete a Traffic Notice to Appear, Form 04.50.00 (Citation). The defendant shall be requested to sign the citation. The citing officer shall complete the Traffic Notice to Appear in the normally prescribed manner.

Note: Operators of government owned or leased mail trucks are not required to hold a State of California driver's license while so engaged. (Vehicle Code Section 12501a).

349.60 PHYSICAL ARREST OF POSTAL, EMPLOYEES (Manual Section 4/216.60).

349.80 PARKING VIOLATIONS - POST OFFICE VEHICLES (Manual Section 4/384.70).

354. TRAFFIC VIOLATIONS.

354.05 TRAFFIC VIOLATIONS ON ROADWAYS IN PUBLIC PARKS. Traffic violations occurring on a roadway in a public park, other than Riverside Drive or the Pasadena

Freeway, shall be cited with the appropriate Los Angeles Municipal Code sections. Only those sections of the Vehicle Code which apply to private property are applicable to violations in public parks.

354.10 FALSE INFORMATION TO PEACE OFFICERS. An officer engaged in enforcement of the Vehicle Code (VC) who becomes aware that a person has knowingly provided false information may arrest and book for Section 31 VC under the authority of Section 40302(a)VC. Additionally, other felony/misdemeanor crimes may be applicable and ought to be considered when booking an arrestee who misrepresents himself or herself to a law enforcement officer.

Note: Section 31 VC cannot be written on a Traffic Notice to Appear, Form 04.50.00.

False Personation, Sections 529, 530, or 530.5 of the California Penal Code (CPC) can result when an officer issues a citation to a person who willfully misrepresents himself or herself. If a citation is completed, or a Traffic Crash Report, CHP 555 FORM Set, is completed with someone misrepresenting himself or herself, and is subsequently arrested and booked for False Personation, the responsibility to conduct a follow-up investigation and/or criminal filing is with the bureau of occurrence's traffic division, Traffic Detective Section (TDS). If no Traffic Crash Report was completed, and/or no citation was issued, and an arrest for False Personation is made, the responsibility for the follow-up investigation and/or criminal filing is with the Area detectives.

Note: When issuing a Traffic Notice to Appear to a person with no form of identification in his or her possession, obtain a thumbprint on both the green copy and the goldenrod copies of the citation. California Vehicle Code Section 40303 (a) allows officers to obtain a thumbprint on the traffic violator's citation when no satisfactory form of identification is presented.

Officers shall cancel a citation (Traffic Notice to Appear) on which false information was recorded by completing a Citation Cancellation Request, Form 04.45.00, and document the canceling of the citation in the narrative of the Arrest Report, Form 05.02.00. Any additional violations listed on the canceled citation shall also be documented in the narrative of the Arrest Report as additional filings. A photocopy of the canceled citation shall be included as a page of the Arrest Report.

354.24 CITATIONS ISSUED FOR ILLEGAL USE OF SIREN. When a citation is issued for Illegal Use of Siren, Vehicle Code Section 27002, the citing officer shall complete an Employee's Report, Form 15.07.00, in triplicate, containing the details of the offense. This form shall be forwarded to the Commanding Officer, Counter Terrorism and Special Operations Bureau.

354.30 COURT APPEARANCE BY OFFICER IN SPEED CASES. When an officer is subpoenaed to court in connection with a case involving a speed violation, he/she shall be prepared to:

- Establish the speed zone qualifications at the location in question by testimony concerning the legal posting on the highway, or in the absence of such posting, by a house or business count; and,
- Completely describe the speed zone signs as to size, shape, and wording, when the posting is to be used as the sole means of establishing the speed zone.

354.35 APPREHENSION FOR RECKLESS DRIVING. When a violator is apprehended for Reckless Driving, Vehicle Code Section 23103, the essential elements and the location of each count shall be included in the Complaint Application, Form 05.15.00, or when an arrest is made, in the Arrest Report, Form 05.02.00. When a citation has been started or issued for any of the violations, a Citation Cancellation Request, Form 04.45.00, shall be completed.

354.38 CITATIONS ISSUED FOR NO BICYCLE LICENSE.

Citing Procedure-General. A citation for violation of 26.01 L.A.M.C. (Unlicensed Bicycle) shall not be issued if the owner produces a valid California Bicycle License Application (pink copy) for the bicycle.

The name and address of the Los Angeles police station nearest the residence of the violator where bicycle licenses may be obtained shall be included in the notes of a citation issued for failure to have a bicycle license.

Citing Procedure - Juvenile. An officer issuing a citation to a juvenile for violation of 26.01 L.A.M.C. shall instruct the juvenile to:

- Have the bicycle licensed at a Los Angeles police station or in the jurisdiction of residence; and,
- After licensing, if there are no other violations cited, have the bicycle inspected at a Los Angeles police station prior to the appearance date indicated on the citation.

Processing of Citations-Juvenile. Officers licensing or inspecting a bicycle shall determine whether:

- The only violation cited is 26.01 L.A.M.C.
- The bicycle was properly licensed and inspected prior to the appearance date indicated on the citation.

If these two conditions are met, the officer shall:

- Retain the violator's copy of the citation;
- Inform the violator that an appearance in Juvenile Traffic Court is not required, unless otherwise notified by the court;
- Record the date, the bicycle license number, the agency licensing, and name and division of assignment on the back of the violator's copy of the citation; and,
- Forward the citation to the Juvenile Traffic Court, 1945 South Hill Street, Los Angeles, Attention: Court Liaison Unit.

If the citation has been issued for violations in addition to 26.01 L.A.M.C., or if the bicycle has not been properly licensed and inspected prior to the court appearance date, the juvenile shall be instructed to retain the copy of the citation and appear in the Juvenile Court, Traffic Division, as specified on the citation.

Citing Procedure-Adult. An adult issued a citation for violation of 26.01 L.A.M.C. shall be instructed to have the bicycle licensed at a Los Angeles Police station or in the jurisdiction of residence, prior to making the appearance indicated on the citation.

354.40 TRAINS BLOCKING MOVEMENT OF TRAFFIC.

Whenever a train blocks the movement of traffic upon a street for more than ten minutes a Complaint Application, Form 05.15.00, may be completed. The Complaint Application may be submitted to a supervisor for approval.

Officer's Responsibilities. When completing a Complaint Application the officer shall include, when practicable:

- The date, time and exact location of occurrence (including the name of the blocked streets);
- The name of the railroad involved, including the numbers of the locomotive and caboose;
- The name(s) of the engineer and/or the conductor and their stated reason, if any, for the delay;
- The name(s) and phone number(s) of witness(es) and/or person(s) reporting; and,
- The duration of the delay during which the train blocked the movement of traffic.

(State Public Utilities Commission General Order No. 135).

Exception: Officers shall not submit a Complaint Application when:

- There are no vehicle(s) or pedestrian(s) waiting;
- The train is moving continuously in the same direction; or,
- The train is stopped because of State and/or Federal laws, terrain and/or physical conditions, adverse weather conditions, conditions rendering the roadbed or track unsafe, mechanical failures, train accidents, or other occurrences over which the railroad has no control.

Records Supervisor's Responsibilities. Records supervisors shall:

- Ensure that all Complaint Applications for trains blocking movement of traffic receive a Division of Records (DR) number; and,
- Forward the Complaint Application to the responsible traffic division.

Traffic Division, Traffic Detective Section, Detective's Responsibilities. Traffic detectives section investigators shall:

- Review the Complaint Application;
- Ensure that the Complaint Application meets the Los Angeles City Attorney's filing requirements; and,
- Present the Complaint Application to the Los Angeles City Attorney's Office for filing.

360.VEHICLE EQUIPMENT VIOLATIONS.

360.30 CITATIONS ISSUED FOR DEFECTIVE EQUIPMENT. When a Traffic Notice to Appear (citation) is issued for defective motor vehicle equipment, the driver of the vehicle shall be advised to secure an equipment inspection prior to appearing in answer to the citation. Inspection services may be obtained for:

- Brakes or headlights; from an official light or brake inspection station; and,
- Equipment other than brakes or headlights: from a Los Angeles County Sheriff's inspection station or a California Highway Patrol (CHP) inspection facility.

360.35 CERTIFYING CORRECTIONS. Officers (other than those assigned to the Specialized Enforcement Unit and Motor Training Unit, Emergency Operations Division) shall not certify (sign off) violations as being corrected. Driver's license and registration violations may be certified as corrected by the Department of Motor Vehicles or any clerk of a court. Equipment violations may be certified as corrected as noted on the reverse of the Notice to Appear, Form 04.50.00, violator's (white) copy.

372. TRAFFIC SIGNS AND DEVICES.

372.05 ENFORCEMENT WHEN TRAFFIC SIGNS NOT LEGIBLE AND VISIBLE. A citation shall not be issued if, at the time of a violation, any required official sign or marking is not in place and sufficiently legible and visible to be seen by an ordinarily observant person. (Los Angeles Municipal Code Section 80.10).

372.10 LEGALITY OF TRAFFIC SIGNS AND MARKINGS. When enforcing traffic laws, employees shall presume that any posted official sign or marking has been legally placed and established.

372.20 EMERGENCY PARKING REGULATION SIGNS. Persons or organizations requesting emergency parking regulation signs shall be referred to the Los Angeles Department of Transportation.

372.25 DEFECTIVE TRAFFIC SIGNS AND SIGNALS. Employees observing or receiving information that any official traffic control device is defective, damaged, or missing shall:

- Immediately notify the communications control operator;
- When conflicting directions are displayed by the traffic signals, adjust the lights to appear flashing red or take other action to eliminate the hazard; and,

- When a hazard cannot be corrected, or a possibility of conflict is present, manually direct traffic or secure uniformed personnel to direct traffic.

When a traffic signal repair person is at the scene of a defective traffic signal, the decision as to whether the signal is to be turned off shall be made by the repair person.

372.28 DEFECTIVE PARKING METERS. Employees observing or receiving information concerning a parking meter in need of repair or replacement shall, without delay, notify the desk officer of the geographic Area in which the meter is located. The notification shall include the location and the serial number of the parking meter. When a parking meter, or its parts or contents, is booked into the custody of the Department, the notification shall also include the classification of property (Evidence or Non-evidence), the DR number, and the location where the property is held.

Parking Meter Log. The desk officer, when notified of a parking meter in need of repair or replacement, or that a parking meter, or its parts or contents, has been booked, shall record in the Parking Meter Log the time of reporting and the information given him/her by the reporting officer for later reference by Traffic Department repair persons.

372.35 REQUESTING INSTALLATION OF SIGNS, SIGNALS, AND MARKINGS. An employee requesting installation of a sign, signal, or markings shall submit an Employee's Report, Form 15.07.00, to his/her immediate superior officer. When approved, the report shall be forwarded through channels, to Traffic Coordination Section.

372.40 USE OF FLARES. Use of flares shall be limited to protecting the scene of a traffic crash or other emergency occurrence on a traffic-way.

378. INTERSECTION CONTROL.

378.20 EMPLOYEE'S POSITION IN INTERSECTION. The following factors shall be considered in choosing the position to be taken by an officer at an intersection:

- Personal safety.
- Visibility of traffic.
- Non-obstruction of traffic.
- Ability to effect necessary control.
- Accessibility to persons wishing information.

378.40 USE OF WHISTLE FOR INTERSECTION CONTROL.

Signal Changes. The whistle shall be used in conjunction with electric traffic signal changes only when necessary.

Full Manual Control. When in full manual control of an intersection, an employee shall use the whistle to supplement arm signals used for stopping and starting the flow of traffic.

Warning. Short, rapid whistle blasts may be used to gain attention or to prevent violations.

378.60 PERSONS REQUESTING INFORMATION AT INTERSECTIONS. Motorists or pedestrians requesting information shall be directed to a place of safety before being given such information.

378.80 ORAL DIRECTIONS AT INTERSECTION. Employees shall not shout directions which can be given by proper manual signals.

384. PARKING CONTROL.

384.05 ISSUANCE OF PARKING VIOLATION WARNINGS. Warning of Parking Violation, Form 04.10.00, shall be issued in lieu of citations for a period of not less than three, nor more than, seven days:

- When new parking regulations become effective; or,
- When parking regulations already in effect have not been enforced for an appreciable length of time and enforcement is resumed; or,
- When a vehicle appears to be abandoned.

Exception: This section does not pertain to temporary or emergency parking regulations.

384.15 RESTRICTED PARKING ZONES - ENFORCEMENT. When a citation is issued for parking in any of the following types of zones, the citing section shall be "Los Angeles Municipal Code 80.56":

- White passenger loading zones stenciled "Passenger Loading Only."
- Yellow loading zones stenciled "Loading Only."
- Green parking zones stenciled "Passenger Cars Only-15 Minute Limit."
- Red zones stenciled "No Standing."

Subsections of Los Angeles Municipal Code Section 80.56 shall not be shown on the citation, but the specific violation shall be identified by indicating in the notes on the citation the color of the zone.

384.20 WHITE, YELLOW, AND GREEN ZONES - ESTABLISHMENT AND REPAINTING. Persons who request information on the establishment or repainting of white, yellow, or green parking zones, shall be referred to the Department of Transportation.

384.25 ANGLE PARKING. Citing employees shall be alert for unnecessary violations of regulations requiring parallel parking. While consideration may be given to the necessity for angle parking when loading or unloading merchandise of such size and weight that parallel parking would unreasonably aggravate the process, such consideration shall not be based upon mere convenience.

384.30 COMMERCIAL VEHICLES DEFINED. For purposes of enforcing traffic regulations, the following shall be considered commercial vehicles:

- All motor vehicles bearing California commercial license plates; and,
- All motor vehicles bearing a "Commercial Vehicle Identification Permit" issued by the Board of Traffic Commissioners, pursuant to Los Angeles Municipal Code Section 80.60.1.

384.35 PARKING ON PRIVATE PROPERTY WITHOUT PERMISSION. The name and address of the complainant shall be included in the notes on a citation issued for illegal parking on private property.

384.45 SEARCHLIGHT, GENERATOR, AND FLOODLIGHT UNITS - PARKING ENFORCEMENT. Employees initiating enforcement action against persons maintaining illegally parked searchlight, generator, or floodlight units shall complete a Complaint Application, Form 05.15.00, which shall include:

- The name of the offender (person in charge of, or operating, the equipment at the time the violation occurred);
- The name of the owner of the equipment; and,
- A statement of the offender, when present, as to whether he/she was instructed to park the equipment in that specific place.

384.50 OPERATING SEARCHLIGHT, GENERATOR, OR FLOODLIGHT WITHOUT PERMIT. If a person operating a searchlight, generator, or floodlight unit on the street is unable to establish that he/she has obtained a permit, officers shall contact the concerned geographic uniformed division to ascertain whether the person has an effective permit. If the person does not have an effective permit, a Complaint Application, Form 05.15.00, shall be completed and shall include:

- The name of the offender (person in charge of, or operating, the equipment at the time the violation occurred;)
- The name of the owner of the equipment; and,
- A statement of the offender as to whether he/she was informed that a permit for the vehicle was or was not obtained.

384.55 TIRE MARKING. When a tire is marked with chalk or crayon, the mark shall be made across the tread area of the tire.

384.60 COMPLETING ABSENTEE PARKING CITATION. The following procedures shall apply to the completion of absentee parking citations:

Citation Books. The completion of the absentee parking citation shall consist of completing all applicable items through the violation section of the citation. Officers shall refer to the Los

Angeles Department of Transportation (LADOT) citation reference card to ensure that the proper abbreviations and codes are entered on the citation.

Note: Officers shall enter their unit designation (e.g. 12A53, 3X62, etc.) in the space marked "Beat No."

Overtime Parking. A citation issued for overtime parking shall include the time of the start of the check, immediately above the time of issuance.

Return of Operator. If the operator of the concerned vehicle is present at any time during the issuance of an absentee parking citation, the notes of the citation shall so indicate. The completed citation shall be attached to the vehicle.

Citation Corrections. Corrections on the absentee citation may be made prior to issuance if an error is made in other than the vehicle identification or violation portions and only by legibly writing over the error. Illegible corrections shall cause the citation to be canceled and a new citation issued. Strikeovers shall not be used to correct a citation and changes shall not be made after the citation has been issued.

Note: The Form 04.07.00 shall not be used to correct an absentee citation.

Canceling Citations. An absentee parking citation shall be canceled and a new citation issued when an error is made in the vehicle identification or violation fields of the citation. When it is necessary to cancel an absentee parking citation, employees shall be guided by Manual Section 4/326.

384.65 BOARD OF EDUCATION VEHICLES. The following described windshield card is used by Assistant Supervisors of Attendance, Board of Education, while parked in front of schools for the purpose of delivering or picking up absentee students. When displayed in the windshield of a vehicle parked in front of a school, the card shall be accepted as indicating that the vehicle is actually engaged in loading or unloading. The card is white cardboard, eight by nine inches, and bears the following information:

- Identifying code letter and number.
- Board of Education gold seal.
- Make of car.
- License number of car.
- Owner.
- Occupation.
- Black lettering reading "Los Angeles City Board of Education. This is now being used to enforce the provisions of the School Code pertaining to compulsory school attendance."
- Signed by the Head Supervisor.
- Approved by the Deputy Superintendent of Schools.

384.70 POST OFFICE VEHICLES. Post Office Vehicles (Manual Section 4/349.05), while delivering or picking up mail, may be permitted to park in any of the following places:

- In any red zone or white passenger loading zone.
- In the Central Traffic District during prohibited hours.
- In front of a fire hydrant, when the doors of the vehicle are not locked.
- In crosswalks, when permission has been granted by this Department with reference to a specific location.
- Double parking, when no legal parking space nor any of the foregoing places are available within 150 feet of the driver's destination.

385. PARKING DEPARTMENT VEHICLES.

385.20 LOCKING DEPARTMENT VEHICLES. Unless it is impractical, an employee shall securely lock a Department vehicle when leaving it parked on the street or other public places.

When an employee parks a Department vehicle and leaves it unlocked and unattended, he/she shall remove all dangerous or valuable equipment that is not securely attached to the vehicle.

387. CALIBRATING SPEEDOMETERS.

387.10 SPEEDOMETER CALIBRATIONS OF DEPARTMENT VEHICLES.

Speedometers of Department vehicles used to enforce the provisions of the Vehicle Code shall be calibrated semi-annually, and the information entered on three copies of the Speedometer Calibration Record, Form 11.30.00. (For distribution, see Manual Section 5/11.30-80).

The location and method of the calibration of speedometers shall be determined by the Commanding Officer, Motor Transport Division.

TRAFFIC CRASHES

405. TRAFFIC CRASH TERMINOLOGY.

405.10 TERMS AND DEFINITIONS. The following terms and definitions shall apply to the investigation and reporting of traffic crashes:

Traffic Crash. A traffic crash is an unintentional occurrence in which the movement of a conveyance causes death, injury, or property damage.

Note: Accidents involving conveyances being used as industrial machinery or engaged in authorized sporting events are not traffic crashes.

Conveyance. A conveyance is any device by which persons or property may be propelled, moved, or drawn from place to place. Included are motor vehicles, trains, animals under human control, and bicycles.

Trafficway. A trafficway is a publicly maintained route open to the use of the public for the purpose of vehicular and pedestrian travel, extending from property line to property line, including sidewalks, parkways, and roadways. Highway, street, and trafficway are synonymous.

Note: A private road shall be considered a trafficway when it is open to through public travel and joins at each end with a trafficway.

Roadway. A roadway is that portion of a trafficway ordinarily used for vehicular travel only.

Non-Trafficway. A non-trafficway is public or private property of a type neither designated nor normally used as a trafficway.

City Property Involved. A traffic crash is "City Property Involved" when one or more of the following is involved:

- A City employee acting within the scope of his employment.
- Damage to property owned, maintained, or contracted by the City.
- Any possibility of City liability resulting from the actions of any involved party being influenced by City property or a City employee acting within the scope of his employment.
- Water in the roadway other than from precipitation run off.

Note: Investigating officers shall identify the source of the water and determine how it may have contributed to the crash.

Injury. Injury is any bodily harm that is in need of first aid or the attention of a physician. It is not necessary that treatment or first aid be received. An injury need not be apparent, but may be a complaint of pain without visible signs of injury.

Party. A party is a driver of a conveyance, the last driver of a parked or unattended vehicle, or a pedestrian who is directly involved in a traffic crash.

Witness. A witness is any person, other than a party, who has any pertinent information regarding a traffic crash.

Property-Other. Property, other than conveyances, which sustains damage as the result of a traffic crash shall be considered "property-other."

410. PRELIMINARY PROCEDURES AT SCENE OF TRAFFIC CRASHES.

410.05 DUTIES OF FIRST OFFICER ARRIVING AT SCENE. The first officer to arrive at the scene of a traffic crash shall:

- If necessary, summon an ambulance.
- If necessary, render first aid.
- Protect involved vehicles, personal property, and persons using the trafficway (Manual Section 4/208.10).
- Notify the CHP, via Communications Division, when the location is within the CHP's area of responsibility.

410.15 INVESTIGATION - RESPONSIBILITY OF ASSIGNED UNIT. A unit assigned a traffic crash call shall be responsible for completing the investigation and the necessary reports unless advised by the communications control operator that the call has been reassigned or canceled.

An officer investigating a traffic crash shall ensure that a supervisor is dispatched to the scene when an accident involves:

- On-duty Department personnel and results in death or serious injury to any involved person.
- An aircraft accident results in death, serious injury, or extensive property damage.
- Other circumstances which indicate the need for immediate follow-up investigation.

412. MULTI-DISCIPLINARY COLLISION INVESTIGATION TEAM. The Multi-Disciplinary Collision Investigation Team (MCIT) is responsible for critical traffic investigations, traffic reconstruction and teaching collision investigation schools. The MCIT shall also respond to and handle the following incidents:

- Any traffic crash that results in a suspected serious injury or fatal injury **and** involves a City-owned or a City-mileage vehicles or was influenced by City property or a City employee acting within the scope of their employment **and** has substantial City liability;

Note: Suspected serious injury is defined as a serious, incapacitating injury which normally requires hospitalization, other than for observation, and prevents the victim from walking or driving.

- Any major unusual traffic occurrence, when requested by the concerned traffic division watch commander and approved by the Officer in Charge (OIC), Traffic Coordination Section (TCS), with the concurrence of the Commanding Officer, Traffic Group; or,
- Any request by a commanding officer, with the approval of the Commanding Officer, Transit Services Bureau.

The traffic division watch commander or on-call traffic division detective of the concerned geographic bureau must contact the OIC, TCS, for approval prior to requesting the MCIT.

Note: When TCS is closed, the Department Operations Center (DOC) shall be notified and requested to contact the on-call MCIT supervisor assigned to the TCS. Upon notification of an MCIT incident, DOC shall initiate the MCIT notification process. In the event of an MCIT call-out, the MCIT supervisor shall request that DOC coordinate the response of the aforementioned personnel. The MCIT supervisor may call upon resources from the respective geographic traffic division, as needed, to assist in various aspects of an investigation.

Multi-Disciplinary Collision Investigation Team. The overall MCIT is comprised of the following personnel:

- (2) Commanding Officer, Transit Services Bureau and Traffic Group;
- (1) Lieutenant II, Officer in Charge (OIC), MCIT;
- (1) Sergeant II;
- (5) Detective II;
- (4) Police Officer III; and,
- (1) Automotive Supervisor or higher rank supervisor designated by the Commanding Officer, Motor Transport Division, as an adjunct member.

The OIC of MCIT, the Commanding Officer of Traffic Group, and the department Traffic Coordinator will assess each incident to determine the appropriate response of MCIT personnel based on the specific facts of the incident. The Commanding Officer of Transit Services Bureau may deviate from the criteria and response guidelines listed above as deemed necessary and based on articulable circumstances.

Multi-Disciplinary Collision Investigation Team Responsibilities. The MCIT is responsible for the following:

- Completing critical traffic crash investigations;
- Imaging a vehicle's Event Data Recorder and Power Control Module;
- Conducting follow-up investigations;
- Conducting compelled interviews of Department employees when applicable and in accordance with Government Code Section 3300;

Note: Prior to conducting the compelled interview, the MCIT interviewer shall ensure that the involved employee(s), when practicable, review the relevant Digital In-Car Video System footage captured during the incident, consistent with Department Manual Section 3/579.13, as well as the relevant Body Worn Video footage, consistent with Department Manual Section 3/579.15.

- Conducting recorded interviews of all involved parties;
- Conducting recorded interviews of all witnesses;

- Conducting vehicle examinations;
- Filing cases with the District or City Attorney's Offices;
- Handling all traffic crash reconstructions;
- Handling arrests and bookings, any follow-up investigation and criminal filing for a critical traffic crash only when it involves a traffic related crime(s) and/or when all connected reports are traffic-related;
- Presenting the facts and evidence of the traffic crash at the Chief of Police 72-Hour Briefing; and,
- Teaching Department collision investigation traffic schools.

415. TRAFFIC CRASH REPORTING REQUIREMENTS.

415.05 REPORTABLE TRAFFIC CRASH. A Traffic Crash Report, CHP 555 Form Set, shall be completed when a traffic crash involves one or more of the following:

- Fatality;
- Suspected Serious Injury;
- Hit-and-Run with Injury;
- City Property Involve with Possible City Liability; and,
- DUI.

Note: The investigation of school bus traffic crashes by officers of this Department shall be limited to those crashes that are within the Department's standard traffic crash reporting policy. Therefore, crash investigations shall be handled when the involved school bus was not transporting students or actively loading or unloading students at the time of the crash. Department personnel at the scene of a school bus traffic crash which is not the investigative responsibility of this Department shall notify the CHP and stand by until CHP personnel arrive. (See Department Manual Section 4/430.25).

415.07 CLASSIFICATION OF TRAFFIC CRASHES AND FORMS REQUIRED. An officer who is assigned to a traffic crash call shall conduct a preliminary investigation to determine whether the occurrence requires a Class II (minor) or Class I (in-depth) investigation.

- A Class II investigation requires completion of a Traffic Crash Report, CHP Form 555. If more space is required, a Narrative Supplemental, CHP Form 556, (officers may use the "checkbox narrative" format) shall be used; sketch diagram, paraphrased statements, if applicable, a Municipal Supplement, Form 04.03.01; and,
- A Class I investigation requires completion of the Traffic Crash Report, Narrative, Supplemental, photos, verbatim statements, scale diagram (unless a sketch diagram is approved by the concerned traffic division watch commander), and if applicable, a Municipal Supplement.

415.10 CLASS I TRAFFIC CRASH INVESTIGATION CRITERIA. A Class I Traffic Crash Investigation shall be conducted when a traffic crash investigated at the scene involves one or more of the following:

- Fatality;
- Severe Injury;
- Unbooked Driving Under the Influence driver (with complex circumstances);
- CPI with a possibility of City liability;
- Unusual incident as defined in Department Manual Section 4/214.50; and,
- Complex circumstances which cannot be adequately reported with a Class II Investigation.

415.15 CLASS II TRAFFIC CRASH INVESTIGATION CRITERIA. A Class II Traffic Crash Investigation shall be completed when a Class I investigation is not required.

415.20 PROPERTY DAMAGE ONLY (PDO) TRAFFIC CRASH. Officers will not be assigned these calls for service. In the event an officer encounters a PDO traffic crash, they shall shall:

- Assist in clearing the scene;
- Inform the involved parties regarding the requirement for submission of the State Form SR-1 to the Department of Motor Vehicles;
- Inform the involved parties that a Traffic Crash Report, CHP 555 Form Set is not required and will not be taken by the Department;
- Assess the crash and ensure the incident does not meet the Department's reporting criteria; and,
- Provide a Traffic Collision Information, Form 04.37.00, and advise parties to complete the form.

An officer receiving a community member request for police presence at the scene of a property damage only traffic crash shall use the criteria established for the reporting of traffic crashes (Department Manual Section 4/415.05) to determine if a traffic unit should be dispatched.

420. PARTIES AND WITNESSES TO TRAFFIC CRASHES.

420.05 INFORMATION TO PARTIES INVOLVED IN TRAFFIC CRASHES. An officer conducting an investigation of a traffic crash shall:

Traffic Crash Report CHP, Form 555.03.

- When practicable, give a copy of the CHP, Form 555.03 (complete or not) to all available parties.

Traffic Collision Information, Form 04.37.00.

- If no report is taken, or a copy of the CHP, Form 555 is not given, give a 04.37.00 to each party and verify that a correct exchange of information has been made.

- Leave a 4.37 with Property-Other parties when no CHP, Form 555 copy is available; e.g., two vehicle or pedestrian parties involved.

Advice on All Traffic Crashes.

- Refrain from suggesting that insurance rates will be affected by the reporting of the traffic crash.
- Refrain from indicating to the parties whether the property damage or injuries do, or do not, necessitate a report to the Department of Motor Vehicles as specified in Vehicle Code Section 16000. (Refer the parties to their insurance agents or to the local DMV office.)
- Refer parties wishing to obtain the Financial Responsibility Report, DMV Form SR1 to an insurance agent, automobile club, the Department of Motor Vehicles, or any police station.

420.10 SOBRIETY OF PARTIES TO A TRAFFIC CRASH. An officer investigating a traffic crash involving a suspected under-the-influence driver shall follow procedures prescribed in Manual Section 4/343.

420.15 ARMED FORCES PERSONNEL INVOLVED IN TRAFFIC CRASH. When Armed Forces personnel involved in a traffic crash are killed, or are injured to the extent that they require hospitalization, the investigating officer shall notify the Department Command Post, Department Operations Center (DOC). Armed Forces personnel shall include:

- Regular members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and reservists who are on active duty.
- Civilian employees of the Armed Forces while acting within the scope of their employment.

420.20 JUVENILES INVOLVED IN TRAFFIC CRASH. The following information shall be obtained when a juvenile is a party to a reportable traffic crash, or when a provable traffic violation on the part of a juvenile witness is established:

- Full name and address of natural mother and father, even if divorced; or if deceased, the name only.
- Name and address of step-parents.
- Name and address of legal guardian.
- Name and address of the juvenile's spouse.
- Name and address of a person with whom the juvenile is presently living, if other than any of the above.
- Juvenile's date of birth.

The applicable information shall be included in the appropriate traffic crash report.

420.25 TRAFFIC CRASH INVESTIGATION. When an on-duty officer observes or is notified by a community member of a traffic crash, the officer shall notify Communications

Division and conduct an assessment. If a traffic crash meets the Department's reporting criteria, the officer should advise Communications Division that a traffic unit is needed to respond to complete the report. When it is determined that the crash does not meet the reporting criteria, the community member should be directed to Community Online Reporting Service by the officer.

420.30 WITNESSING OFFICERS ASSIGNED A TRAFFIC CRASH INVESTIGATION.

When officers who have witnessed a *reportable* traffic crash (Manual Section 4/415.05) are assigned the investigation they shall:

- Complete the investigation and reports;
- List themselves as witnesses and include their statements in the traffic crash report; and,
- Use the traffic crash report to request prosecution for *all* violations witnessed by them or disclosed by the investigation.

Exception: A witnessing officer shall complete a Narrative Supplement, Form 556 when the crash involves a Department employee or vehicle (direct or by influence).

Note: Officers witnessing a *non-reportable* traffic crash involving a Vehicle Code violation may issue a traffic citation (Traffic Notice to Appear) or take other appropriate enforcement action.

420.35 ASSIGNMENT OF TRAFFIC CRASH CALL TO NON - WITNESSING OFFICER. When the investigation of a traffic crash witnessed by an officer is assigned to a non-witnessing officer, the investigating officer shall complete the investigation and, if necessary, the appropriate reports. If a traffic crash report is completed, the investigating officer shall:

- List the witnessing officer as a witness and include his/her statements in the traffic crash report.
- Obtain a completed Narrative Supplemental, Form from the witnessing officer when the accident involves a Department employee or vehicle.

Note: If a violation was observed, the witnessing officer may cite or take other appropriate enforcement action, or the investigating officer may use the traffic crash report to request prosecution for violations established by the investigation.

The traffic crash report shall be used to request prosecution of a person other than a driver arrested for misdemeanor driving under the influence when the elements of a traffic violation are established by either:

- Statements of a competent person; *or*
- A combination of statements and physical evidence, when no citation is issued.

Note: A traffic citation shall not be issued by an off-duty officer involved in or witnessing a traffic crash.

430. TRAFFIC CRASH INVESTIGATIVE AND REPORTING PROCEDURES.

430.05 REPORTING TRAFFIC CRASHES NOT INVESTIGATED AT SCENE. When a report is taken at a location other than at the original scene of a traffic crash, a desk officer or other officer assigned shall obtain the reporting person's name, date and location of the crash. After obtaining this information, the officer shall telephone the Crime and Miscellaneous Reports Section, Records and Identification Division, to determine whether the report is original or supplemental.

Original Report. When the report is an original, the report taken shall be the same as would be taken if the crash had been investigated at the scene (Department Manual Sections 4/415.10 and 4/415.15).

Exception: When no at scene investigation, officers shall not determine fault, per California Vehicle Code 20015. Primary Collision Factor (PCF) shall be "unknown." In addition, officers shall not complete "cause" headings.

Note: A crash investigation supervisor shall be contacted for advice prior to completing a Traffic Crash Report, CHP 555 Form Set, when the traffic crash involves death, an alleged traffic felony, a Department employee or vehicle, or any possibility of City liability.

Supplemental Report. When the report is supplemental and a statement of the reporting person is required, the officer shall complete a Narrative Supplemental, CHP Form 556, utilizing the original Division of Records (DR) Number.

430.10 DANGEROUS SUBSTANCES INVOLVED IN TRAFFIC CRASHES. When a traffic crash occurs involving radioactive materials, explosives, flammable substances, hazardous chemicals, or other dangerous materials, the officer at the scene shall:

- Keep all persons and conveyances at a safe distance from the substance, liquid run-off, or gaseous vapor;
- Immediately cause Detective Support and Vice Division to be notified in cases involving radioactive materials (Manual Section 4/214.25); and,
- Request assistance from the Fire Department in cases involving explosives, flammable substances, hazardous chemicals or other dangerous materials. In that request, officers shall provide the following:
 - Type of substance i.e., flammable, toxic, chemical, etc.;
 - Complete chemical name of the substance; and,
 - Whether substance is spilled or leaking.

Note: Caution must be exercised in the use of flares to protect the crash scene. Officers shall evaluate the circumstances to ensure that the flares do not inadvertently act as a source of ignition.

430.25 BICYCLES, ANIMALS, AND TRAINS INVOLVED IN TRAFFIC CRASHES.

The following are subject to traffic crash reporting requirements in the same manner as motor vehicles:

- Trains and animals, either ridden or driven, when on a trafficway.
- Bicycles, when on a roadway or a paved shoulder.

Exception: A traffic crash report is not required in cases involving only the element of a rider falling from a bicycle or animal.

Unattended animals injured or killed when involved with a moving conveyance on a trafficway shall be classified as "property-other."

Non-Trafficway Occurrence. A traffic crash report is not required when a bicycle, animal, or train is involved in a non-trafficway occurrence unless one of the following is also involved;

- City property.
- A moving motor vehicle and the occurrence qualifies as a reportable traffic crash (Manual Section 4/415.05).

430.26 LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY LINE INVOLVED IN A TRAFFIC CRASH IN THE CITY OF LOS ANGELES. In the event of a traffic crash involving a Los Angeles County Metropolitan Transportation Authority (LACMTA) conveyance, a Transit Services Division field supervisor shall respond and serve as a liaison between Los Angeles County Sheriff's Department (LASD) and LAPD traffic units and ensure a traffic crash investigation is completed. When a traffic unit is unavailable; or delayed, a patrol unit may be assigned to start the initial traffic crash investigation until the traffic unit becomes available to complete the Traffic Crash Report, CHP 555 Form Set. Commercial freight and passenger rail lines (such as Southern Pacific, Union Pacific, Amtrak, etc.) also operate within the City limits. Calls for service for these lines will be dispatched according to Department reporting criteria.

430.30 TRAFFIC VIOLATION INVOLVED. An officer shall complete a traffic crash report when investigation at the scene of a traffic crash establishes a provable traffic offense on the part of any person. The traffic crash report shall be used to request prosecution of a person other than a driver arrested for misdemeanor driving under the influence when the elements of a traffic violation are established by either:

- Statements of a competent person or persons; or,
- A combination of statements and physical evidence.

Note: No report is required when a citation is issued for a violation observed by an on-duty officer and the violation is the only requirement for a report.

430.37 TRAFFIC VIOLATION WITNESSED BY OFFICER AT SCENE OF TRAFFIC CRASH. An officer issuing a citation (Traffic Notice to Appear) for a traffic violation committed by a person involved in a traffic crash witnessed by the officer shall ensure that:

- All essential elements of the violation have been observed by the officer; and,
- No other requirement for a traffic crash report is present.

Note: A traffic citation shall not be issued by an off-duty officer involved in or witnessing a traffic crash. When applicable, prosecution may be requested by application for complaint or by use of the traffic crash report.

Reporting Procedure. A traffic crash witnessed by an officer does not require a traffic crash report when:

- A traffic violation committed by a person involved in the traffic crash is the only requirement for a traffic crash report; and,
- A citation has been issued for the violation.

430.38 DEPARTMENT MOUNTED UNIT INVOLVED IN TRAFFIC CRASH. Horses being used as part of the Department's Mounted Unit shall be considered as a CPI traffic crash when:

- The horse is being ridden by an on-duty officer and its motion causes injury or property damage; or,
- The horse is being transported between the boarding location and the location where the horse is to be used for City business and it causes or sustains damage or injury.

Note: If the horse is being used in a tactical situation, e.g., crowd control, and it causes injury, only an Injury Report, Form 03.15.00, is required. A deliberate act, i.e., thrown rock, resulting in movement of a horse which causes injury or damage is not a traffic crash. The appropriate crime report shall be completed.

430.40 ILLEGALLY PARKED VEHICLES INVOLVED IN TRAFFIC CRASH. An investigating officer initiating enforcement for an illegally parked, unattended vehicle involved in a traffic crash shall:

- Ensure that the violation is not a result of the traffic crash;
- Issue an absentee parking citation; and,
- Include the information regarding the citation in the traffic crash report.

Note: When a parking violation is the only requirement for a report and a citation is issued for the violation, a traffic crash report is not required (Manual Section 4/430.37).

430.45 PHOTOGRAPHS AT SCENE OF TRAFFIC CRASHES. An officer investigating a traffic crash shall cause photographs to be taken depicting damage or lack of damage, and other pertinent details when:

- Photographs would be of evidential value; or,
- Photographs would be of value in the traffic education program; or,
- City property is involved; or,
- A fatality or near-fatality occurs.

When a unit not equipped with a camera is assigned to investigate a traffic crash requiring photographs, a collision investigation unit shall be requested to take the photographs.

430.50 HIT - AND - RUN TRAFFIC CRASH. An officer shall conduct an investigation and complete an appropriate Traffic Crash Report, CHP 555 Form Set, when a hit-and-run felony has occurred.

Broadcasts. An officer at the scene of a felony hit-and-run traffic crash shall, without delay, obtain and broadcast any available description of the hit-and-run driver and conveyance.

Teletypes. A supervisor shall be contacted regarding the sending of a local teletype when a felony hit-and-run is involved. An investigating officer shall contact:

- A South Traffic Division supervisor when the crash occurred in South Bureau;
- A Central Traffic Division supervisor when the crash occurred in Central Bureau;
- A West Traffic Division supervisor when the crash occurred in West Bureau; and,
- A Valley Traffic Division supervisor when the crash occurred in Valley Bureau.

430.55 NON - CONTACT TRAFFIC CRASH. An incident shall be considered a non-contact traffic crash when it is alleged that an illegal or negligent act of any person not directly involved is the proximate cause of a traffic crash and an independent witness or other substantiates the involvement.

When a hit-and-run driver and/or vehicle has been identified, they shall be listed as a party on page one of the California Highway Patrol (CHP) Form 555, and the hit-and-run box shall be checked if applicable. If the traffic crash is reportable (Manual Section 4/415.05), the suspected person, when known, shall be listed on the traffic crash report as a party. Statements of persons substantiating the non-contact involvement shall be included in the traffic crash report.

430.60 IMPOUNDING VEHICLE INVOLVED IN TRAFFIC CRASH. An officer impounding a vehicle involved in a traffic crash shall follow procedures prescribed in Manual Section 4/220.

432. TRAFFIC CRASH INJURY CLASSIFICATION.

432.10 INJURY CLASSIFICATION - CRITERIA. Traffic crash injuries shall be classified as follows:

Fatal Injury: An injury that results in death as a result of injuries sustained in a crash, or an injury resulting in death within 30 days of the crash. The term fatal injury was previously classified as a "K" injury.

Note: The death of a fetus involved in a traffic crash will be documented as a fatal injury if the coroner classifies the injury as a death and attributes the death to the crash.

Suspected Serious Injury: A "Suspected Serious Injury," which was previously classified as an "A" injury, includes:

- Any serious incapacitating injury requiring hospitalization, other than observation;
- Any injury which prevents the victim from walking or driving;
- A broken or distorted extremity (arm or leg);

Note: A broken finger would not qualify as a suspected serious injury.

- Paralysis;
- Severe Laceration resulting in exposure of underlying tissue/muscles/organs or resulting in significant loss of blood;
- Crush injuries (crush injuries occur when force or pressure is put on a body part, which happens most often when part of the body is squeezed between two heavy objects);
- Severe burns (second or third degree burns over 10% or more of the body);
- Suspected skull, chest or abdominal injury other than bruises or minor lacerations; or,
- Unconscious when transported from the crash scene.

Suspected Minor Injury: A "Suspected Minor Injury," which was previously classified as a "B" injury, would include:

- Any visible injury other than a fatal or severe injury;
- Bruises, discoloration or swelling;
- Minor lacerations or abrasions; or,
- Minor burns.

Possible Injury: A "Possible Injury," which was previously classified as a "C" injury, would include:

- Internal, other non-visible injuries and fraudulent claims of injury;
- Momentary loss of consciousness;
- Parties who seem dazed, confused, or incoherent (unless behavior can be attributed to intoxication, extreme age, illness or mental infirmities);
- Parties who are limping or complaining of pain or nausea, but do not have visible injuries; or,

- Parties who say they want to be listed as injured, but do not appear to be injured.

Any injuries listed on the Traffic Crash Report, CHP 555 Form Set, shall be restricted to those resulting from the crash. Any injury sustained prior to, or subsequent to, the crash shall be explained in the "Remarks" section of the Traffic Crash Report, CHP 555 Form Set.

432.20 INJURY CLASSIFICATION - RESPONSIBILITY. Injury classification shall be determined by the reporting officer on the basis of information available at the scene of the crash or at the time of the initial follow-up at a medical facility. Injury classification shall not be changed on any copy of the original traffic report after the report has been distributed.

Note: A field officer who receives a death notification after the distribution of the Traffic Crash Report, CHP 555 Form Set, shall not change the injury classification.

433. COMBINED TRAFFIC COLLISION AND ARREST REPORT.

433.05 TRAFFIC RELATED ARREST - DEFINED. A traffic related arrest is an arrest for which the follow-up investigation is the responsibility of Traffic Division Collision Investigation Sections (Manual Section 2/535.20).

433.10 REPORTING OFFICER RESPONSIBILITY. Officers conducting a Class I Traffic Crash investigation which results in a traffic-related arrest shall combine the reporting of the incident. The combined traffic collision and arrest report shall consist of:

- An Arrest Report, Form 05.02.00;
- A Class I Traffic Crash Investigation, CHP Forms 555, 556, and Municipal Supplement 4.03.1; and, if applicable,
- A Driving-Under-The-Influence (DUI) Arrest Report Continuation, Form 05.02.05.

Note: Supervisors may approve completion of the arrest and traffic collision reports separately, when unusual circumstances make the use of the combined reporting procedure impractical. When the combined reporting procedure is not used, the traffic crash report and the arrest report shall be approved by the same supervisor.

433.15 COMPLETION OF THE REPORT

Arrest Report. All reports shall be completed in the usual manner except that the Arrest Report, Form 05.02.00, shall be modified as follows:

- "Combined Traffic Collision/Arrest Report" shall be written in the top right margin.
- The "Crime Report Box" shall be checked.
- In the "Victim's Name Box," the name of an injured person other than Party 1 shall be entered.

Note: If there are no injuries, the name of Party 2 shall be entered in the "Victim's Name Box."

- "See Traffic Crash Report" shall be written in the "Involved Persons Section."
- The only entries in the "Combined Crime Report Section" shall be "Traffic" in the "Type of Offense Box," and the appropriate information in the "Date and Time Crime Occurred Box."

The DUI Continuation, if used, shall bear the notation "See Traffic Crash Report" in the "Narrative Section."

Arrest Narrative. The arrest narrative shall be written in the "Remarks" heading of the Traffic Crash Report. The circumstances of the arrest will be recorded in the usual manner including headings for:

- Source of activity;
- Investigation;
- Observations;
- Arrest;
- Injuries;
- Booking;
- Evidence;
- Photographs; and,
- Additional Information.

Corrections. Subsequent to the distribution of the report by the Area records unit, corrections shall be made on the Narrative Supplemental CHP, Form 556.

Exception: If the "Charge" indicated on the Arrest Report is to be changed, the Follow-Up Investigation Form 03.14.00, shall be used.

Numbering Combined Traffic Collision and Arrest Report Pages. The pages of the traffic collision and arrest portions of the combined traffic collision and arrest report shall be numbered separately.

A complete Class I Traffic Crash Report shall be completed and pages numbered in the normal manner.

The arrest report pages shall be numbered as follows:

- Arrest Report, Form 05.02.00 shall be numbered page 1.
- When applicable, the Driving-Under- The-Influence (DUI) Arrest Report Continuation, Form 05.02.05, shall be numbered pages 2 and 3.

Note: Any additional forms such as, the IR 3000 DFC Operator Checklist, Form 05.20.07, or forms associated with Administrative Per Se Order of Suspension shall be attached to the arrest pages and numbered consecutively.

433.20 SUPERVISOR'S RESPONSIBILITY. When the arrest is for a felony, a supervisor from the concerned traffic division shall approve the combined traffic collision and arrest report and all other reports related to the incident. When the arrest is for a misdemeanor, a supervisor from the Area of occurrence may approve the report and any related reports.

Note: If separate reports are completed, both the traffic collision and the arrest report shall be approved by the same supervisor (Manual Section 4/433.10).

Supervisors shall ensure that the combined traffic collision and arrest report is processed as specified in Department Manual Sections 4/415, 4/420, 4/433, 4/440, 5/5.1, and 5/5.2.

435. TRAFFIC DEATHS.

435.05 PROCEDURE AT SCENE OF FATAL TRAFFIC CRASH. An officer assigned to investigate a traffic crash which resulted in a death shall:

- Immediately request the communications control operator to dispatch a traffic supervisor. If a traffic supervisor is not available, request a patrol supervisor.
- Allow no one to search the body, except Coroner's deputies and obtain a receipt from the Deputy Coroner when personal effects are removed from the body.
- Contact a traffic supervisor for advice before releasing drivers involved in the traffic crash.
- Cause photographs to be taken of the victim at the scene.

Note: If the deceased died as a result of a traffic crash, officers may search the body for a universal donor's card only. That card is normally attached to or kept with the driver's license.

435.10 REPORTING TRAFFIC DEATHS. The officer originally charged with the investigation of a traffic crash shall be responsible for completing a Death Report, Form 03.11.00, for a death resulting from a traffic crash when the victim is dead at the scene or dies while the officer is on the same tour of duty.

Investigating Officer Not Available. When the officer originally charged with the investigation has reported end of watch, the death report for a death resulting from a traffic crash shall be completed by the concerned bureau collision investigation follow-up unit.

435.15 NOTIFICATION TO NEXT OF KIN OF DECEASED TRAFFIC VICTIM. The officer assigned to the initial investigation of a fatal traffic crash shall cause the deceased person's next of kin to be notified. Whenever practicable, notification shall be made in person by the investigating officer. If the next of kin lives in another Area, a police unit of that Area shall be requested to make a personal notification. The Coroner shall be requested to make the notification if the deceased person's relatives live outside the City.

Generally, an in-person notification is the preferred method of informing the next of kin of a death. However, circumstances may indicate a need for an alternative method of making such a

notification (e.g., telephonically). Officers should use their best judgement in making a determination as to the method of notification to the next of kin of a deceased person.

437. COLLISION INVESTIGATION FOLLOW - UP.

437.10 FOLLOW - UP INVESTIGATING OFFICER'S RESPONSIBILITY. When notified that a traffic crash has occurred, the concerned investigating officer shall determine whether immediate follow-up investigation is required. When appropriate, he/she shall respond and direct the investigation.

437.20 OFFICER IN CHARGE OF THE TRAFFIC DETECTIVE SECTION - RESPONSIBILITIES. The officer in charge of the traffic detective section shall forward a roster of on-call investigating officers to Department Operations Center, on a weekly basis.

440. CITY PROPERTY - INVOLVED TRAFFIC CRASH.

440.10 DUTIES OF EMPLOYEES INVOLVED IN TRAFFIC CRASH. When employees, or Specialist Volunteers, Police Cadets and Reserve Officers, become directly involved in or participate in events leading to a City Property Involved (CPI) traffic crash while operating or riding in City-owned vehicle or acting within the scope of their official duties, they shall:

- Notify their watch commander or officer in charge (OIC) of the traffic crash, who will ensure that a unit and a supervisor are assigned to respond;
- If unable to notify their watch commander or OIC, immediately request a Communications Division operator to dispatch a collision investigation unit and a supervisor to the scene (Manual Section 3/206);
- Cooperate with the concerned investigative officers dispatched to the scene. When investigating officers are from an agency other than this Department, Department employee's statements concerning their involvement shall only include their personal identification, registration information for the vehicle they are in, and a description of their direction of travel. Information relating to the conduct of Department employees shall be regarded as confidential for the use of the City Attorney. Complete statements as to the identity, actions, and statements of persons other than Department employees may be made;
- Comply with local ordinances and Vehicle Code provisions relating to traffic crashES;
- For traffic crashES that do not involve severe or fatal injuries, complete a Narrative Supplemental CHP Form 556; and,

Note: An officer involved in a CPI traffic crash shall use the address and telephone number of his/her Area of assignment in the completion of the Traffic Crash Report.

- For traffic crashes involving severe or fatal injuries and any other traffic crash investigated by Multi-Disciplinary Collision Investigation Team, provide a compelled statement to the investigating officer.

Note: Prior to providing a compelled statement, the involved employee may, when practical, review the Digital In-Car Video System footage captured during the incident, consistent with Department Manual Section (3/579.13).

Traffic Crash Occurring Outside the City. When the CPI traffic crash occurs outside the City and a Los Angeles Police Department Collision Investigation Unit is not dispatched to the scene, the involved employee shall:

- Immediately notify his/her watch commander or OIC, or Department Operations Center (DOC) if their watch commander or OIC is not available;
- Complete the necessary traffic crash reports upon his/her return to the City in compliance with Traffic Manual Section 3/702; and,
- Notify the Liability Section, CA's Office, when the crash results in injury, death, or serious property damage. When it is impractical to notify the CA's Office, the notification shall be made to DOC and the nearest traffic division's watch commander, who shall notify the watch commander at the employee's Area of assignment and the CA's Office.

440.20 ADVISING OTHER PARTIES WHEN DEPARTMENT EMPLOYEE

INVOLVED IN TRAFFIC CRASH. When an employee is involved in a crash with a person not a member of this Department, the employee shall urge the person to remain at the scene of the traffic crash until the arrival of a collision investigation unit. If the person insists upon leaving the scene, the employee shall obtain:

- The person's name and address;
- The location where he/she may be interviewed;
- The license number of his/her vehicle; and,
- The number of his/her driver's license or other valid identification.

440.25 INVESTIGATING OFFICER'S DUTIES WHEN CITY PROPERTY

INVOLVED IN TRAFFIC CRASH. An officer conducting an investigation at the scene of a City property-involved traffic crash shall:

- Request that a supervisor be dispatched to the scene, if none has been requested, when the traffic crash involved Department-owned or operated equipment, or a Department employee (Department Manual Section 3/206);
- Notify a supervisor when the crash involves on-duty Department personnel and any injury is sustained by any involved person;
- Ensure that all witnesses are identified, their verbatim statements are obtained when feasible and all evidence, including, but not limited to, the Digital In-Car Video and/or Body Worn Video cameras, traffic cameras, etc., have been identified an/or obtained by the traffic unit handling the investigation;
- Take photographs depicting the extent of damage or lack of damage, and other pertinent details; and,
- Complete the necessary reports.

Note: Electronic data, videos, and other documents may be reviewed by the officer(s) before completing his or her reports and/or prior to the appeal process.

440.26 CORRECTIONS TO OFFICERS' DRIVING RECORDS EMPLOYEE - RESPONSIBILITY. A sworn employee whose driving record improperly reflects an on-duty traffic crash may correct the error by completing an Employee's Report, Form 15.07.00, and submitting it to his/her supervisor for approval. The form 15.07.00 shall contain:

- The sworn employee's full name, serial number, division of assignment and California driver's license number;
- The date and location of traffic crash in question; and,
- The Division of Records (DR) number for the reported traffic crash.

Watch Commander/Supervisor's Responsibility. The watch commander or supervisor reviewing the Employee's Report, Form 15.07.00, shall review the report for completeness and ensure the report is forwarded to the Fleet Safety Coordinator, Traffic Coordination Section.

Fleet Safety Coordinator/Traffic Coordination Section Responsibility. The Fleet Safety Coordinator, Traffic Coordination Section, shall verify the traffic crash occurred on-duty, shall assist the sworn employee with compiling any required documentation and will initiate all related correspondence to DMV.

440.27 CPI TRAFFIC CRASHES ON CITY FREEWAYS. Communications Division will be notified by the CHP when a CPI traffic crash has occurred on a freeway within the City. Department personnel assigned to investigate the crash shall cooperate with the CHP investigators at the scene but shall maintain the confidential nature of the Department reports.

440.45 REPORTING DEPARTMENT EMPLOYEE TRAFFIC CRASHES TO THE DEPARTMENT OF MOTOR VEHICLES. When an employee, including a member of the Police Reserve Corps, becomes involved in a traffic crash while operating a City-owned or mileage vehicle, the employee shall not submit reports to DMV regarding financial responsibility. Employees receiving correspondence from DMV concerning a traffic crash shall forward the correspondence, without entries, to the Chief Investigator, Liability Section, City Attorney's Office.

440.50 NOTIFYING CITY ATTORNEY WHEN CITY PROPERTY INVOLVED IN TRAFFIC CRASH. Notification to the Liability Section, City Attorney's Office, shall include:

- Names of employees involved, and their assignments;
- Locations at which employees can be reached;
- Names of other persons involved;
- A description of the crash and the investigation;
- The identity of persons injured, and the extent of injuries; and,
- The type and extent of property damage.

When the Liability Section is closed, the City Hall switchboard operator shall be requested to transfer the call to the home of the person designated by the City Attorney to receive such calls. The date and time that the notification was made and the name of the person notified shall be included in the traffic crash report.

BOOKING, CUSTODY AND DISPOSITION OF PROPERTY

501. AUTOMATED PROPERTY INFORMATION MANAGEMENT SYSTEM (APIMS).

501.10 APIMS. The Automated Property Information Management System (APIMS), is the system used for the booking, tracking, and disposal of property.

501.20 APIMS CONFIDENTIALITY. For those instances which require the booking of property to be confidential, the booking officer shall include the words, "Confidential Booking," in large letters on the first line of the Property Report, Form 10.01.00. Access to any confidential booking information is restricted to Evidence and Property Management Division personnel and the concerned investigating unit's Property Disposition Coordinator.

505. PROPERTY CLASSIFICATIONS.

505.10 CLASSIFICATIONS OF PROPERTY. Items entered into the Department property system shall be classified as follows:

- **Evidence**-items which are or may be related to a crime, or which may either implicate or exonerate a person.
- **Excess Personal Property**-non-evidentiary personal property of an arrestee which cannot be packaged in an inmates property package or purse.
- **Non-evidence**-property other than evidence or excess personal property.

505.15 CLASSIFICATIONS OF ANALYZED EVIDENCE. Evidence booked into the Department's property system shall be classified as follows:

- **Analyzed Evidence - Shelf Storage.** Evidence, other than narcotics, that does not require climate-controlled or cold storage [e.g., Gunshot Residue (GSR) kits].
- **Analyzed Evidence - Climate-Controlled Storage.** Evidence, other than narcotics, that does not require cold storage including **dried** biological samples [e.g., dried blood/semen/saliva on swabs/fabric or other surfaces and the Sexual Assault Evidence Kit (SAEK)].

Exception: The urine sample from the SAEK is to be refrigerated.

Note: To properly store Climate-Controlled evidence in a temporary property storage room, while awaiting transportation to Evidence and Property Management Division,

place the green Climate-Controlled Storage envelope in either the refrigerator or the general property locker, if refrigeration is not possible.

- **Analyzed Evidence - To Be Refrigerated.** Liquid blood and urine samples (including the urine sample from SAEK).

Note: The urine sample from the SAEK that is packaged separately inside a Los Angeles County/City, Sexual Assault Evidence - Urine Sample envelope, shall then be packaged in an Analyzed Evidence - To Be Refrigerated Envelope, Form 12.51.01, and booked into refrigerated storage.

- **Analyzed Evidence - To Be Frozen.** Evidence that cannot be dried.
- **Analyzed Evidence. Narcotics.**

505.20 RECLASSIFICATION OF NON - EVIDENCE. Non-evidence may be reclassified to evidence by completion of a Follow-up Report, Form 03.14.00.

Note: Additional property may not be booked on a Follow-up Report, Form 03.14.00.

510. BOOKING PROCEDURE.

510.10 BOOKING EVIDENCE AND NON - EVIDENCE - GENERAL. The employee seizing or taking custody of evidence must ensure it is properly booked without unnecessary delay.

All property which is to be booked must be inventoried and listed on the Property Report, Form 10.01.00. The employee seizing or taking custody of a closed container must open the container prior to booking and conduct an inventory search if its contents cannot be determined from examining its exterior. Evidence may only be booked by a sworn employee, a Police Service Representative in the course of his/her official duties, a detention officer assigned to Custody Services Division, or a civilian employee conducting specialized investigative work. Responsibility for booking evidence may be assumed by the detective or the civilian investigative specialist at the scene.

Employees must book only the quantities of evidence necessary for case prosecution. In instances when the rightful ownership of property can be readily determined, and case prosecution will not be jeopardized, the property must be returned to the owner. When appropriate, employees must utilize photographs in lieu of actual evidence.

Note: If there is a question as to whether or not photographs will suffice in lieu of actual evidence items, the booking employee should seek the advice of a supervisor or the concerned detective.

Non-evidence will not be booked into a Department storage facility unless circumstances necessitate booking of the property.

The employee seizing or taking custody of property must issue a Receipt for Property Taken into Custody, Form 10.10.00 (duplicate copy), to the person relieved of the property (Manual Sections 4/645.20 and Section 10.10.00, accessible within the "Form Use" link, on LAPD E-Forms on the Department's Local Area Network). Prior to releasing the duplicate copy of the Form 10.10.00 to the person being relieved of the property, the following information must be redacted (e.g., blacked/scratched-out or deleted):

- All information except the last two numbers of a credit card(s);
- All information except the last two numbers of bank account number(s);
- Driver's license information;
- Passport information;
- Social Security number(s); and,
- Any personal information that can be reused for an identity theft crime.

The redacted copy **must** be provided to the person(s) being relieved of the property. If officers are unsure of whether or not to redact certain information, or what portion of the information to redact, advice should be sought from the concerned Area detectives or watch commander.

The **original** of the form 10.10.00 must be included as a page of the original Property Report, Form 10.01.00; Release From Custody (RFC) Report Continuation, Form 05.02.08; or Arrest Report, Form 05.02.00, when evidence to be booked is listed.

Evidence and non-evidence must not be stored in the personal possession of any employee, except certain forgery-related evidence (Manual Section 4/570.20). One copy of the Property Report, Form 10.01.00, or Release From Custody Report Continuation, Form 05.02.08; or Arrest Report face sheet, Form 05.02.00, must accompany the property when booked.

Exception: Two copies must accompany narcotics or firearm bookings.

It is not necessary to issue the Form 10.10.00 for blood and urine samples or biological smear specimens taken from an arrestee or the victim of a crime, nor is it necessary to include these items on a Form 10.10.00 used to list other property taken from an arrestee or victim.

When the finding of non-evidence is reported and the finder refuses to relinquish custody of the property to the Department, the interviewing employee will complete a Property Report, Form 10.01.00, and make a notation on the report that the property is in the possession of the finder.

Note: The assigned detectives (Manual Section 4/790.) must ensure that the finder has complied with laws governing found property (Civil Code 2080.3; Penal Code 485).

The employee booking property must, if circumstances permit, check identifiable property against the Automated Property System and provide information regarding any reported stolen property in the reports. The booking employee must notify each detective division handling a

case involving the booked property by completing the "Extra Copy To" portion of the reports to ensure notification and report distribution to each detective division.

Note: When an employee recovers property from an area containing more than one person (i.e., cell, holding tank, etc.), the employee must ensure that the detective division responsible for each arrestee is notified using the above-referenced procedure.

Investigative officers within the booking employee's Area should confer with any other entity handling a case involving the booked property to determine responsibility for disposition of the property.

Note: Booking employees must continue to check all firearms against the Automated Firearms System (Manual Section 4/540.30) and attach a copy of the printout to the appropriate report.

510.12 BOOKING ANALYZED EVIDENCE - GENERAL. Evidence to be examined by Forensic Science Division (FSD) or Technical Investigation Division (TID) shall be booked into the evidence courier system at the Area location most convenient to the booking employee. The request for analysis shall be made to FSD or TID by the investigating officer. The evidence shall be placed in the appropriate locker: narcotics/shelf, refrigerator, or freezer. These lockers **shall not** be used for temporary storage of evidence to be booked into the Area property room.

Exceptions:

- Items too large for temporary storage lockers;
- Narcotics seizures in excess of 30 pounds net weight (Department Manual Section 4/540.75);
- Explosives not considered safe (Department Manual Section 4/540.20);
- Hazardous chemicals or materials including nitrous oxide samples (Department Manual Section 4/212.49);

Note: Officers seizing compressed gas cylinders shall request the Hazardous Chemical Team, Emergency Services Division, for advice, assistance, and transportation (Department Manual Section 4/540.14 and 4/540.68).

- Toluene-soaked rags or other evidence open to the air requiring special handling (Department Manual Section 4/515.10); and,
- Any amount of PCP in a container one-half gallon or larger or a total volume of one-half gallon or more of PCP (Department Manual Section 4/540.72).

Note: During hours when FSD is closed, employees requiring evidence handling or storage advice shall telephonically contact an FSD criminalist via Department Operations Center (DOC).

Booking Employee's Responsibilities. An employee booking all types of evidence to be analyzed shall:

- Dry articles with possible Deoxyribonucleic Acid (DNA) and /or forensic evidence in the Evidence Drying Cabinet (EDC) if necessary (Department Manual Section 4/525.21);

Note: Only one item at a time shall be placed in an EDC compartment.

- Record appropriate information on all required envelopes or tags;
- Place the evidence in the correct classification of Laboratory and Analyzed Evidence Envelope, or tag correctly; and,
- Seal the Analyzed Evidence Envelope with a signed red Analyzed Evidence Seal, Form 10.12.07, over each flap of the required envelope and along the center seam. If the item to be analyzed is in a carton, box, or wrapped, the seams shall be secured with adhesive tape. Two separate continuous pieces of tape running the length and width of the package shall be used. A signed, red Analyzed Evidence Seal shall be placed on the top surface where the tape ends meet, (Department Manual Section 4/535.07). The Property Booking Guide contains additional information.

Note: The packaging of any item which only requires latent print analysis shall be clearly marked "Hold for Prints" and booked into an Evidence and Property Management Division (EPMD) facility, Area property room, or Area property room interim storage if the property room is closed. If an investigating officer determines that fingerprint analysis is required, a request for the analysis shall be made telephonically to TID or submitted via the Incident Reporting Control System (i.e., the AFDR/Incident Tracking application). Technical Investigation Division shall make arrangements with EPMD for the evidence courier to transport the item for analysis.

Following supervisory approval of packaging and related reports, the booking employee shall:

- Place the evidence and reports into the appropriate analyzed evidence temporary storage locker; and,

Note: Evidence requiring freezer storage shall be placed into the analyzed evidence temporary storage freezer within six (6) hours after being obtained.

Note: Entry into any of the analyzed evidence temporary storage lockers is restricted to an on-duty supervisor and shall be witnessed by another sworn employee.

- Complete the Analyzed Evidence Control Log Form 10.11.01.

Note: Personnel assigned to specialized divisions or sections shall use Area analyzed evidence temporary storage locker facilities. Specialized division personnel shall notify the Area watch commander prior to placing any property in the storage locker. If there is insufficient space in the analyzed evidence temporary storage locker, or if distance

precludes use of Area facilities, evidence shall be taken directly to the Forensic Science Center (FSC) property room for booking. When the FSC is closed, such evidence shall be transported to Central or Valley Property Sections.

Supervisor's Responsibilities. The supervisor reviewing the evidence to be analyzed shall:

- Ensure the evidence is properly packaged and, if a firearm, properly cleared;
- Place all evidence to be analyzed into the analyzed evidence temporary storage locker and secure the locker;
- Review related reports for accuracy of completion; and,
- Upon approval of packaging and reports, sign the Analyzed Evidence Control Log signifying readiness of the evidence for courier pick up and analysis.

Watch Commander's Responsibilities. The watch commander of an Area or facility that contains an analyzed evidence temporary storage locker shall:

- At the start of each watch, inventory any evidence in the analyzed evidence temporary storage locker to ensure that the contents correspond with the Analyzed Evidence Control Log and immediately reconcile any discrepancies;
- Remove evidence from the analyzed evidence temporary storage locker as requested by the evidence courier;
- Ensure that any booking irregularities identified by the evidence courier are immediately corrected by on-duty Area personnel, and a Follow-up Investigation, Form 03.14.00, is completed when appropriate;
- Retain a copy of the Analyzed Evidence Control Log after it has been reviewed and signed by the evidence courier;
- When the Area property room is closed, accept any transferred evidence from the evidence courier and place it in the Area property room interim storage locker; and,
- Accept and appropriately store any evidence submitted by EPMD personnel for transfer to FSD, TID or any other EPMD facility.

Investigative Personnel's Responsibilities. Concerned investigative personnel shall make a telephonic request with FSD or TID for evidence analysis as soon as it becomes apparent that the evidence will be needed to further the case investigation or prosecution. Items being held only for latent print or other laboratory analysis shall be booked directly into an EPMD facility, Area property room, or Area property room interim storage if the property room is closed and will only be processed upon the request of the investigating officer to TID or FSD.

Commanding Officer's Responsibilities. Area commanding officers shall ensure that secure, separate, and proper analyzed evidence temporary storage lockers are maintained on station premises to accommodate storage of evidence to be analyzed, including evidence requiring shelf, refrigerator, or freezer storage.

Note: The Commanding Officer, Evidence and Property Management Division, shall maintain analyzed evidence temporary storage lockers at Central and Valley Property Sections.

Evidence Courier's Responsibilities. The evidence courier shall pick up and deliver to FSD, TID and Evidence and Property Management Division, evidence to be analyzed and other items, as appropriate. Upon arriving at an Area station, the evidence courier shall:

- Request that the on-duty watch commander remove all evidence to be analyzed from the analyzed evidence temporary storage locker;
- Verify evidence to be analyzed has been properly reported, packaged, and stored;

Note: Observed deficiencies shall be brought immediately to the attention of the watch commander and corrective action taken by on-duty Area personnel.

- Verify two copies of the completed Property Report, Form 10.01.00, and/or Arrest Report, Form 05.02.00, face sheet accompany each narcotics, blood, urine, firearms, or analyzed evidence booking;
- Provide a signed copy of the Analyzed Evidence Control Log to the watch commander;
- Deliver property and reports which are being transferred from FSD, TID and EPMD to the Area property room;
- Promptly deliver evidence to be analyzed to the appropriate EPMD, TID, or FSD facility for booking into the Automated Property Information Management System (APIMS); and,
- Deliver other items which were picked up (e.g., narcotics reports) to the appropriate location along the courier route.

Property Officer's Responsibilities. Central and Valley Property Sections shall be responsible for maintaining analyzed evidence temporary storage lockers for items requiring analysis. Central and Valley Property Sections' property officers shall complete the appropriate entry on the Analyzed Evidence Control Log.

When an item is being transferred from a EPMD facility to FSD or TID for analysis (i.e., latent prints) the property officer shall include with the evidence a copy of the Property Report, along with a Property Transfer Record, and submit the item to the watch commander for placement in the appropriate analyzed evidence temporary storage locker. When preparing evidence for return to Area property rooms, the Evidence Control Section (ECS) and FSC officers shall include a copy of the Property Report and a Property Transfer Record with the evidence being returned.

Each Area has three lockers used by officers and detectives for the temporary placement of items to be transported for analysis to FSD or TID by Courier Unit personnel. They are the narcotics/shelf storage locker, the refrigerator, and the freezer. The narcotics locker and the shelf storage locker are synonymous.

Note: The packaging of any item which only requires latent print analysis shall be clearly marked "Hold for Prints" and booked into a EPMD facility, Area property room, or Area property room interim storage if the property room is closed. If an investigating officer determines that fingerprint analysis is required, a telephonic request for the analysis shall be made to TID. Technical Investigation Division shall make arrangements with EPMD for the evidence courier to transport the item for analysis.

Following supervisory approval of packaging and related reports, the booking employee shall:

- Place the evidence and reports into the appropriate analyzed evidence temporary storage locker; and,

Note: Entry into any of the analyzed evidence temporary storage lockers is restricted to an on-duty supervisor and shall be witnessed by another sworn employee.

- Complete the Analyzed Evidence Control Log.

Note: Personnel assigned to specialized divisions or sections shall use Area analyzed evidence temporary storage locker facilities. Specialized division personnel shall notify the Area watch commander prior to placing any property in the storage locker. If there is insufficient space in the analyzed evidence temporary storage locker, or if distance precludes the use of Area facilities, evidence shall be taken directly to the FSC for booking. When the FSC is closed, such evidence shall be transported to Central or Valley Property Sections.

510.20 BOOKING HIGH - VALUE PROPERTY. HIGH-VALUE PROPERTY -

DEFINED. "High-value" property is any individual item (except those reported on a Vehicle Report, CHP Form 180) valued at \$5,000 or more. The value of the property may be based on personal knowledge, expertise listing the property value, or statements made by the victim or person reporting.

Officer's Responsibility. When an officer seizes or takes into custody high-value property, the concerned officer shall:

- Attempt to determine the true owner of the property. This can be accomplished through statements of the victim or person reporting, receipts and ownership documents or serial numbers of other markings on the property itself;

Note: The owner may or may not be the same as the victim, person reporting, person in possession, or arrestee.

- Ensure the property is packaged or labeled and secured;
- Transport the property and all other associated property to Central Property Section or Valley Property Section, Evidence and Property Management Division, for booking;
- Ensure the property is booked without unnecessary delay;

- When completing a Property Report, Form 10.01.00, place the letters "HV" under the miscellaneous column next to the item description. The true owners information, if available, shall be entered in the space provided for owner information; and,
- When completing a Investigative Report (IR), Form 03.01.00, or Arrest Report, form 05.02.00, the letters "HV" shall be placed under the miscellaneous column next to the item description. The true owner's information, if available, shall be listed in the "Involved Persons" section denoted by the code "TO" if the true owner is different than the victim or person reporting.

Note: If the true owner of a high-value item cannot be identified or is the same as the victim or person reporting, a statement indicating such shall be included in the narrative portion of the IR, Arrest Report or Property Report.

Investigating Officer's Responsibility. Upon receiving a IR, Arrest Report or Property Report listing high-value property **without** the true owner's information, the investigating officer shall conduct a follow-up investigation to determine the true owner.

Upon receiving information from the Property Disposition Coordinator that a high-value item is available for release, the investigating officer shall:

- Notify the true owner telephonically;
- Have the Property Disposition Coordinator input complete and accurate release instructions into the Automated Property Information Management System (APIMS); and,
- Document all efforts to contact the high-value property owner on the follow-up Investigation, Form 03.14.00.

Note: If the true owner of the high-value item available for release cannot be determined, the investigating officer shall have the Property Disposition Coordinator input complete and accurate disposition instructions into APIMS.

Property Officers' Responsibility. Property officers at Central Property or Valley Property Sections of Evidence and Property Management Division who accept high-value property for booking shall:

- Verify the value or estimated value of the property being booked in the presence of the booking officer;
- Ensure the property information is input into APIMS as high-value;
- Ensure the letters "HV" have been noted on the appropriate forms;
- Notify a Evidence and Property Management Division supervisor of the high-value property being booked; and,
- Have the property booked into the property room safe or other appropriate location.

510.40 PROPERTY REMOVED FROM RECOVERED VEHICLE. Property removed from a recovered vehicle shall be booked as evidence.

Exception: Property of no evidentiary value known to be the personal property of the arrestee (Manual Section 4/645.20).

510.50 BOOKING OF EXCESS PERSONAL PROPERTY OF ARRESTEE (Manual Section 4/645.20).

510.60 PROPERTY IMPROPERLY PRESENTED FOR BOOKING. A property officer shall inspect all evidence and non-evidence submitted for booking to ensure the property is:

- Properly packaged (the outer package of booked property shall be no smaller than a 7 1/2 X 10 1/2 manila envelope);
- Identified correctly; and,
- Accurately described on the report.

Property will not be accepted until the deficiencies are corrected.

Note: The watch commander shall inspect all narcotics evidence submitted for booking and shall ensure the property is properly packaged, identified, and stored in the Area's interim storage area. The watch commander shall cause the evidence to be transferred to Central or Valley Property Section (Department Manual Section 4/510.12).

515. LOCATION OF BOOKING.

515.10 LOCATION BOOKED - GENERAL. Evidence and non-evidence must be booked in the Area of occurrence. When the Area property room is closed, the property must be properly packaged and identified, and stored in an interim storage area as designated by the Commanding Officer, Evidence and Property Management Division.

Exceptions:

- Employees working in, or assigned to, a division located within Central Area may book property directly into Central Property Section, regardless of the Area of occurrence.
- Employees working in, or assigned to, Van Nuys Area may book property directly into Valley Property Section regardless of the Area of occurrence.
- Narcotics and evidence to be analyzed shall be booked into the appropriate evidence courier temporary storage locker and transported to Evidence and Property Management Division by the courier (Department Manual Section 4/515.30).
- Emergency Services Division personnel shall book and store, in designated storage areas, explosives not considered "safe" (Department Manual Section 4/540.20).
- Evidence connected with Commercial Crimes Division investigations shall be booked in designated areas (Department Manual Section 4/515.20).
- Evidence connected with Burglary Special Section, Commercial Crimes Division investigations shall be booked in designated areas (Department Manual Section 4/515.25).

- Evidence related to a child abuse investigation that is the responsibility of the Abused Child Section, Police Administration Building, shall be booked at Evidence and Property Management Division (Department Manual Section 4/604.19).
- Evidence related to a child abuse investigation that is the responsibility of the Abused Child Section, Valley Section, shall be booked at Valley Property Section (Department Manual Section 4/604.19).
- Property requiring analysis or comparison by Technical Investigation Division or Forensic Science Division, shall be booked into the appropriate evidence courier temporary storage locker and transported to Evidence and Property Management Division by the evidence courier (Department Manual Section 4/515.30).
- Narcotics-stained currency which is held for checking by the Gang and Narcotics Division K-9 Detail shall be booked at Central or Valley Property Sections.
- Toluene-soaked rags and other evidence open to the air requiring special handling shall be booked at Central or Valley Property Section.
- Vehicle batteries and vending carts shall be booked at Central or Valley Property section (Department Manual Section 4/540.13).

515.20 LOCATION BOOKED - COMMERCIAL CRIMES DIVISION

INVESTIGATING. When evidence is seized related to a Commercial Crimes Division investigation (Manual Section 2/480.05) including counterfeit or altered currency, and **no arrest** is made, the evidence shall be booked in the Area where it was taken into custody.

Note: Evidence and Property Management Division shall transfer the evidence to Central Property Section or Valley Property Section within 30 calendar days of the date the evidence was booked.

If an arrestee is in custody related to a Commercial Crimes Division investigation, and evidence is seized, the evidence shall be booked directly into Central Property Section or Valley Property Section.

Exceptions:

- Evidence seized in the Metropolitan Areas shall be booked at Central Property Section.
- Evidence seized in the Valley Bureau Areas shall be booked at Valley Property Section.

515.25 LOCATION BOOKED - BURGLARY SPECIAL SECTION INVESTIGATING.

When an arrest is made, evidence connected with a Burglary Special Section, Burglary Special Unit, investigation (Manual Section 2/480.56) shall be booked directly into Central Property Section or Valley Property Section.

Exceptions:

- Evidence seized in West Los Angeles or Pacific Areas shall be booked as follows:
Male, or combination male and female arrestee-booked into the Area of occurrence.
Female arrestee-booked at Valley Property Section.
- Evidence seized in Harbor Area shall be booked into Harbor Property Section.

Note: Evidence in a case involving only juvenile arrests shall be booked in the Area of arrest. If a case involves both adult and juvenile arrestees, the evidence shall be booked as though only an adult were involved.

520. PROPERTY - TO WHOM BOOKED.

520.10 EVIDENCE BOOKED TO ARRESTEE. When evidence is known to be related to previously booked evidence, it shall be booked to the same person under the same DR number as originally reported. Item numbers shall start with the next sequential number from the original report. If not related to previously booked evidence, evidence shall be booked to the arrestee whether seized at the time of arrest or subsequent thereto. When two or more persons are arrested at the same time and place, all evidence shall be booked to one arrestee whose name shall appear in the space provided on the Property Report, Form 10.01.00, or Release from Custody (RFC) Report Continuation, Form 05.02.08. Names and information regarding other arrestees and evidence shall appear in the narrative of the report. The report shall designate from whom the various items were seized.

If no arrest has been made, the evidence shall be booked to the victim.

If there is neither an arrestee nor a victim, evidence shall be booked to the owner or possessor of the evidence.

If there is neither an arrestee, victim, owner, nor possessor associated with the evidence, it shall be booked to the Department employee booking the property.

Note: Possessor shall be defined as someone other than an owner in possession of evidence which is being taken into police custody. Possessor may include the finder of evidence.

520.20 NON-EVIDENCE BOOKED TO OWNER. Non-evidence shall be booked to its owner. If ownership cannot be determined, it shall be booked to the finder.

Exception: When non-evidence is removed from a vehicle, and the owner of the property is unknown, it shall be booked to the registered owner of the vehicle. When neither is known, it shall be booked to the employee.

520.30 BOOKING PARKING METERS. Parking meters or their parts or contents, which are booked as non-evidence, shall be booked to the Department of Transportation, City of Los Angeles. (Notification to Desk Officer- Manual Section 4/372.28).

525. PRESERVING PROPERTY.

525.10 PRESERVING PROPERTY - GENERAL. All property shall be protected from contamination, alteration, destruction, and damage. Employees taking custody of property

which they do not know how to preserve shall obtain assistance from Forensic Science Division and/or Technical Investigation Division.

525.20 PRESERVING WET STAINS. Items containing wet blood, semen, or chemical stains shall be permitted to dry in the Evidence Drying Cabinet (EDC) before packaging. Plastic containers or plastic wrap shall *not* be used as a packaging material.

525.21 PRESERVING / DRYING DNA AND/OR FORENSIC EVIDENCE WITH THE EVIDENCE DRYING CABINET. Evidence possibly containing DNA and /or forensic evidence will be placed into the EDC until dried. Officers who are unable to utilize the EDC because it is full or the evidence cannot be placed into the EDC (i.e., large, irregular sized items), shall contact FSD/TID for advice. Only one item at a time shall be placed in the EDC compartment.

Note: The EDC locker is equipped with a key lock, which shall remain locked unless officer(s) are placing evidence into, removing evidence from or cleaning the EDC. In cases where there is no potential for an exchange of DNA between the victim and suspect (i.e., a hit-and-run, or drive by shooting) an EDC shall **not** be used.

OFFICER'S RESPONSIBILITIES. An officer booking evidence to be dried in an EDC shall:

- Obtain watch commander W/C or detective supervisor approval for booking evidence into the EDC and have them initial the EDC log;
- Obtain the EDC key from the W/C or detective commanding officer (CO), or his/her designee;
- Complete the EDC Log;
- Wear the appropriate protective equipment prior to handling the evidence being booked;
- Place a clean sheet of butcher paper on the bottom of the EDC to capture any loose evidence;
- Place the collected evidence into the EDC;
- Turn on the EDC;
- Dispose of the used protective equipment;
- Leave a copy of the corresponding Investigative Report with the listed evidence on the front of the EDC door;
- Return the key to the W/C or detective CO, or his/her designee; and,
- Notify the W/C or detective CO if the EDC is not in working order.

Note: If an officer booking evidence in the EDC becomes aware that the items are now fully dry and the assigned Investigating Officer (I/O) is **not** on-duty, the officer shall complete the duties of the Investigating Officer.

INVESTIGATING OFFICER'S RESPONSIBILITIES. Upon being assigned an investigation that involves evidence that is in an EDC, the assigned I/O shall:

- Obtain the EDC log from the W/C, detective CO, or his/her designee;
- Obtain W/C detective supervisor approval for removing evidence from the EDC;
- Obtain the EDC key from the W/C or detective CO, or his/her designee;
- Wear the appropriate protective equipment;
- Determine if the evidence is dry and ready for booking (articles may take approximately 12-48 hours to dry);
- Remove and book all dried evidence, including the butcher paper;
- Turn off the EDC;

Note: Prior to turning off the EDC, officer(s) shall spray the inside of the EDC with the hospital grade biocide provided by FSD.

- Clean the EDC;

Note: Once the EDC is turned off, officer(s) shall use the hose attached to the EDC and wash the inside of the EDC (**do not spray water into the filter**).

- Dispose of the protective equipment;
- Return the key to the W/C or detective CO, or his/her designee; and,
- Notify the W/C or detective CO if the EDC is not in working order.

WATCH COMMANDER'S RESPONSIBILITIES.

- Maintain the EDC log during off hours;
- Liaise with the detective CO to maintain the key in a secure location;
- Approve all usage of the EDC, including oversight;
- Ensure that each time an officer places evidence into, removes evidence from, or cleans the EDC, a log entry is recorded;
- Initial the log after each entry is completed;
- Notify the geographic Area Detective Commanding Officer (CO) when new items of evidence are drying in the EDC; and,
- Note any malfunctions to the EDC on the W/C's Daily Report, Form 15.80.00 and contact FSD for assistance.

DETECTIVE COMMANDING OFFICER'S RESPONSIBILITIES. The Detective CO shall liaison with the W/C and ensure evidence left for drying in the EDC is removed and booked. The Detective CO shall also:

- Ensure the EDC is available for use;
- Select an EDC Coordinator who will be responsible to maintain the completed EDC logs and monitor for compliance;
- Ensure the W/C, or his/her designee, maintains the key in a secure location and the EDC log during off hours;
- If applicable, assign an I/O to cases involving evidence placed into an EDC in which their division has investigative responsibility; and,

- Ensure the EDC is cleaned and maintained.

FORENSIC SCIENCE DIVISION AND TECHNICAL INVESTIGATION DIVISION'S RESPONSIBILITIES. In addition to transporting and analyzing evidence, Forensic Science Division and/or Technical Investigation Division shall:

- Provide six and twelve month EDC filter maintenance;
- Ensure cleaning solution is made available to all geographic Areas;
- Liaison with Facilities Management Division for repairs to the EDCs; and,
- When needed, provide advice for booking large or irregular sized items into the EDC.

525.28 HANDLING OF FORGED/FRAUDULENT DOCUMENTS. When a Investigative Report (IR) is made for Forgery or Identity Theft, the DR number shall be typed or written in ink in the upper right corner of a manila envelope prior to placing the document(s) in the envelope to prevent contamination of the document(s). Paper-clip the envelope containing the unfolded forged/fraudulent document(s) to the back of the completed IR.

Exception: Forged/fraudulent items such as identifications, credit cards, and checkbooks, shall be booked as evidence.

Bulk Booking of Evidence for Identity Theft, Forgery, and Property Reports. Evidence and Property Management Division will accept Identity Theft/Forgery bulk evidence items separated and itemized for booking per the Commercial Crimes Division (CCD) investigator's requirements, based on case filing and prosecution.

The evidence items that are individually itemized on the Property Report, Form 10.01.00, are the items the Investigating Officer (I/O) deems significant for filing purposes. The remainder of the voluminous bulk items are important to the case, but do not need to be individually itemized on the Property Report.

Property shall be itemized in the following order:

- Narcotics;
- Money;
- Firearms;
- Property with serial numbers; and,
- Other property.

If related to previously booked evidence, start with the next sequential item number.

Following the narcotics, money, firearms, and property with serial numbers, the identity theft/forgery items listed as evidence shall be the individual subsequent identification items. These items shall be photocopied (back and front) by the reporting officer or the I/O, prior to booking.

At the start of the property listing, the booking officer shall make a note of the CCD detective with their serial number approving the bulk booking.

For Example: Detective III J. Smith, Serial No. 12345, was notified and approved bulk booking.

<i>Item No.</i>	<i>Quantity</i>	<i>Article</i>	<i>Serial No.</i>	<i>Brand/Drug Weight</i>	<i>Model No.</i>	<i>Misc.</i>
1	1	Narcotics	Cocaine	2.2gg	N/A	White powder resembling cocaine in clear plastic baggie
2	-	Currency	N/A	U.S.	N/A	10 X 1.00 bills \$10.00
3	1	Firearm	126A4	Smith and Wesson	Beretta	9mm Semi Auto., Blue Steel Pistol
4	1	Credit Card	1234-5678-012	B of A	Visa	Imprinted with the name "John Doe"
5	100	Credit Cards	Misc. Numbers	Misc. Brands	Master Card	Misc. Credit Cards
6	1	Misc. Mail	N/A	U.S. Mail	N/A	Misc. Mail unopened/opened (bulk)
7	25	Driver's Licenses	N/A	N/A	N/A	W/various names and license numbers
8	55	Gift Cards	N/A	American Express	N/A	W/various card numbers
9	45	Checks	N/A	N/A	N/A	W/various names, banks & amounts
10	1	Misc. Papers	N/A	N/A	N/A	W/various victims' information

Items with identifiable serial numbers, (e.g., card reader, printer/embosser), shall be itemized per Department standards and listed on the Property Report as a separate item.

Property Officers shall verify all items for correct quantities and shall inspect and inventory all containers for proper identification and accurate descriptions on the Property Report.

For evidence that is held for prints, officers shall provide a copy of the print request ticket with the Property Report. Technical Investigation Division will conduct or decline the analysis within 90 days. Once completed or declined, the I/O or booking officer shall return to Evidence and Property Management Division to rebook the identified items.

525.30 PRESERVING SPATTERED STAINS OR SCRAPINGS. Spattered stains or scrapings shall be removed from an object and packaged by, or under the direction of, a specialist from Forensic Science Division.

530. MARKING EVIDENCE FOR IDENTIFICATION.

530.10 MARKING EVIDENCE - GENERAL. An item of evidence shall *not* be marked for later identification when:

- It bears a serial number.

Note: Watches shall not be dismantled for purposes of locating a serial number.

- It would alter its evidentiary value.
- It is capable of being identified through distinctive markings and recorded information.
- It is a flag of the United States of America or of the State of California (Manual Section 4/535.30).

When evidence is marked, the mark shall be:

- As small as practicable.
- Distinctive.
- Placed so as to prevent reduction of the item's marketable value.
- Made as soon as practicable by the finding employee.

Evidence that cannot be marked or later identified by distinctive markings shall be packaged and sealed with a completed sealed evidence label. An outline of the object shall be traced on the package when it would be of value in making identification at a later date.

530.20 MARKING EXPENDED AMMUNITION. When its evidentiary value would not be affected, expended ammunition shall be marked as follows:

- Cartridge case-on the inside, or if not practicable, on the outside near the opened end.
- Bullet-on the base.

530.30 MARKING OF BOOKED DOCUMENTS. The DR Number shall be the only marking placed on a forged/fraudulent document or invoice by the reporting employee. It shall be printed in ink or typed as near as practicable to the upper right hand corner of the face without interfering with markings already present. If this is not practicable, place the document(s) in a manila envelope, and print the DR number on the upper right corner of the envelope and attach the documents unfolded and paper-clipped to the back of the completed report.

Exception: Forged/fraudulent items such as identifications, credit cards, and checkbooks, shall be booked as evidence.

535. PACKAGING OF BOOKED PROPERTY.

535.05 PACKAGING PROPERTY - GENERAL. The outer package of booked property shall be no smaller than a 7-1/2" x 10-1/2" manila envelope. Employees shall use preprinted envelopes when available. Blank envelopes shall have a completed property tag stapled to the front.

Small items shall be wrapped in a bundle and/or placed in a coin envelope. Each coin envelope shall bear the item number and DR number of the related report. Personnel shall consider cardboard carton packaging when the evidence is too large to fit into an envelope specified for storage of that type of evidence.

Note: Carton packaging that is used to hold analyzed evidence or other forms of non-analyzed evidence shall have the appropriate evidence tag completed and secured to the outside of the carton.

535.07 PACKAGING ANALYZED EVIDENCE - GENERAL. Evidence to be analyzed shall be packaged in, or tagged with, the appropriate Analyzed Evidence Envelope, Laboratory Envelope or Analyzed Evidence Tag.

Employees booking evidence to be analyzed shall place a signed, red Evidence Seal, Form 10.12.07, over each flap of the required envelope and along the center seam. If the item to be analyzed is in a carton, box, or wrapped, the seams shall be secured with adhesive tape. Two separate continuous pieces of tape running the length and width of the package shall be used. A signed, red Evidence Seal shall be placed on the top surface where the tape ends meet.

Note: The packaging of any item that requires Deoxyribonucleic Acid (DNA) or latent print processing shall be clearly marked "Hold for Touch DNA" or "Hold for Prints" and booked into an Evidence and Property Management Division facility, Area property room, or Area property room interim storage if the property room is closed.

If an investigating officer (I/O) determines that the item shall be classified as "Hold for Touch DNA," the I/O shall complete and submit a Request for Serology/DNA Analysis, Form 12.56.00, to Forensic Sciences Division (FSD) for the analysis and FSD shall make arrangements with Evidence and Property Management Division for the evidence courier to transport the item. If an I/O determines that the item shall be classified as "Hold for Prints," the I/O shall make Latent Print Investigation Request telephonically or via Form 12.01.00 within the Latent Prints drop down menu of the Incident Reporting Control System (i.e., AFDR/Incident Tracking application) on the Department's Local Area Network (LAN). The Latent Prints Unit (LPU) will either respond to the Area Evidence and Property Management Division to process the evidence or make arrangements with Evidence and Property Management Division for the evidence courier to transport the item. If the item is designated as "Hold for Touch DNA" and "Hold for Prints," the I/O shall notify both FSD and Technical Investigation Division (TID), who shall coordinate the transport (by evidence couriers) for the analysis.

Analyzed Evidence Envelopes:

- Analyzed Evidence - Shelf Storage Envelope, Form 12.51.00
- Analyzed Evidence - To Be Refrigerated Envelope, Form 12.51.01
- Analyzed Evidence - To Be Frozen Envelope, Form 12.51.02
- Analyzed Evidence - Narcotics Envelope, Form 12.51.03
- Analyzed Evidence - Climate-Controlled Storage Envelope (Green), Form 12.51.06

Analyzed Evidence Tags:

- Analyzed Evidence - Shelf Storage Tag, Form 10.12.03
- Analyzed Evidence - To Be Refrigerated Tag, Form 10.12.04
- Analyzed Evidence - To Be Frozen Tag, Form 10.12.05
- Analyzed Evidence - Narcotics Tag, Form 10.12.06
- Analyzed Evidence - Climate-Controlled Storage Tag (Green), Form 10.12.10

Evidence Seals:

- Evidence Seal - Los Angeles Police Department (Red), Form 10.12.07
- Evidence Seal - Forensic Science Division/Technical Investigation Division (Yellow), Form 10.12.11
- Evidence Seal - Evidence and Property Management Division (Blue), Form 10.12.12

535.10 PACKAGING ALCOHOLIC BEVERAGES. A container of an alcoholic beverage shall be securely capped and sealed with a completed sealed evidence label.

If the container cannot be capped, a sample shall be sealed in an approved evidence bottle, and booked with the original container.

Note: Officers conducting investigations involving Business and Professions Code Section 23300, “Sales without a License,” or any other section for which a large seizure of alcoholic beverages may occur, shall notify Evidence and Property Management Division as soon as possible. A “large seizure” is defined as consisting of 15 or more cases of alcoholic beverages at 24 bottles per case.

535.15 PACKAGING BLOOD SAMPLES (Manual Section 4/343.42).

535.20 PACKAGING AMMUNITION. Each discharged projectile, cartridge case, or misfired cartridge which is collected as evidence shall be sealed in a coin envelope, and packaged separately from any firearm(s). The discharged cartridge case or “casing” shall be packaged by itself and booked in an envelope separate from any other evidence items (per Chief of Detectives Notice, dated May 3, 2018)

The words “Live Ammo” shall be printed in red letters on the outside of a package containing live ammunition.

535.25 PACKAGING FIREWORKS (Manual Section 4/540.20).

535.30 PACKAGING FLAGS. When a flag of the United States of America or the State of California is booked, it shall be properly folded and placed in an envelope or wrapped in paper. The envelope or package shall be marked "U.S. Flag" or "California Flag" as appropriate, and sealed with a completed sealed evidence label. An identifying mark shall not be placed **on** the flag.

535.35 PACKAGING GLASS FRAGMENTS. Small pieces of glass shall be identified by tracing their perimeters on the outside of the coin envelope or package into which they are placed. Each tracing shall be numbered and initialed. The property report shall include information which will enable the employee to identify each tracing with the corresponding piece of glass. Very small pieces of glass need not be traced.

535.40 PACKAGING JEWELRY (Manual Section 4/535.85).

535.45 PACKAGING KNIVES AND SHARP INSTRUMENTS. A blade or sharp point shall be packaged to protect a person who may later handle it. When its evidentiary value would not be affected, an unprotected blade or point shall be packaged as follows:

- **Pocket Knife.** Folded closed or package as a fixed bladed knife.
- **Fixed Bladed Knife.** Fasten two strips of cardboard one on each side of the blade.
- **Razor Blades.** Wrapped in paper and placed in a coin envelope.
- **Straight Edge Razor.** Fold the blade into the handle and secure.
- **Ice Pick.** Affix a piece of cork over the point or attach several pieces of paper to the point with cellulose tape.
- **Syringes.** Syringes, not in the original manufacturer's protective case, shall be placed into a Department-approved syringe tube. Officers shall affix a Biohazard Label to the outer envelope into which the syringe tube is placed.

535.50 PACKAGING MONEY (Manual Section 4/540.60).

535.55 PACKAGING NARCOTICS (Manual Section 4/540.70).

535.60 PACKAGING PAWNSHOP TICKETS (Manual Section 4/535.85).

535.65 PACKAGING POISONS. Poisons shall be placed in glass containers.

Note: Food-stuffs involved in an animal poisoning shall not be booked unless a suspect is identified.

535.70 PACKAGING PURSES. When purses are not wrapped, the valuables shall be removed and booked separately (Manual Section 4/535.85).

535.75 PACKAGING BIOLOGICAL SLIDES. Biological slides or specimens must be booked in an Analyzed Evidence-To Be Frozen Envelope, Form 12.51.02, and sealed with a completed evidence label.

If slides or specimens of biological smears are received without a slide container or other protective wrapping, two strips of cardboard slightly larger than the slides must be placed on each side and secured at the edges with staples or cellulose tape.

Exception: Once analyzed, dried biological slides may be placed in climate-controlled storage.

535.80 PACKAGING URINE SAMPLES (Manual Section 4/343.42).

535.85 PACKAGING VALUABLES. Small valuable items shall be placed in coin envelopes and packaged in a 7 1/2"x10 1/2" manila envelope or other suitable container. Valuables shall not be packaged with other items.

Exception: Jewelry in a jewelry case or appropriate container need not be removed and packaged separately. However, each piece shall be itemized on the related report.

535.90 PACKAGING VOLATILE FUELS (Manual Section 4/212.49).

536. INFECTIOUS MATERIALS.

536.10 CLASSIFICATION OF POTENTIALLY INFECTIOUS MATERIALS.

Potentially infectious materials are defined as:

- Human blood, human blood components, and products made of human blood.
- Human body fluids, including semen, vaginal secretions, cerebrospinal fluid.
- Any human tissue or organ.
- Any item contaminated by the above substances.
- Syringes not in the manufacturer's packaging.

536.15 PACKAGING OF POTENTIALLY INFECTIOUS PROPERTY. Any potentially infectious material which is entered into the Department property system **shall** have a Biohazard Label affixed to the outer packing in a conspicuous place by the employee seizing or taking custody of the property.

Completion of Property Report. The officer packaging the potentially infectious material (Manual Section 4/536.10) shall write "BIOHAZARD" in the miscellaneous section of the item description for each potentially infectious material listed on the Property Report, Form 10.01.00.

Envelope Packaging. Potentially infectious material which is packaged in any Department evidence envelope shall have the Biohazard Label affixed to the upper left corner of the appropriate envelope before being booked into property.

Carton Packaging. Potentially infectious material which is packaged in a cardboard carton shall have one Biohazard Label affixed to the top of the carton in plain view, and one Biohazard Label affixed to the upper left corner of the appropriate evidence envelope or evidence tag that is secured to the outside of the carton.

Other Packaging. Potentially infectious material which is packaged in a container other than an envelope or carton shall have the Biohazard Label affixed to the upper left corner of the appropriate evidence envelope, Personal Property Envelope, Form 10.13.01, or property tag.

Note: The Biohazard Label shall only be affixed to the outer packaging of potentially infectious material. For example, an officer obtaining whole blood samples for alcohol or drug Analysis (4/343.40) would affix the Biohazard Label only to the Analyzed Evidence To Be Refrigerated Envelope, Form 12.51.01, not to the vial that contains the actual blood sample.

540. ITEMS REQUIRING SPECIAL HANDLING OR PROCESSING.

540.10 COIN - OPERATED MACHINES. When money can be removed from a coin-operated machine without causing damage, it shall be removed at the location of booking in the presence of a supervisor and when practicable, the person who had control of the machine at the time it was taken into custody. After retrieving Secret Service funds, the remaining money shall be packaged and booked separately.

If opening the machine would cause damage, the money shall remain in the machine. Each coin opening shall be sealed with a completed evidence label. The seams of the case shall also be sealed.

Note: At the time a machine is destroyed, the investigating officer shall retrieve and book any money stored therein.

540.11 HANDLING EVIDENCE ASSOCIATED WITH SIDEWALK SALES

VIOLATIONS. Evidence related to sidewalk sales arrests shall be processed via a Non-Traffic Notice to Appear, Form 05.02.02, as outlined in Department Manual Section 4/216.65, Release from Custody, or when permitted via an Administrative Citation, Form 05.40.00, as outlined in Department Manual Section 4/216.68, Administration Citation Enforcement Program Procedures, when the arrest is for, but not limited to:

- Section 42.00(b) of the Los Angeles Municipal Code (LAMC), Street Vending Prohibited;
- Section 80.73(b) LAMC, Catering Trucks; or,
- Section 22520.5 of the California Vehicle Code, Vending Merchandise or Services
- Near Freeways.

Note: Non-contraband items and equipment used in the sales violation and possessed by the arrestee are **not** to be taken from the arrestee. These items shall be described in the arrest narrative and photographed using a Department digital camera, and then uploaded into the LYNX Photo Management (LYNXPM) Application, on the Department's Local Area Network.

Exception: In cases where the arrestee cannot provide satisfactory evidence of their identity or is arrested for outstanding warrants, the arresting officer shall, prior to booking, make every effort to release the arrestee's property to any person designated by the arrestee. If no designee can be contacted, the arresting officer(s) shall book the property as non-evidence and complete, in duplicate, a Receipt for Property Taken into Custody, Form 10.10.00. The original Form 10.10.00 shall be included as a page of the Arrest Report, Form 05.02.00, and the copy of the Form 10.10.00 shall be issued to the person relieved of the property.

For arrests involving a vending cart, the arresting officer shall also complete a Property Disposition/Update Request, Form 10.06.00, marked "Release to," for the vending cart and non-perishable items, and advise the arrestee of the importance of picking up the items when released. The completed Form 10.06.00 shall be submitted to the approving supervisor along with the original report. **Evidence and Property Management Division will not accept vending carts or non-perishable items without a completed Form 10.06.00 at the time of booking.**

Note: All vending carts **shall** be booked at Central Property Section or Valley Property Section.

Evidentiary perishable items from sidewalk sales shall be listed on the appropriate report and disposed of in the trash facilities for proper removal by the Bureau of Sanitation. **Evidence and Property Management Division will not accept perishables related to sidewalk sales arrests.** Monies shall be maintained with the arrestee's personal property by Custody Services Division.

540.12 BOOKING MOTORIZED SCOOTERS. Electric and gas-powered scooters shall not be booked as evidence related to riding infractions or misdemeanors. They shall be retained by the owner or their agent after being photographed using a Department-issued digital camera and uploaded to the LYNX Photo Management (LYNXPM) Application, (Department Manual Section 4/555.40). If the scooter(s) cannot be released to the owner or other designated party, they shall be booked as toys, non-evidence, and a Form 10.06.00 authorizing its disposition shall be completed and submitted by the booking officer.

Note: Motorized scooters containing gasoline shall be emptied prior to booking. Gasoline shall be disposed of at a Department garage facility.

540.13 BOOKING VEHICLE BATTERIES. Due to health and storage hazards caused by leakage and the possibility of explosion, vehicle batteries shall be handled in the following manner when taken into police custody:

- When an owner is immediately identified, officers shall take a photograph of the owner with the recovered vehicle battery, using a Department-issued digital camera, and then return the battery to the owner. The image of the vehicle battery shall be uploaded to the LYNXPM; or,
- When the owner cannot be immediately identified, the vehicle battery shall be photographed using a Department-issued digital camera, booked as evidence and a Form 10.06.00 authorizing immediate disposition shall be completed by the booking officer. The Form 10.06.00 shall be submitted with the vehicle battery along with the required reports to the Central Property Section or Valley Property Section officer. If the property room is closed, all items shall be placed in the Central Property Section or Valley Property Section interim storage area. Evidence and Property Management Division will not accept vehicle batteries without a completed Form 10.06.00.

540.14 BOOKING COMPRESSED GAS CYLINDERS. Compressed gases are typically stored under pressure in metal cylinders. These cylinders are designed and constructed to withstand high pressures. Improper handling and use of compressed gases can result in devastating consequences. If the compressed gas cylinder contains a hazardous material, officers shall follow Department Manual Section 4/212.49 for proper handling; or, if the compressed gas cylinder contains nitrous oxide, officers shall follow Department Manual Section 4/540.68.

Officers seizing any other gas compressed cylinder or tank affixed with a cylinder valve shall request the Hazardous Materials Unit (HMU), Emergency Services Division (ESD), for advice, assistance, and transportation via the Department Operations Center (DOC).

Note: Officers may book a gas compressed cylinder or tank without a cylinder valve at Evidence and Property Management Division (EPMD). Examples are a small propane, butane or CO2 tank which are used for cooking or an air gun. Non-compressed gas items may also be booked at EPMD.

In the event that a tank or cylinder is to be booked as evidence by the HMU, ESD, the investigating officers shall complete a Property Report, Form 10.01.00, including the serial number (when available), manufacturer and size of the tank or cylinder. Officers shall forward the completed Form 10.01.00 to ESD via direct delivery, fax or electronic (scanned) copy.

Note: Officers can request the Trace Analysis Unit, FSD, to analyze the gas from the cylinder, if necessary for their investigation.

The officer shall issue a Receipt for Property Taken into Custody, Form 10.10.00, to the owner or possessor of the cylinder.

540.20 BOOKING EXPLOSIVE SUBSTANCES.

Explosive substances are classified as "Safe" or "Dangerous."

BOOKING "SAFE" EXPLOSIVES. "Safe" explosive items are booked in the same manner as any other property. A package containing a "Safe" explosive item shall be marked with large red letters indicating the type of explosive material contained, for example, "Fireworks," "Flares," or "Live Ammo." The types of "Safe explosives are:

- Fireworks-"Safe and Sane" types (Bearing State Fire Marshal seal) and less than 10 pounds gross weight;
- Emergency Highway flares/fuses; and,
- Fixed ammunition and blank or saluting cartridges **less** than .50 caliber.

BOOKING "DANGEROUS" EXPLOSIVES. All other explosive substances are classified as "Dangerous" and shall only be recovered and booked by Hazardous Devices Section personnel. The Hazardous Devices Section technician who assumes custody of a dangerous explosive substance shall ensure that a Property Report, Form 10.01.00, is completed and distributed as soon as practicable. Common examples of "Dangerous" explosive substances are:

- Fireworks not bearing the State Fire Marshal seal or with a gross weight of ten pounds or more;
- Firecrackers and similarly constructed explosive devices that do not bear a State Fire Marshal seal, such as Cherry Bombs, M80's, and M100's;
- Seal Bombs and bird distracters (Agricultural/wildlife types of fireworks);
- Railroad Torpedoes; and,
- Ammunition .50 caliber and larger.

Note: Officers recovering ammunition .50 caliber or larger shall contact ESD, Hazardous Devices Section, or the Department Command Post during off-hours. A Hazardous Devices Section officer will determine whether the recovered ammunition is considered "Safe" and can be booked at Evidence and Property Management Division. In cases when an Hazardous Devices Section officer advises that the ammunition is considered "Safe" to book, officers shall note the name, rank, and serial number of the Hazardous Devices Section officer authorizing the booking in the Property Report, Form 10.01.00.

When investigating officers cannot determine the classification of a suspected explosive substance as "Safe" or "Dangerous," officers shall treat the suspected item as "Dangerous" and contact the Hazardous Devices Section of ESD or the Department Command Post during off-hours for advice.

540.25 BOOKING HAZARDOUS CHEMICALS (4/212.49).

540.30 BOOKING FIREARMS.

General. All firearms coming into the custody of the Department shall be classified as evidence.

Booking Firearms-Officer's Responsibility. An officer booking a firearm into Department custody shall ensure that the firearm is unloaded and safe for handling. Employees unfamiliar with the unloading or securing of a firearm shall contact the Firearms Analysis Unit, Forensic Science Division (FSD), for advice. Additionally, if physical evidence such as DNA or latent prints is important and there is a potential for damaging such evidence during the unloading process, FSD shall be requested to respond for assistance.

Note: The package of a firearm that requires latent print processing or touch DNA analysis shall be clearly marked "Hold for Prints" or "Hold for Touch DNA" and booked into an Evidence and Property Management Division facility, Area Property Room, or Area Property Room interim storage if the Property Room is closed. If an investigating officer determines that only fingerprint processing is required, a Latent Print Investigation Request (Form 12.01.00), shall be made to Technical Investigation Division (TID) via the Latent Prints drop down menu within the Incident Reporting Control System (i.e., AFDR/Incident Tracking application) of the Department's Local Area Network (LAN). If an investigating officer determines that only touch DNA analysis is required, they shall complete and submit a Request For Serology/DNA Analysis, Form 12.56.00, to FSD. If both fingerprint processing and touch DNA analysis are required, mark the appropriate Analyzed Evidence Envelope with "Hold for Prints and Touch DNA" and notify both TID and FSD. The investigating officer will be contacted by TID and/or FSD to determine in which order to analyze the item.

Note: During off-hours and weekends, FSD firearms examiners may be contacted for advice or response through the Department Operations Center.

In all cases, the Firearms Analysis Unit shall be contacted to examine and clear the following types of hazardous weapons prior to booking:

- Muzzle loaders;
- Cap-and-ball black powder weapons; and,
- Jammed or inoperative weapons, including weapons with rounds that cannot be extracted.

When possible, weapons shall be packaged to allow easy visual examination and assurance they are unloaded.

Upon ensuring the firearm is unloaded and safe for handling, the booking employee shall:

- Complete a Property Report, Form 10.01.00.

Note: The name and serial number of the FSD firearms examiner, along with the date and time a hazardous weapon was rendered safe for handling, shall be documented in the Property Report. For firearms contaminated with diseased or infectious bodily fluids or for other specially packaged or sealed firearms, documentation of the weapons clearing shall be included in the Property Report.

- Complete the Firearms Supplemental Property Report, Form 10.01.01.

Note: Officers shall complete one Firearms Supplemental Property Report **for each firearm booked**. When more than three associates exist, complete another Firearms Supplemental Property Report, Form 10.01.01. When more than three firearms are booked, complete the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02. When a firearm is recovered directly from a specific person, any other individual in the possessor's company will be considered an associate and their information shall be entered into "Possessor's Associate" section. The Firearms Supplemental Property Report shall become a page of the Property Report, Form 10.01.00, and continue the page numbering sequence and be submitted to a supervisor for approval.

- When multiple firearms are booked on a single Property Report, Form 10.01.00, and all have the same possessor, associates, recovery location and recovery date, the first firearm is listed on the Firearms Supplemental Property Report, Form 10.01.01. Additional firearms will be listed on the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02. The appropriate information shall be recorded on the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, by the officer booking the firearm into a Department Property Room.
- The Continuation Sheet for Firearms Supplemental Property Report shall become a page of the Property Report, Form 10.01.00, and continue the page numbering sequence and be submitted to a supervisor for approval.
- Cause the Automated Firearms System (AFS) and National Crime Information Center (NCIC) to be queried to determine wants and registration information.
- Telephonically report all firearms reported stolen, lost, recovered, located and booked to the Automated Vehicle and Property Section, Records and Identification Division.
- Document the results of the AFS and NCIC query on the Form 10.01.00.
- Affix the AFS/NCIC print out to the Form 10.01.00 with transparent tape, immediately below the recorded description of the firearm.
- Print the word "FIREARM" in **red** in the top margin of the Form 10.01.00.
- When booking a firearm at a location other than the Property Room within the geographic Area in which the firearm was seized, print in the left margin of the Form 10.01.00, a statement directing extra copy distribution to the robbery unit of the geographic Area in which the firearm was seized.
- Submit the completed Forms, 10.01.00 and 10.01.01, to a supervisor for approval.
- Deposit the property and two copies each of the approved Forms 10.01.00, 10.01.01, and 10.01.02, when applicable, with the concerned property unit.

Note: All information relative to a firearm will be entered into the AFS by personnel assigned to the Automated Vehicle and Property Section, Records and Identification Division.

Supervisor's Responsibility. The supervisor approving the Form 10.01.00 shall:

- Physically inspect the firearm (unless held for touch DNA and/or latent prints) to verify the accuracy of the information contained on the Form 10.01.00 and to verify that the firearm is unloaded.

Note: If the firearm is being held for latent prints, touch DNA, or other scientific evidence, supervisors shall visually inspect the firearm to verify as much information as possible is contained in the Form 10.01.00.

- Ensure that a notation is made in the narrative portion of the Form 10.01.00 when unable to query AFS and NCIC.

The supervisor approving the Firearms Supplemental Property Report, Form 10.01.01, and the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, when applicable, shall review the form for completeness and accuracy, **ensuring that all available information has been included.**

Receiving Booked Firearms-Property Officer's Responsibility. The property officer receiving a booked firearm shall:

- If a firearm is held for prints and/or DNA, ensure the carton is properly sealed by the booking officer since it cannot be verified until an analysis is completed;
- Inspect the firearm and verify all information contained in the Form 10.01.00.
- Ensure that a completed Firearms Supplemental Property Report, Form 10.01.01, and the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, when applicable are attached to the Property Report for each firearm booked.

Packaging. Long guns including sawed-off long guns need not be packaged. An Evidence Tag, (Yellow) Form 10.12.00, shall be attached to the barrel when practicable.

A "Hold for Prints" or "Hold for Touch DNA" handgun shall be packaged inside a carton and the carton secured with brown adhesive tape and the red seal.

Handguns shall be packaged when practicable. Only an empty weapon's magazine may be packaged with a firearm.

Note: An empty magazine shall not be stored in a weapon, and ammunition shall be packaged separately from the weapon packaging.

540.31 BOOKING BODY ARMOR. When anti-ballistic equipment (body armor) is used during the commission or attempted commission of a crime or is illegally possessed, it shall be booked into Department custody. Training Division shall conduct an analysis to determine if the body armor performed according to its specifications and to identify possible trends of armor used by suspects. This analysis includes body armor worn by Department personnel when impacted by a ballistic object or stabbing instrument.

Note: Body armor includes vests, helmets, plates, and any related anti-ballistic product.

Officer's Responsibility. An officer recovering body armor used during the commission or attempted commission of a crime, illegally possessed, or worn by Department personnel when impacted by a ballistic object or stabbing instrument shall:

- Complete a Property Report, Form 10.01.00, and include the serial number, model name or model number, threat level, manufacturer, size, color of the carrier, and whether it is a male or female design; and,
- Book the body armor into Department custody (4/510).

Commanding Officer, Training Division, Responsibility. The Commanding Officer, Training Division, shall establish a procedure for the analysis and evaluation of body armor. Upon receipt of Form 10.01.00 documenting the seizure or recovery of body armor, the commanding officer shall:

- Ensure that prior to analysis, approval is obtained from the **investigating officer** responsible for the body armor to avoid compromising its evidentiary value;
- Ensure that the results of each analysis are cataloged;
- Produce an annual report associated with the analysis and effectiveness of Department issued body armor and body armor used by suspects; and,
- When needed, ensure that training and tactics are developed for officers when confronting suspects wearing body armor.

540.32 PROCESSING FIREARMS HELD FOR LATENT PRINTS OR OTHER SCIENTIFIC EVIDENCE.

Employee Booking Firearm - Responsibility. Firearms to be examined for latent fingerprints or other scientific evidence shall be unloaded safely and in a manner consistent with the preservation of evidence prior to booking.

Note: Employees unfamiliar with the unloading or securing of a firearm shall contact the Firearms Analysis Unit, FSD, for advice or response. Additionally, if physical evidence such as latent prints is of extreme importance and there is a potential for damaging such evidence during the unloading process, FSD shall be requested to respond for assistance. The Firearms Analysis Unit shall be contacted to examine and clear hazardous weapons (Department Manual Section 4/540.30). During off-hours and weekends, FSD firearms examiners may be contacted for advice or response through the Department Operations Center.

Employees in possession of a firearm requiring examination for latent prints or other scientific evidence shall:

- Place long guns in a long gun box, seal the box with a signed, red Analyzed Evidence Seal, Form 10.12.07, and affix an Evidence Tag, Form 10.12.00, to the box;

Note: Long guns too large for an appropriate carton shall be wrapped to protect their evidentiary value. The wrapping shall be taped and sealed with a signed, red Analyzed Evidence Seal as described in Manual Section 4/535.07, Packaging Analyzed Evidence.

- Place handguns in a handgun box, seal the box with a signed, red Analyzed Evidence Seal, fold the Handgun Evidence Envelope, Form 10.20.00, into thirds and secure it in a manner that clearly displays the bold "Handgun" label as well as the information completed by the employee;
- Complete the Property Report, recording as much information as possible about the firearm without destroying any of its evidentiary value; and,
- Indicate on the Property Report that the firearm is in the custody of FSD for examination and will be booked into EPMD once completed.

Note: All firearms which are being held for examination of any type shall be secured in the required manner as noted in Manual Section 4/535.07, Packaging Analyzed Evidence booked into a Evidence and Property Management Division facility.

Investigating Officer's Responsibility. Upon determining that FSD/Technical Investigation Division (TID) analysis is required for any item booked, the investigating officer shall:

- Submit a request to FSD/TID of the desired analysis;
- Ensure that a properly completed Analyzed Evidence Report, Form 12.20.00, or equivalent TID Laboratory Examination Report is received from FSD/TID; and,
- Document on a Follow-up Investigation Report, Form 03.14.00, any pertinent information.

If a firearm is no longer needed for analysis of Touch DNA and/or latent prints, the I/O shall notify EPMD by forwarding a Follow-up Report, Form 03.14.00, cancelling the analysis.

Forensic Science Division Responsibility. When a firearm is to be examined for latent prints or other scientific evidence, personnel assigned to FSU/TID shall:

- Transport firearms to the Evidence Control Unit (ECU), FSU/TID, via the courier unit;
- Book the firearm into APIMS;
- Update the description of any firearm for which the description is incomplete on a Property Report by:
- Completing a Follow-up Report and forwarding the original to R&I Division, with copies to the Gun Unit, DSVD, and the concerned investigating officer. The Automated Vehicle and Property Section, R&I Division shall enter any updated information into the Automated Firearms System and the concerned investigating officer shall ensure this is done; and,
- Entering the additional descriptive information into APIMS.
- Forward a copy of each Property Report and a copy of the attached AFS/NCIC printout directly to the Gun Unit, DSVD;
- Process requests for analysis received from investigative personnel;
- Notify the investigating officer when analysis is completed; and,

- Return the firearm via the courier unit to the property room indicated by the investigating officer.

Evidence and Property Management Division's Responsibility. Evidence and Property Management Division facilities shall be responsible for the long term storage of analyzed firearms.

540.40 PROCESSING FIREARMS SURRENDERED FOR DISPOSAL. When a firearm is voluntarily surrendered to the Department for disposal, the following additional procedures shall apply:

- Ammunition accepted with the firearm shall be listed on the same report.
- The words "Voluntary Gun Disposal" shall be entered on the first line of the narrative portion of the Property Report, Form 10.01.00.
- The owner shall be required to sign the following statement, which shall be included as the last paragraph in the narrative portion of the report: "I hereby relinquish to the Los Angeles Police Department any right, title, or interest in the above-described firearm(s)."
- Advise the owner that the firearm will be disposed of in accordance with the procedures set forth in Penal Code Section 18000-18005.
- Issue the owner a Receipt for Property Taken Into Custody, Form 10.10.00.
- Book the firearm.

Note: The firearm shall be transferred to Central Property Section within five days.

540.45. DEPARTMENT GUN BUYBACK PROGRAM.

Processing Request. When an individual or organization requests to sponsor a gun buyback event with the Department, the Department employee receiving the request must notify his or her supervisor.

Supervisor's Responsibilities. The supervisor shall submit an Employee 's Report, Form 15.07.00, to his or her commanding officer (CO) and include the following information:

- Name of the requesting individual and/or organization;
- Name and telephone number of the contact person;
- Individual and/or company address;
- Type of compensation offered (e.g., monies, sporting event tickets, concert tickets, food vouchers, gift cards, etc.);
- Total amount of compensation available;
- Tentative date(s) of the gun buyback event; and,
- Intent of the participants.

Commanding Officer's Responsibilities. Commanding officers shall submit an Intradepartmental Correspondence, Form 15.02.00, to the CO, Gang and Narcotics Division (GND). The Intradepartmental Correspondence shall include a copy of the supervisor 's

Employee 's Report as an attachment. The CO shall document any additional information, including any conflict of interest issues, and provide a recommendation as to the feasibility of the proposed event.

Gang and Narcotics Division's Responsibilities. The CO, GND, shall review the request and forward it with a recommendation for approval or disapproval, via the Chief of Detectives, to the Chief of Police (COP). The COP shall approve or disapprove the request. The CO, GND, shall prepare a response notifying the requestor and the affected CO of the decision rendered by the COP. The correspondence to the requestor shall include an explanation of the Department's gun buyback procedures.

Approval to Conduct Program. After the COP has approved the request, the Area/division CO shall ensure that his or her command adheres to the protocol set forth in this Manual Section. The Area/division CO shall notify the CO, Evidence and Property Management Division, of the date and time of the gun buyback event.

Exemption for Gun Buyback Programs. California Penal Code Section 27850 provides an exemption for local, state, or federal government agencies to conduct a gun buyback program without a firearm dealer 's license.

Area/Division Gun Buyback Coordinator. The Area/division CO shall designate a supervisor within his or her command as the Area/division Gun Buyback Coordinator to facilitate and regulate the gun buyback program. The responsibilities of the Area/division Gun Buyback Coordinator shall be an ancillary duty.

Firearm Examiner. The Gun Unit, GND, shall provide technical assistance to the Area/division(s) participating in a gun buyback event and shall designate an officer(s) as the Firearm Examiner to inspect and render all firearms safe, prior to processing. This officer must have a background or familiarity with most firearms and be assigned to the Gun Unit, GND.

Gun Buyback Location. The primary selection criteria for the gun buyback event location shall be security and safety. The surrounding area shall be monitored for potential criminal activity and the facility shall have adequate space with a separate entrance and exit. Accessibility to the public and adequate restroom facilities are to be considered when selecting a location. In addition, a space should be allocated to exhibit a select number of firearms for media coverage.

Note: As required by the Gun-Free School Zone Act of 1995, gun buyback locations must be a minimum of 1,000 feet away from any school.

Resources. Sufficient Department personnel must be allocated to ensure security both inside and outside the gun buyback location. The following items shall be available at the firearm processing area:

- Clearing barrel;
- Vehicle (preferably a van);

- Plastic or nylon cable ties of appropriate length to secure actions of firearms;
- Masking tape and transparent tape;
- Gloves;
- Evidence Tag, Form 10.12.00;
- Handgun Evidence Envelope, Form 10.20.00;
- Property Report, Form 10.01.00;
- Firearms Supplemental Property Report, Form 10.01.01;
- Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02;
- Receipt for Property Taken into Custody, Form 10.10.00 (Upon request);
- Writing utensils;
- Containers for miscellaneous ammunition and magazines; and,
- Tape measure and/or ruler to measure barrel length.

Media Coverage. The Media Relations Division, Public Communications Group, must be given advance notification to allow sufficient time to inform the public.

Notifications: Prior to the Gun Buyback event, the following notifications shall be made by the Gun Unit:

- Bomb Squad, Emergency Service Division;
- Firearm Analysis Unit, Forensic Science Division;
- Communications Division;
- Evidence and Property Management Division;
- Force Investigation Division; and,
- Department Operations Center.

Compensation for Firearms. Outside organizations or individuals wishing to sponsor a gun buyback event shall be required to furnish the Department with verification of available compensation prior to the establishment of a gun buyback event. Sponsors providing monetary contributions or other compensation to the public for the forfeiture of firearms shall maintain control of the compensation and shall have sole responsibility for its disbursement.

Relinquishment of Firearms. When practical, persons relinquishing firearms at a gun buyback event, including those who wish to remain anonymous, shall be instructed to unload the firearm and secure it in the trunk of his or her vehicle or in a locked container prior to transporting it via public service announcement or social media. Upon arrival at the gun buyback location, the person relinquishing the firearm shall be advised in person to leave the firearm in his or her vehicle or in the locked container and notify, police personnel that they wish to relinquish the firearm.

The Firearm Examiner(s) shall retrieve and render the firearm(s) safe at the clearing barrel. The event participant shall be directed to the compensation area. All cleared firearms shall be held at a secured location pending transfer to the booking area.

Note: Only Department employees shall handle and book firearms.

Reports and Booking of Property.

Firearm Processing Procedure. An officer shall complete one Property Report for each gun buyback event location. The officer shall obtain one evidence Division of Records (DR) Number for the Property Report. Each firearm's status (i.e., lost, stolen, institutionalized, or observation) shall be checked through the Automated Firearms System prior to booking the weapon, and all firearms shall be handled per the Department's handling and booking procedures.

Note: Evidence and Property Management Division should be notified to ensure adequate experienced staff are available to accept and process stolen firearms relinquished during the gun buyback events.

The issuance of a Receipt for Property Taken into Custody is **not** required for firearms recovered during an authorized gun buyback event.

Unfamiliar, Exotic, or Complex Firearms. If an individual relinquishes a firearm that is unfamiliar to the Firearm Examiner, the following procedures shall be followed:

- Contact the Firearms Analysis Unit, Forensic Science Division, during regular business hours on weekdays at (323)415-8160; or,
- During non-business hours or weekends, contact Department Operations Center and request that the on-call firearms expert be contacted.

Gun Buyback Results. The Area/division CO, upon completion of a gun buyback event, shall prepare an Intradepartmental Correspondence and forward the report to the CO, GND. The Intradepartmental Correspondence shall contain pertinent information regarding the gun buyback event including the amount and types of firearms surrendered as a result of that event. The report shall be kept on file at GND.

Exception: An Intradepartmental Correspondence from the Area/division CO is not required if the gun buyback event is planned and conducted by GND.

Retention and Destruction of Firearms. Any firearm taken into police custody in conjunction with a gun buyback event shall be destroyed or retained for official Department use in accordance with existing Department procedures, unless the firearm is stolen. If the firearm is stolen, it shall be booked in accordance with Manual Section 4/540.30, Booking Firearms. If retained, it shall be processed in accordance with Department Manual Section 4/580.20 - 580.40, regarding convertible property.

540.50 BOOKING FIREARMS FOR RENUMBERING. Any pistol or revolver without a manufacturer's number or other mark or identification which comes into Department custody shall be processed by Detective Support and Vice Division prior to release of the weapon. When the owner or person having custody of a pistol or revolver without an identification number requests the renumbering of the weapon, it shall be booked and , Detective Support

and Vice Division, shall be designated as the "Investigating Division" on the Property Report, Form 10.01.00.

Note: A complete physical description of the owner of the firearm shall be included in the property report.

If the investigating officer determines that the firearm should be numbered, he or she shall cause the necessary copies of the Firearm Identification Report, Form 12.07.00, to be prepared and forwarded to Forensic Science Division.

Upon receipt of a Firearm Identification Report, Forensic Science Division personnel shall process the firearm. After processing, the firearm shall be returned to the investigating officer, who shall ensure the weapon is returned to the location where it was booked.

Note: The Firearm Identification Report registers the firearm.

540.60 BOOKING MONEY. All monies taken into Department custody shall be counted by the officer booking the money and the appropriate supervisor prior to booking. A copy of the related Property Report, Form 10.01.00, must accompany each money booking.

Note: When an officer seizes or takes into custody U.S. currency totaling less than \$5,000, the concerned officer shall book the currency at the Area property room. The items shall be placed in the designated interim storage locker when the Area property room is closed. When an officer seizes or takes into custody U.S. currency totaling \$5,000 or more, the officer shall transport the currency to Valley Property Section or Central Property Section, Evidence and Property Management Division, for recounting and booking.

Officer's Responsibility. When an officer seizes or takes into custody U.S. currency, the officer shall:

- Count the currency, in the presence of a supervisor preferably not involved in the seizure, and place the currency into a Money Envelope, Form 10.12.02;
- Obtain the signature of the supervisor verifying the money count on the Money Envelope;
- Ensure that both the total amount and the breakdown by denomination are accurately recorded on the Money Envelope;
- Seal the top flap of the Money Envelope with an Evidence Seal, Los Angeles Police Department (Red), Form 10.12.07;
- Complete a Property Report listing the currency booked; and,

Note: Money that is of unique evidentiary value, e.g., possible fingerprints, shall be listed on the Property Report as outlined in 5/10.01-26.

- Book the items into the appropriate property facility.

Note: When booked money requires checking by a Gang and Narcotics Division K-9 unit and a unit is unavailable prior to booking, the booking officers shall notify the property officer that after counting and booking the currency to place the Money Envelope into a Kapak bag to ensure the currency is not contaminated during storage. Items held for checking by the K-9 Detail must be booked at Central or Valley Property Sections.

Supervisor's Responsibility. Supervisors responsible for counting currency shall:

- Verify that both the total amount and the breakdown by denomination are accurately recorded on the Money Envelope;
- Sign the Money Envelope in the appropriate place and ensure the envelope is properly sealed; and,
- Ensure that the items are booked into the appropriate property facility.

Note: A supervisor shall witness the recount of all currency removed from interim storage by the property officer for booking into the Area property room. The supervisor shall sign and date the Evidence Seal-Evidence and Property Management Division (Blue), Form 10.12.12, overlaying the Money Envelope flap next to the signature of the property officer.

Property Officer's Responsibility. Property officers at Area property rooms who accept currency for booking shall:

- Recount the currency in the presence of the booking officer;
- If the currency is removed from interim storage for booking into the Area property room, recount the currency in the presence of any sworn supervisor;

Note: The property officer shall be responsible for applying blue evidence seals to all currency packages opened for recounting. All resealing shall be done in the presence of the sworn supervisor witnessing the recount. The property officer shall sign and date the blue evidence seal overlaying the Money Envelope flap in the presence of the sworn supervisor.

- Ensure the money count is properly listed on the Money Envelope;
- Seal the Money Envelope with a blue evidence seal and sign and date the evidence seal; and,
- Place the item into secure storage.

Property officers at Central Property Section or Valley Property Section who accept currency for booking shall:

- Recount the currency in the presence of the booking officers;
- Verify the currency count matches the Money Envelope;
- Place the currency into the Money Envelope and seal with a blue evidence seal;
- Sign and date the blue evidence seal; and,
- Obtain the signature of a Evidence and Property Management Division supervisor on the blue evidence seal overlying the Money Envelope flap.

Commanding Officer, Evidence and Property Management Division's Responsibility. The Commanding Officer, Evidence and Property Management Division, shall, as soon as practical upon expiration of the 60-day time limit, cause all monies eligible for deposit into the Booked Money Account, not stored in the Central Property Section, Evidence and Property Management Division, to be transferred to Central Property Section or Valley Property Section for deposit.

Exception: If a release has been authorized and is pending, the money will not be transferred and deposited until the required term for claiming the money has expired.

Upon determination that money in the account is eligible for disbursement, the commanding officer of Evidence and Property Management Division shall cause a Booked Money Disbursement, Form 10.26.00, to be completed and forwarded to Fiscal Group.

Note: Monies not yet deposited into the Booked Money Account may be released in accordance with procedures outlined in Section 4/555.10.

540.61 BOOKING OF SOUVENIR CURRENCY OR COINS. Currency or coins booked into an arrestee 's property that are considered by the arrestee to be a souvenir shall be placed in a jewelry or similarly unmarked envelope. The outside of the envelope shall denote the contents as "souvenir" and shall be sealed with an evidence tag. Department employee(s) booking the currency or coins shall have the arrestee initial the envelope acknowledging the contents. However, should the arrestee be combative or is physically unable to initial the envelope, the Department employees) shall mark the envelope as "Unable to obtain arrestee's signature. " If the arrestee refuses to initial the envelope, the Department employees) shall write "Refused. "

Note: Examples of souvenir currency consists of, but are not limited to, limited edition \$2 dollar bills, Susan B. Anthony coins, currencies from other counties, silver certificates, obsolete currency, etc.

540.62 BOOKING OF NUMISMATIC, MUTILATED, OR COUNTERFEIT CURRENCY. Foreign currency, gold coins, proof sets, and coins which are obviously part of numismatic collections shall be booked separately and not as money. Additionally, counterfeit currency, dye-packs, and raised bills, regardless of denomination, shall not be booked as U.S. currency or in a Money Envelope. Officers booking numismatic, mutilated, or counterfeit currency shall:

- If the items constitute a coin collection or collectable items, list the total face value of the coin or bill collection and the breakdown by denomination on the Property Report; or
- If the item is counterfeit or a raised bill, list the face value along with the serial number from each bill on the Property Report; or
- If the item is a dye pack, list the visible serial numbers and face value of any remaining bills.

- In the presence of a supervisor, place the items in a plain manila envelope stamped with a currency denomination grid on the face of the envelope;
- Itemize the totals of the items on the grid, e.g., "10 pennies, 4 nickels, 2 dimes," etc., from the Property Report;
- Write in large letters on the lower portion of the face of the envelope what is contained within, e.g., dye pack, coin collection, etc.;
- Seal the top flap of the envelope with a red evidence seal;
- Have the witnessing supervisor sign the evidence seal overlaying the envelope flap; and,
- Book the property (4/515.20).

540.64 REMOVAL OF CURRENCY FROM EVIDENCE AND PROPERTY MANAGEMENT DIVISION.

Withdrawal for Court Proceedings. Officers shall contact the District Attorney's Office or City Attorney's Office, as appropriate, to determine if currency booked in conjunction with the court case is needed in court. When currency is required as evidence in a court proceeding, the officer shall:

- Withdraw the currency from Evidence and Property Management Division and sign the Property Card-Envelope (Money), Form 10.07.1, upon receipt;
- Obtain copies of the Property Court Receipt, Form 10.3;
- Transport the sealed Money Envelope to the appropriate court; and,
- Have the court execute the Property Receipt with a court stamp and court clerk's signature when the currency is accepted as evidence and deliver the receipt to Evidence and Property Management Division not later than the close of the following working day.

Note: When the currency is not accepted as evidence by the court, the concerned officer shall return the currency and unexecuted receipts to Evidence and Property Management Division as soon as practicable.

Release of Currency to Private Persons. When releasing currency to a private person in response to a Property Disposition/Update Request, Form 10.06.00, teletype, or Property Owner's Notification, Form 10.14.00, property officers shall:

- Verify identification of the private person;
- Ensure that the property release authorization is on file;
- Ensure that a supervisor is present to continuously observe the release of the currency; and,

Note: In Central or Valley Property Sections, a property supervisor shall be present. In outlying Area property rooms, a watch commander or other sworn supervisor shall be present.

- Complete the necessary documentation to record the release of the currency under the auspices of the supervisor verifying the release and have the witnessing supervisor initial the form.

540.66 MONEY HELD FOR SPECIFIC EVIDENTIARY VALUE. When an employee takes into custody currency that has any specific evidentiary value, e.g., possible fingerprints, unique identifying characteristics etc., the booking employee shall place the phrase "Hold Money for Evidence" above the line where the money evidence appears on the Property Report Form 10.01.00. Facts supporting retention should be set forth in narrative form immediately following the line item listing on the Property Report and in the narrative or corresponding reports.

Note: Money that has no hold for evidentiary value will be deposited into the Booked Money Account by Evidence and Property Management Division after 60 days of custody.

Investigating Officer's Responsibility. Investigating officers shall review money booked in conjunction with cases under their purview and determine if a hold for evidence placed on the money is necessary or may be necessary.

Placing a Hold. Investigating officers requesting a hold on money booked shall complete a Follow-Up Investigation, Form 03.14.00, and forward the form to the Commanding Officer, Evidence and Property Management Division.

Releasing a Hold. Investigating officers requesting the release of a hold placed on money booked shall complete a Form 03.14.00 documenting approval received from the Deputy District Attorney or Deputy City Attorney, as appropriate, and a statement that the booked money is eligible for deposit into the booked money deposit system. Upon approval, retain a copy in the case package and forward the original to the Commanding Officer, Evidence and Property Management Division.

Note: Completion of the Form 03.14.00 stating the currency is eligible for deposit does not relieve the investigating officer of the responsibility to complete a Property Disposition/Update Request, Form 10.06.00, if appropriate.

540.68 NITROUS OXIDE - DEFINED. Nitrous Oxide, or N₂O is a clear, colorless liquefied gas with a slightly sweet odor. When inhaled, N₂O produces intoxicating effects and short term analgesia (pain relief) for the user. The most common methods of N₂O storage include a tank and/or cylinder, and balloons. Possession of N₂O, or any substance containing N₂O, with the intent to breathe, inhale or ingest for the purpose of causing a condition of intoxication is a misdemeanor offense, in violation of California Penal Code (PC) Section 381 b.

Exception: Penal Code Section 381 b does not apply to persons under the influence of N₂O or any material containing N₂O pursuant to an administration for the purpose of medical, surgical, or dental care by a person licensed to administer such an agent.

Officer's Responsibility. When conducting a preliminary investigation of N2O possession, officers shall adhere to the following procedures:

- Determine if the possession of N2O is a violation of 381 b PC and take appropriate action;
- Contact the Hazardous Materials Unit (HMU), Emergency Services Division (ESD), for advice and/or assistance;

Note: Do not transport N2O tanks or cylinders, regardless of size, in the police vehicle. Officers seizing an N2O tank or cylinder shall request the HMU, ESD, for transportation.

Note: During non-business hours, officers should contact ESD through the Department Operations Center (DOC).

- In the event that a tank or cylinder containing N2O is to be booked as evidence by the HMU, ESD, the investigating officers shall complete a Property Report, Form 10.01.00, including the serial number (when available), manufacturer and size of the tank or cylinder. Officers shall ensure a copy of the completed Property Report is delivered to ESD via direct delivery, fax, or electronic (scanned) copy; and,

Note: Officers can request the HMU, ESD analyze the N2O from the cylinder or an inflated balloon, if necessary for their investigation.

- Issue a Receipt for Property Taken, Form 10.10.00, to the owner or possessor of the cylinder.

540.70 PROCESSING NARCOTICS, TOLUENE AND DANGEROUS DRUGS, ETC. Narcotics, narcotic paraphernalia requiring analysis, toluene, and dangerous drugs shall be booked in or labeled with an Analyzed Evidence – Narcotics Envelope, Form 12.51.03 or an Analyzed Evidence – Narcotics Tag, Form 10.12.06, and a Narcotic Evidence Booking Identification Card, Form 10.12.09.

Booking Employee's Responsibilities. When packaging small quantities of narcotics, officers shall:

- Place the narcotics into a resealable plastic bag;

Note: Officers are also reminded that a separate Analyzed Evidence – Narcotics Envelope shall be used to contain the evidence obtained from each arrestee.

- Place the bag into an Analyzed Evidence - Narcotics Envelope; and,

Exception: Plant material shall not be placed in a plastic bag before being placed into an Analyzed Evidence – Narcotics Envelope.

- Place an Analyzed Evidence Seal, Form 10.12.07, over each flap and the center seam.

Note: Narcotics evidence weighing one kilogram or more shall be placed in a cardboard box. The box shall be sealed with a high quality fiber reinforced tape. A completed Analyzed Evidence – Narcotics Envelope or an Analyzed Evidence – Narcotics Tag shall be attached to the outside of the cardboard box.

The package shall be sealed with a completed evidence seal. A separate Analyzed Evidence - Narcotics Envelope shall be used for the evidence obtained from each arrestee. Resealable plastic bags may be used to separate evidence within the Analyzed Evidence - Narcotics Envelope. Each envelope shall bear an item number and be listed on related reports. No other evidence, except narcotic paraphernalia requiring analysis, shall be included in the sealed package. The Analyzed Evidence - Narcotics Envelope shall not be filled above the fold of the upper flap of the package.

An officer seizing one kilogram or larger size packages of dangerous drugs or narcotics evidence shall:

- Consecutively number the exterior of each package wrapping;
- Weigh the packages for gross weight and place them in a cardboard box;

Note: "Gross weight" is the weight of each individual package of narcotics including the packaging material. "Control weight" is the weight of a single box containing several individual packages. "Net weight" is the weight of the narcotics without any packaging material. Refer to Department Manual Section 4/540.75 for handling seizures exceeding 30 pounds net weight.

- Weigh the box and contents for control weight and seal with, high-quality fiber reinforced tape and an Analyzed evidence seal;
- List the gross weight and control weight on the Property Report, Form 10.01.00; and,
- Complete an Analyzed Evidence – Narcotics Envelope and attach it to the outside of the cardboard box, indicating the numbered packages contained within and the gross and control weight of the box and its contents.

Note: When booking large quantities of narcotics requiring numerous boxes, an Analyzed Evidence – Narcotics Envelope shall be attached to the outside of the first box of each item number on the Property Report, Form 10.01.00, which consists of one or more boxes, and an Analyzed Evidence – Narcotics Tag, shall be attached to each remaining box. The item number, box number, and total number of boxes shall be documented on each box.

The employee booking the evidence shall in all cases complete the upper portion of the form on the face of the envelope, including any special instructions for the chemist making the analysis.

Note: Refer to Department Manual Section 4/540.72 for Phencyclidine (PCP) or its analogs and 4/540.71 for Fentanyl handling procedures.

Cannabis Cigarettes. Cannabis cigarettes shall be placed in a container, a coin envelope or resealable plastic bag and marked "officer added packaging." Each cigarette and specific location from which the cigarette was taken shall be listed on related reports.

Paraphernalia Containing Narcotics Residue. An officer booking paraphernalia containing narcotics residue shall:

- Place narcotics paraphernalia into a resealable plastic bag, size permitting, or into a plastic property bag if the residue may be lost or destroyed, or directly into an Analyzed Evidence – Narcotics Envelope;

Note: An officer shall place syringes and broken glass into an approved hard-plastic tube prior to placing them into an Analyzed Evidence – Narcotics Envelope. Intact glass pipes shall be placed inside of paper or in an approved hard-plastic tube prior to placing them into an Analyzed Evidence – Narcotics Envelope.

- Place Analyzed Evidence Seals over each flap and the center seam.

Exception: Paraphernalia containing plant material residue shall be placed inside a coin envelope, if practical, and placed directly into an Analyzed Evidence-Narcotics Envelope.

Note: This section does not affect booking procedures for paraphernalia not containing narcotics residue.

Toluene. When toluene or a similar toxic substance is exposed to the air (e.g., glue on a rag or in a paper bag), the evidence shall be placed in a glass container.

Weights and Measures. "Substances" in relation to pipes with residue only, are no longer weighed. These substances shall only be counted. For example, one glass pipe containing cocaine residue shall be counted as one item. The evidence may state in the Property Report and/or the Arrest Report, Form 05.02.00, "1 glass pipe containing off-white residue resembling cocaine." Glass pipes with no visible residue shall be booked as paraphernalia in the Area property rooms. All pipes with residue shall be booked as narcotics.

Note: Containers included in the gross weight shall be described in the Property Report (or Arrest Report if used to book the evidence).

Cannabis plants shall be counted. Their number and net weight (minus dirt and container) shall be recorded on the property report. The plants shall be placed in a carton. If necessary, the plants may be folded. Generally, the dirt and the container need not be booked.

Note: When practicable, the plants shall be photographed prior to being uprooted.

Note: Due to the risk associated with potential fentanyl exposure, officers **SHALL NOT** use preliminary screening tests on items suspected of being a controlled substance. Sampling and testing of these items shall be limited to Forensic Science Division personnel due to necessary laboratory precautions extended beyond those available in Area community police stations. All Department personnel shall continue to weigh the samples, but minimize the possible exposure by handling the narcotics in a well-ventilated area and use protective equipment, such as latex gloves or masks.

Juvenile Arrested. When booking controlled substance evidence in juvenile cases, indicate whether the juvenile is "***Detained***" or "***Released***," in red on the upper left corner of the Analyzed Evidence – Narcotics Envelope.

Booking Location. Narcotics, narcotic paraphernalia requiring analysis, toluene, and dangerous drugs shall be booked into Evidence and Property Management Division (EPMD). The item(s) requiring analysis shall be placed into the narcotics storage locker for pick up by the Courier Unit or booked directly into EPMD.

540.71 FENTANYL OR ITS ANALOGS – HANDLING PROCEDURES

Transporting Procedures. An employee handling seized quantities of Fentanyl or its analogs shall:

- Describe the substance on the Property or Combined Evidence Report without agitating the substance or producing airborne particles; and,
- Request laboratory analysis as soon as possible after booking the evidence via Forensic Science Division (FSD).

Note: If the material has breached its container, or needs to be collected for evidence, the involved officers shall request the assistance of Hazardous Materials Unit (HMU) personnel by contacting the Department Operations Center. Nitrile gloves should be sufficient protection for handling contained or sealed Fentanyl.

Booking Procedures. An employee booking Fentanyl in a sealed container, or its analogs shall:

- Determine the gross weight of the sample (including Packaging) and include the information on the Property Report, Form 10.01.00, or Combined Evidence Report, Form 05.02.00;
- **Do not package Fentanyl with other types of narcotics;**
- Heat seal the container and contents in at least two unnumbered plastic property bags;
- Keep the container of Fentanyl away from all work spaces as much as practicable;
- Place the sealed property bags into an Analyzed Evidence – Narcotics Envelope, Form 12.51.03, or into a carton if the property bags will not fit inside the Analyzed

Evidence – Narcotics Envelope. Employees shall follow the procedures delineated in Department Manual Section 4/535.07, Packaging Analyzed Evidence – General;

- Mark the outside of the container with the words “FENTANYL” or “POSSIBLE FENTANYL;”
- Place the container of Fentanyl in the narcotics/shelf storage locker for transportation to FSD via the Evidence and Property Management Division Courier Unit; and,

Note: Employees booking Fentanyl at central Property section or Valley Property Section, shall book the items directly at these locations during open hours and place the items in the narcotics/shelf storage interim storage during closed hours.

- Seek the advice of FSD personnel when in doubt about the handling/packaging of Fentanyl. During off-hours, FSD can be reached by contacting the Department Operations Center.

Note: When evidence is to be placed in interim storage, the concerned watch commander or officer in charge shall verify the proper packaging.

Evidence and Property Management Division’s Responsibilities. Evidence and Property Management Division personnel involved in the booking of Fentanyl shall:

- Ensure that the outside of the container is marked with the words “Fentanyl” or “Possible Fentanyl”;
- Place the properly sealed narcotics package of Fentanyl inside a heat-sealed polyethylene pouch and then heat seal the pouch; and,
- Attach copies of the related evidence reports to the outside of the heat-sealable polyethylene pouch in a manner that will not puncture the bag or its contents.

Note: Fentanyl placed inside of a carton shall first be heat sealed inside unnumbered plastic property bags, then sealed inside of heat-sealable polyethylene pouches prior to being placed in a carton.

Commanding Officer’s Responsibilities. Commanding officers shall ensure that there is an adequate supply of plastic gloves, plastic property bags, and heat-sealable polyethylene pouches, buckets, vermiculite (absorbent material), hard-plastic tubes, and lids in a safe and accessible place.

540.72 PHENCYCLIDINE OR ITS ANALOGS - HANDLING PROCEDURES. The term PCP shall refer to phencyclidine or any of its analogs.

Transporting Employee's Responsibility. An employee handling seized quantities of phencyclidine (PCP) or its analogs shall:

- Not smoke;
- Ensure that there are no flames in the immediate vicinity;
- Avoid unnecessary contact with the container or cigarettes containing PCP;

- Handle the container or cigarettes only while wearing protective gloves;
- Secure the container of PCP to avoid any excess seepage;
- Place the secured PCP container into a plastic bucket containing vermiculite as soon as practicable and seal the bucket with a plastic lid; and,
- Place the sealed plastic bucket into the trunk of the police vehicle and transport it to the appropriate Department facility and immediately book the PCP.

Note: The plastic bucket shall be booked only in those situations when the PCP spills into the vermiculite while being transported. When the PCP spills, officers shall leave the PCP in the bucket and ensure that the bucket is sealed and booked according to established booking procedures. Forensic Science Division (FSD) can analyze the PCP even though it has spilled into the vermiculite.

Booking Procedures. An employee booking PCP or its analogs shall:

- When PCP is in a one-half gallon or larger container OR there is a total volume of one-half gallon or more of PCP, the Hazardous Chemical Team (HCT), FSD shall be notified. Officers shall not remove the PCP from the location without the approval of the HCT. Officers shall be guided by the HCT regarding the packaging and booking of the PCP. During off-hours, the HCT can be reached by contacting the DOC;
- When the amount of PCP is between one pint and one-half gallon, officers shall transport the PCP to Central or Valley Property Section for booking;
- When the amount of PCP is less than one pint, the PCP may be placed in the narcotics/shelf storage locker for transfer to Evidence Control Section, EMPD by the courier unit;
- Place the container of PCP into a numbered plastic property bag as soon as practicable;
- Heat seal the container and contents in at least two unnumbered plastic property bags before placing them into an Analyzed Evidence/Narcotics Envelope, Form 12.51.03;
- Keep the container of PCP away from all work spaces as much as practicable;
- Officers shall adhere to the proper packaging procedures for PCP as delineated in the Property Booking Guide;
- Seek the advice of FSD personnel when in doubt about the handling/packaging of PCP;
- Place the container of PCP in the narcotics/shelf storage locker for transportation to Evidence Control Section, EMPD; and,

Note: If any amount of PCP is in a container one-half gallon or larger, or the aggregate amount of PCP is one-half gallon or more, or if other chemicals are present at the location of seizure, the Hazardous Chemical Team (HCT), FSD, shall be notified. Officers shall not remove the PCP from the location without the approval of the HCT. Officers shall be guided by the HCT regarding the packaging and booking of the PCP. During off-hours, the HCT can be reached by contacting the DOC.

- Ensure that the PCP is placed in the narcotics/shelf storage locker for transportation to FSD via the courier.

Commanding Officer's Responsibility. Commanding officers shall maintain an adequate supply of plastic gloves, buckets, vermiculite (absorbent material), and lids in a safe and accessible place as follows:

Patrol/Traffic/Metropolitan Divisions. Ensure that an adequate supply of equipment is maintained in each patrol vehicle.

Detective/Specialized Divisions and Sections. Ensure that the equipment is available for use whenever it is required by personnel under their command.

540.73 TEMPORARY STORAGE OF NARCOTICS EVIDENCE AT AREA STATIONS. Narcotics evidence may be stored at Area stations on a temporary basis when one of the following criteria exists:

- No arrestee is in custody.
- The arrestee is booked into the Area jail.
- The arrestee is released from custody (RFC).

Officers booking arrestees directly at Metropolitan Jail Section, 77th Street Jail Section, or Valley Jail Section, shall book narcotics evidence directly into Central Property Section, 77th Street Property, or Valley Property Section, Evidence and Property Management Division, respectively.

Exception: Large quantities of narcotics in powder, pill, plant, or liquid form (30 grams or more of heroin, cocaine, or methamphetamine, 500 or more pills, a kilogram or more of plant material, or 1 pint or more of liquid PCP or its analogs) shall be immediately booked at Central Property Section or Valley Property Section by the booking employee.

When booking PCP in a one-half gallon or larger container OR when there is a total volume of one-half gallon or more of PCP, officers shall comply with Manual Section 4/540.72.

540.75 SEIZURES OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES IN EXCESS OF THIRTY POUNDS NET WEIGHT. The following procedures must be followed for seizures of large quantities of controlled substances estimated to be in excess of thirty pounds net weight. When booking Phencyclidine (PCP) in a one-half gallon or larger container or when there is a total volume of one-half gallon or more of PCP, officers shall comply with Section 4/540.72 of the Department Manual.

Note: When officers determine they have seized 200 pounds or more of growing or harvested cannabis with the use of a portable weighing scale or based on their training and experience, they shall be guided by Department Manual Section 4/540.78.

Officer's Responsibilities. Officers who seize quantities of a controlled substance in excess of thirty (30) pounds net weight, which are to be booked into Evidence and Property Management Division (EPMD), shall:

- Immediately notify the Officer in Charge, Complaint Filing Detail, Gang and Narcotics Division (GND), and the Hazardous Chemical Team, Forensic Science Division (FSD).

When GND or FSD is closed, notification shall be made to the Department Operations Center (DOC);

Note: The Hazardous Chemical Team, Forensic Science Division, will not respond to the seizure of growing or harvested cannabis. Officers shall remove the minimum required five random samples for testing and shall weigh and package the controlled substance in accordance with Department procedures for packaging evidence.

- Ensure that FSD responds to the scene and completes their responsibilities as detailed below under Forensic Science Division's responsibilities. The officers responsible for the seizure must maintain control of the evidence and book it into EPMD;
- Complete a Property Report in compliance with the following procedures:
 - If the controlled substance is found property with no follow-up investigation, and the GND Property Disposition Coordinator (PDC) Supervisor approves, then no samples will be taken and the controlled substance will be weighed, packaged, and authorized for disposal; and if not, then,
 - The first item(s) on the Property Report shall be a minimum of 10 pounds net weight of the controlled substance and the item will not exceed 30 pounds total weight;
 - The next item(s) on the Property Report shall be a minimum of five random samples from the total remaining suspected controlled substance items. It shall be clearly identified as samples, and if the suspected controlled substance is cannabis, the five random samples may include leaves or buds;

Note: If the suspected controlled substance was recovered from multiple locations at the same address, the samples must be taken from a variety of locations (e.g., garage, bedroom, or living room). If the suspected controlled substance was recovered from multiple addresses, the GND Property Disposition Coordinator Supervisor, after consulting with the Investigating Officer, must determine the amount of suspected controlled substance to be retained and the locations from which samples will be taken.

- The next item(s) on the Property Report will be the remaining suspected controlled substance items; and,
- The final item(s) on the Property Report will be the remaining non-narcotic items.
- Complete a Property Disposition/Update Request, Form 10.06.00, authorizing the disposition of the excess or found controlled substances while ensuring compliance with Section 11479 of the California Health and Safety Code, when applicable; and,

Note: Commanding officers may request the retention of such evidence by submitting an Intradepartmental Correspondence, Form 15.02.00, to Evidence and Property Management Division within 10 calendar days of the date booked, detailing the rationale for retaining the evidence. The Commanding Officers of EPMD and GND will review the request and advise the requesting commanding officer of the decision.

- Submit the completed Property Disposition/Update Request to the Property officer at the time of booking the controlled substance.

Forensic Science Division and Technical Investigation Division Responsibilities. When staff from FSD and Technical Investigation Division (TID) are notified of the seizure of a controlled substance in excess of thirty (30) pounds net weight, which is going to be booked into EPMD, they will respond to the location where the narcotics are to be weighed and packaged. The seizure will be photographed by a TID photographer to reasonably demonstrate the total amount of the suspected controlled substance seized and to be destroyed.

Forensic Science Division personnel will remove the required number of samples for testing, when required and weigh and package the controlled substance in accordance with Department procedures for packaging evidence. The net weight of the suspected controlled substance must be determined either by weighing the suspected controlled substance or by estimating the weight after completing dimensional measurements of the total suspected controlled substance.

Gang and Narcotics Division's Responsibility. When the Complaint Filing Detail, GND, is notified of a seizure of a controlled substance in excess of thirty pounds net weight, that is going to be booked into Evidence and Property Management Division, they will respond to the location to provide advice, if necessary, and ensure that the proper procedures for completing a Property Report and a Property Disposition/Update Report have been followed, as set forth in the Officer's Responsibilities section.

540.77 SEIZURES OF EXCESSIVE QUANTITIES OF NARCOTICS.

Excessive Quantities Defined. Excessive quantities of narcotics are those that exceed 100 pounds of any narcotic substance of any form except growing or harvested cannabis, 200 pounds of growing or harvested cannabis or more than one-half gallon of liquid phencyclidine (PCP). Plant material shall not be placed in plastic bags before being placed into an Analyzed Evidence – Narcotics container (carton or package).

Note: If any other chemicals or narcotic components are present at the location of the seizure, officers shall comply with Department Manual Section 4/212.49.

Officer's Responsibility. Officers who seize excessive quantities of a controlled substance which are to be booked into Department facilities shall immediately notify the Complaint Unit, Gang and Narcotics Division, and the Hazardous Chemical Team, Forensic Science Division

(FSD). When either FSD or Gang and Narcotics Division is closed, notifications shall be made to the Department Operations Center.

Note: The Hazardous Chemical Team, Forensic Science Division, will not respond to the seizure of growing or harvested cannabis. Officers shall remove the minimum required five random samples for testing and shall weigh and package the cannabis in accordance with Department procedures for packaging evidence.

Gang and Narcotics Division's Responsibility. Upon notification of a seizure of an excessive quantity of narcotics, the officer in charge of the Complaint Unit, Gang and Narcotics Division, shall:

- Contact the commanding officer or, if unavailable, the watch commander of Evidence and Property Management Division for the purpose of determining if the quantity seized will exceed the storage capacity of Evidence and Property Management Division. If narcotics cannot be stored in existing facilities, the officer in charge of the Complaint Unit shall proceed with booking instructions provided by Evidence and Property Management Division;
- If necessary, contact Metropolitan Division for personnel to provide security at the seizure location;
- If necessary, obtain a suitable vehicle to transport the seizure to an appropriate location such as a Evidence and Property Management Division or FSD facility or an auxiliary storage site; and,
- If needed, provide a driver or arrange for Metropolitan Division personnel to drive the narcotics transportation vehicle.

Note: The Complaint Unit shall provide advice and guidance to officers assigned to entities other than Gang and Narcotics Division who seize excessive quantities of narcotics.

Evidence and Property Management Division's Responsibility. When a Evidence and Property Management Division or FSD facility receives a seizure of excessive quantities of narcotics which exceed normal narcotics storage capabilities, the commanding officer or, if unavailable, the watch commander of Evidence and Property Management Division shall:

- Determine if auxiliary storage must be used;
- Contact Metropolitan Division for personnel to provide security at the Evidence and Property Management Division facility or FSD location in possession of the narcotics and during the narcotics transfer;
- Contact Metropolitan Division to provide a driver for the narcotics transportation vehicle; and,
- Obtain a suitable vehicle to transport the narcotics seizure to an auxiliary storage site.

Note: Evidence and Property Management Division shall contact Emergency Services Division if a driver is needed for a tractor-trailer type vehicle.

Forensic Science Division's Responsibility. When notified of the seizure of an excessive quantity of a controlled substance which is going to be booked into a Department or auxiliary facility, criminalists from FSD shall respond to the location where the narcotics are to be weighed and packaged. Forensic Science Division personnel will remove the required number of samples for testing, and weigh and repackage the controlled substance in accordance with Department procedures for packaging evidence.

Metropolitan Division's Responsibility. Metropolitan Division shall develop site plans for auxiliary storage of narcotics and select an adequate auxiliary storage location when needed.

When notified by Evidence and Property Management Division that a large seizure of narcotics will be temporarily stored in auxiliary storage the Commanding Officer, Metropolitan Division, shall:

- As soon as possible, provide adequate personnel to secure the auxiliary storage;
- Provide a driver for the transportation vehicle and delivery vehicle to the seizure location;
- Transport the narcotics to auxiliary storage; and,
- Maintain security until the seizure can be transferred and destroyed.

540.78 SEIZURE AND DESTRUCTION OF EXCESSIVE QUANTITIES OF GROWING OR HARVESTED CANNABIS.

Excessive Quantities of Growing or Harvested Cannabis Defined. California Health and Safety (H&S) Code 11479 allows the chief of the law enforcement agency or their designee to dispose of excessive quantities of suspected controlled substances without a court order under specific circumstances. The Chief of Police has determined that an excessive quantity of growing or harvested cannabis is 200 pounds or more.

Officer's Responsibilities. Officers shall obtain a search warrant for all locations where growing or harvested cannabis is to be seized. Although 11479 H&S does not require a search warrant for the immediate destruction of growing or harvested cannabis under certain circumstances, when officers determine they have seized 200 pounds or more of growing or harvested cannabis (with the use of a portable weighing scale or based on their training and experience), they shall immediately dispose of it by completing the following:

- Immediately notify the Cannabis Support Unit (CSU), Gang and Narcotics Division (GND), and Technical Investigation Division (TID) of the seizure;

Note: When either GND or TID is closed, notifications shall be made through the Department Operations Center.

- Ensure a search warrant authorizing the immediate destruction of the growing or harvested cannabis has been obtained. The search warrant must contain verbiage consistent with the requirements under 11479 H&S, subdivisions (a), (b), (c), and (d);

Note: In the event an excessive quantity of growing or harvested cannabis is seized in conjunction with a warrantless search, officers shall nonetheless obtain a search warrant, and the search warrant must contain verbiage consistent with the requirements under 11479 H&S, subdivisions (a), (b), (c), and (d), to authorize destruction.

- Obtain a suitable vehicle such as box truck to transport the seizure securely. The CSU will provide the investigating entity with the address and contact information for the disposal site.

Note: If the contract disposal site is unavailable, the transport vehicle shall be kept at a secure police facility until arrangements can be made for destruction.

- Ensure the vehicle has a cargo area that can be locked and secured with a padlock;
- Padlock and secure the cargo area of the vehicle containing the seizure and ensure the key to the padlock is maintained in a secure location;

Note: If the vehicle is secured at a geographic Area station, the keys to the vehicle may be given to the Area W/C in case the vehicle needs to be moved.

- Ensure the appropriate evidence seals are placed across the door seam of the secured vehicle cargo area (i.e., box truck door seam);
- Collect and book five random samples and submit a follow-up request for analysis with Forensic Science Division (FSD), Narcotic Analysis Unit (NAU). The NAU will conduct the analysis after booking during business hours;
- Collect and book a minimum of 30 pounds gross of the harvested cannabis to be booked in addition to the five random samples;
- Ensure that the truck is weighed on the truck scale before disposal and after disposal to obtain the gross weight of the cannabis;
- Indicate the gross weight of the destroyed cannabis in the original police report or on a Follow-up Investigation Report, Form 03.14.00;
 - Complete an Intradepartmental Correspondence, Form 15.02.00;
 - Attach all receipts from the disposal site; and,
 - Submit the form and receipts to the Commanding Officer, Evidence and Property Management Division (EPMD).

Note: The CSU will provide the investigating entity instructions and the form template that is required by EPMD.

- Complete an affidavit (search warrant return) indicating the applicable information required by subdivisions (a), (b), (c), and (d). The affidavit shall also include the location where the cannabis was destroyed and the date and time of the destruction.

Commanding Officer, Gang and Narcotics Division's (GND), Responsibilities. Upon notification of a seizure of an excessive quantity of growing or harvested cannabis, the Commanding Officer of GND shall:

- Ensure a GND supervisor is notified of the operation;
- Ensure CSU personnel respond to the seizure location if requested; and,
- Ensure CSU personnel provide support, advice, and guidance to the investigating entity.

Commanding Officer, Forensic Science Division's (FSD), Responsibilities. When notified of the seizure of an excessive quantity of growing or harvested cannabis which is to be immediately disposed, the Commanding Officer of FSD shall:

- Ensure FSD personnel provide support, advice, and guidance to the investigating entity; and,
- Ensure FSD personnel test the random samples upon request.

Commanding Officer, Technical Investigation Division's (TID), Responsibility. When notified of the seizure of an excessive quantity of growing or harvested cannabis which is to be immediately disposed, the Commanding Officer of TID shall:

- Ensure personnel from TID respond to the location where the cannabis was seized to photograph and video the site to reasonably and accurately demonstrate the total amount of the cannabis to be destroyed.

Commanding Officer's Responsibility. The commanding officer of each Area/specialized division (or designated Area detective CO) shall ensure that their command is in compliance with Department policy and procedure as it relates to the seizure and destruction of excessive quantities of growing or harvested cannabis.

540.80 BOOKING PERISHABLES. Perishables, when practicable, shall be retained by the owner or agent (4/555.40). Price tags and labels shall be retained.

Note: Consideration shall be given to photographing the evidence prior to release.

When it is necessary to book perishable evidence, the Watch Commander, Central Property Section, shall be contacted for advice. (Ordinarily, perishables shall not be stored longer than 48 hours).

540.90 PROCESSING EVIDENCE SEIZED DURING SERVICE OF A SEARCH WARRANT. An employee seizing evidence during the service of a search warrant shall use the Property Report, Form 10.01.00, as the inventory attachment to the Return to Search Warrant (District Attorney's Office form). The inventory shall be reported to the court within 10 days after issuance of the warrant and shall include all property seized whether or not it was listed on the search warrant. Items seized, which were **listed** on the search warrant, shall be

delineated on the Property Report (inventory attachment to the Return to search Warrant) under the heading "Seized Pursuant to the Search Warrant-Listed."

Exceptions: If items are seized which were not **listed** on the search warrant, they shall be listed on the Property Report (inventory attachment to the Return to Search Warrant) under the heading "Seized Pursuant to the Search Warrant-Unlisted" and shall start with the next sequential item number. Officers must be prepared to articulate probable cause when unlisted items are seized during the service of a search warrant.

Note: Both "listed" and "unlisted" items seized during the service of a search warrant require a Court Order for Search Warrant Property, Form 10.18.00, authorizing disposition (4/565.10).

The current priority for listing booked property, i.e., narcotics, money, firearms, should be used under each heading (5/030.40).

An employee seizing copies of bank records or other documents obtained from a "third party" source (i.e. real estate documents, telephone and Internet service provider records) may use the Follow-up Investigation Report, Form 03.14.00, as the inventory attachment when the copies are to be retained in the investigator's case file. The Form 03.14.00 shall contain the following information:

- Search Warrant number;
- Date issued;
- Name of judge issuing;
- Court number;
- Item seized; and,
- The following statement:
 - "The copies of the records seized pursuant to this warrant and described above may be retained by the investigating officer. The investigating officer may dispose of the copies upon disposition of the case and expiration of the time limit for notice of appeal if no appeal is made."

543. WITHDRAWAL OF NARCOTICS EVIDENCE.

543.10 WITHDRAWAL OF NARCOTICS EVIDENCE FROM EVIDENCE AND PROPERTY MANAGEMENT DIVISION. Employees shall only withdraw narcotics evidence from Evidence and Property Management Division storage when required for:

- Court;
- Court-ordered destruction;
- Administrative or other official hearing to which the officer has been subpoenaed; or,
- Special purposes for which the approval of the Chief of Detectives has been obtained.

Department employees, including Los Angeles Fire Department Investigators, who withdraw and return property, or who request the transfer or release of property for any authorized purpose, **shall** provide the appropriate Department **picture** identification for verification of

identity and provide a right thumbprint and signature on the Evidence and Property Management Division Record.

543.20 WITHDRAWAL OF NARCOTICS FOR SPECIAL PURPOSES. Only narcotics which have been previously allocated for use by court order may be withdrawn for special purposes such as investigations or training.

Requesting Employee's Responsibility. An employee requesting approval for the withdrawal of narcotics for special purposes from Evidence and Property Management Division storage shall:

- Complete an Intradepartmental Correspondence, Form 15.02.00, for the signature of the concerned commanding officer, with the following information:
- Date and time of intended use.
- Necessity of request (training, demonstration, etc.)
- Identification of the narcotics source, including DR number and item number from the concerned report.
- Type and quantity of narcotics necessary.
- Proposed manner of use.

Note: The manner and necessity of the anticipated destruction of any narcotics used for special purposes shall be documented in the request.

- Duration of use.
- Benefits to the Department.
- Employee responsible for withdrawal and return of the narcotics.
- Submit the completed Form 15.02.00 to the concerned commanding officer for approval and signature;

Note: To ensure the required amount of security necessary for investigations involving the use of narcotics for special purposes, the Form 15.02.00 must be hand-carried between levels of review and remain a confidential document to any employee outside the review process.

- Upon the receipt of approval from the Chief of Detectives, obtain a court order to withdraw narcotics from the pre-allocated portion stored at Evidence and Property Management Division;

Note: The original court order setting aside the initial allotment of narcotics for use for special purposes is not generally a blanket order authorizing withdrawal. The requesting employee shall obtain a court order for each withdrawal from the allotment. Court orders setting aside allotments of narcotics for use in training only may be blanket orders, and withdrawals from this allotment do not require separate court orders.

- Set up an appointment with a Chief Forensic Chemist, Forensic Science Division (FSD), for analysis and weighing of the narcotics;

- Present the approved request along with the court order to the Evidence and Property Management Division commanding officer or designee; and,
- Withdraw the requested narcotics and transport them to FSD for examination.

Return of Narcotics-Employee's Responsibility. Upon completion of the use of the narcotics, the concerned employee shall:

- Repackage all items, including transformed items;
- After making an appointment with a Chief Forensic Chemist at FSD, deliver the narcotics to FSD for reanalysis and weighing;
- Following examination of the narcotics by FSD, return the narcotics to Evidence and Property Management Division; and,
- Complete a Follow-Up Investigation Report, Form 03.14.00, containing the following information:
 - Explanation of any transformation, adulteration, or change to the narcotics.
 - If rebooked as evidence, the name and booking number the narcotics were booked to.
 - Dates and times narcotics were checked out, rebooked, or redeposited, and by whom.
 - DR number of the new evidence booking, if rebooked as evidence.
 - Number of narcotic packages checked out and returned.
 - Weight of narcotic packages, individually and en masse, checked out and returned.
 - Forward a Form 15.02.00 approved by the concerned commanding officer, the completed Form 03.14.00, and a copy of the FSD Analyzed Evidence Report, Form 12.20.00, documenting the analysis and weight of the narcotics, through channels to the Chief of Detectives, advising of completion of the use of narcotics for a special purpose.

Commanding Officer's Responsibility. The commanding officer of an employee requesting narcotics use for a special purpose shall review the request and, upon approval, sign and forward the Form 15.02.00 requesting authorization for the withdrawal of narcotics to the Chief of Detectives, via Gang and Narcotics Division, for appropriate action.

Exception: When requesting the withdrawal of narcotics for a special purpose, the Commanding Officer, Internal Affairs Division, shall obtain approval from, and forward all related correspondence directly to the Chief of Detectives.

Commanding Officer, Gang and Narcotics Division's Responsibilities. The Commanding Officer, Gang and Narcotics Division, shall:

- Ensure that an appropriate quantity of narcotics is set aside, via court order, at Evidence and Property Management Division for use for special purposes;
- Coordinate all requests approved by the Chief of Detectives with the requesting employee's commanding officer;
- Forward all denied requests to the requesting employee's commanding officer;

- Maintain a file of all approved and denied requests; and,
- Upon approving a request for narcotics use, forward the Form 15.02.00 to the Chief of Detectives.

Exception: Requests from the Commanding Officer, Internal Affairs Division, shall be submitted to and handled by the Chief of Detectives.

Involved Person (IP). An involved person (IP) is an individual who has been observed engaging in suspicious activity, when no definitive criminal activity is identified, thus precluding their identification as a suspect.

Chief of Detectives Responsibilities. Upon receipt of a request to withdraw narcotics from Evidence and Property Management Division, the Chief of Detectives shall:

- Review the request;
- Upon approval, return the original Form 15.02.00 to the Commanding Officer, Gang and Narcotics Division.
- Maintain a file of all requests; and,
- If the request is denied, forward the Form 15.02.00 along with the denial to the Commanding Officer, Gang and Narcotics Division.

Exception: Requests from Internal Affairs Division shall be forwarded to the Commanding Officer, Internal Affairs Division.

Evidence and Property Management Division's Responsibilities. Evidence and Property Management Division personnel involved in the withdrawal and return of narcotics evidence shall:

- Verify the Department picture identification of the employee withdrawing the narcotics and obtain their right thumbprint and signature on the appropriate Evidence and Property Management Division record;
- Upon receipt of the original Form 15.02.00 bearing the signature of the Chief of Detectives and the original court order authorizing withdrawal of the specified amount of narcotics, release the specified amount of narcotics to the employee; and,
- Maintain a file of the requests for withdrawal of narcotics authorized by the Chief of Detectives.

Forensic Science Division's Responsibilities. Forensic Science Division personnel involved in examination of narcotics to be used for a special purpose shall:

- Verify the identification of the employee requesting examination of narcotics;
- Analyze, package, seal, and weigh all narcotics packages individually and en masse upon checkout and return in the presence of the requesting employee;
- Complete an Analyzed Evidence Report, Form 12.20.00, documenting the results of the testing and weighing of the narcotics; and,

- Forward a copy of the analyzed evidence report to the Commanding Officer, Gang and Narcotics Division, and the requesting employee's commanding officer.

543.25 WITHDRAWAL OF NARCOTICS FOR CONTROLLED DELIVERY. Officers requesting withdrawal of narcotics for use in controlled deliveries shall follow procedures delineated in Manual Section 4/543.20.

Requesting Employee's Responsibility. An employee receiving approval for the withdrawal of narcotics for use in a controlled delivery shall:

- Present the approved Form 15.02.00 along with the approved court order to Evidence and Property Management Division;
- Complete a Property Disposition/Update Request, Form 10.06.00;
- Obtain a signature on a Property Court Receipt, Form 10.03, from the officer or case agent assuming responsibility for booking the narcotics in the jurisdiction delivered; and,
- Return the Form 10.03 to Evidence and Property Management Division as soon as possible.

Note: Property Court Receipt, Form 10.03.00, is generated by Evidence and Property Management Division Personnel via the Automated Property Information Management System.

Evidence and Property Management Division's Responsibility. Evidence and Property Management Division employees involved in the withdrawal of narcotics for use in a controlled delivery shall:

- Verify the Department picture identification of the employee requesting the narcotics and obtain their right thumbprint and signature on the appropriate Evidence and Property Management Division record;
- Ensure the employee requesting the narcotics completes a Form 10.03;
- Provide a Form 10.10.00 to the employee requesting the withdrawal of narcotics; and,
- Upon receipt of the original Form 15.02.00 bearing the signature of the Chief of Detectives and the original court order authorizing withdrawal of the specified amount of narcotics, release the specified amount of narcotics to the employee requesting.

543.30 EXIGENT CIRCUMSTANCES - APPROVAL. Narcotics may be removed from Evidence and Property Management Division in exigent circumstances when needed for an ongoing investigation which requires the immediate use of narcotics. The concerned employee shall complete a Form 15.02.00, with all required information, requesting the immediate withdrawal of the narcotics and submit the Form 15.02.00 for the approval and signature of the concerned commanding officer. Upon review, the commanding officer shall obtain telephonic approval from the Commanding Officer, Gang and Narcotics Division. Upon approval, the concerned commanding officer shall obtain approval from the Chief of Detectives or the Assistant Commanding Officer, Detective Bureau, if the Chief of Detectives is unavailable.

The approved Form 15.02.00, bearing signatures obtained telephonically from the Commanding Officer, Gang and Narcotics Division; the Chief of Detectives or the Assistant Commanding Officer, Detective Bureau, shall be presented to Evidence and Property Management Division along with the court order to obtain the evidence. A copy of the telephonically completed Form 15.02.00 shall be forwarded by the requesting Commanding Officer to the Chief of Detectives via the commanding officer, Gang and Narcotics Division and the Assistant Commanding Officer, Detective Bureau, the next administrative working day. If Evidence and Property Management Division is closed, the concerned commanding officer shall contact Department Operations Center to dispatch an authorized Evidence and Property Management Division employee to open the narcotics storage area.

Note: Officers assigned to Internal Affairs Division requesting narcotics to be removed in exigent circumstances shall, upon approval from the Commanding Officer, Internal Affairs Division, obtain approval from the Chief of Detectives or the Assistant Commanding Officer, Detective Bureau, if the Chief of Detectives is unavailable.

544. PROPERTY SIGN - OUT.

544.10 LONG-TERM PROPERTY SIGN - OUT. When necessary, property is eligible for long-term sign-out for such reasons as a lengthy analysis, investigative needs, etc. A long-term sign-out may be obtained at the time of the initial sign-out or anytime thereafter.

With a long-term sign-out, property may be signed out for 60 days before a Notice of Overdue Signed-Out Property, Form 10.05.1, generated by Evidence and Property Management Division's Automated Property Information Management System, will be sent. A Notice will be sent every 30 days thereafter until the property has been returned to Evidence and Property Management Division or a completed Property Court Receipt has been received by Evidence and Property Management Division.

545. EVIDENCE TO COURT.

545.05 OBTAINING EVIDENCE FROM A EVIDENCE AND PROPERTY MANAGEMENT DIVISION FACILITY FOR TRANSPORTATION TO COURT.

Department employees, including Los Angeles Fire Department Investigators, who withdraw and return property, or who request the transfer or release of property for any authorized purpose shall:

- Furnish the Property Officer with the DR number under which the property was booked;
- Provide the appropriate Department picture identification for verification of identity and provide a right thumbprint and signature on the Evidence and Property Management Division Record;
- Present the subpoena or notice, covering all property requested for court or other administrative proceedings such as a parole or probation hearing;
- Complete a transfer and release transaction on the appropriate Evidence and Property Management Division record; and,

- Be responsible for safeguarding such evidence until it has been received by the court or returned to storage.

Note: The Property Officer shall include the appropriate number of Property Court Receipts to the employee at the time the evidence is withdrawn.

Booking Employee. The employee who books evidence shall be responsible for transporting that evidence to court as follows:

- In misdemeanor cases, including those where the defendant was originally booked on a felony charge and only a misdemeanor complaint was filed.
- In juvenile cases.
- In narcotic and dangerous drug cases.

Investigating Officer. The investigating officer shall be responsible for transporting evidence (except dangerous drugs and narcotics) in adult felony cases.

Expert Witness: The employee who is to offer expert testimony regarding an analysis shall transport evidence requiring special handling. The expert witnesses shall inform the investigating officer or booking officer of their intention to transport the evidence.

Note: No volatile or dangerous materials which include, but are not limited to, objects or substances found to contain Phencyclidine (PCP), any of its analogs, or either in any form shall be brought into any courtroom unless specifically requested by the court

545.10 OBTAINING ANALYZED EVIDENCE FROM EVIDENCE AND PROPERTY MANAGEMENT DIVISION. An employee requesting analyzed evidence from Evidence and Property Management Division (EMPD), for court purposes shall:

- Contact EPMD to verify the storage location of the required item(s) and sign out the item(s) for court from the location where the item(s) is stored; and,
- Return to the location where the item(s) was signed out and sign in the item(s) which was not needed by the court, or submit the original court receipt with the original court stamp if the item(s) was retained by the court;
- Complete an entry on the FSD and/or TID Court Evidence Request Log maintained at all FSD and/or TID courier temporary storage lockers, and Central and Valley Property Sections, at least three court days prior to the scheduled court date;

Exception: An employee receiving a subpoena less than three court days prior to a scheduled court date may contact the ECU telephonically during business hours and request that the evidence be delivered by the FSD/TID courier to the FSD/TID courier temporary storage locker most convenient for pick up. **Employees shall not sign out evidence at the ECU.**

- Request that the evidence be delivered to any FSD/TID courier temporary storage locker most convenient to the employee for pick up;

- Prior to withdrawing the evidence from the FSD/TID courier temporary storage locker, notify the on-duty watch commander of the presence of the evidence and request the locker to be opened and the evidence to be removed;

Note: Any evidence which does not qualify for placement into temporary storage, (e.g., PCP, explosives), shall not be delivered to an FSD/TID courier temporary storage locker for court purposes.

- Sign the Court Evidence Request Log accompanying the evidence, ensure that four copies of the Property Court Receipt are attached, and transport the evidence to court;

Note: If four copies of the Property Court Receipts are not attached, the employee can photocopy the additional number needed.

- Following its presentation in court, return the evidence (on the same day) to the FSD/TID courier temporary storage locker from which it was removed;
- Request the on-duty watch commander to verify the packaging is intact and document the return on the Court Evidence Control Log;
- If the item is needed in court the next calendar day, mark the Court Evidence Control Log and attach a note to the evidence indicating the evidence is needed for another day in court; and,
- If an evidence package is opened in court, the court will order the employee to reseal the package "on the record." If narcotics evidence is not ordered resealed by the court "on the record," the employee shall request to be allowed to reseal the evidence "on the record" prior to being released from the witness stand. Evidence and Property Management Division facilities will not accept opened narcotics packages that have not been resealed "on the record."

Note: The Los Angeles County Municipal and Superior Courts have adopted a policy which states that all controlled substances as defined in 11007 H&S, which includes Schedule 1-4 narcotics as defined in 11054-11057 H&S, are hazardous materials. As such, they shall only be taken into a court in a sealed package. This includes, but is not limited to, cocaine, Fentanyl, and cannabis. Department Manual Section 4/545.05 prohibits Phencyclidine (PCP), any of its analogs, or ether in any form from being brought into any courtroom unless specifically requested by the court.

Supervisor's Responsibilities. Supervisors witnessing the removal of evidence from FSD/TID courier temporary storage lockers for court shall:

- Upon request, remove the evidence for court from the FSD/TID courier temporary storage locker;
- Have the employee sign the Court Evidence Control Log and retain the log in the storage locker;
- Deliver the evidence to the requesting employee;
- Sign the Court Evidence Control Log in the "Supervisor Witness" box;
- Upon return of the court evidence, verify the packaging is intact;

- If the packaging has been opened, verify the package has been resealed;
- Ensure the employee signs the Court Evidence Control Log in the appropriate space; and,
- Sign the Court Evidence Control Log in the "Supervisor Witness" box.

Courier Responsibilities. The FSD/TID courier transporting evidence to FSD/TID courier temporary storage lockers for court shall:

- Place the requested item into the FSD/TID courier temporary storage locker with four copies of the Property Court Receipt;
- Return to the ECU any evidence no longer needed for court, or any Property Court Receipts indicating the evidence has been retained by the court; and,
- Document and notify the ECU if evidence is needed for subsequent days in court.

Forensic Science Division and Technical Investigation Division Responsibilities. Upon being notified that evidence stored at FSD or TID is needed for court, concerned ECU personnel shall:

- Ensure four copies of the Property Court Receipt are prepared and accompany the evidence requested;
- Instruct the courier to transport the evidence to the requested FSD/TID courier temporary storage locker;
- Maintain a control file of all evidence which is left in FSD/TID courier temporary storage lockers for subsequent days in court;
- Maintain a control file of all requests and Property Court Receipts; and,
- Forward the original copy of the Property Court Receipt to Records and Identification Division.

545.11 PHOTOGRAPHS OF VOLATILE OR DANGEROUS SUBSTANCES TO COURT. An employee, receiving a subpoena in a case for which volatile or dangerous evidence was booked (4/545.10), shall:

- Telephonically notify Photographic Section, Technical Investigation Division, and request the photographs of the substance;

Note: If the request is made less than five (5) court days prior to the scheduled court date, the requesting employee shall pick up the photographs at Technical Investigation Division.

- Obtain a copy of the Analyzed Evidence Report, Form 12.20.00, of the evidence from Evidence and Property Management Division.
- Take the photographs and the Analyzed Evidence Report, Form 12.20.00, to court.
- Retain the photographs and the Analyzed Evidence Report, Form 12.20.00, for future court use when not received into evidence.

545.13 PHOTOGRAPHS OF NARCOTICS EVIDENCE FOR COURT.

Officer's Responsibility. An employee having been subpoenaed for a narcotics court hearing shall:

- Retrieve the photograph(s) of the narcotics from his/her Subpoena Control Officer (SCO) and take only the photographs to court; and,
- Upon the completion of the court hearing, notify the SCO that the photograph(s) was admitted into court or return any photograph(s) to the SCO if they were not admitted or the case was continued.

Forensic Science Division's Responsibility. Forensic Science Division (FSD) shall:

- Photograph all narcotic evidence and maintain liaison with the Superior and Municipal courts to ensure the Department's procedure for photographing narcotics evidence continues to be in compliance with the courts' standards.

Subpoena Control Officer's Responsibility. The Subpoena Control Officer receiving the photographs from TID shall:

- Maintain a file of the photographs by DR number and available for use by the served employee.

Property Disposition Coordinator's Responsibility. The Property Disposition Coordinator (PDC), upon receiving instruction for the disposition of **all** narcotics booked in relation to a case shall notify the SCO that the related photograph(s) can be destroyed.

545.20 EVIDENCE RECEIVED BY COURT. When evidence is received by the court, the employee shall:

- Have the court clerk sign and affix the court stamp to the Property Court Receipt. One copy of the Property Court Receipt may be retained by the court;
- Return one copy of the completed Property Court Receipt with original clerk signature and court stamp to the location from which the evidence was signed out, no later than the next working day; and,
- If some evidence items are retained by the court and others are returned to an Evidence and Property Management Division facility, the employee shall have the court clerk sign the Property Court Receipt for the items retained. Indicate on the receipt which items were retained and which items were returned to storage.

Note: The courts have indicated they will no longer take physical custody of any hazardous material after it is admitted into evidence. The officer shall return the evidence to the sign out location.

545.25 EVIDENCE PACKAGES OPENED IN COURT. If an evidence package is opened in court, the court will order the employee to reseal the package "on the record." If an employee believes a sealed evidence package may be opened in court, the employee shall have in his or her possession extra evidence seals with which to reseal the package. In the event that

the resealing is not entered "on the record," the employee shall reseal the package in the presence of an on-duty supervisor or the property officer receiving the item back into evidence at the location from which it was signed out. The supervisor or property officer shall sign the receipt and include his or her serial number. The Property Court Receipt shall indicate which items were returned.

Exception: If narcotics evidence is not ordered resealed by the court "on the record," the employee shall request to be allowed to reseal the evidence "on the record" prior to being released from the witness stand. Evidence and Property Management Division facilities will not accept opened narcotics packages that have not been resealed "on the record".

545.30 EVIDENCE RELEASED IN COURT. If property transported to court is not received into evidence, and is no longer needed for court proceedings, and the investigating officer (I/O) intends to release any or all of the items to an owner or agent, the I/O and the owner/agent shall return to the sign-out location to complete the necessary release procedures. **Property is not eligible for release at court if it was signed out for court purposes.** If the owner/agent is not able to return with the officer, he/she shall be instructed to return to the original property sign-out location during operating hours. The I/O shall ensure that disposition instructions are entered into APIMS by the Property Disposition Coordinator (PDC), as soon as possible.

Exception: Money booked as evidence in connection with a gambling arrest (4/565.30) or property booked as contraband, shall not be released to a claimant unless so ordered by the court.

Note: If the court has received the evidence into its custody and chooses to release it to a concerned party while at court, it is allowed to do so. The investigating officer shall return each signed Property Court Receipt, Form 10.03, to the property sign-out location.

An employee shall not solicit or receive any firearm or other property from a criminal court, unless the employee was the legal owner of the property at the time of its seizure.

545.40 PROPERTY RETURNED FROM COURT. Immediately following a court appearance, property which is not accepted by the court shall be returned to the property room from which it was withdrawn. If the property room is closed, the transporting officer shall place the property in the approved interim storage container and document the return of the property on the Evidence and Property Management Division Booking Record, Form 10.04.00. The date and time the property was returned shall be noted in the "Court Return" column.

If evidence was signed out from the ECU via the courier unit, the evidence shall be returned to the appropriate courier temporary storage locker from which it was removed **on the same day**. The "Package or Receipt Returned By" box on the Court Evidence Control Log shall be appropriately completed.

When disposition instructions can be determined, a completed Property Disposition/Update Request, Form 10.06.00, shall accompany the returned property.

Note: When property is to be placed in interim storage, the concerned watch commander or officer in charge shall verify the accuracy of each entry on the Form 10.04.00 by initialing the "W/C" column.

550. DISPOSITION OF PROPERTY.

550.05 DISPOSITION OF PROPERTY - RESPONSIBILITY.

Area/Specialized Division, Commanding Officer. Area/specialized division, commanding officers shall designate an employee under their command as the Property Disposition Coordinator (PDC). The PDC shall be responsible and accountable for each Property Disposition/Update Request, Form 10.06.00, and Property Disposition Request Summary, Form 10.06.01, received.

Note: The PDC shall be assigned as a member of the Area/specialized division commanding officer's staff and, within Areas, this position shall not be delegated to patrol or detective divisions.

Property Disposition Coordinator's Responsibility. The duties of the Property Disposition Coordinator (PDC), shall include, but are not limited to:

- Obtaining the monthly Disposition Summary Report, Form 10.06.01, by the seventh day of each month;

Exception: Previously identified specialized units that do not have full-time PDCs will be sent the Disposition Summary Report by Evidence and Property Management Division. The Report must be completed and returned to Evidence and Property Management Division by the 25th day of the month.

- Conducting all preliminary case research;
- Accessing the appropriate automated court systems and Department records, in the furtherance of case research;

Note: The system to be accessed include, but are not limited to, the Network Communications System (NECS), the Consolidated Crime Analysis Database (CCAD), the Prosecutor's Management Information System (PROMIS), the Municipal Court Information Management System (MCIS), and the Expanded Traffic Record System (ETRS).

- Providing disposition instructions for **all** narcotics booked in relation to a case and shall notify the Subpoena Control Officer (SCO) that the related photograph(s) can be destroyed;
- Providing disposition instructions for all non-firearm-related misdemeanor cases and property booked as non-evidence;
- Forwarding the Item Detail Summary, Form 10.06.2, with the preliminary case research information for all felonies, and misdemeanors involving firearms, to the detective commanding officer for distribution to the appropriate investigating officer (I/O);

Note: If case research indicates that an “Investigative Hold” is appropriate for **any** case, the PDC may place a hold without the I/O’s approval.

- Updating the Primary Investigative Unit (PIU) responsibility section when investigative responsibility for booked property has been transferred to another entity. The DR number shall be “Rerouted” to the assuming I/O’s division and the “Related Employee” section updated with the I/O information. Once the PIU responsibility has been transferred, an “Investigative Hold” should be placed on the property;

Note: Responsibility for the disposition of booked property shall not be rerouted to other Areas/divisions as a result of personnel transfers. The PDC shall telephonically contact the transferred employee(s) if needed.

- Updating APIMS by the last day of the month;
- Retaining all signed Item Detail Summaries in accordance with records retention requirements for original documents;
- Ensuring that co-defendants are listed as additional suspects or arrestees in APIMS;
- Performing ad-hoc queries in APIMS as requested; and,
- Updating APIMS when a completed Form 10.06.00, with disposition instructions is received prior to the DR number appearing on a Disposition Summary Report.

Detective Commanding Officer’s Responsibility. Upon receipt of an Item Detail Summary, the detective commanding officer shall:

- Distribute the Item Detail Summary to the I/O responsible for the disposition instructions;
- Ensure that each completed Item Detail Summary contains all required information; and,
- Ensure that each completed Item Detail Summary is returned to the PDC by the 20th day of each month.

Investigating Officer’s Responsibility. Upon receipt of an Item Detail Summary, investigating officers shall:

- Ascertain the correct disposition instructions for each Item Detail Summary;
- Ensure that co-defendants are listed as additional suspects or arrestees in APIMS;
- Complete the Item Detail Summary by entering the appropriate disposition instruction(s) such as: Investigative Hold, Authorized for Release, Authorized for Disposal, or Reroute;

Note: Holds on property shall not exceed six-month increments with the exception of property booked in connection with homicide, rape, or officer-involved shooting investigations. Such holds may be placed in one-year increments.

- Include the designated recipient's full name and address, and item numbers when property is to be released;

Note: Investigating officers are required to sign the Item Detail Summary for items authorized for disposal or release.

- Complete a Property Disposition/Update Request, Form 10.06.00, and forward it to the PDC for input into APIMS if an Item Detail Summary has not been generated and property is available for release or disposition; and,
- Present a completed Property Disposition/Update Request to a property officer if property must be immediately released to a waiting individual and the PDC is not available. The property officer shall input the release instructions into APIMS and release the property.

Note: If property is booked at another Evidence and Property Management Division facility, a property officer shall input the release instructions into APIMS and refer the person to whom the property is being released to the appropriate property room.

A teletype to a Evidence and Property Management Division facility in order to release property is appropriate **only** when a PDC or Area property officer is not available and an immediate release is necessary.

550.10 DISPOSITION AUTHORIZATION. Authorization for property disposition (Investigative Hold, Authorized for Release, Authorized for Disposal, or Reroute) may be given only by the investigating officer, booking officer, or Property Disposition Coordinator (PDC). Authorization will be effected by:

- Completing a Property Disposition/Update Request and submitting it to the property officer at the time of booking; or,
- Forwarding it to the PDC for input into the Automated Property Information Management System (APIMS); or,
- Presenting a completed Property Disposition/Update Request to a property officer if property must be immediately released to a waiting individual and the PDC is not available; or,
- Obtaining approval from the Director, Office of Special Operations, for the pre-trial narcotics destruction of excess quantities of controlled substances, per Manual Section 4/552.02.

Note: If property is booked at another Evidence and Property Management Division facility, a property officer will input the release instructions into APIMS and refer the person to whom the property is being released to the appropriate property room.

Advisement via telephone or email to a Evidence and Property Management Division facility in order to release property is appropriate **only** when a PDC or Area property officer is not available and an immediate release is necessary.

Exception: Evidence and Property Management Division employees will authorize the disposition of released property that remains unclaimed.

Employees responsible for authorizing the disposition of property will cause the *immediate* release of an arrestee's property when the employees become aware that:

- The arrestee is released from custody and no charges are filed; and,
- The property is no longer required for investigation or prosecution; and,
- There is no legal basis to justify holding the property.

Note: When the property is not released, the arrestee should be advised of the reason for retention and, if appropriate, the procedures required to obtain the property. Property must be released only to the person authorized on a Property Disposition/Update Request, Property Owner's Notification, Power of Attorney, or to an agent designated by the property owner in a notarized letter addressed to the Department.

550.12 CHARGE-BASED EVIDENCE DISPOSITION. The investigative unit having responsibility for the filing of a booking charge shall also be responsible for filing any additional charges for which prima facie evidence exists in the arrest report. However, if another Department entity is better suited to handle the follow-up investigation and subsequent disposition of property, that responsibility may be transferred after mutual agreement. The following procedures shall be adhered to when conducting follow-up investigations and determining disposition of evidence booked in connection with investigations and arrests.

Investigations and Arrests by Investigative Personnel. Investigating officers (I/Os) including Area Narcotics Enforcement Detail, who book evidence as a result of an arrest, investigation, or for any other reason shall be responsible for the follow-up investigation and disposition of that evidence.

The I/O shall confer with any other Department entity handling a case involving the booked property to determine the responsibility for disposition of the property. If none, the I/O shall confer with the Department entity having sufficient expertise and determine if that entity will assume the responsibility for the follow-up investigation and disposition of the property. If none, the I/O will retain responsibility for the follow-up investigation and disposition of that property.

Note: The concerned I/O shall continue to be responsible for obtaining an approved Court Order for Search Warrant Property, Form 10.18.00, prior to authorizing disposition of evidence seized pursuant to a search warrant (4/565.10).

Felony Investigations and Arrests by Uniformed or Non-Investigative Personnel. The responsibility for the follow-up investigation and authorization of evidence disposition is determined by the booking charge. Reports shall be distributed to any division handling a case which involves the booked evidence.

Follow-up investigation and evidence disposition responsibilities for felony cases are as follows:

- **Adults or Juveniles Booked on a Felony Non-Narcotics Charge:** The follow-up investigation and disposition of all evidence in all cases for which an adult or juvenile arrestee was booked on a felony non-narcotics charge (except those cases handled by traffic or specialized detective divisions or any other Department entity responsible for the follow-up investigation of felony crimes) shall be the responsibility of the concerned Area detectives. If the arrest involves additional narcotics charges, the concerned Area detectives shall also file related narcotics charges and perform related investigation and disposition of evidence.
- **Adults Booked on a Felony Narcotics Charge:** The follow-up investigation and disposition of all evidence for which an adult arrestee was booked on a felony narcotics charge shall be the responsibility of Gang and Narcotics Division (GND). Gang and Narcotics Division shall also file non-narcotics charges for which prima facie evidence exists in the arrest report and perform the related investigation and disposition of evidence.

Note: Prior to filing non-narcotics charges, GND detectives shall contact each detective division which is currently handling a case involving the booked property or which may be interested in developing a case involving the property. If no other entity is handling a case involving the booked property, the I/O shall confer with the Department entity having sufficient expertise to determine if that entity will assume the responsibility for the follow-up investigation and disposition of property.

Juveniles Booked on a Felony Narcotics Charge: The follow-up investigation and disposition of all evidence for which a juvenile arrestee was booked on a felony narcotics charge shall be the responsibility of the concerned Area detectives. The concerned Area detectives shall also file non-narcotics charges for which prima facie evidence exists in the arrest report.

Adults and Juveniles Booked Together on a Felony Narcotics Charge: The follow-up investigation and disposition of all evidence in cases involving adults and juveniles arrested together shall be handled by the concerned Area detectives.

Misdemeanor Investigations and Arrests by Uniformed or Non-Investigative Personnel. Authorization for the disposition of evidence for misdemeanor cases, including felony cases filed as misdemeanors, shall be the responsibility of the concerned PDC.

Note: The GND PDC shall be responsible for 11550 H&S (Being Under-the-Influence of Controlled Substances) misdemeanor evidence. The concerned Area detectives PDC shall be responsible for juvenile misdemeanor narcotics arrests. The Juvenile Division shall be responsible for child abuse-related evidence for assigned cases.

Transfer of Investigative Responsibility. When the follow-up investigation is outside the I/O area of expertise, the responsibility for the follow-up investigation may be transferred. The

commanding officer of the original I/O shall confer with the commanding officer of the entity having expertise regarding the transfer of responsibility for follow-up investigation and subsequent property disposition.

When the responsibility for the follow-up investigation and disposition of property is transferred from one division to another, the commanding officer of the transferring division shall ensure that a Follow-up Investigation, Form 03.14.00, is completed. One copy of the Form 03.14.00 shall be kept in the concerned case package at the original division, one copy shall be forwarded to the receiving division's I/O, one copy to the assuming division's PDC, and one copy to the transferring division's PDC.

When an I/O assumes investigative responsibility for a case in which property has been booked under **another division's DR number**, the I/O shall ensure that the Primary Investigative Unit (PIU) responsibility in the Automated Property Information Management System is transferred to the assuming I/O's division. The assuming division's I/O shall notify his/her PDC who shall "Reroute" the concerned DR number to the assuming I/O's division. Once the PIU responsibility has been transferred, the PDC should place an "Investigative Hold" on the property. The PDC shall use the assuming division's I/O's serial number to authorize the Investigative Hold. This automatically updates the "Related Employee" section with the assuming I/O's information.

If the entity with expertise elects not to conduct the follow-up investigation, the originator shall complete a Detective's Case Progress Log, Form 01.44.00, documenting such, including the declining officer's name, serial number, and unit of assignment. The original entity shall then maintain responsibility for the follow-up investigation and property disposition.

550.20 RELEASE NOTIFICATIONS. When a PDC enters release instructions into APIMS, a Property Owners Notification, Form 10.14.00, will automatically be generated. Evidence and Property Management Division personnel are responsible for mailing the notice.

Exception: If no deliverable address exists (i.e., 1942 Homeless), the property shall be authorized for release in the Automated Property Information Management System (APIMS). However, there is no requirement to send the Property Owner's Notification via United States mail.

Note: When evidence is to be released to an arrestee who is in custody, the investigator or arresting officer shall inform the arrestee to obtain the evidence at the location where it is being stored.

The property shall be held in the Area of booking for a minimum of ten days following notification, at which time it may be transferred to Central Property Section or Valley Property Section.

550.25 DISPOSITION OF COUNTERFEIT CURRENCY. Counterfeit currency shall be “Authorized for Release” to the United States Secret Service under the “Government Agent” code.

Evidence and Property Management Division shall transfer counterfeit currency to Central or Valley Property Section pending relinquishment to the United States Secret Service.

550.30 DISPOSITION OF LICENSE PLATES. When license plates are no longer needed as evidence, they shall be “Authorized for Disposal” by the concerned employee.

Evidence and Property Management Division shall transfer the license plates to Central or Valley Property Section pending relinquishment to the California Department of Motor Vehicles (DMV). License plates shall not be released to individuals. Persons requesting the release of license plates shall be referred to the DMV.

Exception: Personalized license plates are eligible for release to the owner or agent. If the owner or agent cannot be located, the license plate shall be “Authorized for Disposal.”

552. DESTRUCTION OF EVIDENCE.

552.02 PRE-TRIAL AUTHORIZATION FOR THE DESTRUCTION OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES. This section delineates procedures for pre-trial authorization for the destruction of large quantities of controlled substances including those that were not authorized for destruction at the time of booking.

PRE-TRIAL AUTHORIZATION FOR THE DESTRUCTION OF LARGE QUANTITIES OF CANNABIS EDIBLES. The following procedures shall be followed for seizures of large quantities of cannabis edibles in excess of ten pounds net weight.

Officer’s Responsibilities. Officers who seize quantities of cannabis edibles in excess of ten (10) pounds net weight, which are to be booked into Evidence and Property Management Division, shall:

- Photograph and document the condition and packaging of all the edibles being seized. The photographs shall depict the description of the contents of the package as well as the ingredients that indicate the edible contains Delta-9-Tetrahydrocannabinol (THC);
- Place the item(s) in a re-sealable zipper storage bag if the original packaging has been compromised;
- Complete a Property Report, Form 10.01.00, in compliance with the following procedures:
 - Book a minimum of 10 pounds of the seized edibles as an item on the Property Report;
 - Book a minimum of five random and representative edible samples from the total remaining seized edibles that can be made available for testing, if needed, as separate items on the property report;

- Weigh the remainder of the edibles and list them as one item on the Property Report;
- Check the box on the Property Report, indicating the items are eligible for immediate disposal;
- Complete a Property Disposition/Update Request, Form 10.06.00, authorizing the disposition of the remaining cannabis edibles while ensuring compliance with Section 11479 of the California Health and Safety Code; and,
- Submit the completed Property Disposition/Update Request to the Property Officer at the time of booking of the controlled substance.

Responsibility of Commanding Officer, Evidence and Property Management Division.

Upon determining that a quantity of a booked controlled substance, exceeding the limits defined in H&S Code Section 11479 et seq., poses a security or storage problem, the Commanding Officer (CO), Evidence and Property Management Division, will direct an LAPD Pre-Trial Narcotics Destruction Authorization, Form 10.11.00, via the Director, Office of Special Operations (OSO) to the CO, Gang and Narcotics Division (GND).

Responsibilities of Commanding Officer, Gang and Narcotics Division. The CO, GND, or his/her designee, will review and facilitate requests for the pre-trial destruction of excessive quantities of controlled substances submitted by the CO, Evidence and Property Management Division.

Upon receiving an LAPD Pre-Trial Narcotics Destruction Authorization, the CO, GND, or his/her designee, will direct a member of GND to determine if the controlled substance qualifies for pre-trial destruction.

Upon determining the narcotics can be destroyed, the CO, GND, or his/her designee, will forward the LAPD Pre-Trial Narcotics Destruction Authorization to the Director, OSO, requesting the destruction of the controlled substance.

When circumstances indicate that pre-trial destruction of narcotics would be inappropriate, the CO, GND, will explain the reason for non-destruction in the narrative portion of the LAPD Pre-Trial Narcotics Destruction Authorization and return the signed form to the CO, Evidence and Property Management Division.

Note: Appeals to the decision of the CO, GND, may be made telephonically to the CO, GND, and the Director, OSO, if critical to storage or security.

Responsibility of the Director, Office of Special Operations. The Director, OSO, will review the LAPD Pre-Trial Narcotics Destruction Authorization and upon approval or disapproval, will forward the form to the CO, Evidence and Property Management Division. The Director, OSO, has the final authority to approve the destruction of excess quantities of controlled substances that were not authorized for destruction at the time of booking.

552.05 DESTRUCTION OF NARCOTICS.

Commanding Officer, Evidence and Property Management Division's (EPMD), Responsibilities. The Commanding Officer, Evidence and Property Management Division, shall be responsible for completing all budget requests and maintaining contractual agreements with narcotics disposal sites.

Exception: When the narcotic to be destroyed is cannabis and the quantity to be destroyed is determined to be 200 pounds or more of growing or harvested cannabis, officers shall be guided by Department Manual Section 4/540.78

Assistant to the Director, Office of Operations. The Assistant to the Director, Office of Operation (OO), shall be responsible for overseeing each destruction of narcotics, including the following:

- Developing a written plan for each destruction;
- Obtaining a dedicated tactical channel from Communications Division;
- Inventorying the narcotics;
- Requesting resources from other commands via and Intradepartmental Correspondence, Form 15.02.00; and,
- Overseeing the work of all commands involved in the destruction.

Note: The Assistant to the Director, OO may delegate his or her authority regarding the destruction of narcotics.

The Assistant to the Director OO, also has the authority to require the temporary reassignment of personnel throughout the Department to assist in the destruction of narcotics. Generally, personnel selected to assist in the narcotics destruction should not have been involved in any investigation resulting in the seizure of the narcotics to be destroyed.

The Assistant to the Director, OO, or his or her designee, shall complete and retain a full report for each narcotics destruction and review previous reports prior to each destruction of narcotics to maintain best practices.

Commanding Officer, Forensic Science Division. The Commanding Officer, Forensic Science Division (FSD), shall be responsible for the following:

- Making sufficient FSD personnel available to analyze the randomly sampled narcotics when directed to do so by the Assistant to the Director, OSO;
- Determining whether the narcotics destruction necessitates assigning the Hazardous Chemicals Team to the narcotics destruction site; and,
- Upon completing the analysis of the narcotics random samples, forwarding an Intradepartmental Correspondence to the Assistant to the Director, OO, detailing the results of the analysis.

Commanding Officer, Gang and Narcotics Division. The Commanding Officer, Gang and Narcotics Division (GND), shall be responsible for ensuring that all narcotics scheduled for destruction will not jeopardize a criminal investigation or court case.

Commanding Officer, Metropolitan Division. The Commanding Officer, Metropolitan Division shall be responsible for the following:

- Making sufficient personnel available to the Assistant to the Director, OO, for the destruction of narcotics; and,
- Providing adequate security for the destruction of narcotics.

552.07 DESTRUCTION OF HAZARDOUS MATERIAL CONTROLLED SUBSTANCE MIXTURES.

Forensic Science Division's Responsibility. When in a field situation, upon identifying the presence of methamphetamine reaction mixtures, the Forensic Science Division Hazardous Chemicals Team personnel shall, in full compliance with Section 11479 H&S and sound investigative practice:

- Take samples from all containers to be destroyed;
- Cause photographs to be taken which depict the total amount of the substances, or the containers of the sampled substances, to be destroyed;
- Obtain gross weights and volumes by direct measurement, or by an estimate based upon dimensional measurement;
- If it can be accomplished safely, cause those containers which are to be destroyed to be processed for latent fingerprints;
- Cause samples of the reaction mixtures to be booked. The gross amounts seized, and dispositions of bulk materials, shall be listed on the property report;
- Provide a copy of the property report to Audit Division; and,
- Cause the bulk of the material to be destroyed following the procedure for a regular authorized destruction.

Upon making the determination that a hazardous chemical/controlled substance mixture cannot be safely stored in available Forensic Science Division facilities, Forensic Science Division shall:

- Notify the contract hazardous waste hauler of the need for a pickup;
- Pack the substances to be destroyed in the manner required for shipment. (This is done by the hauler in the presence of Forensic Science Division personnel who place tamperproof numbered metal seals on the drums;)
- Initiate a California Uniform Hazardous Waste Manifest, noting the numbers of the metal seals applied to the drums. The mixture shall be listed on the manifest and the containers labeled as: "Hazardous Material NOS. Drug laboratory waste with poisonous and corrosive properties. Do not open. Wear gloves and respiratory protection;"

- Ensure that a copy of the California Uniform Hazardous Waste Manifest and Certificate of Destruction is received from the destruction facility in a timely manner;
- Ensure that the numbered seals cut off the containers by the destruction vendor are returned with a certificate that the containers were received with the seals intact;
- Complete an affidavit certifying destruction and present it to the court of jurisdiction;
- Forward copies of both the Certificate of Destruction and the affidavit to the Audit Division for audit and control purposes; and,
- Forward copies of both the Certificate of Destruction and the affidavit to Evidence and Property Management Division to complete the destruction process by entering the destruction information in Department records.

Upon being notified of pretrial destruction authorization for a hazardous chemical/controlled substance mixture, Forensic Science Division shall:

- Cause the required samples, photographs and measurements, in compliance with 11479 H&S, to be taken.
- Follow the same procedures as for notification of a regular authorized destruction.

Evidence and Property Management Division's Responsibility. Upon receipt of the Certificate of Destruction and the affidavit certifying destruction, Evidence and Property Management Division shall complete the destruction process by entering the destruction information into Department records.

552.10 DESTRUCTION OF FIREARMS.

Commanding Officer, Evidence and Property Management Division - Responsibility.

Upon determining that a firearms destruction should be scheduled, the Commanding Officer, Evidence and Property Management Division, shall make all necessary arrangements. The Commanding Officer, Evidence and Property Management Division shall be responsible for:

- Determining the number of firearms to be destroyed;
- Complying with Penal Code Section 18005(c);
- Determining the date, time and location of the destruction;
- Arranging transportation; and,
- Obtaining security for the firearms destruction from another Department entity.

Firearms scheduled for destruction are available for consideration by Metropolitan Division, Training Division, and Forensic Science Division. Identified firearms will be made available for convertible property for training and/or tactical purposes. Requests for the retention of firearms scheduled for destruction shall be made through the requesting entity's chain of command to the Assistant to the Director, Office of Special Operations.

555. RELEASE OF PROPERTY.

555.10 RELEASE OF PROPERTY - GENERAL. Property may only be released to:

- A law enforcement agency or court.
- The owner, or owner's agent.
- A qualified finder.

When evidence or non-evidence is released, the person receiving the property shall be required to sign a Property Court Receipt, Form 10.3.

Any other person seeking the release of such property, and all persons seeking the release of contraband (or property that could be considered as such), shall be advised that the property can be released only as a result of either:

- A written opinion of the City Attorney, OR,
- A valid court order.

555.20 RELEASE TO AGENT. Whenever property belonging to an organization or company is to be released to an agent, the investigating officer completing the Property Disposition/Update Request, Form 10.06.00, shall indicate the name of the individual/agent in the organization or company to whom the property should be released on the "Name" line of the Form 10.06.00. If the organization is a government agency, no name is necessary. If no name is indicated on the Form 10.06.00, the property shall be released in accordance with procedures for designating agents established by the Commanding Officer, Evidence and Property Management Division.

Note: Property belonging to the Los Angeles City School System shall be released to Board of Education Security Section personnel only.

Evidence and Property Management Division personnel and personnel assigned to Area/division property rooms shall release property to the agents of individuals in accordance with identification and agent designation criteria established by the Commanding Officer, Evidence and Property Management Division.

Exception: Arrestee's personal property (4/645.23).

555.30 RELEASE OF EVIDENCE RETAINED BY COURT. Persons inquiring about the release of property which has been received and retained in evidence by a court shall be referred to:

- The clerk of the court in which the trial was held, in a misdemeanor case.
- The County Clerk, 210 West Temple Street, in a felony case, if the defendant was held to answer.
- The clerk of the court in which the preliminary hearing was held, if the defendant was not held to answer.

Note: An employee shall not solicit or receive any firearm or other property from a criminal court, unless the employee was the legal owner of the property at the time of its seizure.

If property transported to court is not received into evidence; is no longer needed for court proceedings, and the investigating officer (I/O) intends to release any or all of the items to an owner or agent, refer to Manual Section 4/545.30 for the release procedures.

555.40 PRETRIAL RELEASE OF EVIDENCE. When the investigating officer determines that the release of evidence would not jeopardize a prosecution, it may be released to the owner or person in lawful possession of the property who shall be advised to retain it until the case reaches a final disposition.

Note: Photographs of such evidence shall be retained in the Investigator's Case Envelope, Form 15.15.00, or, if no arrestee, booked as evidence.

555.50 RELEASE OF NON - EVIDENCE.

Property Disposition Coordinator Responsibility. The PDC shall authorize the release of non-evidence to the owner or a finder who submits a claim under the following conditions:

- If the owner waives title to the property in writing; or,
- If the property has remained unclaimed for 97 calendar days following notification to the owner of its availability; or,
- If ownership is not established within 97 calendar days of the date booked.

Exception: Such property shall not be released to employees of the City or of another public service agency who found the property while acting within the scope of their employment.

Property Officer's Responsibility. Property Officers shall complete a Form 10.06.00 for non-evidence and forward it to the PDC for disposition instructions under the following conditions:

- If ownership can be determined at the time of booking or at any time subsequent to booking; or,
- If a finder submits a claim for the property.

As required by law, non-evidence shall be disposed of after it has been in Department custody for 97 calendar days and has not been claimed.

Exception: Unclaimed bicycles shall be disposed of in accordance with current Los Angeles Municipal Code provisions.

555.60 RELEASE OF DISPUTED PROPERTY. An employee who becomes aware of a disputed ownership claim for booked property shall not authorize its release.

Note: The claimants shall be supplied with the DR number, the name of the person to whom the property is booked, and the date of booking when known, and shall be referred to the Property Claims Officer (2/345.20).

555.70 RELEASE OF LICENSE PLATES. License plates shall not be released to individuals. Persons requesting the release of license plates shall be referred to the DMV.

Exception: Personalized license plates are eligible for release to the owner or agent. If an owner or agent cannot be located, the license plates shall be “Authorized for Disposal.”

560. LEGAL PROCESS FOR RELEASE OF PROPERTY (3/425.15, 3/425.30, 4/565.20).

560.05 COURT ORDERED EVIDENCE SPLITS. An authorized representative from a private laboratory, in possession of a court order requesting an evidence sample, or portion of an evidence sample from this Department, shall normally present the court order to the Property Claims Officer, Evidence and Property Management Division, during the hours of 0830 to 1200 (Department Manual Section 3/425.10).

Property Claims Officer’s Responsibilities. When presented with a court order requesting the release of, or portion of, an evidence sample split which is of evidentiary value, the Property Claims Officer shall inspect it to determine that:

- The court order is stamped with an official seal and filed with the concerned court,
- The court order bears the signature of the issuing judge, *and*,
- The court order describes the case by LAPD DR number, date of arrest, booking number, name of defendant and the name and business address of the defendant's attorney.

If the court order appears valid, the Property Claims Officer shall:

- Immediately forward the court order to the Commanding Officer, Evidence and Property Management Division.
- Enter the following information in a Legal Processes Log: the type of process, date and time, where served, person(s) affected, investigative unit handling and person notified, and such other information as may be pertinent; and,
- Advise the private laboratory representative of the anticipated date and time the evidence sample will be available.

Note: When the validity of the court order appears questionable, the process server shall be referred to the Commanding Officer, Legal Affairs Division, who will make the determination to accept or refuse the court order.

Evidence and Property Management Division Commanding Officer's Responsibilities. Upon receiving a valid court order from the Commanding Officer, Evidence and Property Management Division, shall:

- Authorize the split by notifying the concerned investigating officer's commanding officer of the impending split of evidence via an Intradepartmental Correspondence, Form 15.02.00 (Department Manual Section 3/425.15); and,

- Cause the court order to be delivered to the Commanding Officer, Forensic Science Division (FSD), once authorization has been obtained from the concerned investigating officer's commanding officer.

Forensic Science Division, Commanding Officer's Responsibilities. Upon receiving a valid court order from the Commanding Officer, Evidence and Property Management Division, the Commanding Officer, FSD, shall notify the FSD Criminalistics Laboratory Director or his or her designee of the court ordered evidence split in order to assign the task to an FSD analyst.

Forensic Science Division Analyst's Responsibilities. Upon receiving an authorization to complete the split, the FSD analyst shall review the court order. The analyst shall ascertain if the evidence subject to split has been analyzed by FSD and if any additional testing is pending or required. If analysis is still pending, FSD will inform Evidence and Property Management Division and the investigating and/or prosecuting entity that the evidence is not immediately available to be split. All efforts will be made to negotiate a reasonable time frame to complete the needed analysis and relinquish samples per the court order. In the event that the court order is confidential, FSD will only notify the prosecuting entity liaison, not the specific prosecutor or the investigator.

If there is no analysis pending on the evidence sample(s) requested for the sample split, then the analyst will be authorized to perform an evidence split.

Once authorized to release a portion of a sample of evidence, the analyst will remove the evidence from Evidence and Property Management Division and shall:

- Make the evidence split; and,
- Record the following information on the outer portion of the Department evidence package;
 - Date the evidence was split;
 - Item number of evidence split;
 - Amount or weight of the sample split;
 - Analyst's serial number;
 - "per court order";
- Include a copy of the court order inside the original evidence packages, and re-seal the evidence package; and,
- Seal the new split evidence package with red evidence seals, Form 10.12.07. **Note:** When the FSD analyst determines that the concerned evidence has not previously been analyzed, he or she shall, in all cases, ensure that routine analysis is completed prior to performing a split of any evidence. If, after the standard analysis, there is not sufficient sample remaining to provide a split of evidence, the FSD analyst shall inform the Property Claims Officer. The concerned private laboratory shall be so notified by the Property Claims Officer.

560.10 RELEASE OF CREDIT CARDS. Credit cards which are no longer of evidentiary value shall only be released to an agent of the issuing company.

In all other instances, credit cards shall be destroyed, unless otherwise ordered by a court.

560.30 RELEASE WHEN IDENTIFYING MARK HAS BEEN ALTERED OR DESTROYED.

Release. When property other than a firearm or bicycle has had the serial number removed, defaced, covered, altered, or destroyed, and the property is to be released, the employee authorizing release shall:

- Inform the claimant of the provisions of Penal Code Section 537(e).
- Obtain the claimant's consent to renumber the item.
- Cause the property to be transferred to Central Property Section or Valley Property Section for renumbering.

Note: When permission to have the item renumbered is refused, the claimant shall be advised that the item cannot be released.

New Identifying Number. The new identifying number shall consist of the letters "LA" followed by the DR number. When multiple items are booked under the same DR number, a letter, commencing with the letter "A" and continuing alphabetically with each additional item, shall be etched following the DR number.

Property Officer's Responsibility. A Property Officer shall inspect all property coming within the purview of Penal Code Section 537(e). When a Property Officer determines that an item of property requires renumbering, he/she shall notify the investigating officer. When authorized by the investigating officer, the Property Officer shall transfer the property to Central Property Section or Valley Property Section for numbering.

Evidence and Property Management Division's Responsibility. To avoid duplication of identification numbers, a Property Officer shall:

- Check the file of renumbered property prior to etching a new identification number.
- Update the file with a detailed description of the renumbered property, including the new identification number.

560.35 SEIZURE OF FIREARMS. When an officer seizes a firearm involving a threat to human life or a physical assault, the officer shall seize the firearm in accordance with this Section and if Domestic Violence is involved, Penal Code (PC) Section 18250, officers shall:

- Determine if a court order exists or is warranted.

Note: If at the time a firearm is seized, an officer becomes aware of a court order, (e.g. Emergency Protective Order, Domestic Violence Restraining Order), which is not in the Domestic Violence Restraining Order System (ROS), the officer shall ensure the court order

and accompanying Department report(s) are immediately submitted to a watch commander for approval.

- Issue the owner or person in custody of the firearm a Receipt for Property Taken Into Custody, Form 10.10.00.
- Record in the "Property Taken" portion of the Form 10.10.00 the following information:
 - A description of the weapon, including the serial number, the location where the firearm can be recovered, and the telephone number of the Area Detective Division responsible for releasing the firearm; and,
 - The dates and times during which the firearm can be claimed.
- Complete a Receipt and Notice of Rights for Confiscated Firearms/Other Deadly Weapons, Form 10.10.05, to document the confiscation of a firearm or other deadly weapons from individual(s) during a domestic violence incident.
- Book the firearm in accordance with the procedures set forth in Section 4/540.30 of the Department Manual.

Note: When a booking officer has reasonable cause to believe that the release of a firearm could likely result in endangering the victim, reporting party or other party, the officer shall include information in the related report(s) describing “clear and convincing” evidence that will support a court petition to determine if a firearm should be returned. The investigating officer, within 60-90 days of the seizure, shall initiate the petition in Superior Court to determine if the firearm should be returned.

Seizure of Firearms at Domestic Violence Incidents. Penal Code Sections 18265(a) and 18265(b) provides that firearms seized at the scene of a domestic dispute shall be made available for release 48 hours after the seizure or as soon thereafter as possible, but no longer than five business days after the seizure. In no event shall a firearm be held less than 48 hours.

Note: Although a firearm may be available for release per PC Section 18265, it shall not be released to the legal owner until the DOJ background check has been completed and the owner has been cleared for possession of the firearm per PC Sections 33850-33895.

When an investigating officer releases a firearm seized at a domestic violence incident, the investigating officer shall, after complying with the procedures in Manual Section 4/560.40, make the firearm available for release no less than 48 hours, but no longer than 5 business days after the seizure.

A firearm in Department custody longer than 12 months and not claimed by the owner or person who had lawful possession at the time the firearm was taken into custody, shall be considered a nuisance and be disposed of as provided in Penal Code Section 18275.

Court Orders not in the Restraining Order System. If an officer becomes aware of a court order at the time a firearm is seized, (e.g. Emergency Protective Order, Domestic Violence Restraining Order), which is not in the Domestic Violence Restraining System (ROS), the

officer shall ensure the court order and accompanying Department report(s) are immediately submitted to a watch commander for approval.

Watch Commander's - Responsibility. Watch commanders are reminded of the critical importance of immediate and accurate entry of court orders into the ROS. Watch commanders shall ensure that all reports involving court orders not already entered in the ROS are immediately delivered to the Area Record's Unit and entered into the ROS. If the Area Record's Unit is not staffed, watch commanders shall cause the order to be immediately delivered to a Record's Unit or to Records and Identification Division for immediate entry into the Domestic Violence ROS.

560.40 RELEASE OF FIREARMS, AMMUNITION LOADING DEVICES, OR AMMUNITION. Only sworn detective personnel or the assigned investigating officer(s) shall approve the release of firearms. Any person appearing before an Area desk requesting the release of a firearm shall be referred to the Area detectives or the investigating specialized unit, during their normal operating hours.

Proof of Ownership. The Department must accept any reasonable proof of ownership. Registration in the name of the lawful owner shall constitute proof of ownership. However, a lack of registration does not constitute a lack of proof of ownership unless registration is required by law for possession and/or ownership of the firearm. Unless there is articulable probable cause to disbelieve a sworn declaration attesting to ownership, a sales receipt, or other proof of ownership from the claimant, shall constitute proof of ownership.

Investigating Officer's - Responsibilities. Investigating officers or their immediate supervisor, shall ensure that all firearms are returned to the lawful owner after determining whether the individual is lawfully entitled to possess the firearm. The investigating officer authorizing disposition or release of a firearm shall:

- Determine whether the individual is lawfully entitled to possess the firearm to be released, in accordance with federal and state laws [California Penal Code (PC) Sections 29800, 29805, 29815, 29820, 29825];
- Query the Automated Firearm System (AFS) and the National Crime Information Center (NCIC) to determine current "want" and registration information;
- Ensure that the appropriate "Evidence" entry appears in the AFS;

Note: If the firearm is an LAPD stolen/lost and an "Evidence" entry does not appear in the AFS, the concerned investigating officer shall notify a supervisor in the Vehicle/Warrant Section, Records and Identification Division (R&I), to ensure that this omission is corrected.

- Check the owner/possessor's criminal history, the Domestic Violence Restraining Order System (ROSI), the Mental Health Firearms Prohibition System (MHF), warrants, and subjects criminal history to verify there are no legal restrictions to the owner/possessor possessing the firearm;
- Inquire of the victim, suspect, and person reporting, if any restraining order(s) exist;

- Attach a printout of the AFS, ROSI, MHF, CCHRS, and NCIC query and owner's response to inquiry, to the work folder copy of the concerned report. If the firearm "Evidence" entry does not appear in the AFS, indicate that fact on the Detective Case Progress Log, Form 01.44.00, Detective Case Tracking System (DCTS), and include the name of the R&I employee contacted;
- Ensure the firearm is not restricted (e.g., assault weapon);
- If the firearm is to be released or disposed of within 90 days from the date of original booking, ensure the firearm has been processed for National Integrated Ballistic Information Network (NIBIN) entry and any requested DNA or print processing has been completed and recorded on Form 01.44.00 (DCTS), with the name and serial number of the persons contacted;
- If the firearm was booked as a result of a misdemeanor or felony arrest, check the Los Angeles Superior Court and Data & Document Exchange Services (DDES) to ensure that the firearm no longer has any evidentiary value and there are no firearms restrictions imposed on the defendant; and,
- If the firearm was booked pursuant to a search warrant, complete a Court Order for Search Warrant Property, Form 10.18.00, and obtain approval from the court to release the firearm to the investigating officer for disposition. The original Form 10.18.00 shall be submitted to R&I.

Upon completion of the above requirements:

- Complete a Property Disposition/Update Request, Form 10.06.00, and forward it to the Property Disposition Coordinator (PDC) for input into the Automated Property Information Management System (APIMS) if an Item Detail Summary Report has not been generated; or
- Present a completed Property Disposition/Update Request to an Evidence and Property Management Division (EMPD) Property Officer for input into APIMS if property must be immediately released to a waiting individual with proper documents and the PDC is not available.
- Ensure the individual (i.e., owner of the firearm) seeking the return of the firearm, completes and submits a Law Enforcement Release (LER) Application to the California Department of Justice (DOJ), Bureau of Firearms;
- Ensure that the firearm being returned is registered in AFS (if required) to the claimant. The LER application entry alone does not meet the name entry criteria, referred to in 33855 PC and 33850 PC; and,
- Ensure that the owner of ammunition or ammunition loading devices seeking their return completes and submits a Law Enforcement Release (LER) application to the California department of Justice, Bureau of Firearms.

Note: An Authorized Release (AR) entry notification via the APIMS to a Evidence and Property Management Division facility in order to release property is appropriate **only** when a PDC or Area property officer is not available and an immediate release is necessary.

When authorization to release is a teletype, the investigating officer shall include a statement that the firearm shows listed as "Evidence" in the AFS/NCIC system.

Note: Investigators shall not release firearms, ammunition loading devices, or ammunition in the field without a Form 10.06.00, or a Form 10.18.00 and supervisor approval.

Firearms Declared Nuisances. A firearm coming within the purview of the Dangerous Weapons' Control Law and which is declared to be a nuisance per 29300 PC shall not be released except at the direction of:

- A written opinion of the City Attorney, or
- A valid court order.

Release of Firearms or Other Deadly Weapons to Persons with a Mental Illness. Before releasing a firearm or other deadly weapon to any person who has been previously detained due to a mental illness, the concerned investigating officer shall contact the Mental Evaluation Unit (MEU), Case Assessment Management Program (CAMP) Unit for advice in determining the conditions for release of the firearm or weapon (Department Manual section 4/260.25).

Firearms Seized at Domestic Violence Incidents.

Investigating Officer's - Responsibilities. In addition to the current procedures outlined in this section, an investigating officer releasing a firearm seized at a domestic violence incident shall make the firearm available for release no less than 48 hours, but no longer than five business days after the seizure (unless retained as evidence related to criminal charges brought as a result of a domestic violence incident or if it was illegally possessed pursuant to 18265 PC).:

Unclaimed Firearms. A firearm in Department custody that has been authorized for release and is held longer than six months (180 days) and not claimed by the owner or person who had lawful possession at the time the firearm was taken into custody shall be considered a nuisance and be disposed of as provided in 18000-18005 PC.

Release of Firearms to Licensed Firearms Dealers. If a firearm was seized and the owner/possessor disposes of the firearm by transferring it to a licensed firearms dealer, the Department shall release the firearm(s), except contraband, to the properly licensed firearms dealer authorized to take possession of and dispose of the firearms on behalf of the owner.

Firearms Used in Suicide. All firearms suspected of being used in a suicide shall be booked as evidence to provide the opportunity to test such firearms. The investigating officer shall be responsible for determining the final disposition of the firearm.

When it is necessary to retain the firearm, the investigator officer shall, within five calendar days following booking, notify the Coroner's Office of the reason for the hold.

Evidence and Property Management Division - Responsibilities. Evidence and Property Management Division may dispose of or release a firearm from custody when disposition instructions have been received by one of the following means:

- Disposition instructions have been input into APIMS;
- A release authorization teletype has been received; or,
- A completed Property Disposition/Update Request, Form 10.06.00 has been received.

The Property Disposition/Update Request or teletype authorization shall be retained by the concerned property unit for a period of one year.

561. WITHHOLDING OF FIREARMS. If an investigating officer (I/O) has reasonable cause to believe that the release of a firearm would likely result in endangering the victim, reporting party or other party, the I/O shall:

- Complete a Property Disposition/Update Request, Form 10.06.00, and forward it to the Property Disposition Coordinator to place an investigative hold on the firearm in the Automated Property Information Management System (APIMS), to prevent the unintentional release or destruction of the weapon prior to the Court's decision;
- Ensure all reasonable efforts are made to locate the owner/possessor of the firearm;
- Prepare a Follow-up Investigation, Form 03.14.00, describing the "clear and convincing" evidence in support of a petition to determine if a firearm should be returned, and obtain approval of a Detective III or above;
- Complete a City Attorney Request for Petition (CARP);
- Ensure notification is made to the owner/possessor of the intent to file the petition;
- Deliver the original CARP, a copy of all related police reports, a copy of the owner/possessor's criminal history, Restraining Order System (ROS), Mental Health Firearm Prohibition System (MHFPS) and Consolidated Criminal History Reporting System (CCHRS) printouts, to Detective Support and Vice Division (DSVD) within four calendar days from the date of seizure or upon determining the firearm should not be returned;

Note: In cases where the investigating officer is unable to deliver the material to DSVD, the I/O shall cause an employee who is familiar with the case to deliver the material to DSVD.

- Assist the City Attorney's (CA) Office with the preparation of a declaration for the petition;
- Appear at Superior Court hearings, as requested by the CA's Office, to offer information concerning the potential danger to a victim, reporting party, or other party; and,
- Dispose of the firearm **only** as directed by the Superior Court.

Note: Penal Code Sections 18265(a) and 18265(b) provides that firearms seized at the scene of a domestic dispute shall be made available to the owner/possessor in no less than 48 hours but no longer than five business days after the seizure.

Detective Support and Vice Division's (DSVD) - Responsibilities. The Commanding Officer, DSVD, shall provide liaison between the Department and the CA's Office in processing and coordinating the CARP to determine if a firearm should be withheld from the owner or otherwise disposed of as directed by the court. Detective Support and Vice Division personnel within **two calendar days** of receiving a CARP from detective personnel, shall:

- Verify that the legal owner is not otherwise prohibited from possessing the firearm;

Note: If ownership of the firearm is prohibited by law, inform the I/O that the petition is unnecessary and that the firearm may be held or disposed of pursuant to the appropriate Penal Code section.

- Ensure the CARP has been completed correctly; and,
- Forward the CARP to the CA's Officer, Police General Counsel Section for submission to the Superior Court.

Detective Support and Vice Division shall also be responsible for ongoing liaison with the CA's Office and shall:

- Create and maintain a control log for tracking all requests for petitions until their disposition;
- Upon receipt of any response to a petition, make telephonic notification to, and forward a copy of the response to the CA's Office, Police and Fire Services Division;
- Notify the I/O of the results of the petition and the appropriate disposition of the firearm as directed by the court;
- Contact Police and Fire Services Division to verify that the owner/possessor of the seized firearm has been notified by registered mail of the court's order regarding disposition of the firearm; and,
- Provide blank petition forms to all detective commands.

FILING A PETITION WITH THE COURT TO EXTEND A FIREARM HOLD. Penal Code Section 18400 allows 60 days to file a petition with the court to extend a firearm hold. However, when the I/O has reasonable cause to believe that the release of a firearm would likely endanger the victim of the assault or threat, the I/O shall, within five days of the seizure, initiate a petition in superior court to determine if the firearm should be returned. If necessary, the I/O may seek a 90 day extension on the petition.

565. SPECIAL DISPOSITIONS.

565.10 DISPOSITION OF EVIDENCE SEIZED PURSUANT TO SEARCH WARRANT.

Evidence seized during the service of a search warrant, whether listed or unlisted, shall be disposed of **ONLY** by the order of a court having jurisdiction over the property (1536 P.C.). A court order may be requested for the disposition of property which was seized during the service of a search warrant but which was not introduced into evidence, when:

- The prosecution has reached a final conclusion,

- The statutory period for filing an appeal has expired,
- The property is no longer of evidentiary value.

Exception: Removal of a hold place for 11470 H&S shall be the responsibility of the Asset Forfeiture and Support Section, Gang and Narcotics Division.

When circumstances are such that a court order for disposition is needed, the investigating officer shall prepare an original and two copies of a Court Order for Search Warrant Property, Form 10.18.00, and present them for signature to the magistrate who issued the warrant, or to the presiding judge when the magistrate is unavailable.

When the Forms 10.18.00 are signed, forward the original to Records and Identification Division, forward a copy and a completed Property Disposition/Update Request, Form 10.06.00, to the concerned Property Disposition Coordinator and place the remaining copy in the investigator's case file.

Exception: When evidence consists only of *copies* of bank records, the investigating officer may request disposition instructions at the time he/she completes the original return to the search warrant. (See also 4/540.90).

565.20 COURT DISPOSITION OF PETITION. If it is determined by the court that a firearm should be returned to the owner/possessor, the investigating officer shall:

- Complete a Follow-Up Investigation, Form 03.14.00, detailing the court case number, the date the hearing was held, the date the court order was made if different from the date of hearing, and the name and department of the judge who ordered the return of the firearm; and,
- Cause the firearm to be released to the owner as ordered by the court.

Court Ordered Destruction. If the court determines that a firearm should be destroyed, the investigating officer shall complete a Property Disposition/Update Request, Form 10.06.00, detailing the court case number, the date the hearing was held, the date the court order was made if different from the date of hearing, and the name and department of the judge authorizing the destruction of the firearm. Attach a copy of the court order to the Form 10.06.00.

565.30 DISPOSITION OF GAMBLING MONEY. Authorization for the disposition of money booked as evidence in connection with a gambling arrest shall only be made by the Property Claims Detail, Evidence and Property Management Division, or by the court.

Claimants shall be advised to address a written request for the return of such evidence to the Commanding Officer, Evidence and Property Management Division.

After such evidence has remained in Department custody for three years, it shall be transferred to the L. A. City General Fund.

570. PROPERTY TRANSFERS.

570.10 TRANSFER - GENERAL. Property which has been authorized for destruction or sale by auction shall be transferred to Central Property Section or Valley Property Section on the first regularly scheduled property transfer following the receipt of disposition instructions. Property which is authorized for release may be transferred ten days after the claimant is notified (4/550.20).

When an investigating officer assumes investigative responsibility for a case in which property has been booked under **another division's DR number**, the investigating officer shall ensure that the Primary Investigative Unit (PIU) responsibility in APIMS is transferred to the investigating officer's division. The investigating officer shall notify his/her Property Disposition Coordinator (PDC) who shall "Reroute" the concerned DR number to the investigating officer's division. The PDC shall also update the "Related Employee" section with the concerned investigating officer's information. Once the PIU responsibility has been transferred, the PDC should place an "Investigative Hold" on the property.

When property is transferred and investigative responsibility is assumed by another entity, the investigating officer shall ensure that the "Primary Investigative Unit (PIU)" responsibility is updated in the Automated Property Management System.

All personal property which has been authorized for retention and use by the Department shall be transferred to Central Property Section.

570.15 PROPERTY TRANSFER REQUEST BY OFFICERS. If an investigating officer determines that evidence booked at a storage facility other than the Evidence Control Unit, Forensic Science Division, needs to be transferred to a different storage facility, the evidence must be transported by the requesting investigating officer.

570.20 TRANSFER OF FORGERY EVIDENCE TO CASE FILES. Credit cards, items of an unusual nature such as legal documents, and obviously valuable papers, shall *not* be retained in case files.

The following documents may be transferred to and retained in an investigator's case file:

- Bankbooks.
- Checkbooks.
- Credit card invoices.
- Identification Papers (including fraudulent driver's licenses).
- Checks.
- *Copies* of bank records obtained pursuant to search warrants.
- Miscellaneous documents bearing handwritten, typewritten, or printed notations.

Note: The investigator's commanding officer shall establish procedures to ensure the security of such evidence.

570.25 TRANSFER OF PHOTOGRAPHS, DOCUMENTS, OR OTHER MISCELLANEOUS PAPERS TO CASE FILES. Once a case is closed, an investigating officer (I/O) may retain certain items of booked evidence. Those items include photographs, documents, or other miscellaneous papers relevant to the current or any future case. The items shall be released (in the Automated Property Information Management System) to the I/O and retained in one of the following packages, listed in priority order:

- The murder book;
- Detective's Case Envelope, Form 15.15.00; or
- The detective work folder.

In order to obtain the items, the I/O shall:

- Request the approval of the I/O's commanding officer;
- If approved, complete disposition instructions on a Property Disposition/Update Request authorizing release to the I/O; and,
- Maintain the items in the appropriate package.

Exception: Videotapes or contraband may not be retained in the murder book, Detective Case Envelope, or detective work folder.

Note: The release instructions shall contain the I/O's name and division of assignment. "Unk" shall be entered in the address field so a Property Owner's Notification, Form 10.14.1, will not be generated.

575. PROPERTY RECOVERED IN OR REQUESTED BY AN OUTSIDE JURISDICTION.

575.10 PROPERTY RECOVERED IN ANOTHER JURISDICTION. When informed that property which was reported lost or stolen by this Department is recovered by another jurisdiction, the investigating officer shall:

Property Required for Evidence

- When necessary, request the recovering agency to ship the property directly to Central Property Section, attention to the investigating officer.

Note: Central Property Section shall be contacted for shipping instructions.

- Forward a copy of any applicable correspondence to Records and Identification Division for filing.

Property Not Required for Evidence

- Supply the recovering agency with the name and address of the owner and authorize the release of the property to the owner.

- Notify the owner of the location of the property.
- Instruct the owner to make arrangements with the recovering agency for return of the property.

575.20 SHIPPING BOOKED PROPERTY. Booked property shall be shipped or mailed only to a person or an agency making a written or teletyped request to the Department. Small items of property shall be mailed prepaid, and certified if applicable, through the U.S. Postal Service. Large items shall be shipped via the City-contracted parcel delivery service.

Exception: At the discretion of the Commanding Officer, Evidence and Property Management Division, recipients of booked evidence may be required to make their own shipping arrangements.

Firearms shall not be shipped to an individual. The owner shall be instructed to:

- Contact a local law enforcement agency willing to accept delivery of the firearm; and,
- Request the agency to telephonically contact the shipping officer, Central Property Section, for further information.

The property officer finalizing shipping arrangements shall update APIMS with the release information provided by the outside agency.

575.30 VIEWING OF PROPERTY BY UNAUTHORIZED PERSONS. Prior to allowing a victim or witness to view evidence booked at Evidence and Property Management Division, the concerned Evidence and Property Management Division employee shall ensure that the victim or witness is accompanied by a detective from the Area/division assigned investigative responsibility.

580. DEPARTMENT RETENTION AND USE OF CONVERTIBLE PROPERTY.

580.10 CONVERTIBLE PROPERTY - DEFINED. Convertible property is property that comes into the custody of the Department for which title, after satisfaction of specified legal requirement, may pass to the Department for use in an official capacity.

Note: Items of contraband shall never be converted to Department use except as defined in Manual Section 4/585.

The following are categories of convertible property:

Unclaimed Property-Defined. Unclaimed property is any and all property booked into the custody of the Department and held for a specified period of time during which no claim or demand has been made nor owner located. Unclaimed items shall no longer be required for use as evidence and must have been authorized for disposition.

As required by law, unclaimed property shall be held for a minimum of 97 days, with the exception of unclaimed bicycles which may be held for a minimum of two months when transferred to designated youth services organizations.

Forfeited Property-Defined. Forfeited property is property seized in connection with a narcotics-related arrest or investigation for which ownership has been transferred to the Department by appropriate State or Federal authorities. Included are products involved in the manufacturing, transportation, storage, and marketing of controlled substances. All seized monies intended to be provided in exchange for a controlled substance, or proceeds traceable to such an exchange, may also be forfeited.

Judicially Awarded Property-Defined. Judicially awarded property is property other than that seized pursuant to asset forfeiture proceedings for which ownership has been transferred to the Department upon court order.

Note: Employees aware of the possible availability of property which is in the custody of a court and which is suitable for conversion for Department use may inform the concerned magistrate of the Department's property conversion program. If the magistrate chooses to award the property to the Department, the employee accepting the item shall return it to the property room from which it was withdrawn and notify the Commanding Officer (CO), Administrative Services Bureau (ASB) via the CO, Evidence and Property Management Division.

580.20 REQUESTING RETENTION OF CONVERTIBLE PROPERTY. The following procedure shall apply when requesting retention of convertible property for official Department use.

Evidence and Property Management Division employees will be watchful for unique items of convertible property and advise the appropriate entity of their availability.

580.21 EXAMINATION OF CONVERTIBLE PROPERTY. An employee assigned to the Administrative Services Bureau (ASB) will be responsible for liaising with Evidence and Property Management Division and other Department entities as required for the purpose of examining convertible property available for retention by the Department. When appropriate, the Commanding Officer (CO), ASB, will cause convertible property available for retention by the Department to be inspected by subject matter experts (e.g., cellular telephones or computers by Information Technology Division). Such inspections should determine serviceability, compatibility with existing equipment or systems, and the ability of the Department to maintain the items.

Note: Requests for ammunition available for convertible property may only be requested by the Firearms Training Section, In-Service Training Division.

Firearms scheduled for destruction are available for consideration by Metropolitan Division, In-Service Training Division, and Forensic Science Division. Identified firearms will be made available for convertible property for training and/or tactical purposes. Requests for the

retention of firearms scheduled for destruction shall be made through the requesting entity's chain of command to the CO, ASB. Refer to Department Manual Section 4/552.10.

580.22 COMMANDING OFFICER'S RESPONSIBILITY. Commanding officers, upon determining that employees in their command will materially benefit in the course of their duties by acquisition of an item of converted property, may submit a Convertible Property Request, Form 10.09.00, to their bureau commanding officer. The Convertible Property Request, Form 10.09.00, shall be submitted without exception when requesting any type of converted property item and shall include a description of each item, its intended application, and the benefits to be derived from its use.

580.24 BUREAU COMMANDING OFFICER'S RESPONSIBILITY. A bureau commanding officer receiving a request for retention and issuance of specified converted property shall:

- Review the request to ensure that it is in the best interests of the Department;
- Forward approved requests to the Commanding Officer, Administrative Services Bureau; and,
- Return denied requests to the requester.

580.26 COMMANDING OFFICER, ADMINISTRATIVE SERVICES BUREAU RESPONSIBILITIES. The Commanding Officer (CO), Administrative Services Bureau (ASB), shall:

- Retain a copy each Convertible Property Request that is received;
- Cause necessary research to be conducted for requests received;
- Forward the original approved request to Evidence and Property Management Division for appropriate action;
- Return denied request to the concerned bureau along with a brief explanation; and,
- Upon request from Evidence and Property Management division resolve any conflicts arising from Department entities requesting the same item.

580.30 ISSUING CONVERTIBLE PROPERTY. Upon approval of the Commanding Officer (CO), Administrative Service Bureau (ASB), converted property may be issued using the following guidelines.

Evidence and Property Management Division's Responsibilities. Evidence and Property Management Division shall issue a receipt to the requesting Department entity upon issuing and releasing convertible property. Evidence and Property Management Division shall:

- Cause the receiving employee to acknowledge receipt of the property by appropriate signature on the Convertible Property Receipt, Form 10.09.01;
- Forward the original signed receipt to Records and Identification Division for filing;
- Issue the item to the requesting division;
- Maintain accurate issuance and control documents;

- Determine by comparative need which requesting Department entity should receive requested property items. In the event of a conflict, ASB shall make the final determination;
- Post on the Department LAN (Deployment Period 1) a list of property available for conversion. Updated lists may be posted throughout the year at the discretion of the Commanding Officer EPMD; and,
- Maintain a database listing property convertible and the entity to which the property was assigned.

Exception: Inventory and tracking of issued convertible property is the responsibility of the requesting Department entity.

Note: The issuance of convertible property is an ancillary duty only assigned to EMPD. Evidence and Property Management Division's primary duties take precedence; therefore, approval of the convertible property by the CO, ASB, does not guarantee its immediate issuance.

Motor Transport Division's Responsibilities. Upon receipt of an approved request and a copy of the pertinent court order, City Council file (if applicable), or other appropriate correspondence certifying a vehicle for use by the Department, the Commanding Officer, Motor Transport Division, shall:

- Inspect the vehicle for serviceability;
- Issue the vehicle a shop number;
- Service the vehicle as required;
- Send correspondence to the Salvage Division, Department of General Services, advising that the vehicle has been assigned a shop number and explaining the circumstances under which the vehicle came to the Department; and,
- Maintain the vehicle in accordance with established procedures.

580.40 CONVERTIBLE PROPERTY NO LONGER NEEDED FOR POLICE

USE. When items of converted property are no longer required by the requesting Department entity, it is that entities' responsibility to appropriately dispose or salvage the property. No convertible property may be kept by Department employees or given to any individual without completing the disposition process

Note: Proceeds from items seized pursuant to asset forfeiture procedures shall be deposited into the Forfeited Assets Trust Fund.

585. DEPARTMENT RETENTION AND USE OF CONTRABAND.

585.10 CONTRABAND - DEFINED. Contraband items consist of goods or merchandise, possession of which is prohibited by law. Generally, items of contraband shall not be converted to Department use.

Note: Penal Code Section 34005(b) enables law enforcement agencies to retain confiscated firearms, normally subject to destruction, for use in carrying out the official duties of the agency. Therefore, firearms are not considered contraband subject to retention procedures.

585.15 CONVERSION OF CONTRABAND ITEMS TO DEPARTMENT USE. Retention of contraband occurs rarely. Retention requires both the approval of the requesting employee's bureau commanding officer and a court order authorizing retention of the items.

Requesting Employee's Responsibility. Employees seeking retention of seized contraband items other than narcotics which would be of value to the Department for training or operational purposes shall contact their commanding officer for retention approval.

Upon approval by the appropriate bureau commanding officer, the employee requesting the contraband items shall obtain a court order authorizing retention through the Police and Fire Services Division, City Attorney's Office. Both the approved Form 15.02.00 and court order shall be provided to Evidence and Property Management Division to obtain the items requested.

Commanding Officer's Responsibility. Commanding officers requesting retention of a contraband item shall submit a written request for retention on a Form 15.02.00 to their bureau commanding officer. The Form 15.02.00 shall include a description of each item; DR Number; corresponding item number from the property report, if any; the intended application; and the benefits from its retention and use.

Bureau Commanding Officer's Responsibility. The bureau commanding officer reviewing a request to convert an item of contraband to Department use shall:

- Review the request to ensure it is in the best interest of the Department.
- Return approved or denied requests to the originating commanding officer.

Evidence and Property Management Division's Responsibilities. Upon receipt of the approved Form 15.02.00 with an attached court order authorizing retention, the Commanding Officer, Evidence and Property Management Division shall:

- Verify the Form 15.02.00 is accompanied by a completed court order.
- Cause a Property Court Receipt, Form 10.03.00, to be completed transferring control of the item to the requesting employee's division or Area.
- Ensure that copies of the Form 15.02.00, court order, and Form 10.03 are forwarded to the Director, Office of Special Operations.

Note: The Commanding Officer, Evidence and Property Management Division, shall follow procedures set forth in Manual Section 4/580.30 for items of property that qualify for entry into the Department's inventory system.

590. USE OF FIREARMS IN STING OPERATIONS OR OTHER INVESTIGATIVE PURPOSES.

590.10 REQUESTING FIREARMS FOR USE IN STING OPERATIONS OR OTHER INVESTIGATIVE PURPOSES. When firearms are needed for use in sting operations or other special investigative purposes, the following procedures shall be followed.

Requesting Entity's Responsibility. The commanding officer of the requesting entity shall submit an Intradepartmental Correspondence, Form 15.02.00, to the commanding officer of Evidence and Property Management Division, containing the following information:

- Reason for the request, such as a sting operation or other specific investigative purpose;

Note: If the firearm is to be used for a sting operation, include a general description of the operation.

- Specific type, make, and caliber needed;
- Number of firearms; and,
- Anticipated duration of use.

Evidence and Property Management Division's Responsibility. Upon receipt of a Form 15.02.00 requesting firearms for use as listed above, the Commanding Officer, Evidence and Property Management Division shall:

- Review and approve or disapprove the request;
- If the request is approved, locate firearms eligible for the requested use;

Note: Firearms are eligible for use in sting operations, etc., when they no longer have evidentiary value, an owner cannot be located or is otherwise ineligible to retrieve that particular firearm, and the firearm has been authorized for disposal.

- Contact the commanding officer of the requesting entity and arrange for the withdrawal and return of the requested firearm(s); and,
- If the request is denied, a Form 15.02.00 shall be sent to the commanding officer of the requesting entity explaining the reason(s) for the denial.

BOOKING AND CUSTODY OF ARRESTEES

601. INMATES RELATIONS.

601.10 RELATIONSHIPS BETWEEN DEPARTMENT EMPLOYEES AND INMATES. Department employees shall not engage in any of the following activities with arrestees or inmates without the express permission of the concerned commanding officer:

- Borrow money or articles;
- Loan money or articles; or,
- Purchase, sell, accept, or offer any gift or article.

602. POLICE CUSTODY OF HOSPITALIZED ARRESTEES.

602.10 MAINTAINING CUSTODY OF ARRESTEES WHO ARE HOSPITALIZED AT A LOCATION OTHER THAN THE JAIL WARD OF LAC - USC MEDICAL CENTER.

When it is determined that police custody of a hospitalized arrestee at a location other than the Jail Ward of LAC-USCMC is necessary, the concerned investigative watch commander shall provide an adequate number of officers to maintain custody of the arrestee. If the investigation falls under the purview of a specialized division, the nearest Area or the Area in which the hospital is located shall be responsible for providing the officers.

Note: Specialized divisions are not precluded from providing personnel to maintain custody of a hospitalized arrestee when necessary. When extenuating circumstances exist, the Area Commanding Officer responsible for the hospital detail shall be the final authority.

CONTACT VISITS WITH ARRESTEES WHO ARE HOSPITALIZED AT A LOCATION OTHER THAN THE JAIL WARD OF LAC - USCMC. The safety of the guarding officers, staff, patients, visitors and the arrestee shall be of the utmost importance when considering contact visits with a hospitalized arrestee.

News Media, Bail Bonds Agents, Clergy and Family Contact Visits. Contact visits by the news media and bail bonds agents shall generally be prohibited. Contact visits with clergy and family members shall be permitted only when the attending physician has determined that the arrestee is likely to die as a result of his/her condition, **and** supervisory advice and approval has been obtained.

Note: Whenever a contact visit is permitted, the visitor must submit to a pat-down frisk search of their person and any accompanying property.

Attorney Contact Visits. Contact visits between the attorney and the hospitalized arrestee are allowed when:

- The officers are able to maintain visual contact with the arrestee and attorney during the visit;
- The attorney possesses a valid Bar Association identification card from the state in which he/she is licensed to practice;
- The attorney submits to a pat-down frisk search and a search of their briefcase, bag, and any other containers in their possession (the scope of the search is for weapons and/or contraband only);
- The medical staff is not concurrently treating the arrestee; and,
- Supervisory approval has been obtained.

Note: A person verified as an attorney investigator, who is acting on behalf of the arrestee's attorney, must be afforded the same rights and privileges as the attorney.

The Department is not obligated to allow hospital contact visits between the attorney and arrestee whenever an extreme safety concern exists that is clearly articulable. Alternate means, such as telephonic contact, may be considered when:

- Officers are able to maintain visual contact with the arrestee during use of the telephone; and,
- Medical staff is not concurrently treating the arrestee.

Note: When it is determined that the Department is restricting personal contact between the arrestee and his/her attorney, notification shall immediately be made to the Commanding Officer, Detective Bureau.

Watch commander's Responsibilities. The watch commander shall assign an adequate number of officers to maintain custody of the arrestee. The assigned officers shall be in plainclothes when practicable. The names of the officers, their unit designation, and the hospital name and room number, shall be documented on the Watch Commander's Daily Report, Form 15.80.00, along with the arrestee's name and booking number.

When the hospital is located outside the Area having investigative responsibility, the watch commander shall notify the Area or law enforcement agency in which the hospital is located that plainclothes Los Angeles police officers are working in that particular jurisdiction (e.g., Daniel Freeman Hospital-Inglewood Police Department).

The concerned investigating officer shall ensure that the appropriate reports are completed and a booking number obtained at the time the suspect is placed in police custody. The concerned investigating officer shall be responsible for the transportation of the suspect to the Jail Ward at the LAC-USC Medical Center as soon as practicable.

Officers Responsibilities. The assigned officers shall document the following in their Daily Field Activities Report (DFAR), Form 15.52.00:

- The name and address of the hospital in the Location of Activities column;
- Write "Hospitalized Arrestee Detail" in the Type of Activity column; and,
- Write the arrestee's name, hospital room number, attending physician's name, and the arrestee's booking number in the Disposition column.

When contact visit is requested, officers shall:

- Obtain approval from a supervisor and document the name of the supervisor in the DFAR; and,
- Document the date and time of the visit, arrestee's last name and booking number, visitor's name (company name if applicable) and relationship to the arrestee, and provide the information to the Custody Services Division in which the arrestee was either booked or absentee booked.

Custody Services Division Responsibility. When Custody Services Division is notified that a contact visit with a hospitalized arrestee has occurred, the Detention Officer shall document the visitation information on a Inmate Visitation and Temporary Sign-Out Record, Form 06.31.00.

Supervisor's Responsibilities. When deciding whether to allow contact visits, supervisors shall consider the following:

- The type and severity of the crime for which the arrestee is in custody;
- The arrestee's past criminal history;
- The risk the arrestee poses to the guarding officers, staff, and visitors; and,
- The level of security afforded during the visit.

Commanding Officers Responsibilities. When the arrestee is transferred to the Jail Ward of LAC-USC Medical Center, or when it is determined that police custody is no longer necessary, concerned investigative commanding officers shall complete a Form 15.02.00 to their bureau commanding officer describing the reasons for the police custody, the time and personnel resources involved, and booking information, or other reasons for terminating such custody.

604. BOOKING, GENERAL.

604.05 OBTAINING BOOKING NUMBERS. Department employees shall obtain booking numbers directly from the Automated Jail Information System (AJIS) via the Network Communications System (NECS) by completing the Decentralized Automated Booking Information System (DABIS) procedure.

Exception: When AJIS or NECS is unavailable and a DABIS booking cannot be completed, booking numbers shall be telephonically obtained from the Booking Records Update Unit, Records and Identification Division.

604.08 BOOKING - LOCATION OF. The "location of booking" shall be the LAPD or LASD facility where the booked person is detained.

Exception: When the person will not be incarcerated, the "location of booking" shall be the geographic Area where the Los Angeles Consolidated Booking Form, Form 05.01.00 or 05.01.01, is completed.

604.10 ARRESTEE REFUSING OR UNABLE TO GIVE INFORMATION REQUIRED FOR COMPLETION OF BOOKING PROCEDURE. When a person being booked refuses, or is unable, to answer questions necessary for the completion of the booking procedure, the booking employee shall indicate in the proper spaces:

- Refused to state; or,
- Unable to state.

"John or Jane Doe" Numbers. When the arrestee's name cannot be determined at the time of booking, a "John or Jane Doe" number, in addition to a regular booking number, shall be obtained from the Booking Records Update Unit, Records and Identification Division. The "John or Jane Doe" number shall be placed in the space provided on the Los Angeles Consolidated Booking Form, Form 05.01.00, for the arrestee's name.

604.11 FEDERAL PRIVACY ACT - SOCIAL SECURITY NUMBER DISCLOSURE STATEMENT DURING BOOKING PROCESS. When a Social Security number is requested during the booking process, persons in custody shall be provided with the following information:

Federal law requires that you be informed, when asked for your Social Security number, that it must be provided for use in processing and identification. Authority for requiring this information is based upon the Los Angeles Police Department's booking and identification processing system operational prior to January 1, 1975.

This information may be provided orally or by a sign conspicuously posted in the booking facility.

Note: It is the booking employee's responsibility to make an oral statement if the person in custody is incapable of reading the sign.

604.12 IDENTIFICATION OF EMPLOYEES AT JAIL. An employee who is required to identify himself/herself in connection with any jail procedure shall do so by presenting his/her identification card.

604.15 RESPONSIBILITY FOR CUSTODY OF ARRESTEES. Until the arrestee is delivered to the detention officer as a booked person, his/her care and custody shall be the responsibility of the arresting officer. If the arresting officer does not deliver the arrestee to the detention officer, such care and custody shall be the responsibility of the transporting officer.

After being booked, the care and custody of the arrestee shall be the responsibility of the detention officer, pending transfer of his or her custody to another proper authority.

604.16 BOOKING FEMALE ARRESTEE-RESPONSIBILITY. The officers delivering a female arrestee to a female jail facility shall maintain custody of the arrestee until relieved by the person conducting the booking.

604.17 BOOKING AND CONFINEMENT OF FEMALE ARRESTEE - LOCATION. Female arrestees are normally booked at the jail facility in which they will be confined. Generally, female arrestees shall be confined in the following locations:

- Operations Central and South Bureaus-77th Street Jail Section.
- Operations West and Valley Bureaus-Valley Jail Section.

- At either of the above facilities upon the direction of the concerned investigating officer or the Commanding Officer, Custody Services Division.

Exceptions:

- Females arrested for the murder or attempted murder of their infant children shall be confined in 77th Street Jail Section or Van Nuys Jail Section.
- All female suspects arrested for forgery in or by Wilshire Area, Hollywood Area, and Commercial Crimes Division, shall be confined at 77th Street Jail Section.

All adult female suspects arrested for child abuse, whether related to the victim or not, shall be confined as follows:

- Valley Areas and Pacific and West Los Angeles Areas, at Valley Jail Section.
- Metropolitan Area (includes Central, Southwest, Southeast, Hollenbeck, Hollywood, Wilshire, Northeast, 77th Street, Newton, Rampart, and Harbor), at 77th Street Jail Section.
- When a physician advises that a female arrestee requires medication and/or observation or the supervision of competent medical personnel, but not hospitalization, the arrestee shall be confined at 77th Street or Valley Jail Section.
- Female out-of-state fugitive arrestees shall be confined at Valley Jail Section.

A female arrestee may be booked in the area of arrest, or nearest City jail facility, when:

- The arrestee is to be immediately arraigned; or,
- The arrestee indicates a desire to bail out immediately and has sufficient funds; or,
- The arrest is for a traffic warrant and the arrestee lacks sufficient funds for bail, but indicates that arrangements can be made to have bail posted *within a reasonable time*. The arresting officer, with the approval of the watch commander, may allow the arrestee to make the necessary notifications and cause the arrestee to be detained in the area of booking pending receipt of the bail; or,
- The watch commander or other officer designated to make O.R. determination has determined, after conducting the necessary preliminary investigation and *telephone record check* of the arrestee's criminal record, that the arrestee is eligible for O.R. release (4/681.) upon completion of the booking process.

Note: An arrestee booked on a misdemeanor warrant, or having outstanding warrants, shall not be released O.R.

Arresting or transporting officers processing female arrestees at Metropolitan Jail Section shall maintain custody of the arrestee at all times while inside Metropolitan Jail Section.

Arrestees Requiring Medication, Medical Attention, or Hospitalization. (4/648.10 and 4/648.20).

604.18 BOOKING MALE ARRESTEES - LOCATION. Male arrestees shall be booked at the following locations:

Felony Arrestees. Felony arrestees shall be booked in the Area of arrest, except:

- When the officer in charge, Detective Support and Vice Division, or the concerned investigating officers direct otherwise.
- Adult male suspects arrested for child abuse in the following Areas and identified as being the parent, stepparent, common-law spouse of the child's parent, or legal guardian of the child shall be booked at the following locations:
 - Valley Areas and Pacific and West Los Angeles Areas, at Valley Jail Section.
 - Metropolitan Area (includes Central, Southwest, Southeast, Hollenbeck, Hollywood, Wilshire, Northeast, 77th Street, Newton, Rampart, and Harbor), at Metropolitan Jail Section.
- When the Area of arrest has no available detention facilities for felony inmates.
- Narcotic arrestees arrested within Operations-Central Bureau, Hollywood Area and Wilshire Area shall be booked at Metropolitan Jail Section. All other narcotic arrestees arrested in the metropolitan area shall be booked at the appropriate divisional jails.
- Arrestees charged with an offense over which Commercial Crimes Division has jurisdiction shall be booked at Metropolitan Jail Section. The arrest and related reports shall be made at the Headquarters Record Section.
- All felony narcotic violators arrested in the Valley area shall be booked at Valley Jail Section.
- Arrestees charged with an offense over which the Forgery Section, Operations-Valley Bureau, has jurisdiction (2/415.70) shall be booked at Valley Jail Section. The arrest and related reports shall be made at Van Nuys Area.
- Arrestees charged with an offense over which West Los Angeles Forgery Unit has jurisdiction shall be booked at Pacific Area Jail. The arrest and related reports shall be made at West Los Angeles Area.
- Arrestees charged with an offense over which Harbor Forgery Unit has jurisdiction shall be booked at Harbor Area Jail. The arrest and related reports shall be made at Harbor Area.
- Persons arrested for counterfeit money violations shall be booked at the following locations:
 - All Valley Bureau Areas, Pacific and West Los Angeles-Valley Jail Section.
 - All others:
 - Male arrestees-Metropolitan Jail Section.
 - Female arrestees-77th Street Jail Section.

Note: Juvenile arrestees shall be booked in accordance with established procedures.

- Felony traffic arrestees, when arrested in:
 - Valley Bureau, shall be booked at Valley Jail Section.
 - West Bureau, shall be booked at Wilshire Area Jail.

- Harbor Area, shall be booked at Harbor Jail.
- The Metropolitan area, shall be booked at Metropolitan Jail Section.

Exception: Southwest, 77th Street and Southeast Areas shall be booked at 77th Street Jail Section.

Misdemeanor Arrestees. Misdemeanor arrestees shall be booked in the Area of arrest, or at Metropolitan Jail Section with the Metropolitan Jail Section watch commander's approval, except:

- Misdemeanants arrested in Hollenbeck, Newton Street, and Rampart Areas shall be booked at Metropolitan Jail Section.
- When a male misdemeanor is arrested with a female arrestee who is to be booked at Los Angeles County Jail, the male misdemeanor shall be booked at Metropolitan Jail Section.
- Male 647(f) PC (Drunk) arrestees.

647(f) PC (DRUNK) ARRESTEES. 647(f) PC (Drunk) arrestees shall be booked at Metropolitan Jail Section, 77th Street Jail Section, or Valley Jail Section.

- Arrestees shall be examined by a doctor or a nurse at the jail facility prior to booking when booked at Metropolitan Jail Section, 77th Street Jail Section, or Valley Jail Section.

Note: Officers booking a 647(f) PC (Drunk) arrestee requiring special or extensive medical treatment shall comply with Section 4/648.10.

Arrestees Requiring Medication, Medical Attention, or Hospitalization. (4/648.10 and 4/648.20).

604.19 CHILD - ABUSE BOOKINGS.

Juvenile suspects arrested for child abuse shall be detained at Juvenile Hall. Detention approval shall be obtained from Juvenile Division during normal working hours. When Juvenile Division is closed, the detention approval shall be obtained from Detective Support and Vice Division.

Adult suspects arrested for child abuse shall be booked at the following locations:

Male Arrestees-related to victim

- Valley Areas and Pacific and West Los Angeles Area-Valley Jail Section.
- Metropolitan Area (includes Central, Southwest, Southeast, Hollenbeck, Hollywood, Wilshire, Northeast, 77th Street, Newton, Rampart, and Harbor), at Metropolitan Jail Section.

Male Arrestees-not related to victim

- Valley Areas-at respective Area Jail.
- Metropolitan Area-at respective Area Jail or Metropolitan Jail Section if no divisional jail exists.

Female Arrestees

- Valley Areas and Pacific and West Los Angeles Area-Valley Jail Section.
- Metropolitan Area (includes Central, Southwest, Southeast, Hollenbeck, Hollywood, Wilshire, Northeast, 77th Street, Newton, Rampart, and Harbor), at 77th Street Jail Section.

604.30 BOOKING ARRESTEE TO ARRESTING PERSON. An arrestee shall be booked only to the person or persons effecting the arrest (4/604.15 and 4/606.15).

604.35 RECORDING BOOKING INFORMATION-DETENTION OFFICER'S RESPONSIBILITY. When a person is booked into a Department jail facility, the concerned detention officer shall record the arrested person's name, booking number, and other information required on the Jail Intake Log, Form 06.13.00.

604.40 COMPLETION OF LOS ANGELES CONSOLIDATED BOOKING FORM - GENERAL. The Los Angeles Consolidated Booking Form (5/5.1-01, 5/5.1.1-01) shall be typewritten by the booking employee.

Exception: When a typewriter is unavailable, the booking employee shall print the required information with a ballpoint pen, using sufficient pressure to assure the legibility of all copies.

ID Numbers. The employee completing the Booking Form shall not enter any identifying numbers such as the State Identifying Number (SID#), Main Number (MN#) or Los Angeles Number (LA#).

604.41 ARRESTEE BIRTHPLACE INFORMATION. When an arrestee is booked into Department custody and the city, county, state, and country of the arrestee's birthplace is known or can be obtained, that information shall be entered in the birthplace (BP) field of the Decentralized Automated Booking Information System (DABIS) "DBK 1" screen at the time of booking.

Note: When the arrestee is foreign born, the booking employee shall ensure that an "X" is entered as the first character in the birthplace field.

604.42 COMPLETION OF LOS ANGELES CONSOLIDATED BOOKING FORM, FORM 05.01.00. Completion of a Los Angeles Consolidated Booking Form, Form 05.01.00, is required for a juvenile booking only when the subject is:

- Twelve years of age or older booked for any offense under Sections 601 or 602 WIC (4/625.10).
- Male juvenile, age 16 or 17, detained at the Los Angeles County-USC Medical Center (4/218.67).

Note: Juveniles taken into custody for a 300 WIC violation shall be issued a booking number regardless of age; however, the Los Angeles Consolidated Booking Form, Form 05.01.00, for 300 WIC violations shall be forwarded to Records and Identification Division.

604.43 COMPLETION OF LOS ANGELES CONSOLIDATED BOOKING FORM - MISDEMEANOR BOOKING APPROVAL. The name and serial number of the watch commander giving a misdemeanor booking approval shall be placed in the lower left portion of the "**Property**" box on the Los Angeles Consolidated Booking Form and in the narrative portion of the arrest report, when one is completed.

604.45 BOOKING AT LOS ANGELES COUNTY JAIL. Officers booking a female arrestee at Los Angeles County Jail shall perform the following duties prior to transporting the female arrestee.

- Transport the arrestee to the appropriate Area station;
- Complete a Los Angeles Consolidated Booking Form, Form 05.01.02;

Note: When completing the Form 05.01.02, the "location of booking" shall be the Department facility where the form is obtained.

If the Decentralized Automated Booking Information System (DABIS) is unavailable, complete a Los Angeles Consolidated Booking Form, Form 05.01.00, and obtain a booking number telephonically from Records and Identification Division.

- Inventory the arrestee's personal property and list the property in the "Property" Box of the Consolidated Booking Form;
- Place the arrestee's property in a plastic inmate property bag. The Property Record Page of the Consolidated Booking Form shall be placed in the bag in such a manner that the identification information is visible;

Note: The arrestee may retain a plain wedding band, dentures, and prescription eye glasses.

- Ensure the Inmate Receipt page of the consolidated booking form is retained by the arrestee;
- Allow the arrestee to retain up to \$40.00 in U.S. currency on her person;
- Have a supervisor verify the amount of currency retained by the arrestee and the amount packaged in the plastic property bag, and initial the "retained" and "deposited" boxes on the Los Angeles Consolidated Booking Form, Form 05.01.02;
- Place the currency to be deposited in a coin envelope and seal it in the upper portion of the plastic property bag;

Note: The property bag shall be sealed in the presence of the supervisor verifying the amount and, whenever practicable, in the arrestee's presence.

- Obtain a booking photograph of the arrestee as required in Department Manual Section 4/635.10;
- Complete three Fingerprint Cards, Form FD249. Attach the completed Fingerprint Cards to the Booking and Identification Record page of the Consolidated Booking Form;
- Complete one Palm Print, Form 05.06.01, and one Handwriting Exemplar, Form 05.07.00, as required by Department Manual Sections 4/625.25 and 4/625.30; and,
- Distribute completed reports in accordance with established procedures. (Department Manual Section 5/5.2).

The arrestee, plastic arrestee property bag, and the Jail Custody Record page of the Consolidated Booking Form shall be transported to Los Angeles County Jail. Upon delivering the female arrestee to the Los Angeles County Jail, the arrestee personal property shall be presented to the reception employee, who will remove the coin envelope (containing the arrestee's currency) from the plastic property bag and instruct the officer to deliver the envelope to the Los Angeles County Jail cashier. The cashier will verify the amount of currency to be deposited and issue a "deposit ticket" (LASD FORM SH-J-251A). The officer shall give the arrestee the inmates copy (green) of the "deposit ticket," and submit the depositor's copy (white) with the Booking and Identification Record page of the Form 05.01.02 or 05.01.00. The plastic arrestee property bag and the Jail Custody Record page will be retained by the reception clerk at the Los Angeles County Jail.

604.50 BOOKING CHARGES. When a person is arrested without a warrant for the commission of more than one offense, he or she shall be booked on the charge carrying the greatest penalty, or on the charge for which the evidence is most conclusive.

A person arrested for an offense punishable as a felony shall be booked on the felony charge regardless of whether the case could be prosecuted as a misdemeanor under authority of 17(b)4 P.C.

Exception: A juvenile may be handled as a "contact only" in compliance with existing procedures (4/218.68).

When a misdemeanor **warrant** is issued for a felony crime (e.g., 459 P.C.-Misdemeanor) the booking charge shall be as specified on the warrant.

When a **felony** narcotics arrestee is also suspected of committing any other felony, the recommended booking charge **shall** be for the non-narcotic crime. In the event that the arrestee is released from the original charge, the investigating unit having responsibility for the original charge shall be responsible for filing the narcotics charge(s).

The Arrest Report, Form 05.02.00, shall include prima facie evidence of all violations committed by the arrestee.

Note: When a person is arrested on a local charge or warrant and a fugitive charge, he/she shall be booked on the local charge or warrant. The fugitive charge shall be placed supplementary (4/646.10).

Investigations and Arrests by Investigative Personnel. Investigative officers having responsibility for the filing of a booking charge shall be responsible for filing any additional charges for which prima facie evidence exists in the arrest report.

Felony Investigations and Arrests by Uniformed or Non-Investigative Personnel.

Adults or Juveniles Booked on a Felony Non-Narcotics Charge. If the arrest involves additional narcotics charges, the concerned Area detectives shall also file related narcotics charges.

Adults Booked on a Felony Narcotics Charge. The follow-up investigation for which an adult arrestee was booked on a felony narcotics charge shall be the responsibility of Gang and Narcotics Division. Gang and Narcotics Division shall also file non-narcotics charges for which prima facie evidence exists in the arrest report.

Juveniles Booked on a Felony Narcotics Charge. The follow-up investigation for which a juvenile arrestee was booked on a felony narcotics charge shall be the responsibility of the concerned Area detectives. The concerned Area detectives shall also file non-narcotics charges for which prima facie evidence exists in the arrest report.

Adults and Juveniles Booked Together on a Felony Narcotics Charge. The follow-up investigation in which adults and juveniles were arrested together shall be handled by the concerned Area detectives.

Note: If another Department entity is better suited to file charges, that responsibility may be transferred after mutual agreement (4/550.12).

606.TYPES OF BOOKINGS.

606.02 COURT BOOKINGS. When a person is booked on a court commitment, the concerned court (e.g., Division 50) shall be noted on the Booking and Identification Record, Form 05.01.00, in the boxes titled "DIVN. & DETL. ARR.," "LOCATION OF ARREST," and "ARRESTING OFFICER(S)."

606.03 TEMPORARY CUSTODY - OUTSIDE AGENCIES. Whenever jail personnel receive outside agency arrestees for temporary detention, they will not be booked or processed. The Short Arrest Report, Form 05.02.01, will be utilized to record the jail's acceptance of

temporary outside agency detainees. The checkboxes marked, "Temporary Detention For" and "Charge" shall be marked whenever the concerned jail receives temporary detainees.

Note: Identification thumb and four fingers flat prints shall be obtained on the reverse side of the Short Arrest Report's Custody Record at the time of intake and when released to outside agency authorities. An arrestee identification band shall be completed and attached to the left wrist of the arrestee, as soon as practical after the arrestee is received. The band shall include the arrestee's name, right thumb print, and property bag number (if appropriate).

Temporary outside agency detainees shall not otherwise be photographed, fingerprinted, or issued booking numbers.

When it is ascertained that a person has been detained and is in temporary custody with a local want or warrant, notification shall be made to the Fugitive Warrants Section, Gang and Narcotics Division, by the assigned Identification Control Officer of Custody Services Division.

Note: When Fugitive Warrants Section is closed notification shall be made to the Department Operations Center, Communications Division.

606.07 FUGITIVE WARRANT BOOKINGS.

In-State Fugitive Warrants. When a person is arrested in-state for another agency and this Department does not have a pending investigation pertaining to the person, the Booking and Identification Record, Form 05.01.00, shall be completed as follows: Enter the criminal charge, followed by the word "for," and the name of the wanting agency.

Example: 211 P.C. (Robbery) for Fresno P.D.

459 P.C. (Burglary) for San Diego Sheriff

Out-of-State Fugitive Warrants. Officers obtaining a return on a want and warrant check indicating that an individual has an out-of-state fugitive warrant shall check to determine if the return contains the "**Limited**" extradition designator. This includes extradition warrants that **do not** list California as a state from which the issuing agency is willing to extradite.

Note: For "**Limited**" extradition cases, officers may lawfully arrest and book a suspect named on an out-of-state warrant even if California is not listed on the warrant as a state from which the suspect will be extradited. However, officers shall not contact the issuing agency for warrant or stolen vehicle information without prior approval from Fugitive Warrant Section (FWS), Gang and Narcotics Division (GND), or when closed, Department Operations Center (DOC), Communications Division.

Multiple Charges. If a suspect, who has been arrested on a local or in-state charge, is also wanted on an out-of-state fugitive warrant, or is an occupant in an out-of-state stolen vehicle,

the local or in-state charge shall take precedence. The fugitive charge shall be placed supplementary.

Note: A Probable Cause Determination shall be completed whether California Penal Code (PC) Section 1551.1 is the primary or supplemental charge.

Exception: If the local charge is a Release From Custody (RFC) offense, an RFC shall not be issued. Instead, the suspect shall be booked for Section 1551.1 PC (Fugitive) and the elements of the RFC offense shall be included in the narrative portion of the Arrest Report, Form 05.02.00.

Booking Advice. Booking advice for out-of-state fugitive arrests shall be obtained from an investigative supervisor, FWS, or when closed, the DOC. Sworn personnel shall provide the FWS supervisor with the name of the fugitive, the identity of the requesting entity, the charge against the fugitive, any stolen vehicle information and the jurisdiction reporting the vehicle stolen.

No Extradition Out-of-State Warrants. Officers obtaining a return on a want and warrant check indicating that an individual has an out-of-state fugitive warrant shall check to determine if the return contains the “NOEX” (No Extradition) designator. If so, personnel shall not arrest the person based on the hit without independent probable cause. Booking advice and approval for out-of-state fugitive arrests shall be obtained from an investigative supervisor, FWS, or when closed, the DOC. Fugitive Warrant Section has the final authority on booking charges for out-of-state warrants.

Out-of-State Stolen Vehicles. All occupants in an out-of-state stolen vehicle should be detained pending an investigation. Each occupant should be interviewed separately to determine whether he or she was directly or indirectly involved in the theft of the vehicle. When an occupant of an out-of-state stolen vehicle is unable to satisfactorily demonstrate legitimate cause for being in the vehicle, he or she (except for young children unable to operate a motor vehicle) shall be booked under Section 1551.1 PC. Occupants shall not be booked for California Vehicle Code Section 10851 or 487(D) PC.

Example: 1551.1 PC Fugitive Arizona-GTA.

Out-of-Country Warrants. Officers receiving information that a suspect may be wanted in another country shall not arrest the suspect without independent probable cause. Officers receiving this information should avoid contact with the suspect and obtain as much information as possible from the source. This information shall be given to the Foreign Prosecution Liaison Unit, FWS, as soon as possible, or when closed, the DOC.

Other Out-of-State Agency Arrest. When a person is arrested for an out-of-state agency and this Department does not have a pending investigation pertaining to the person, the Booking and Identification Record, Form 05.01.00, shall be completed as follows: Enter 1551.1 P.C.,

the term "FUGITIVE (FUG)," the name of the wanting state or country, followed by the criminal charge.

Example: 1551.1 P.C. FUG New York-Robbery.
1551.1 P.C. FUG Idaho-Burglary.

Note: When the person arrested is a juvenile, insert the proper Welfare and Institutions Code (WIC) section prior to the charge.

Example: 602 WIC/1551.1 P.C.-FUG New York-Robbery.

606.09 BOOKING OF ARMED FORCES PERSONNEL. When a member of the United States Armed Forces is booked, the following information shall be included on the Booking and Identification Record:

- In the box entitled "PROPERTY," insert the arrestee's branch of service, rank, serial number, location of ship or station, whether in or out of uniform, and duty status; also the rank, name, and serial number of the Liaison Officer, and the name and serial number of the officer who reported the information to the Liaison Officer.

Note: The following information shall be reported to the Department Command Post, Department Operations Center (DOC), by telephone:

- The arrestee's name, serial number, rank, ship or station, duty status, whether in uniform or civilian clothes, booking number, and the names of the arresting officers.

606.14 BOND SURRENDER BOOKINGS. A bond surrender booking shall be made only when:

- A bondsman who posted an arrestee's bail or the bondsman's lawful designee (e.g., "bounty hunter") desires to return the arrestee to custody of this Department, AND
- The arrestee was released from custody of this Department by the posting of a bail bond, AND
- The arrestee's bail has not been forfeited (bondsman's signed statement of non-forfeiture may be accepted as verification).

Note: If bail has been forfeited and no warrant has been issued, the bondsman must surrender the arrestee directly to the court declaring the forfeiture.

When the above conditions exist, the booking employee shall obtain one of the following:

- A certified copy of the undertaking of the bail;
- A certified copy of the certificate of deposit; or,
- An affidavit given by the bail licensee or surety company listing all the specific information that would be included on a certified copy of an undertaking of bail.

Note: Penal Code Section 1300 (a)(3) also provides that the accepting agency must, within 48 hours of the surrender, bring the defendant before the court in which the defendant is next to appear on the case for which he/she has been surrendered.

In addition, the booking employee shall:

- Use the SI01 (Booking Number Inquiry, AJIS) function or the SI02 (Name Inquiry, AJIS) function on a NECS terminal.
- Give the bondsman a Certificate of Bail Surrender, Form 06.40.00.

Note: A bondsman's arrestee shall not be received into any City jail facility when the arrestee was not originally detained by this Department.

Arrest Status Unchanged. If the arrest status of the arrestee has not changed since the issuance of the bond, the following information shall be included on the Booking and Identification Record, Form 05.01.02:

- In the box entitled BKG# on the DTL2 DABIS screen enter the original booking number. In the space following "SUPPLEMENTAL" on the DTL2 DABIS screen, enter "Y."
- In the box entitled *Charge*; insert the charge followed by "Bond Surrender."
- In the box entitled *Div. & Detl. Arr.*, insert "Bondsman."
- In the box entitled *Location of Arrest*, insert the location of apprehension by the bondsman.
- In the box entitled *Property*, insert the following information:
 - "Bond Surrender on Bail Bond No." (number).
 - Name and address of the bonding company and the name of the surety company.
 - Court information (the date and time of the next session of the appropriate court to which the arrestee can be routinely transported).
 - "Bail" followed by the amount of bail.
 - "Arrestee and Bondsman Declare Bail Has Not Been Forfeited."
- In the box entitled *Arresting Officer(s)*, insert the typed name of the bondsman, the word "*Bondsman*" in parentheses, and obtain the bondsman's signature.

Arrest Status Changed, No New Charge. If the arrest status of the arrestee has changed since the issuance of the bond and no new charges have been filed, the Booking and Identification Record, Form 05.01.02 shall be completed as above, with the following exception:

- In the box entitled *Property*, in place of "Court Information," insert the notation "Released From Custody," followed by the name and serial number of the investigating

officer who authorized the release of the charge shown on the bond. No bail amount shall be shown.

Arrest Status Changed, New Charge. If the arrest status of the arrestee has changed since the issuance of the bond and a new charge has been filed, the Booking and Identification Record, Form 05.01.02, shall be completed as above with the following exceptions:

- In the box entitled *Charge*, insert the current charge.
- In the box entitled *Property*, in addition to the information-called for above, on a separate line, insert "City Attorney's Complaint Number (number)."

Note: Bail amount shown shall be the amount of bail for which the arrestee may be released (misdemeanor bail schedule).

606.15 PRIVATE PERSON'S ARREST BOOKING. When an arrestee is booked as the result of a private person's arrest the following information shall be included on the Booking and Identification Record, Form 05.01.00:

- In the box entitled *Div. & Detl. Arr.*, insert the private person's arrest symbol, "(CZN)," followed by the division transporting.
- In the box entitled *Arresting Officer(s)*, insert the name of the arresting private person(s), followed by the symbol "(CZN)."

606.16 MEDICAL TREATMENT BOOKINGS. When an arrestee receives medical treatment after arrest and prior to booking (4/648.10), the booking employee shall insert an "X" in the box entitled *MT* on the Booking and Identification Record.

Note: The copy of the medical treatment slip shall accompany the Custody Record page of the booking form.

610. BOOKING CHARGES.

610.05 LISTING CHARGES - GENERAL. When the booking is for violation of a California law or a Los Angeles municipal ordinance, including warrant bookings and supplemental bookings, the booking section, as listed in the Automated Justice Information System (AJIS) Booking Charge Table, shall be entered exactly as depicted in the appropriate charge table, followed by a parenthesized abbreviation of the crime.

610.10 BOOKING OF JUVENILES. Juveniles shall be booked on the charge recommended by the concerned detective division investigative supervisor or the concerned Area watch commander.

Exception: The watch commander approving the booking has the final authority as to the booking charge. In the event the investigative supervisor's advice differs from that of the watch

commander, the watch commander shall ensure his/her rationale is properly documented in the Watch Commander's Daily Report, Form 15.80.00.

610.12 ATTEMPTED CRIMES. When a booking is made for an attempt to commit any crime, the booking shall be completed as follows: Enter 664/ followed by the Penal Code section number for the crime that was attempted.

Example: 664/459 P.C Attempt Burglary.

610.20 DANGEROUS WEAPONS BOOKINGS. When a booking is made for violation of the Dangerous Weapons' Control Law, the charge shall be (section number) P.C. (DWCL).

610.25 FORGERY BOOKINGS.

Prescriptions. When a booking is made for a forgery involving prescriptions, the booking shall be 4390 B.P. (Forg-Presc).

Personal and Business Checks. When a booking is made for a forgery involving personal or business checks, the booking charge shall be 470 P.C. (Forg-Chks).

Government Checks. When a booking is made for a forgery involving government checks, the booking shall be 470 P.C. (Forg-Gov't Chks).

Credit Cards. When a booking is made for a forgery involving a credit card, the charge shall be 470 P.C. (Forg-Cr Crd).

Airline Tickets. When a booking is made for a forgery involving airline tickets, the booking charge shall be 470 P.C. (Forg-A/L Tkts).

Other Documents. When a booking is made for forgeries other than those listed in this section, the booking charge shall be 470 P.C. (Forg-Other).

610.30 AUTO BURGLARY BOOKINGS. When a booking is made for auto burglary, the charge shall be 459 P.C. (Auto Burglary).

610.35 LOTTERY BOOKINGS. When a booking is made for lottery violation the number of tickets, if any shall be listed following the charge as "Three or less" or "More than three."

610.40 DESERTER BOOKINGS. When a booking is made for desertion from the Armed Forces, the charge shall read "Desertion, to be released to (particular agency)."

610.50 GRAND THEFT BOOKINGS.

Pickpocket. When a booking is made for grand theft accomplished by picking a pocket, the charge shall be 487.2 P.C. (G.T.-Pickpocket).

Purse Snatching. When a booking is made for grand theft accomplished by means of purse snatching, the charge shall be 487.2 (G.T.-Purse Snatching).

Theft From Person. When a booking is made for grand theft from person accomplished by means other than picking pockets, purse snatching, or bunco, the charge shall be 487.2 P.C. (G.T.-Person).

Grand Theft Bunco. When a booking is made for grand theft from person accomplished by means of a bunco, the charge shall be 487.1 P.C. (G.T.-Bunco).

610.52 DISORDERLY CONDUCT BOOKINGS.

Lewd or Dissolute Conduct. When a booking is made for lewd or dissolute conduct, the charge shall be 647(a) P.C. (Lewd Conduct).

Prostitution. When a booking is made for prostitution, the charge shall be 647(b) P.C. (Prostitution).

Begging. When a booking is made for begging, the charge shall be 647(c) P.C. (Begging).

Loitering About Public Toilets. When a booking is made for loitering in a toilet, the charge shall be 647(d) P.C. (Lewd Loiterer).

Prowler. When a booking is made for prowling the charge shall be 647(g) P.C. (Prowler).

Peeping Tom. When a booking is made for peeping tom, the charge shall be 647(h) P.C. (Peeping Tom).

Lodger. When a booking is made for lodging without permission of the owner, the charge shall be 647(i) P.C. (Lodger).

610.53 UNDER-THE-INFLUENCE BOOKINGS-647(f) P.C. When an arrest is made for violation of 647(f) P.C. for being under-the-influence of an intoxicating agent in a public place, the appropriate booking charge indicated below shall be used:

INTOXICATING AGENT(S) BOOKING CHARGE

Adult Arrestees

Liquor, OR liquor combined with drugs,	647(f) P.C. (DRUNK)
-------------------------------------------	---------------------

toluene (glue sniffing), or similar toxic substances.

Drugs, OR drugs combined with toluene (glue sniffing) or similar toxic substances. 647(f) P.C. (DRUGS)

Toluene (glue sniffing) or similar toxic substances. 647(f) P.C. (TOXIC SUBSTANCE)

Juvenile Arrestees

Liquor. 602 W.I.C. (647[f] P.C.-DRUNK)

Drugs, OR drugs combined with liquor, toluene (glue sniffing) or other toxic substances. 602 W.I.C. (647[f] P.C.-DRUGS)

Toluene (glue sniffing) or similar toxic substances, OR such toxic substances, combined with liquor. 602 W.I.C. (647[f] P.C.-TOXIC SUBSTANCE)

Note: A public place for the purpose of 647(f) P.C. includes, but is not limited to, a public street, sidewalk, alley, park, or publicly owned building. A public place also includes private property to which the public commonly has access, either free or by payment of a fee.

610.55 TRAFFIC VIOLATION BOOKINGS. When a booking is made for a traffic violation under the authority of Vehicle Code Section 40302 or 40303, the charge shall be the most serious violation cited, followed by the notation "By the Authority of (specify section and subsection of 40302 or 40303)."

When the violation charged is Vehicle Code Section 22350, the specific speed charged shall be included and written as "22350 V.C. (45/25)."

610.60 MANSLAUGHTER IN DRIVING MOTOR VEHICLE BOOKINGS. When a booking is made for manslaughter in the driving of a motor vehicle, the charge shall be 192(c) P.C. (Manslaughter) (Felony).

610.62 BATTERY AND A.D.W. AGAINST PEACE OFFICER BOOKINGS.

Battery. When a booking is made for battery upon the person of a peace officer, the charge shall be 243 P.C. (Battery/Peace Officer).

ADW. When a booking is made for ADW upon the person of a peace officer, the charge shall be 245(b) P.C. (ADW/Peace Officer).

610.65 DRIVING - UNDER - THE - INFLUENCE BOOKINGS. The booking charge shall be 23152a, b or c. V.C. (DUI) when:

- The arresting officer witnesses the arrestee commit the elements of driving on a highway while under the influence of intoxicating liquor, or the combined influence of intoxicating liquor and any drug; OR,
- The arrestee was lawfully arrested or detained by another peace officer; OR,
- The arrestee was lawfully arrested or detained by a private person who witnessed the driving element of the offense.

Note: Driving-under-the-influence arrests effected as the result of a traffic crash investigation shall have the letter "T" included in the booking charge (Example: 23152a V.C.-T(DUI).

610.74 CALIFORNIA YOUTH AUTHORITY WARRANT BOOKINGS. When an arrest is made on a C.Y.A. warrant, the charge shall be followed by "Enroute-CYA" in the box titled "Charge" on the Booking and Identification Record, Form 05.01.00.

If the arrestee is an adult, the arresting officer shall make a telephonic notification of the booking to the C.Y.A. Missing Ward Unit, Parole Headquarters-South.

Note: When an individual is arrested on a C.Y.A. warrant and there is also a local charge, the local charge shall take precedence; and the custodial detention officer shall make the appropriate notifications to the C.Y.A. Missing Ward Unit, Parole Headquarters-South (teletype code "LOS"). Any other change of custody or arrest status affecting the arrestee's availability for release shall also be teletyped to C.Y.A. (4/165.35).

When the arrestee is a juvenile, the arrestee shall be detained at an appropriate juvenile detention facility.

610.75 FIREWORKS VIOLATION BOOKINGS. Unlawful use, possession, sale, or discharge of fireworks shall be charged under Section 57.55.01 L.A.M.C.

When unusual circumstances or elements of commercialism exist, the Los Angeles Fire Department, Fire Prevention Section, shall be contacted for investigative assistance and expert testimony.

611. COUNTYWIDE WARRANT SYSTEM (CWS) BOOKINGS.

611.05 ACCESSING CWS - OFFICER'S RESPONSIBILITY.

Accessing CWS via NECS Terminal. Officers shall, whenever practicable, access CWS via an Area NECS computer terminal. In addition to data pertaining to suspects, officers initiating CWS inquiries via a NECS terminal shall enter, or cause entry of, the following information:

- Requesting officer's last name or assigned unit radio designation.
- Requesting officer's serial number.
- Requesting officer's date of appointment.

Accessing CWS via Radio. Officers requesting CWS information via radio shall:

- Upon receiving a clear radio frequency, begin transmission by stating the requesting officer's assigned unit radio designation, followed by all available suspect descriptors. The descriptor shall include the paternal and maternal last name of a Spanish surnamed suspect, unless it is determined that only one name is used.

Note: This data shall be entered into the appropriate CWS format field by the receiving control operator. If a positive response is received, the suspect descriptors from the warrant shall be relayed to the requesting employee.

If applicable, designate the Area NECS computer terminal to which a warrant information sheet is to be forwarded.

Note: Unless otherwise directed, officers shall designate the concerned Area jail for receipt of CWS warrant information sheets. Watch commanders may direct officers to designate the concerned Area records unit for receipt of CWS information (4/611.35).

Exception: An officer arresting an adult male in Central, Hollenbeck, Newton, Northeast or Rampart Areas on a misdemeanor warrant may request that the warrant information sheet be teletyped to Metropolitan Jail Section. When a warrant information sheet is teletyped to Metropolitan Jail Section, approval for booking shall be obtained from a Metropolitan Jail Section supervisor.

611.10 POSITIVE RESPONSE TO COUNTYWIDE WARRANT SYSTEM INQUIRY - EMPLOYEE'S RESPONSIBILITIES. When a positive response is indicated for a Countywide Warrant System (CWS) inquiry the requesting employee shall:

Pre-Arrest Procedures:

- Prior to arresting or transporting the suspect, compare the descriptors on the warrant to the suspect's physical characteristics to determine if the suspect is the person described on the warrant.
- Officers presented with a Los Angeles Police Department (LAPD) Clearance Document, Form 08.20.00, or other similarly reliable document issued by another Los Angeles County law enforcement agency or court by the suspect shall:
 - Review the number and issue date of the CWS warrant response via the Mobile Digital Computer or radio; and,

- Compare that information to the warrant number and issue date on the LAPD or other Los Angeles County law enforcement agency or court clearance document.

Note: The suspect shall not be arrested for the CWS warrant if the issuance date of the CWS warrant is more than 30 days prior to that of the LAPD or other Los Angeles County law enforcement agency or court clearance document.

- Once a determination has been made, either release or transport the suspect for booking.

Note: Officers obtaining a return on a want and warrant check indicating that an individual has an out of state felony warrant shall check to determine if the return contains a “NOEX” (no extradition) designator. If so, officers shall not arrest the person based on the “hit” without independent probable cause. Booking advice and approval for out-of-state fugitive arrests shall be obtained from an investigative supervisor, Fugitive Warrant Section (FWS), or when closed, the Department Operations Center (DOC), Communications Division. The FWS has the final authority on booking charges for out-of-state issues.

Pre-Booking Procedures:

- Immediately take the arrestee before the watch commander for an inspection and interview.
- Immediately conduct a search of all reasonably available records relating to the suspect or wanted person whenever a suspect claims **not** to be the person named on a CWS warrant.
- Obtain booking advice from an investigative supervisor.

Note: Booking advice is not required if the investigative entity responsible for the follow-up investigation is off-duty.

- Write the name of the arresting officer, the date, and the time the suspect reviewed the warrant(s) on the copy(ies) of the warrant information sheet(s).
- Record the following information, with respect to each warrant, in the Arrest Report, Form 05.02.00, when the arrestee claiming not to be a suspect of a CWS warrant is booked pursuant to the warrant:
 - List each of the specified records checked and not checked, and the reasons therefore. The arresting officer may discontinue the record search if positive identification of the suspect is established;
 - State that there are no other reasonably available records that are known to the officer that could have been reviewed which might identify or assist in identifying either the suspect or wanted persons; and,
 - Articulate the specific facts that give probable cause to believe the arrestee is the wanted person.

- Obtain booking approval from the Area watch commander. Booking advice and approval for out-of-state fugitive arrests shall be obtained from the investigative supervisor, FWS, or when closed, the DOC. Fugitive Warrant Section has the final authority on booking charges for out-of-state issues.

Post-Booking Procedures:

- Write the booking number on the front, upper, right-hand corner of one copy of the abstract.

Note: In the case of an immediate cash bailout on a misdemeanor traffic warrant, a Division of Record (DR) number is used in place of the booking number (Department Manual Section 4/682.15).

- Return the abstract to the Unit to which the abstract was teletyped and cause the appropriate booking information to be entered into the CWS.

Note: When a CWS warrant arrestee is booked into a jail facility other than the geographic Area where the warrant information sheet was received, officers responsible for the booking shall, without delay, telephonically advise the unit where the warrant information sheet was originally received and return the abstract to that unit when practicable.

When an Arrest Report is required for an arrestee who is also the subject of a CWS warrant information sheet, or when a CWS abstract is an element of the probable cause that brought about the arrest of a suspect for an offense other than that listed on the warrant information sheet, a copy of the CWS warrant information sheet shall be attached to a Continuation Sheet, Form 15.09.00, which shall be incorporated into the Arrest Report.

Jail personnel discovering a CWS warrant(s) on a booked suspect shall compare the physical descriptors of the warrant(s) with those of the suspect.

When a warrant information sheet does not arrive at the designated terminal within 15 minutes, the requesting officer shall telephonically notify the Warrant and Teletype Unit, Records and Identification Division.

611.15 CWS ARRESTEE ALLEGES TO HAVE BEEN PREVIOUSLY BOOKED OR CLAIMS NOT TO BE THE SUBJECT OF A WARRANT.

CWS Arrestee Alleges to Have Been Previously Booked. If an arrestee alleges to have been previously booked by authority of a warrant obtained through the CWS, the arresting officer shall ascertain the validity of the warrant in question. To resolve the status of the warrant, the arresting officer shall:

- Contact the court of issuance, when possible, and inquire as to the status of the warrant, or

- Contact Criminal Records Section, Records and Identification Division, and request a check of arrest package for a related booking document, or
- When applicable, contact law enforcement agency where booking allegedly occurred and request search of arrest package for booking document.

Note: Booking documents must be checked because often warrant arrests are not recorded on Criminal Identification and Investigation Records (rap sheets).

CWS Suspect Claims Not To Be The Subject Of A Warrant. When a suspect claims not to be the person named on the warrant or when a suspect voluntarily submits to a warrant check at an Area/division, officers shall, prior to booking, attempt to identify the suspect by accessing the following:

Local Warrants:

- Los Angeles Police Department Records.
- Personal History Index.
- Department of Motor Vehicles.
- Suspect's fingerprint comparison.

For Foreign Warrants, add:

- Originating Agency.
- State Criminal History.

If during the records search the suspect is positively identified as the subject of the warrant, the record search may be terminated. When a record check does not eliminate the suspect and the concerned Department employee believes the suspect is the person on the warrant, the suspect may be booked. When a record check is made and the suspect is booked, the procedure shall be outlined in an Arrest Report, Form 05.02.00 (4/611.10). When a record check is made and the suspect is determined not to be the subject of a warrant a Los Angeles Police Department Clearance Document, Form 08.20.00, shall be issued.

Note: Jail personnel completing a record check on a booked arrestee shall document the results on the Supplemental Charge Record, Form 05.08.00, when the arrestee is determined to be the subject of the warrant.

611.20 CWS ARRESTEE PREVIOUSLY BOOKED FOR WARRANT CURRENTLY IN CWS. When it is determined that an arrestee has been previously booked for a warrant currently in the CWS the arresting officer shall:

- Cause immediate release of the arrestee.
- Obtain, if possible, the original booking number, date of booking, and booking agency.
- Telephonically notify the Warrant Unit, Records and Identification Division, of the previous booking and related booking information.

Note: Warrant Unit personnel shall cause removal of the warrant from the CWS.

- Mark the original and all copies of the warrant information sheet "Delete from CWS," followed by the date, time, reason for deletion, and the arresting officer's name and serial number.
- Forward, via Department mail, the original and all copies of the warrant information sheet to the Warrant Unit, Records and Identification Division.

611.25 CWS WARRANT INFORMATION SHEET NOT USED FOR BOOKING. When it is not to be used for booking, the requesting officer shall:

- Mark the original and all copies of the abstract "Reactivate," followed by the date, time, reason for reactivation, and the officer's name and serial number.
- Return the original and all copies to the unit where the abstract was received and cause the appropriate reactivation information to be entered into the CWS.

611.27 WARRANT CLEARANCE PROCEDURES - INVESTIGATING OFFICER'S RESPONSIBILITY. Whenever an individual voluntarily submits to a CWS warrant check at an Area or division, an investigating officer shall conduct a records search to determine if the individual has any outstanding warrants. If there are no outstanding warrants for the individual, the investigating officer shall issue the LAPD Clearance Document, Form 08.20.00, to the individual.

Note: The Form 08.20.00 shall be issued within two hours of the individual's warrant check or sent by registered mail within ten days if it is unfeasible to complete the warrant check at the time of request.

If the investigating officer finds that the individual is wanted on an outstanding warrant, the investigating officer shall comply with established pre-booking procedures.

Note: The above procedures apply only to CWS warrants. No clearance document shall be issued for or apply to National Crime Information Center (NCIC) warrants.

611.30 JAIL UNIT'S RESPONSIBILITY. Personnel of the jail unit where a warrant information sheet is received shall:

- As soon as practicable, deliver the warrant information sheet to the watch commander of the concerned Area/division.
- Enter the appropriate **booking** information into the CWS when an arrestee is booked or posts immediate cash bail.
- Enter the appropriate **reactivation** information into the CWS when a warrant information sheet is not used to book an arrestee.

Personnel of the jail unit where a warrant arrestee is booked shall:

- Allow misdemeanor arrestees booked pursuant to a warrant immediate access to their property if the arrestees claim that the property contains evidence that they are not the suspect listed on the warrant.

Note: If the misdemeanor arrestee authorizes, the property shall be released to any third party designated by the arrestee.

- Enter the appropriate **booking** information into the CWS when an arrestee is booked or posts immediate cash bail.

Note: When a booked inmate is found to have an additional misdemeanor warrant, the abstract will be forwarded to the facility where the arrestee was booked. Upon receipt of the abstract, the concerned custodial detention officer shall verify the arrestee's identification, complete a Supplemental Charge Record, Form 05.08.00, and enter the appropriate booking or reactivation information into the CWS. When a records unit receives such an abstract, the concerned records supervisor shall cause the abstract to be immediately delivered to the custodial detention officer and the appropriate booking or reactivation information to be entered into the CWS.

- Upon receiving an Overtime Response to Abstract Teletype, an employee assigned or detailed to a jail facility shall, as soon as practicable, deliver such notification to the concerned watch commander.
- When an arrestee is booked on a want or warrant obtained from the CWS computer, place the system identification number in the appropriate box on the Booking and Identification Record.
- Place want and warrant numbers in the Warrant Number box. Want numbers shall be preceded by the letters "WNT." The original of the arrest warrant information sheet shall be stapled to the back side of page 1 of the Booking and Identification Record.
- When an arrestee has been arrested on a want obtained from CWS and it is determined prior to booking that a warrant has been issued for the same offense, the warrant number shall be placed in the Additional Charges box.
- When an arrestee has additional warrants having the same system identification number as the original, the warrant numbers and courts shall be placed in the Additional Charges box. When the additional warrants have different system identification numbers, the additional system identification numbers shall be placed in the Additional Charges box preceding the warrant number.

Exception: When an arrestee is booked on an original warrant and a CWS system identification number is not available, the word "Hardcopy" shall be placed in the system ID Number space of the Booking and Identification Record.

Note: When an arrestee is booked on a want or warrant which requires an Arrest Report, Form 05.02.00; a Disposition of Arrest and Court Action Report, Form 05.09.00; or an Investigator's Final Report, Form 05.10.00, the Booking and Identification Record, Form 05.01.00, shall be used.

Ensure that both the system identification and warrant numbers from all abstracts are entered into the computer.

611.35 RECORDS UNIT'S RESPONSIBILITY. When the concerned Area jail unit is unable to receive warrant information sheets and/or update CWS information, the records unit shall be designated, by the concerned patrol division watch commander, to perform the appropriate function. Personnel of the records unit shall:

- Enter the appropriate *booking* information into the CWS when an arrestee is booked or posts immediate cash bail.
- Enter the appropriate *reactivation* information into the CWS when no arrestee is booked on the abstract.
- Deliver to the concerned watch commander, as soon as practicable, any Overtime Response to Abstract Teletypes.

611.45 PATROL DIVISION, WATCH COMMANDER'S RESPONSIBILITY. Patrol division watch commanders shall be responsible for:

- Advising patrol division personnel to request transmission of warrant information sheets to the Area records unit when the concerned jail unit is unable to receive and/or update CWS information.
- Directing appropriate corrective action to be taken in the case of overdue status warrants.

Note: A warrant shall not be reactivated unless positively ascertained, by contacting the arresting officer, that an arrestee has not been booked pursuant to the authority of the warrant in question.

Upon receipt of a CWS warrant information sheet, the concerned Area/division watch commander shall:

- Cause the warrant number and suspect's name to be entered upon the Warrant Abstract Log, Form 08.12.
- Maintain custody of the warrant information sheet until release to the Department employee requesting the CWS inquiry.
- Prior to releasing the warrant information sheet, cause the requesting employee to sign their name and serial number on the Warrant Abstract Log, Form 08.12, acknowledging receipt of the warrant information sheet.
- Ensure the appropriate disposition of the warrant information sheet.
- Cause an entry to be made on the Warrant Abstract Log, Form 08.12, indicating the disposition of the warrant information sheet.
- Sign their name and serial number on the Warrant Abstract Log, Form 08.12, verifying the receipt and disposition of the warrant information sheet.

611.50 CUSTODY SERVICES DIVISION SUPERVISOR'S RESPONSIBILITY. Custody Services Division supervisors shall be responsible for:

- Ensuring proper disposition of warrants teletyped to Custody Services Division.
- Directing appropriate corrective action in the case of overdue status for warrants teletyped to Custody Services Division.

Note: Warrants shall not be reactivated unless positively ascertained, by contacting the arresting officer, that an arrestee has not been booked pursuant to the authority of the warrant in question.

611.55 RECORDS AND IDENTIFICATION DIVISION RESPONSIBILITY. A CWS warrant that caused the wrong suspect to be booked shall be purged from CWS. Purged warrants shall not be reactivated or re-entered into the CWS data base, unless:

- The purged warrant is a felony warrant, felony want, or felony commitment; and,
- The Commanding Officer, Records and Identification Division, determines that the purged warrant, on its face or as supplemented by data obtained through additional investigation, contains sufficient reliable, descriptive information about the wanted person to justify re-entry.

Note: A warrant that has been purged from the CWS data base and is subsequently recalled by the court and reissued after the addition of new descriptor information may be re-entered into the CWS data base if the warrant meets the minimum input requirements.

The arrest disposition of an arrestee booked on the wrong warrant shall not be communicated (as part of the criminal arrest history of the arrestee) to the:

- California Department of Justice;
- Federal Bureau of Investigation; or
- Any local, state, or national organization, agency, or data collection service.

If an arrest record is communicated to an above listed entity and it is subsequently determined that the arrestee is not the suspect listed on the warrant, a copy of the arrest and disposition records shall be forwarded within 30 days of the determination to the concerned agency and the last known address of the arrestee indicating that the person was arrested on a warrant issued for another person. "Purge the records of the arrest" shall be noted in red at the top of the form.

615. BOOKING MILITARY PERSONNEL.

615.10 NOTIFICATION TO MILITARY LIAISON OFFICER. When booking a member of the Armed Forces, the booking employee shall notify the Military Liaison Officer (MLO), at the Military Liaison Unit, Administrative Services Bureau. The notification shall be made telephonically, and via Department Operations Center during non-business hours. The below listed information shall be provided:

- Name, rank, and serial number;
- Branch of service;
- Organizational unit and its location;
- Dress (uniform or civilian clothes);
- Duty status (on duty, off duty, on orders, absent without leave, deserter);
- Booking charge (if known);
- Division of Records (DR) number; and,
- Booking number.

Note: Armed Forces personnel include: members of the Navy Marine Corps, Air Force, Army, Coast Guard or National Guard on active duty or currently serving in the Military National Guard or Military Reserve.

The booking employee shall document the name, rank, and serial number of the MLO who was notified, in the narrative of the Arrest Report, Form 05.02.00. In addition, a copy of the Arrest Report shall be forwarded to the MLO by marking the “extra copy to” section of the Arrest Report face sheet.

Military Liaison Officer’s Responsibilities. Upon receiving notification of the booking of a member of the Armed Forces, the MLO shall notify the appropriate military investigative entity as deemed necessary.

The MLO shall contact the concerned Department investigative entity and offer administrative assistance. This assistance should include providing the contact information for the appropriate military investigative entity.

615.20 MILITARY SERVICE GROUPS TO BE BOOKED AS CIVILIANS. The regular booking procedure shall apply when an arrestee is a member of the:

- United States Maritime Service.
- California State National Guard (inactive duty).
- United States Maritime Training Service.
- California State Naval Guard.

615.30 ARMED FORCES INDUCTEES. When an arrestee has received orders to report to an induction center but has not been inducted, he/she shall be handled as a civilian. If the detention results in his/her being unable to report to the induction center at the specified time, the Federal Bureau of Investigation shall be notified.

615.40 HIGH-GRADE MISDEMEANORS AND FELONIES BY ARMED FORCES PERSONNEL. When a member of the Armed Forces is arrested for a felony or a high-grade misdemeanor (2), he/she shall be booked on the offense indicated and not released to the military authorities.

[(2) "High-grade" misdemeanors include: Petty Theft, Dangerous Weapons' Control Law, Traffic Manslaughter, Indecent Exposure, Child Molesting, Contributing, Lewd Conduct, Lewd Loiterer, and all other misdemeanor sex crimes.]

617. BOOKING ON A "FOREIGN" CALIFORNIA ADULT MISDEMEANOR WARRANT.

617.10 NOTIFICATION TO DEMANDING JURISDICTION. When an arrestee is booked on a foreign California adult misdemeanor warrant and is not wanted on a local charge, the custodial detention officer shall cause a Notification of Availability for Release Teletype (4/165.34) to be sent to the demanding jurisdiction. The foreign jurisdiction shall also be notified by the custodial detention officer of any change of custody or arrest status affecting the arrestee's availability for release.

Exception: When an adult is booked on a Los Angeles County Sheriff's Department misdemeanor warrant, the detention officer shall cause a teletype notification to be sent to the Sheriff's Department Transportation Bureau (4/660.20).

617.15 JUVENILE NAMED ON A FOREIGN CALIFORNIA ADULT TRAFFIC WARRANT. When a juvenile is named on an adult traffic warrant that was issued by a court outside the City of Los Angeles, the watch commander approving the booking shall ensure that an attempt is made to contact the jurisdiction of issuance to verify the status of the warrant prior to the booking of the juvenile (4/218.60 and 4/218.61).

617.20 BOOKED MISDEMEANANT WANTED ON A LOCAL CHARGE. When an arrestee is booked on a foreign California adult misdemeanor warrant and is subsequently determined to have local wants or warrants, the custodial detention officer shall complete a Supplemental Charge Record, Form 05.08.00, and cause teletype notification of the change in arrest status to be made to the foreign jurisdiction. When the arrestee remains in Department custody after disposition of the local charge, the custodial detention officer shall cause the Notification of Availability for Release Teletype (4/165.34) to be sent. When custody of the arrestee is transferred to an agency other than the wanting agency, the custodial detention officer shall cause a Notification of Forwarded Warrant Teletype (4/165.35) to be sent.

618.40 COMMUNICATIONS WITH INMATES BY FOREIGN CONSUL. Upon presentation of his credentials, a foreign Consular Officer shall be permitted to visit with any foreign national in custody and to arrange for legal representation. Any communication directed to the foreign Consul by a foreign national in custody shall be forwarded without delay.

620. SEARCHING ARRESTEES AT BOOKING OFFICE.

620.10 REMOVAL OF PROPERTY OF ARRESTEES - CITY JAIL SYSTEM. Arrestees shall be searched at the booking desk in accordance with legal standards and Department policy.

Permissible Items Retained by the Arrestee. Arrestees **may** only retain the below listed items on his/her person:

- Clothing being worn (except as listed in Manual Section 4/645.20;
- Los Angeles Police Department traffic citations (Traffic Notices to Appear), when the arrestee is to appear in a traffic court. Such citations shall be stapled to the arrestee's copy of the Booking and Identification Record, Form 05.01.00;
- Prescription glasses; and,
- Hearing aid with battery.

Note: Juveniles shall be allowed to keep basic clothing only.

All other property that the arrestee is not allowed to retain, with the exception of contraband, shall be packaged in an unused, number-imprinted, polyethylene arrestees property bag (excluding excess personal property). The imprinted number on the arrestees property bag shall be recorded in the **Property** section of the Booking and Identification Record.

620.11 CARE AND CUSTODY OF PERSONAL PROPERTY OF JUVENILE

ARRESTEES. Employees arresting or processing juvenile arrestees shall remove all of the juvenile's personal property. The property shall be itemized in the Property section of the Booking and Identification Record, Form 05.01.00, and packaged in an unused polyethylene inmates property bag. The property bag shall be sealed and the prepunched number on the bag recorded in the Property section of the Form 05.01.00.

Note: Money shall be placed in a separate coin envelope before being placed in the property bag.

When booking or processing juvenile arrestees who will not be detained, the employees shall verify the contents of the property bag with the juvenile prior to his/her release. When the juvenile arrestee is to be booked into a Los Angeles County Probation facility, he/she shall be turned over to Intake and Detention Control, Juvenile Hall with a copy of the arrest report and the sealed property bag.

620.12 ADDITIONS TO, OR REMOVALS FROM, THE INMATE PROPERTY BAG.

When an inmates personal property is added to, or a portion is removed from, a sealed inmate property bag, a new bag shall be utilized. The prepunched number on the inmate property bag shall be recorded in the **Property** section of Page 3 (Property Record) of the Booking and Identification Record, followed by the last name and serial number of the officer adding to, or removing a portion from, the personal property. In addition, when investigations, additions, or removals are made to an inmates personal property bag, the custodial detention officer shall record the correct transaction on the back of Page 3 (Record of Property Transaction) of the Booking and Identification Record.

620.15 REMOVAL OF PROPERTY OF ARRESTEES - LOS ANGELES COUNTY

JAIL. An officer booking a female arrestee at Los Angeles County Jail shall conduct a search of the arrestee's purse. All property shall be packaged in an inmates property package except

that the arrestee may return the items allowed under existing Los Angeles County Jail regulations.

620.20 RESPONSIBILITY FOR SEARCH OF ARRESTEE. Searches of inmates booked in the City Jail System shall be conducted by the arresting or transporting officer, unless specifically relieved of the searching responsibility by an officer assigned to that duty.

With the approval of the commanding officer of the place of booking, an officer may be specifically assigned to searching duties and may assume responsibility for the search of an arrestee from the arresting or transporting officer.

Note: A police officer or detention officer conducting the search shall be of the same sex as the arrestee.

620.22 BOOKING SEARCHES.

DEFINITIONS:

Strip Search. A strip search shall be considered to be any search wherein an arrestee is required to remove all of his or her clothing, or to remove or arrange some of his or her clothing, so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of that arrestee.

Visual Body Cavity Search. A visual body cavity search shall be considered any search wherein an unclothed arrestee is required to bend at the waist, squat, or to lift or spread the breasts, buttocks, or genitalia to allow visual inspection of the body cavities.

Physical Body Cavity Search. A physical body cavity search shall be considered any search requiring any physical intrusion into a body cavity (private parts) by either the arrestee or another person.

Note: Arrestees in Department custody shall not be given a physical body cavity search, except pursuant to a valid search warrant.

Body Cavity. A body cavity is the stomach and rectal cavity of any male or female, or the vaginal cavity of a female. The mouth is not considered a body cavity for the purpose of these procedures.

The three types of searches defined above are restricted to only those arrestees for whom booking approval has been obtained. Neither arrestees nor any other detainees are to be subjected to a strip search, visual body cavity search, or physical body cavity search until after booking approval has been obtained and the appropriate search has been authorized by the watch commander.

Strip searches of arrestees booked into Department facilities shall be conducted as follows:

Strip Search or Visual Body Cavity Search. Adult and juvenile arrestees in custody for an infraction, misdemeanor or felony offense shall **not** be given a strip or visual body cavity search unless:

- The offense involved a controlled substance; or,
- There is an articulable and reasonable suspicion that the arrestee is concealing contraband or a weapon regardless of the offense.

The type and classification of the offense alone does not automatically provide reasonable suspicion. The totality of the circumstances in each situation should be considered in determining whether to conduct a strip search or visual body cavity search (e.g., the nature of the offense, the arrestee displaying behavior which would lead officers to believe he/she is concealing contraband or weapons, the arrestee's criminal record, etc.).

Note: Prior arrests involving weapons, controlled substances, violence, or the appearance and conduct of an arrestee **may** be considered as a factor in determining whether to conduct a strip search or visual body cavity search.

The term "contraband" as it applies to a strip search or visual body cavity search is restricted to controlled substances or other items that may pose a threat to the security of the jail facility. Strip searches and visual body cavity searches shall not be conducted to recover evidence, in the absence of a search warrant.

The In-Custody Authorization for Strip Search, Visual Body Cavity Search, Physical Body Cavity Search, Form 05.30.00, shall be used only by jail personnel to request a search of an arrestee when the necessity to search arises after the arrestee has been booked and the related reports completed.

Officer's Responsibility. When an officer has a reasonable suspicion that an arrestee in custody for an infraction, misdemeanor or felony offense is concealing a weapon or contraband, the officer shall:

- Complete a Booking Approval, Form 12.31.00;
- Submit the Form 12.31.00 to the Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division; and,
- Upon supervisory approval, conduct the strip search or visual body cavity search.

Note: The search shall be conducted in an area of privacy so that persons not of the same sex as the arrestee or not required for the search are excluded from the immediate area and are unable to observe the arrestee.

- Upon completion of the search, complete the "Results of Search" portion of the Form 12.31.00 and include the information in the arrest report narrative.

Removing Objects from an Arrestee's Body. When an officer conducting a strip search or a visual body cavity search of an arrestee becomes aware that the arrestee has placed any object

in the rectal area, the vaginal area, or under the breast or scrotum, the officer shall request the City Jail Dispensary medical personnel to remove the **externally** located object, even if the object can be recovered without touching the arrestee. If the Jail Dispensary medical personnel are not available, officers shall transport the arrestee to a contract hospital for removal of the object by either a physician, registered or licensed vocational nurse, or an Emergency Medical Technician Level II, licensed to practice in California.

Note: This does not alter the requirement that a search warrant be obtained when the removal of an object inside a body cavity (i.e., vagina, or anus) is necessary.

Note: Employees conducting a strip search or visual body cavity search shall not touch the breasts, buttocks, or genitalia of the arrestee.

Exception: In any case where the object observed is a weapon and there is an immediate present danger of it being used against the officer, the officer may immediately recover the object.

Jail Personnel Responsibility. When it becomes necessary to search an arrestee by means of a strip search, a visual body cavity search, or a physical body cavity search after the arrestee has been booked into the Department jail system and the related arrest reports have been completed, jail personnel shall use the Form 5.30 to request authorization to conduct the necessary search. Custodial searches shall be conducted in the same manner as described for booking searches of misdemeanor or felony arrestees as described herein.

Watch Commander's Responsibility. Upon receipt of a Booking Approval, Form 12.31.00, or an In-Custody Authorization for Strip Search, Visual Body Cavity Search, Physical Body Cavity Search, Form 05.30.00, the watch commander shall:

- Confirm the validity of the booking charge;
- Review the form for completeness and accuracy;
- Determine if the specific facts and circumstances **justify** the type of search requested;
- Approve or disapprove the strip search, visual body cavity search, or physical body cavity search; and,
- If approved, ensure that one of the check boxes under the "REASON FOR THE SEARCH" section of the Booking Approval, Form 12.31.00, has been completed by the arresting officer;
- When an In-Custody Authorization for a Strip Search, Visual Body Cavity Search, Physical Body Cavity Search, Form 05.30.00, is used, the reason for the search shall be articulated in that form;
- Sign and place his or her serial number in the "WATCH COMMANDER APPROVING SEARCH" box; and,
- Ensure any search approved is conducted as set forth in Department Manual Section 4/620.22.

CUSTODY SERVICES DIVISION, WATCH COMMANDER'S RESPONSIBILITY. When the Custody Services Division watch commander does not agree

with the approval or disapproval of a strip search or visual body cavity search of an arrestee to be housed at his/her facility, he/she shall contact the watch commander who approved/disapproved the search for clarification. When a difference of opinion still remains, the Custody Services Division watch commander shall make the final decision in approving or disapproving a search.

Arrestee Refusal. If an arrestee refuses to submit to a strip search or visual body cavity search the officer conducting the search shall:

- Advise the arrestee that he or she will be searched.
- Notify a supervisor of the arrestee's refusal to be searched.
- Place the arrestee in an isolation cell under observation until sufficient officers of the same sex as the arrestee are available to conduct the search.
- Search the arrestee.

A supervisor of the same sex as the arrestee shall be present during the search of combative and uncooperative arrestees.

620.25 PHYSICAL BODY CAVITY SEARCHES. Arrestees in custody shall not be given a physical body cavity search except under the authority of a search warrant and under the following conditions:

- A physical body cavity search shall be conducted under sanitary conditions by either a physician, registered or licensed vocational nurse, or Emergency Medical Technician Level II licensed to practice in California.
- The search shall be conducted in an area of privacy so that persons not of the same sex as the arrestee or not required for the search are excluded from the immediate area and are unable to observe the arrestee.

Exception: Licensed medical personnel are not required to be of the same sex as the arrestee.

When a physical body cavity search of any arrestee is conducted, the concerned employee shall complete the required portion of the Form 12.31.00 or Form 05.30.00. A copy of the search warrant shall be distributed with the Arrest Report, Form 05.01.02.

In the event a physical body cavity search of an arrestee is conducted after the arrestee has been booked and the related reports have been completed, jail personnel shall use the Form 05.30.00. A copy of the search warrant shall be distributed with the Form 05.30.00.

620.30 CONFINEMENT OF MISDEMEANOR/INFRACTION ARRESTEES. The concerned custodial detention officer shall ensure that arrestees in custody for a misdemeanor offense involving a weapon, controlled substances, or violence, or arrestees subject to a strip search, visual body cavity search, or physical body cavity search, upon booking, are confined in a separate holding area from other misdemeanor and infraction arrestees.

Exceptions:

- Three hours after the time of arrest, misdemeanor and infraction arrestees in custody for an offense not involving a weapon, controlled substance, or violence, or not otherwise subject to a strip search or visual body cavity search or physical body cavity search, may be confined with those misdemeanor and infraction arrestees that are in custody for a charge involving a weapon, controlled substance, or violence, or who have otherwise been subjected to a strip search or visual body cavity search or physical body cavity search, in accordance with Title 15 of the California Administrative Code.
- Misdemeanor and infraction arrestees in custody for other than an offense involving a weapon, controlled substance, or violence, or who have not been the subject of a visual body cavity search or physical body cavity search, may be confined with those misdemeanor and infraction arrestees that are in custody for a charge involving a weapon, controlled substance, or violence, or who have otherwise been subjected to a strip search or a visual body cavity search or physical body cavity search, prior to three hours from the time of arrest when an emergency exists and written supervisory approval is documented in the Watch Commander's Daily Report, Form 15.80.00, or the Daily Deployment Sheet, Temporary Form 108.

Note: An "emergency" is defined as any condition which poses a risk to the safety and welfare of the inmate or Department personnel. Overcrowding is not an emergency, except in a mass arrest situation.

625. IDENTIFICATION OF ARRESTEES.

625.10 BOOKING AND IDENTIFICATION RECORD. Rolled right thumbprints shall be placed on the Booking and Identification Record, Bureau of Identification Arrest Notification, and Jail Custody Record pages of the Los Angeles Consolidated Booking Form, Form 05.01.00 and Form 05.01.01, for;

- All booked adults.
- Juveniles age twelve or older booked for any offense under Section 602 WIC.

Note: Situations may arise when a juvenile, regardless of age, is arrested for a 601 WIC (gang member) violation or a juvenile under 12 years of age is arrested for a 602 WIC (serious crime, multiple offender) violation and should be fingerprinted and/or palm-printed. Such additional fingerprinting shall be at the discretion of the Area juvenile coordinator after appropriate review. During off-hours, the watch commander shall make this determination.

Additionally, the flat fingerprints of the four fingers of the right hand shall be placed in the space provided on the reverse side of the Jail Custody Record, Page 5.

When the arrestee is released, the process shall be repeated and the two sets of prints compared for the purpose of identification.

Note: When the right thumb or fingers cannot be printed, the left thumb and fingers shall be used and a notation to that effect shall be indicated next to the prints.

Juveniles taken into custody for a 300 WIC violation shall be issued a booking number regardless of age; however, the juvenile shall not be fingerprinted as part of the booking process. Manually inked fingerprints for investigative purposes only are permissible. All Los Angeles Consolidated Booking Form, Form 05.01.00, including those for 300 WIC violations shall be forwarded to Records and Identification Division.

625.20 FINGERPRINTING ARRESTEES. When an arrestee is booked at a Department facility, the booking employee shall photograph and electronically fingerprint the arrestee using the Live Scan System. When an arrestee is booked at a nonDepartment facility, other than Los Angeles County Jail, and personnel of that facility are not available to fingerprint an arrestee, the arresting officer shall ensure the arrestee is fingerprinted.

Booking Areas/divisions with Live Scan System Network capabilities shall send the fingerprints of adult and juvenile arrestees to R&I Division via the Live Scan within a maximum of sixty minutes after the arrestee is booked. The completed Fingerprint Cards shall be attached to the Booking and Identification Record portion of the Los Angeles Consolidated Booking Form, Form 05.01.00, and forwarded to Records and Identification Division.

Under most circumstances, releases from custody shall not occur until the positive identification confirming has been received providing both a MAIN and State Identifications Number (SID number, also referred to as CII) number, subject to the following guidelines related to bail, bond and OR releases:

- If a positive identification confirmation has not been received within two (2) hours of the Live Scan fingerprints having been transmitted, Criminal Identification Section, R&I shall be contacted to determine the status of the return message. The arrestee should generally not be released at this time.
- Following the electronic receipt of Live Scan fingerprint transmissions to LAFIS, Criminal Identification Section, R&I shall research positive identification confirmation delays over two (2) hours of the original transmission via LAFIS system and contact CAL-DOJ to request an immediate processing of a specific booking transmission, in the event a SID number return is delayed.

Note: Accommodating a request to expedite a transmission is solely at the discretion of CAL-DOJ and not within the control of Criminal Identification Section.

- If the positive identification confirmation has still not been received after four (4) hours of the Livescan fingerprints having been transmitted, Criminal Identification Section shall again be contacted to determine the status of the message. The Custody Services Division watch supervisor shall also advise the Custody Services Division watch commander of the situation and shall assess the probability of the positive identification confirmation being received in the immediate future.

Note: Based on information provided by R&I, the seriousness of the crime, the quality of the arrestee's identification papers, whether or not the arrestee lives locally and/or is known to the Area personnel, etc., the Custody Services Division watch supervisor, with concurrence of the Custody Services Division Watch Commander, shall determine whether or not the arrestee shall be released immediately, or held pending receipt of a positive identification confirmation. In either case, the Custody Services Division watch supervisor's decision shall be detailed in the Custody Services Division watch commander's daily log.

- If the Live Scan System or R&I returns an "error" message indicating that the fingerprints are unreadable, etc., new fingerprints shall be taken and transmitted rather than re-transmitting the existing fingerprints already in the Live Scan System's memory.
- In those cases where a positive identification confirmation has not been received from R&I and a bail agent is at the division presenting a bond or bail, the bond or bail should be received and held by the detention officer pending the identification confirmation. It is not necessary for the bail agent to remain at the division to await arrival of the message. If a positive identification confirmation is later received that identifies the arrestee as someone other than originally believed, the bail agent shall be called to retrieve the bond or bail, which will then be null and void.

Note: When a bail or bond has been posted, the positive identification confirmation has not been received and it has been four (4) hours since the fingerprints were transmitted to R&I, Custody Services Division watch supervisors, with concurrence of the Custody Services Division Watch Commander, must use their best judgment as to whether the arrestee should be released or held, based on all known facts. The watch supervisor, prior to release, shall ensure that the R&I watch commander was notified and investigated the absence of a response. The Custody Services Division watch supervisor's determination shall be judged on the reasonableness of the decision given the information known at that time.

Detention officers unable to FIN an arrestee within a maximum of sixty minutes shall notify the Criminal Identification Section, Records and Identification Division.

REQUESTING FINGERPRINTS FOR ARRESTEES ADMITTED TO THE LOS ANGELES COUNTY-UNIVERSITY OF SOUTHERN CALIFORNIA MEDICAL CENTER (LAC-USCMC), LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) JAIL WARD (13th FLOOR). In the instance where an arrestee is admitted for medical treatment, LASD is responsible for electronically fingerprinting the arrestee prior to transfer or release. However, Los Angeles Police Department (LAPD) transporting personnel shall ensure provisions are made to electronically fingerprint the arrestee via Livescan by advising on-site LASD personnel to do so. Therefore, incidents requiring LAPD arresting officer(s) to make an investigative request for ink-rolled fingerprints should be minimized.

Note: In an instance where the arrestee is treated and released from LAC-USCMC medical care, LAPD transporting personnel shall ensure that the arrestee has been electronically fingerprinted at a Department detention facility.

REQUESTING FINGERPRINTS FOR ARRESTEES AT OTHER HOSPITALS. If an immediate fingerprint-based identification is required for an arrestee at any other hospital facility, the arresting officer shall notify the, Criminal Identification Section (CIS), R&I Division, which shall be responsible for facilitating ink-rolled fingerprint capture. The acquisition of ink-rolled fingerprints does NOT replace the requirement that the transporting officer ensures the arrestee is electronically fingerprinted prior to transfer or release.

Note: Records and Identification Division shall provide updated processing requirements to all concerned jail facilities on a periodic basis.

Supplemental Charge Fingerprinting Procedure. Employees completing a Supplemental Charge Record, Form 05.08.00, shall print flat impressions of both thumbs on pages 1 and 2 of the Supplemental Charge Record.

If a thumb is missing, "missing thumb" shall be entered in the appropriate space. If both thumbs are missing, one additional Fingerprint Card, Form FD 249, shall be completed and attached to the Records and Identification Division copies (pages 1 and 2) of the Supplemental Charge Record.

Supplemental Felony Charge. When a felony charge is added against an arrestee who has already been booked, the arrestee shall be Livescanned selecting the "Criminal Print Only" capture choice. Print three cards and forward with the supplemental booking form to Records and Identification Division.

Note: If the arrestee is not fingerprinted via a Live Scan System, complete three (3) fingerprint cards using black fingerprint ink.

625.25 PALMPRINTING OF ARRESTEES. Palm prints shall be taken electronically via the Live Scan System when the suspect is booked. The Palm Print, Form 05.06.01, may be used in the event of an absentee booking or if requested by the investigating officer.

Note: Situations may arise when a juvenile, regardless of age, is arrested for a 601 WIC (gang member) violation or a juvenile under 12 years of age is arrested for a 602 WIC (serious crime, multiple offender) violation and should be palmprinted. Such additional palmprinting shall be at the discretion of the Area juvenile coordinator after appropriate review. During off-hours, the watch commander shall make this determination.

Juveniles taken into custody for a 300 WIC violation shall not be fingerprinted as part of the booking process. Separate prints for investigative purposes only are permissible.

Note: This form shall be used for any other offense when specifically requested by the concerned investigating officer.

Records and Identification Division. Records and Identification Division shall write all identifying numbers (Booking #, SID #, Main #, LA#) on the Palm Print Card and forward the Palm Print Card to the Latent Print Section, Technical Investigation Division.

625.26 FORGERY ARRESTEES - SPECIAL FINGERPRINTING. During the booking process, fingertip and side palm prints shall be obtained from all *forgery* arrestees, using the Live Scan System or a Palm Print, Form 05.06.01, in addition to all other fingerprint requirements.

Note: Officers booking a *female forgery* arrestee at Los Angeles County Jail shall obtain the arrestee's fingertip and side palm prints, at Records and Identification Division, prior to booking the arrestee. The completed Form 05.06.01 shall be given to the booking employee at Los Angeles County Jail during the booking process to be included with the regular fingerprint cards.

625.30 HANDWRITING EXEMPLARS OF INMATES. The completion of all handwriting cards by inmates shall be witnessed by a detention officer. A Handwriting Exemplar, Form 05.07.00, shall be completed by each person booked as an adult for:

- 470, 470a, 470b P.C. (Forgery);
- 475, 475a P.C. (Possession of Fraudulent Checks);
- 476a(a), 476a(b) P.C. (Insufficient Funds – Checks);
- 484e, 484f(1), 484f(2), 484g, 484i P.C. (Forgeries and other misuses involving credit cards);
- 532, 532a P.C. (Procuring False Credit Report or Financial Statement);
- 211 P.C. (Robberies where ransom notes are involved); and,
- Other crimes where handwritten notes are used in the elements of a crime.

Note: When a Supplemental Charge Record, Form 05.08.00, involves a charge not listed above, a Handwriting Exemplar, Form 05.07.00, shall be completed if one has not already been made.

Handwriting Exemplars-Juveniles. A Handwriting Exemplar, Form 05.07.00, shall be completed by each juvenile arrested for:

- Penal Code Section 470 (Forgery-General).
- Penal Code Section 476 (Forgery-Checks, etc.).
- Penal Code Section 476(a) (Checks-Not Sufficient Funds).

Note: A Handwriting Exemplar, Form 05.07.00, may be taken, on the advice of the Watch Commander, Juvenile Division, of juveniles arrested for other offenses.

625.35 MISDEMEANOR WARRANT ARRESTS - HANDWRITING EXEMPLARS REQUIRED. Officers who take an arrestee into custody on a *misdemeanor* warrant for a violation of:

- 470, 470a, 470b P.C. (Forgery).
- 475, 475a P.C. (Possession of Fraudulent Checks).
- 476a(a), 476a(b) P.C. (Insufficient Funds-Checks).
- 484e, 484f(1), 484f(2), 484g, 484i P.C. (Forgeries and other misuses involving credit cards).
- 532, 532a P.C. (Procuring False Credit Report or Financial Statement).

shall:

- Complete an Arrest Report, Form 05.02.00.
- Obtain a handwriting exemplar from the arrestee *prior to booking*. The exemplar shall consist of a minimum of *thirty* handwritten signatures in black, ball-point pen.
- Witness the handwriting exemplar.

Make the following notations on the reverse side of the exemplar:

- Name of arrestee.
- DR number, located on the warrant information sheet. If the DR number is unavailable, then list the warrant number.
- Date, time, and location the exemplar was made.
- Witnessing officer's name, serial number, and location of assignment.
- Book the exemplar as evidence in a manila envelope. Include on the envelope the notations listed above.

Note: When the arrest occurs in a metropolitan Area, the exemplar shall be booked at Evidence and Property Management Division. When the arrest occurs in Pacific or West Los Angeles Areas, the exemplar shall be booked at West Los Angeles Property Section. When the arrest occurs in Harbor Area, the exemplar shall be booked at Harbor Property Section. When the arrest occurs in a Valley Area, the arrestee shall be booked at Valley Jail Section and the exemplar shall be booked at Valley Property Section.

- Include a statement in the arrest report indicating that the exemplar has been obtained and the location where it was booked as evidence.

Note: Exemplars obtained by the arresting officer shall be *in addition to* the handwriting exemplars obtained by the detention officer during the booking process.

625.40 ARRESTEE IDENTIFICATION BAND. An arrestee identification band shall be completed and attached to the adult arrestee's left wrist as soon as practicable after obtaining a booking number. The identification band shall include only the arrestee's name and booking number.

The band shall be completed and attached to all outside agency arrestees received for temporary detention. The band shall contain the name and booking number of the arrestee.

630. DNA SAMPLES COLLECTION PROTOCOL AT LAPD JAILS.

630.10 The DNA sample and handprint impressions (i.e., palm impressions of each hand and right thumbprint) shall be collected from the following individuals, pursuant to Penal Code Section 296:

- Adults arrested on or after November 3, 2004, for violations of Penal Code Sections 187 and 192(a), felony sex offenses requiring registration pursuant to penal Code Section 290 and attempts to commit these crimes;
- Adults convicted of any felony offense;

Note: Samples are required even if the defendant receives a referral to Drug Court, a deferred entry of judgment, or Proposition 36 probation.

- Adults convicted of any misdemeanor offense and have a prior felony conviction;
- Adults who enter a misdemeanor plea conditioned upon the taking of DNA sample and handprint impressions;
- Adults currently required to register for felony or misdemeanor offenses pursuant to Penal Code Sections 290 and 457.1;
- Adults currently on probation (felony or misdemeanor) or parole and have a prior felony conviction or a prior sustained petition for a felony;
- Any person from out of state who is accepted into California for custody, probation or parole pursuant to interstate compact with a qualifying offense or prior felony record;
- Federal prison inmates with a California or out of state qualifying offense who have a nexus to California (release in California) and the FBI Director approves;
- Any person housed in a mental health facility or sex offender treatment program who has been charged with a felony offense; and,

This includes individuals who are:

- Found incompetent (to stand trial);
- Found not guilty by reason of insanity;
- Found to be a mentally disordered sex offender; or,
- Found to be a sexually violent predator.

Effective January 1, 2009, all felony arrestees will be required to provide a DNA sample and handprint impressions.

JAIL DETENTION OFFICER'S RESPONSIBILITIES

With the exception of juveniles and court bookings, the assigned detention officer shall evaluate all arrestees booked into a Department jail facility to determine if a DNA sample and handprint impressions are required pertaining to Penal Code Section 296.

After an arrestee has been processed and identified via the Livescan Tenprinter, the Consolidated Criminal History Reporting System (CCHRS) will be queried and reviewed. If a

"flag" appears on the report requiring a DNA sample or if one of the aforementioned criteria exists, the arrestee will be required to provide DNA sample and handprint impressions. The arrestee will be informed of the requirement to provide a DNA sample, handprint impressions and the process of obtaining them.

A. Arrestee(s) Complaint in Providing DNA Sample and Handprint Impressions. If an arrestee is compliant, the detention officer shall obtain the DNA sample and handprint impressions and submit them to the Department of Justice (DOJ).

B. Arrestee(s) Non-compliant in Providing DNA Sample and Handprint Impressions. If the arrestee refuses to comply to provide a DNA sample and handprint impressions, the detention officer shall immediately notify a detention officer supervisor or a sworn supervisor. The supervisor shall read to the non-compliant arrestee, the admonishment from the Penal Code Section 298.1 Admonishment Form.

If the arrestee continues to be non-compliant, the supervisor shall attempt to obtain the arrestee's signature for refusal to ensure the form is completed. The non-compliant arrestee shall be transported to the Los Angeles County Sheriff Department's Inmate Reception Center and may be forced to provide the DNA sample and handprint impressions by Sheriff personnel.

Note: The Area responsible for the booking of the non-compliant arrestee shall be responsible to transport the arrestee to the Los Angeles County Sheriff Department's Inmate Reception Center to obtain the DNA sample and handprint impressions.

C. Request for Filing Charges of Refusals to Provide DNA Sample and Handprint Impressions. In order to seek an additional filing charge for the refusal to provide a DNA sample and handprint impressions, the detention officer shall either complete a Follow-up Investigation Report, Form 03.14.00, or an arrest report to document the refusal.

A Follow-up Investigation Report 3.14, shall be completed and approved by a detention officer supervisor or a sworn supervisor for:

- All open charge misdemeanor arrests requiring no follow-up investigations; and,
- All open charge felony arrests and open charge misdemeanor arrests requiring follow-up investigations.

An arrest report shall be completed by the detention officer and approved by a sworn supervisor on all warrant arrests. The detention officer shall forward the originals and copies of the approved reports to the appropriate entities.

Supervisor's Responsibilities. Upon notification by a detention officer of an arrestee's refusal to provide a DNA sample and handprint impressions, a detention officer supervisor or a sworn supervisor shall:

- Read the admonishment from the Penal Code Section 298.1 Admonishment Form to the non-compliant arrestee and ensure the form is properly completed; and,

- Review and approve any Follow-up Investigation Reports or arrest reports completed by detention officers pertaining to the arrestees' refusals.

Note: Arrest reports shall only be approved by a sworn supervisor.

635. PHOTOGRAPHING ARRESTEES AND SUSPECTS.

635.05 LIVESCAN DIGITAL CAMERA USE. The digital camera used in conjunction with the Livescan Tenprinter shall be used only for photographing persons:

- Who are booked on formal charges; OR,
- For whom an elimination is being conducted to positively identify a person by prints who is not being booked at the time, but who may be booked after a positive identification is made.

Note: Instructions for the operation of the digital camera shall be established and published by Records and Identification Division.

635.10 PHOTOGRAPHING INMATES. The following persons who are booked shall be photographed using the digital camera used in conjunction with the Livescan Tenprinter:

- All adults; and,
- All juveniles, 12 years of age or older, taken into custody pursuant to Section 602 WIC.

All arrestees fingerprinted on the Livescan Tenprinter shall be photographed following the procedure established by Records and Identification Division.

- Room light shall be turned off, camera lights shall be turned on. All three camera lights shall be lit during the photography session. Custody Services Division personnel shall not adjust or change camera light bulbs or adjust camera lights.
- Arrestee should be positioned standing on footprints on floor, with head straight, eyes open, but not exaggerated, and without shadows appearing in the background.
- A minimum of one frontal and one oblique digital mugshot image shall be captured.
- If an arrestee is wearing glasses, a minimum of one frontal, with and without glasses, plus one oblique, with and without glasses, digital mugshot images shall be captured.
- If an arrestee has scars, marks or tattoos in the publicly visible areas of the body, a maximum of three digital mugshot images shall be captured.

Note: No photographs shall be taken showing the private parts of any inmate for the sole purpose of proving the sex of the individual.

- "P" photographs can not be taken with the Livescan digital mug shot camera. Check with Photography Section, Technical Investigation Division, for procedure and camera to be used for taking "P" photographs.

Note: Situations may arise when a juvenile, regardless of age, is arrested for a 601 WIC (gang member) violation or a juvenile under 12 years of age is arrested for a 602 WIC (serious crime, multiple offender) violation and should be photographed. Such additional photographing shall be at the discretion of the Area juvenile coordinator after appropriate review. During off-hours, the watch commander shall make this determination.

Juveniles taken into custody for a 300 WIC violation shall be issued a booking number regardless of age; however, the juvenile shall not be photographed as part of the booking process. Separate photographs for investigative purposes only are permissible.

Exceptions: Persons booked for 647(f) PC (Drunk), 23152 VC (DUI), misdemeanor traffic warrants, or non-criminal detention need not be photographed unless there exists an independent necessity for photographs (e.g., indications of possible involvement in other criminal activities).

Females who are to be booked at the Los Angeles County Jail shall be photographed at the closest LAPD jail facility prior to transporting to the Los Angeles County Jail. Officers shall obtain a booking number prior to taking photographs.

When the digital mug shot camera used in conjunction with the Livescan Tenprinter is inoperative, arrestees shall be transported to the nearest Department booking facility with an operational Livescan Tenprinter/digital mug shot camera for fingerprinting and photographing.

Note: The Los Angeles County Booking and Property Record is generated at time of booking on Livescan Tenprinter.

635.15 PHOTOGRAPHING INMATES IN A COUNTY FACILITY. Upon notification from Detective Support and Vice Division, the Photographic Section Technical Investigation Division shall photograph any LAPD arrestee confined in a Los Angeles County facility.

635.20 VERIFICATION OF PHOTOGRAPHS PRIOR TO RELEASE.

Releasing Employee's Responsibility. Prior to releasing an inmate, the releasing employee shall:

- Ensure a positive identification confirmation of the inmate has been received via the Livescan. Refer to section 4/625.20 of the Department manual;
- Ensure that the necessary photographs of the inmate have been taken (This information is contained in the Custody Record page of the Los Angeles Consolidated Booking Form, Form 05.01.00); and,
- When it is necessary to transport an inmate to have photographs taken, notify the watch commander of the jail facility having custody of the inmate.

Supervisor/Watch Commander's Responsibility. When notified that it is necessary to transport an inmate for photographing, the supervisor/watch commander shall arrange transportation to the nearest Department facility having an Identification Camera.

Transporting Officer's Responsibility. Officers transporting an inmate for the purpose of photographing prior to release shall:

- Ensure that the release forms have been completed; and,
- Release the inmate immediately after photographing.

635.25 PHOTOGRAPHING PROCEDURE.

Inmate. The employee photographing an inmate shall follow the procedure as outlined in Manual Section 4/635.10.

Photographing Procedure-Identification Purposes. When a person other than an inmate is to be photographed for immediate identification purposes, the employee taking the photographs shall:

- Use a self-developing camera and black and white film;

Exception: The Identification Camera shall be used when a photographic negative is necessary or a self-developing camera is not available.

- Use a Photo ("P") number instead of a booking number;

Note: Obtain the "P" number from Photographic Section, Technical Investigation Division. If TID is closed, obtain the "P" number from Detective Support and Vice Division.

- Place a "P" cover on the mug board covering the letters "**BK**" and the first two adjacent booking numerals, set number tabs to show the five digits of the "P" number;
- Take one front view photograph;
- Enter the name photographed and the "P" number on the Record of Inmate Photographs, Form 12.06.00;
- Complete one copy of the Photographic Services Request, Form 15.44, in its entirety, including the requesting officer's Area and watch, and forward it to the Photographic Section, Technical Investigation Division.

645. CUSTODY AND RELEASE OF ARRESTEE'S PERSONAL PROPERTY.

645.05 LOCATION OF ARRESTEES' VEHICLES. When an arrestee's vehicle is not impounded or otherwise disposed of, officers shall indicate on the Booking and Identification Record and on the appropriate arrest report the exact location where the vehicle was parked.

645.10 RESPONSIBILITY FOR CUSTODY OF ARRESTEE'S PROPERTY. The searching officer (arresting officer, transporting officer, or division searching officer) shall be responsible for the care and custody of an arrestee's personal property until the searching officer's name is entered on the Booking and Identification Record. After the searching officer's name has been entered on the Booking and Identification Record, the booking employee shall be responsible for the care and custody of the property until it is transferred or released.

Note: At the time of booking, the completed Page 3 of the Booking and Identification Record shall be placed in a new polyethylene inmate property bag, with the inmates personal property, in such a manner that the identification information is visible.

645.11 RESPONSIBILITY FOR CUSTODY OF ARRESTEE'S PROPERTY RECEIVED FROM OUTSIDE AGENCIES. Prior to accepting custody of an arrestee from an outside agency, officers shall ensure that the arrestee's property is properly inventoried. Officers accepting custody of an arrestee with personal property from an outside agency shall:

- Ensure that the arrestee inventories all personal property and notifies the outside agency detention officer of any discrepancy prior to the arrestee signing for the property;
- Request that the arrestee's property be placed in a sealed bag or container; and,
- Whenever practicable, ensure that the arrestee and the property are not separated prior to booking into Department facilities.

When a discrepancy is disclosed as a result of the arrestee's inventory of the personal property, the transporting officers shall:

- Ensure that a supervisor of the agency having custody of the arrestee has been notified of the discrepancy; and,
- Telephonically notify their Area watch commander of any discrepancy not resolved by the outside agency supervisor and the arrestee.

645.12 DISPOSITION OF MISDEMEANOR ARRESTEE'S PERSONAL PROPERTY AT ARRAIGNMENT. The concerned officer having custody of a misdemeanor arrestee at time of arraignment shall maintain custody of the arrestee's personal property until after the arraignment. The property shall be released to the arrestee when he is released from custody, or to the Sheriff's Court Detail when transferred to the custody of the Sheriff.

645.16 ARRESTS OF POLICE RESERVE CORPS MEMBERS. When a police reserve officer is arrested, the watch commander from the area of arrest shall:

- Immediately notify the police reserve officer's commanding officer of the arrest.

Note: When the concerned police reserve officer's commanding officer is not available, the watch commander in the police reserve officer's Area of assignment shall be notified.

- Notify the police reserve officer's **bureau** commanding officer and request booking advice.

Note: When the concerned bureau commanding officer is unavailable, the notification and request for booking advice shall be made to a commander in that bureau. These notifications may be made through the Department Command Post, Department Operations Center (DOC), when the concerned bureau office is closed.

- Immediately notify the Department Police Reserve Corps Coordinator.
- Immediately forward any Department-issued equipment in the officer's possession along with one copy of the related arrest report, to the Officer in Charge, Reserve Coordination Division, Personnel Division.

645.18 SPECIAL OFFICER IDENTIFICATION. When an arrestee has in his/her possession Special Officer Identification issued by the Board of Police Commissioners, such identification shall be taken from the arrestee and forwarded immediately, with one copy of the arrest report, to the Commanding Officer, Commission Investigation Division.

645.20 PROPERTY TAKEN FROM AN ARRESTEE. Property which has been taken from the possession of an arrestee must be accounted for as follows:

Evidence. Property taken from an arrestee which has, or may have, evidential value must be booked as evidence. A Receipt for Property Taken into Custody, Form 10.10.00, must be issued to the arrestee at the time that the property is removed from his/her person or control. When circumstances make the immediate completion of the Form 10.10.00 impractical, it must be issued as soon as possible after the property is taken into Department custody.

The **original** of the Form 10.10.00 must be included as a page of the original Property Report, Form 10.01.00; Release from Custody (RFC) Report Continuation, Form 05.02.08; or Arrest Report, Form 05.02.00, when evidence to be booked is listed.

It is not necessary to issue Form 10.10.00 for blood and urine samples and biological smear specimens taken from an arrestee or the victim of a crime, nor is it necessary to include these items on a Form 10.10.00 used to list other property taken from an arrestee or victim.

Personal Property. An arrestee's personal property which can be contained in a property package must be delivered to the custodial detention officer at the time of booking (4/620.10). When booking an arrestee into the City jail system, items which can be contained in a property package must be listed on the Booking and Identification Record. If there is insufficient space, a Continuation Sheet, Form 15.09.00, must be used. One copy of the Continuation Sheet must be attached to each copy of the Booking and Identification Record. When an arrestee is transferred to the Los Angeles Sheriff's Department, the custodial detention officer must ensure the arrestee's personal property transferred intact to the transporting deputy.

Money. The arrestee's money must be placed in the Cash Money Booking Envelope. The arresting officer must be responsible for counting the arrestee's money, having the arrestee sign for the amount being deposited, and sealing the money envelope. The outside of the Cash Money Booking Envelope must clearly document the amount being deposited and both the arresting officer's and the arrestee's signatures must be on the envelope. When booking money in the amount of \$500.00 or more, or in the event that the arrestee refuses to sign the envelope, the amount of money being booked must be verified by a Custody Services Division supervisor or a sworn supervisor. The supervisor verification of money must take place in the presence of both the arrestee and the arresting officer prior to the arresting officer booking the money into the City jail system. The approving supervisor must indicate verification by placing his/her initials and serial number on the Cash Money Booking Envelope.

Note: If the arrestee does not have any money to be deposited with their property, a No Money Slip must be filled out by the arresting or transporting officer.

Jewelry. The arresting or transporting officer will have the arrestee remove all jewelry items. The officer will accurately describe each item on a 3" x 6" Jewelry Booking Envelope, and properly seal the Jewelry Booking Envelope with a Department Evidence Seal, Form 10.12.07.

Prescription Medication. Prescription medications must **not** be booked as excess personal property at any Department facility. The detention officer must take custody of prescription medication which was in the arrestee's possession and retain it in the arrestee's personal property. Prescription medication **must** accompany an arrestee when the arrestee is transferred to another location of confinement.

Note: The prescription medication in the arrestee's possession must be prescribed in the arrestee's name. If the medication is without a prescription or is not prescribed to the arrestee, the medication must be booked as analyzed evidence.

Orthopedic or Prosthetic Devices. Orthopedic or prosthetic devices must include, but are not limited to:

- Canes;
- Crutches;
- Removable metal braces;
- Plastic braces;
- Neck braces;
- Artificial limbs; or,
- Personal mobility devices (e.g., motorized scooters, wheelchairs, walkers).

Department personnel and officers of outside agencies booking arrestees with an orthopedic or prosthetic device must transport the device to accompany the arrestee. Officers must book such arrestees at either Metropolitan Detention Center (MDC) or 77th Regional Jail Section.

Note: Valley Regional Jail Section can house all prosthetic devices with the exception of wheelchairs or motorized scooters. If an arrestee is in possession of a wheelchair or motorized scooter, they must be booked at MDC or 77th Regional Jail Section.

Arrestees with an orthopedic or prosthetic device **must not** be booked at any Area jail section. All orthopedic or prosthetic devices, even if they are large or heavy devices such as motorized wheelchairs or scooters, must be transported with the arrestee.

Removing Orthopedic or Prosthetic Devices. When Department personnel responsible for a Department jail facility have reasonable probable cause to believe that possession of an orthopedic or a prosthetic device by an arrestee poses an immediate risk of bodily harm to any person in the facility, or threatens the security of the facility, the device **may** be removed from the arrestee with the approval of the jail facility watch commander. If removal of the device becomes necessary, the arrestee must be examined by the on-duty physician at the respective jail facility.

Note: The arrestee will be deprived of the device only during the time that the conditions which necessitated its removal continue to exist. If such conditions cease to exist, then the device must be returned to the arrestee.

Storage of Orthopedic and Prosthetic Devices. Orthopedic and prosthetic devices must **not** be booked as excess property, and must be returned to the arrestee upon transfer to the Los Angeles Sheriff's Department or when conditions permit.

The arrestee's name and booking number must be affixed to the devices, and the devices are to be stored in a secure location within the jail. Additionally, the booking employee must annotate the Jail Custody Record of the Los Angeles Consolidated Booking Form, Form 05.01.02, indicating the temporary removal and storage of the devices.

Note: Under no circumstance will orthopedic and prosthetic devices removed from an arrestee be stored at a geographic Area excess property storage facility (e.g., Central Area Eastside Detail Property Warehouse) or any other facility besides the jail section where the arrestee is booked.

Watch Commander's/Watch Supervisor's Responsibilities. Custody Services Division Watch Commander/Watch Supervisors must ensure that the provisions of Penal Code Section 2656 are adhered to relative to the medical examination of arrestees from whom orthopedic or prosthetic devices have been removed. They must also ensure that the examining physician indicates, in writing, on the Medical Record for Persons in Custody, Form General PHSOHD 15, whether or not the continued deprivation of the device would be injurious to the health or safety of the arrestee.

CHP Arrestees. Excess personal property belonging to an arrestee booked by a CHP officer on a charge within the responsibility of the CHP must be retained by the CHP officer.

Excess Personal Property. When an arrestee's personal property cannot be contained in the arrestee's property bag, it must be packaged separately as excess personal property. Additionally, the following clothing items must be classified and handled as excess personal property:

- Hats and any other non-essential clothing items; and,
- Jackets or T-shirts which, due to their construction or design, may be construed as a possible security threat (i.e., cords, strings, metal parts, gang logos, racially or ethnically offending material).

Note: In such cases where basic clothing is to be removed, the arrestee must be issued Department supplied jail clothing, per Department Jail Operations Manual Section 2/213.03.

Department personnel booking an arrestee's excess personal property must:

- Complete the Excess Personal Property Receipt, Form 10.08.00, itemizing the property;
- Provide the advisement notated in bold to the arrestee;
- Write his/her name and serial number in the "Advising Employee/Serial No." boxes;
- Hand deliver the original copy of the Excess Personal Property Receipt, Form 10.08.00, to the arrestee;

Exception: If the Excess Personal Property Receipt cannot be hand-delivered to the arrestee due to an extenuating circumstance (e.g., medical treatment, arrestee transferred to another City jail facility before completion of the form, mass arrests), the issuing officer must mail the original copy to the arrestee's residential address.

- Complete the Personal Property Envelope, Form 10.13.01;
- Gather all excess personal property into a single bundle and ensure it is securely fastened;
- Attach the completed Excess Personal Property Receipt, Form 10.08.00, and the Personal Property Envelope, Form 10.13.01, to the outside portion of the bundle; and,
- Deposit the excess personal property with the detention officer receiving the arrestee.

Exception: Excess personal property of an arrestee booked directly into a County jail facility or Metropolitan Detention Center will remain at Metropolitan Detention Center. Excess personal property of an arrestee booked directly into Valley Regional Jail Section will remain at Valley Regional Jail Section.

The receiving Area jail must retain unclaimed excess personal property for a minimum of 24 hours after the arrestee has been released or transferred. After the 24-hour minimum, unclaimed excess personal property must be transferred to the Area property room from an Area jail.

Unless released to the arrestee or his/her agent within 30 days, the property must be transferred as indicated below:

- All Metropolitan Area divisions and Harbor Area - to the central property room of Evidence and Property Management Division; or,
- All Valley Areas, Pacific Area, and West Los Angeles Area - to Valley Property Section, Evidence and Property Management Division.

Unclaimed excess personal property must be held for 60 days from the date the Department took possession of the property before disposal. However, if the arrestee is to remain in custody, he/she may request, in writing, for the Department to hold the property for up to 10 months from the date the Department initially took possession of the property.

Excess personal property must not be forwarded with an arrestee to another place of confinement within the City jail system nor must it accompany an arrestee transferred into County custody.

Intra-Department Transfer of Personal Property. When an inmate is transferred from one place of custody within the Department to another, all his/her property (with the exception of excess personal property) must be transferred with him/her, accompanied by the Jail Transfer Record, Form 06.11.00. However, when an inmate is taken temporarily from a place of confinement by officers of the Department and will be returned to the same place, his/her property need not be so transferred.

Inscribed or Numbered Property. An arrestee's personal property which bears an inscription or number must be reported on the Booking and Identification Record.

Animal. When an arrestee's animal has been placed in the care of an animal shelter, a notation indicating the type of animal and the address of the shelter must be made on the Booking and Identification Record.

Bicycles. When bicycles are booked as excess personal property, the booking officer must query the frame number of the bicycle in the Automated Property System (APS). The booking officer must also list the frame number, make, model and speed on the Inmates Excess Form. A copy of the APS printout must be attached to the form. If APS shows that the bicycle is stolen, the bicycle must be booked as evidence.

Property Contaminated with Biological Waste or infectious Material. Excess personal property contaminated with biological matter and or infectious material must not be booked as excess personal property. The property must be disposed of by the booking officers at the time of booking. The booking officers must inform the arrestee that his/her items are being disposed of due to the hazardous/infectious nature of his/her excess property. These items will not be accepted into any Evidence and Property Management Division facility.

Cremated Human Remains. Cremated human remains will not be accepted as excess personal property. These items must be released to next of kin or kept with the arrestee's wallet, identification, money or prescription medication. The cremated human remains must follow the arrestee and be returned to him/her upon release.

645.22 RETURNING EXCESS PERSONAL PROPERTY TO ARRESTEE. When an arrestee is released from custody, the releasing detention officer shall:

- If the excess personal property is being stored in the jail releasing the arrestee, cause the excess personal property to be released to the arrestee.
- If the excess personal property is stored at a location other than the jail releasing the arrestee, direct the arrestee to appear at the location at which his/her excess personal property is being stored with the original copy of the excess personal property receipt to claim the property.

645.23 RECEIPT FOR PROPERTY RELEASED. When an arrestee's property is released, receipts shall be obtained as follows:

Jail Custody Record, Form 05.01.00. When an inmate is released, the employee releasing the inmates personal property shall:

- Establish positive identification and require the inmate to sign the Jail Custody Record, Page 5 of the Booking and Identification Record, Form 05.01.00;
- Staple the Property Record, Page 3 of the Form 05.01.00, to the Jail Custody Record, Page 5, and,
- Allow the inmate to retain the Inmates Receipt, Page 4 of the Form 05.01.00.

Excess Personal Property Receipt, Form 10.08.00. When excess personal property is released to an arrestee or the arrestee's agent, the employee releasing shall establish positive identification and require the receiving person to sign the copy (manila) of the Excess Personal Property Receipt in the space provided. Property shall be released to the arrestee's agent when the agent's name appears in the box titled "Name of Arrestee's Agent" and the arrestee has signed and dated the adjoining box titled "Authorization for Release" at the bottom of the arrestee's copy of the Excess Personal Property Receipt.

Release of an Arrestee's Animal. The arrestee's copy of the Animal Relinquishment and Impound Record will be authorization for release of the animal when presented to the concerned animal shelter.

Exception: Animals which are being held as evidence will not be released except upon telephonic authorization from the Police Department.

Property Release, Form 06.08.00. When all or part of an arrestee's property booked *personal* is released during his/her confinement, the arrestee, or other person receiving the property, shall be required to sign the Form 06.08.00 in the space provided. The prepunched number on the inmate bag shall be recorded on the Form 06.08.00. Property booked *personal* may be released to a person other than the arrestee provided the arrestee signs a Property Release, Form 06.08.00. The person receiving the property shall also be required to sign the Form 06.08.00.

A felony arrestee's personal property shall not be released without the approval of the concerned investigating officer.

Exception: When Jail personnel are requested to release items of a felony narcotics arrestee's personal property, but the request has not been approved by the concerned investigating officer, Jail personnel shall:

- Contact the arrestee and obtain his/her authorization to release the property;
- Attempt to obtain telephonic approval for release *or* direction to retain the property from the assigned detective or his/her supervisor;
- Contact a Jail supervisor for authorization to release personal property when the assigned detective or his/her supervisor cannot be contacted.

When it is determined that personal property should be retained for additional investigation, the detective or supervisor making the determination shall cause the property to be immediately removed from the arrestee's personal property and booked as evidence.

Note: Approval is not required when a misdemeanor or felony arrestee authorizes the release of money from his personal property.

645.25 PROPERTY DEPOSITED FOR AN INMATE. When a person wishes to deposit property for an inmate:

- The property shall be accepted only at the jail where the inmate is confined. The acceptability of such property shall be determined by the watch commander.
- Only money and physical aids, such as eyeglasses or crutches, shall be accepted.
- A Form General 30 receipt shall be completed. The original copy shall be given to the depositor and the second copy retained in the book to be placed in division files.
- The property shall be entered on the Custody Record page of the Booking and Identification Record, along with the last name and serial number of the person receiving it.
- When the property is to be deposited in the inmate property bag, a new bag shall be utilized. The prepunched number of the inmate property bag shall be recorded on Page 3 (Property Record) of the Booking and Identification Record, followed by the last name and serial number of the officer adding the personal property.

645.30 DISPUTES OR DISCREPANCIES INVOLVING PERSONAL PROPERTY OF AN ARRESTEE. When there is a dispute or discrepancy concerning an arrestee's personal property, the watch commander shall be notified. If two arrestees booked in company of each other disagree as to which one owns any personal property found in the possession of one of them, the property shall be booked to the person in whose possession it was found.

646. SUPPLEMENTAL CHARGE - BOOKED INMATE.

646.05 SUPPLEMENTAL CHARGE - DEFINED. A Supplemental Charge is a charge which is placed against a person who has previously been booked and is still in the custody of the Department.

646.10 RECORDING SUPPLEMENTAL CHARGES. Supplemental charges placed against an inmate shall be recorded on the Supplemental Charge Record, Form 05.08.00, and shall be entered additionally on the Custody Record page of the Booking and Identification Record. A Disposition of Arrest and Court Action Report, Form 05.09.00, shall be completed when required (5/5.9).

Exception: When it is learned that a person under the age of eighteen years has been booked as an adult or that a person booked as a juvenile was eighteen years of age or over at the time of the commission of the crime, the concerned investigating officer shall follow the procedures provided by 4/705.62 or 4/705.63.

646.12 SUPPLEMENTAL CHARGE TELETYPES - WHEN REQUIRED. When a Supplemental Charge Record, Form 05.08.00, is completed, the detention officer completing the form shall cause a Supplemental Charge Teletype to be sent to Los Angeles County Jail when the arrestee is an adult female (4/165.04).

646.14 MISDEMEANOR FILING ON A FELONY ARRESTEE. Detention officers who are notified of a misdemeanor filing on a felony arrestee shall:

- Complete a Supplemental Charge Record, Form 05.08.00 (5/5.8-12).
- Notify the arrestee of any change in status, bail amount, and O.R. release eligibility.
- When the arrestee is not released on bail or own recognizance, cause the arrestee to be arraigned at the next available court session.

646.15 SUPPLEMENTAL CHARGE AUTHORIZATION FOR PAROLE OR PROBATION VIOLATORS. When a parole or probation officer requests a supplemental charge be placed against a person believed to be in the custody of the Department, the officer shall be referred to any geographic Area watch commander or the watch commander of Custody Services Division.

Watch Commander's Duties. A watch commander, when requested by a parole or probation officer, shall determine if the parolee or probationer is in the custody of the Department. When the person is confined at another Department facility, the watch commander shall:

- Place a telephonic "hold" on the person with the division of confinement.
- Cause a Supplemental Charge Authorization Teletype (4/165.06) to be sent to the division of confinement.

When the person is no longer in the custody of the Department, the watch commander shall furnish the parole or probation officer with the following information, when available:

- The reason for release.

- The date, time, and court in which the person is to appear, when applicable.

The watch commander of a Department jail facility receiving a telephonic request for a parole or probation "hold" on a person confined at the facility shall verify that a Supplemental Charge Authorization Teletype has been received by the custodial detention officer within one (1) hour of the hold. If the teletype has not been received, the watch commander shall contact the person making the original notification and determine the status of the teletype or if the hold is to be canceled.

Note: The watch commander approving the booking for a parole or probation violation shall record the following information on the Booking Approval, Form 12.31.00:

- The name and telephone number of the parole or probation agent approving the hold; and,
- The time the telephonic hold was placed.

Upon receipt of the Supplemental Charge Authorization Teletype, the concerned watch commander of the jail facility shall:

- Cause a Supplemental Charge Record, Form 05.08.00, to be completed for the parole or probation hold; and,
- Ensure that an **additional** Disposition of Arrest and Court Action, Form 05.09.00, is completed and attached to the custody Record.

Note: The Form 05.09.00 shall follow the arrestee to court.

Transfer to Los Angeles County Sheriff's Department. When an arrestee who has a violation of probation or parole charge pending is transferred to the custody of the Sheriff's Department, a copy of the Supplemental Charge Authorization Teletype shall be given to the deputy accepting custody of the arrestee.

648. MEDICAL TREATMENT OF ARRESTEES/INMATES.

648.03 PRE - BOOKING MEDICAL SCREENING OF ARRESTEES.

Arresting Officer's Responsibilities. Arresting officers shall complete an Los Angeles County Unified Arrestee Medical Screening Form, Form SH-R-422, for each arrestee who is **booked and detained** in a Department jail facility or a County jail facility.

Note: Completion of the form is not necessary if an arrestee is released on his or her own recognizance, released on a Non - Traffic Notice to Appear, Form 05.02.02, or immediately posts cash bail.

When an arrestee receives medical treatment for any illness or injury prior to booking, officers shall complete a Los Angeles County Unified Arrestee Medical Screening Form, Form SH-R-422, at the time of the medical treatment and have any additional examination required by

answers to questions on the form done at the time of the medical treatment. Additionally, officers shall complete an Inmate Classification Questionnaire and Record of Medical Screening, Form 05.36.00, to detail information related to the housing of arrestees and their medical needs.

Note: The booking officer shall fill in the total time required for medical treatment (MT) on the Rapid Booking Slip. MT does not include time at a contract hospital.

An officer booking a 647(f)PC arrestee, or any arrestee whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment shall have the arrestee evaluated at a Department jail dispensary by medical staff and present the arrestee to Custody Services Division staff along with the Sobering Cell Inmate Welfare Form and the Inmate Classification Questionnaire and Record of Medical Screening as delineated by Department Manual Sections 4/654.

Detention Officer's Responsibility. Detention officers shall complete the Jailer's Assessment on each Los Angeles County Unified Arrestee Medical Screening Form as well as review the section completed by the arresting officer and the Inmate Classification Questionnaire and Record of Medical Screening, Form 05.36.00. If the answer to any questions on the form is "yes," detention officers shall determine if the arrestee can be properly detained in the booking facility. Detention officers shall ensure that any necessary special confinement or in-custody care is provided.

648.05 MEDICAL TREATMENT - GENERAL. Booked and unbooked arrestee requiring mental or physical examination or treatment shall be cared for as outlined in 4/648.10 through 4/648.30. No arrestee/inmate shall be taken for any form of treatment or examination to facilities or personnel other than those outlined in these sections, except in extreme emergency.

If the arrestee is in custody for an alleged violation of California State Law and medical treatment is actually given, the officer having custody of the arrestee shall, following treatment, complete in duplicate an In-Custody Medical Treatment, Form 761472. Both copies of the Form 761472 shall be left with the treatment records at the medical facility.

Note: In the event the Form 761472 is not available at the medical facility where treatment is given, officers shall, as soon as practicable after processing the arrestee, ensure that the forms are obtained, completed, and forwarded to the medical facility where the arrestee was treated.

648.07 MEDICAL TREATMENT REQUIRED WHEN A CAROTID UPPER BODY CONTROL HOLD IS USED. Whenever a modified carotid, full carotid, or locked carotid upper body control hold is used, the suspect shall be immediately examined by a physician at a contract hospital or jail dispensary.

Note: If the suspect is rendered unconscious and fails to regain consciousness immediately, officers shall request an ambulance.

648.10 MEDICAL TREATMENT OF UNBOOKED ARRESTEES. An officer having custody of an unbooked arrestee who is, or complains of being ill, injured or in need of medication shall:

- Ensure the arrestee is examined at a Department Jail Dispensary, a Los Angeles County Medical Center, or a hospital;

Note: When emergency medical attention is necessary, officers shall be guided by Department Manual Section 4/210.15. Additionally, when an arrestee is transported to a private hospital by a City rescue ambulance (RA), necessary treatment may be performed at the hospital.

- Obtain a copy of the facility's medical treatment record completed by the examining physician, including a statement of the circumstances which will be used as a medical authorization to book;
- When the examining physician recommends continued medical attention or scheduled dispensing of prescribed medication, but not hospitalization, book the arrestee at a facility capable of administering to the arrestee's medical needs;

Note: Due to confidentiality issues when someone is given medical treatment for a specific medical illness (e.g., high blood pressure, tuberculosis), not related to the arrest/crime, the illness shall not be documented in the report unless it is an element of the crime [e.g., California Penal Code Section 647(f) and Health and Safety Code Section 120291];

- Give the medical treatment record to the booking employee; and,
- If the arrestee requires medical treatment at a jail dispensary, the booking officer shall complete the total time required for medical treatment on the Rapid Booking Form, Form 10.08.04. Medical Treatment does not include the time spent at a hospital.

Arrestees Who Have Ingested Narcotics. When an employee believes that an arrestee has ingested narcotics or any other substance which could present a health hazard to the arrestee, the employee shall:

- Summon a City RA for assessment and treatment without unreasonable delay;

Note: Arrestees may be detained in Custody Services Division facilities only with approval of the Los Angeles County-University of Southern California Medical Center (LAC-USCMC) or a hospital physician.

- Advise the attending physician of the situation, including an estimate of the amount of time elapsed since the drugs were ingested, and, if possible, the type, quantity, and packaging of the drugs ingested;
- Obtain a copy of the medical treatment record completed by the examining physician;
- Book any evidence obtained as a result of the medical treatment in accordance with established procedures; and,

- Include in the arrest report, as detailed statement of the medical treatment received and/or prescribed.

Arrestees in Possession of Prescription Medication. When persons to be booked and detained in Department custody have prescription medication in their possession, officers shall transport them to the Custody Services Division dispensary for medical evaluation prior to completing the booking process.

Exception: When persons in Department custody are to be booked and immediately released, a medical evaluation is not necessary.

Arrestees in Custody of an Outside Police Agency. An ill or injured person, or an individual complaining of illness or injury, in the custody of officers of an outside police agency (Department Manual Section 4/850) and presented for booking at a Department jail facility, shall not be booked without written medical authorization.

Arrestees to be Hospitalized. When the examining physician recommends hospitalization, an officer having custody of the arrestee shall:

- Obtain a copy of the facility's medical treatment record;
- Cause the arrestee to be transported to LAC-USCMC Jail Ward and give the medical treatment record to the booking deputy;

Note: When transportation by ambulance is required and the City RA is unable to transport, request transportation through the County Rescue-Ambulance Department, LAC-USCMC.

- Complete a Booking and Identification Record, Form 05.01.00;
- Telephonically notify Criminal Records Section, Records and Identification Division and report the arrestee information on the first nine lines of the Booking and Identification Record;
- Telephonically notify the Latent Print Unit, Technical Investigation Division and advise prints are needed;
- Telephonically notify the Photography Unit, Technical Investigation Division, and advise that photographs are needed;
- Package the arrestee's personal property (Department Manual Section 4/604.45);
- Deposit excess personal property at Evidence and Property Management Division (Department Manual Section 4/645.20); and,
- Submit the necessary reports at the Area where the reports will be processed (Department Manual Section 5/5.2-10).

Arrestees Refused Hospitalization at Los Angeles County-University of Southern California Medical Center (LAC-USCMC) Jail Ward. When the physician refuses to admit the arrestee to the Jail Ward, an officer shall:

- Obtain a Medical Record, County Form 260, containing the reason for referral;
- Book the arrestee at the appropriate *County* jail facility; and,

- Give the County Form 260 and the medical treatment record to the booking deputy.

Arrestees who Refuse or Deny Medical Treatment. When an arrestee who is or appears to be ill, injured, in need of medication, or in need of medical attention **refuses** medical treatment, officers shall ensure the arrestee is examined by medical personnel in accordance with established procedures. If the arrestee continues to refuse treatment after being examined by medical personnel, the arresting officers shall obtain two copies of the examining facility's medical treatment record. One copy shall be submitted to the detention officer at the time of booking and one copy shall be attached to the arrest report. The arrestee's refusal shall be thoroughly documented in the narrative of the arrest report.

648.11 MEDICAL TREATMENT REQUIRED WHEN LESS-LETHAL CONTROL DEVICE IS USED.

Beanbag Shotgun and 40mm Less -Lethal Launcher. Any person struck with either a Beanbag Shotgun sock round or a 40mm eXact iMpack round, shall be transported to a Department approved facility for medical treatment prior to booking. The person should be carefully monitored for signs of distress. If a medical emergency exists, officers shall request a rescue ambulance to respond to their location.

Baton. Any person struck with a baton during a reportable use of force shall be transported to a Department approved facility for medical treatment prior to booking. If a medical emergency exists, officers shall request a rescue ambulance to respond to the location.

TASER. Whenever the TASER is used, and the probes and/or electrodes make contact with the suspect's clothing or skin, the suspect shall be examined by medical personnel. If the suspect loses consciousness, officers shall immediately request a rescue ambulance.

Note: Medical personnel shall include a doctor or a nurse at a contract hospital or jail dispensary.

Oleoresin Capsicum. Generally, medical treatment is not required for suspects who have been sprayed with Oleoresin Capsicum (OC). If a suspect who has been sprayed with OC experiences continued difficulty in breathing and/or vision impairment for an extended period, officers shall immediately request medical treatment.

648.12 EMERGENCY MEDICAL ATTENTION OF ARRESTEES OR BOOKED INMATES INSIDE A JAIL FACILITY. When it is first apparent that an arrestee or booked inmate inside a jail facility is in need of emergency medical attention, the employee observing such an arrestee or inmate or made aware of such a situation shall immediately notify a jail supervisor. The jail supervisor shall:

- Cause an examination to be made by a jail dispensary employee; and,

Note: In facilities without a jail dispensary, the jail supervisor shall immediately notify Communications Division and requesting that a rescue ambulance (R/A) and a patrol unit respond to the jail Code 3.

- Immediately notify Communications Division requesting that an R/A and a patrol unit respond to the jail Code 3 if it is determined that further emergency medical attention is required.

If any Area watch commander or the Custody Services Division watch commander identifies an available patrol unit at a jail facility where an arrestee or inmate needs emergency medical attention, he or she may assign that unit to accompany the transporting R/A. Once a unit has been designated to accompany the R/A, the watch commander may cancel the Code 3 call.

An arrestee or inmate shall be considered to be in need of emergency medical attention when:

- The arrestee or inmate is intoxicated at the time of arrest and remains incapacitated after two hours; or,
- The arrestee or inmate is unconscious; or,
- Any delay in medical treatment might result in further complications.

For additional responsibilities including those for non-emergencies refer to Section 4/648.20.

Communications Division's Responsibility. When notified of an arrestee or booked inmate requiring emergency medical attention, Communications Division shall contact the Los Angeles Fire Department to request an R/A, and dispatch a patrol unit to the jail Code 3 utilizing the standard call selection sequence.

Pregnant Inmates. Any female arrestee or inmate that claims to be pregnant shall be taken to a jail dispensary for a pregnancy test. If the result is positive, or the arrestee or inmate claims to be pregnant but refuses to be tested, the arrestee or inmate shall not, under any circumstance, be handcuffed with their hands behind their back. A pregnant arrestee or inmate shall be advised of the standards and policies that govern pregnant inmates, including the provisions of California Penal Code Sections 3400 through 3409 (also refer to Board of State and Community Corrections, Title 15, Section 1058.5).

If it becomes necessary for the safety and/or security of the arrestee or inmate, staff, or others to restrain a pregnant arrestee or inmate, the watch commander or supervisor shall be informed and the reason for the restraint shall be documented in all relevant Department reports. A pregnant arrestee or inmate in labor, during delivery, or in recovery after delivery, shall not be restrained by the wrists, ankles, or both, unless deemed necessary for the safety and/or security of the arrestee or inmate, staff, or others. Restraints shall be removed when a professional who is responsible for the medical care of the pregnant arrestee or inmate during a medical emergency, labor, delivery, or recovery after delivery, determines that the removal of the restraints is medically necessary. Restraints placed pursuant to this paragraph shall be placed

only for the period during which the safety or security threat exists, and shall be removed when they are no longer deemed necessary for safety and/or security purposes.

648.13 TRANSPORTING INJURED SUSPECTS/ARRESTEES/INMATES. Suspects, arrestees and inmates that require routine medical treatment may be transported in a police vehicle to a Department Jail Dispensary, the Los Angeles County-University of Southern California Medical Center (LAC-USCMC), or a hospital. When suspects, arrestees or inmates require emergency medical attention, they shall only be transported via City rescue ambulance (Department Manual Section 4/210.75). When it is necessary to transport a suspect, arrestee or inmate by ambulance, generally at least one officer shall accompany the suspect, arrestee or inmate in the ambulance.

Officers shall accompany all restrained suspects, arrestees or inmates being transported to the hospital by rescue ambulance. This will ensure that adjustments to the restraints (e.g., handcuffs and Hobble Restraint Device) can be made, as necessary, for medical treatment and allow for the overall management and safety for all. Officers shall ensure that neither the transport method nor the restraint(s) involve a substantial risk of positional asphyxia and shall reasonably monitor all restrained individuals for signs of asphyxia, consistent with Department Manual Section 4/217.38.

Fire Department personnel may require that the restraints be removed in order to provide appropriate medical treatment. In those cases, the officer shall closely monitor the suspects, arrestees or inmate.

Exception: When an issue arises between Department personnel and the treating or the transporting Fire Department personnel, Department personnel may seek the advice of an on-scene supervisor or the on-duty watch commander; however, they shall not delay the transportation. If Fire Department personnel refuse to allow an officer to ride in the ambulance or an officer cannot be reasonably accommodated in the ambulance due to necessary medical treatment, at least one officer shall ride in the front passenger seat of the rescue ambulance or follow the rescue ambulance in their assigned police vehicle. Thereafter, the officer(s) shall document the incident on an Employee's Report, Form 15.07.00, addressed to the commanding officer of the involved Department entity. The concerned divisional watch commander shall log the incident in his or her Watch Commander's Daily Report, Form 15.80.00, and attach the Employee's Report.

Note: When the suspect's clothing or other items with the suspect have evidentiary value and cannot be removed prior to transportation, the assigned officer shall ensure that the chain of custody of such evidence is documented in the appropriate report.

648.14 NOTIFICATIONS WHEN INMATE DIES IN A DEPARTMENT JAIL FACILITY. A detention officer, upon learning of the death of an inmate in a Department or city jail or detention facility, shall notify the on-duty watch commander who shall then notify:

- The Officer in Charge, Jail Operations Section, Custody Services Division.
- The Department Command Post, Department Operations Center (DOC).

- A supervisor of the concerned agency, when the arrestee is booked by an agency other than this Department; and,

Note: During off-hours, notification shall be made to the Watch Commander, Metropolitan Jail Section, Custody Services Division.

- The Commanding Officer, Force Investigation Division.

The Commanding Officer, Force Investigation Division (FID), is responsible for ensuring that the Supervisor, Jail Dispensaries, Medical Services Division, Personnel Department, and the Director, In-Custody Review, Board of State and Community Correction (pursuant to California Senate Bill 519) are notified.

Note: Per California Senate Bill 519, the Commanding Officer, FID, shall also notify the Board of State and Community Corrections when a juvenile is the subject of an In-Custody Death Incident within a Department or city jail or detention facility.

Notification shall be routinely made as soon as practicable during normal duty hours, Monday-Friday, 0730-1630 hours.

Note: The FID investigating officers shall be responsible for advising Department personnel of information to be included in administrative reports required as a result of the death of an inmate held in a Department jail facility.

As per California Assembly Bill 2761, when a person who is in custody dies, the agency with jurisdiction over the state or local correctional facility with custodial responsibility for the person at the time of their death shall, consistent with reporting requirements pursuant to Section 12525 of the Government Code, post all of the following on its internet website:

- The full name of the agency with custodial responsibility at the time of death;
- The county in which the death occurred;
- The facility in which the death occurred, and the location within that facility where the death occurred;
- The race, gender, and age of the decedent;
- The date on which the death occurred;
- The custodial status of the decedent, including, but not limited to, whether the person was awaiting arraignment, awaiting trial, or incarcerated; and,
- The manner and means of death.

Within **five calendar days** of the incident, FID shall provide the above information to Media Relations Division (MRD). Media Relations Division shall post the above information on the Department's website within **ten calendar days** of the incident.

If any of the above information changes, including but not limited to, the manner and means of death, FID shall notify MRD of the changes within **15 calendar days** from the date that FID becomes aware of the changes. If notified by FID of any changes, MRD shall update the posting within **thirty calendar days** of the change.

If the Department seeks to notify next of kin and is unable to notify them within ten calendar days of the death, the Department shall be given an additional ten calendar days to make good faith efforts to notify next of kin before the information is posted.

Procedures for transferring an inmate's personal property to the Coroner and making the appropriate inmate release notification when an inmate dies in a Department jail shall be performed in accordance with Department Manual Section 4/238.65.

OR DIVISION JAIL. A detention officer, upon learning of an inmate receiving an injury while in an Area or division jail, shall:

- Notify the Officer in Charge, Jail Operations Section.
- Notify the watch commander.
- Notify the Department Command Post, Department Operations Center (DOC).

Note: When the injury received is such that medical treatment appears necessary, the procedures set forth in 4/648.20 shall apply. During off-hours, notifications shall be made to the Watch Commander, Metropolitan Jail Section.

648.16 MEDICAL TREATMENT FOR ARRESTEES UNDER THE INFLUENCE OF PHENCYCLIDINE (PCP). All arrestees who exhibit objective symptoms of being under the influence of phencyclidine (PCP) shall receive medical treatment prior to booking as outlined in 4/648.10.

648.17 PRE - BOOKING MEDICAL TREATMENT OF DRIVING UNDER THE INFLUENCE ARRESTEES - EC/IR READING OF .30 OR HIGHER. When an arrestee detained for suspicion of driving under the influence elects to take a breath test, and the EC/IR reading is .30 percent or higher, the arresting officers shall:

- Record the test result on the Los Angeles Police Department EC/IR Operator Checklist, Form 05.20.07;
- Ensure the arrestee is physically examined by medical personnel as outlined in Department Manual Section 4/240.10;
- Record the EC/IR reading on the Booking Approval, Form 12.31.00; and,
- Notify a supervisor prior to booking.

Note: If the examining physician recommends hospitalization of the arrestee, the arresting officer(s) shall be guided by the advice of the physician relative to transporting the arrestee to the location of booking.

Supervisor's Responsibilities. Upon being notified by the arresting officers that an arrestee has a .30 percent or higher EC/IR reading, the concerned supervisor shall ensure:

- The arrestee has been physically examined by medical personnel;
- The results of the EC/IR are noted on the Booking Approval; and,
- The booking/custody location of the arrestee is in accord with the recommendations of the examining physician.

648.18 NON - ARRESTEES WHO REFUSE, DENY, OR REQUEST MEDICAL TREATMENT. If a non-arrestee, such as a victim or witness, requests medical treatment, officers shall determine whether the request is an emergency. If it is an emergency, officers shall summon an ambulance. If it is not an emergency, officers shall advise the non-arrestee to seek private medical treatment.

If a non-arrestee appears to need emergency medical treatment, but refuses and/or denies the need for such treatment, officers shall request an ambulance and allow ambulance personnel to document the non-arrestee's refusal and/or denial.

Note: Non-arrestees who refuse and/or deny emergency medical treatment shall be encouraged to stay at the location to await ambulance personnel. However, if non-arrestees insist on leaving the location, officers have no authority to stop them. An effort should be made to document a non-arrestee's refusal and/or denial with the non-arrestee's signature on the appropriate crime report or in the Field Officer's Notebook before the non-arrestee leaves the location.

Non-Custodial Individuals Claiming Injury Due to Department Employee Actions. When circumstances indicate that a non-custodial individual may have been, or claims to have been, injured by a Department employee, the investigating supervisor shall ensure that the individual receives a medical examination or evaluation (4/210.34).

648.20 MEDICAL TREATMENT OF BOOKED ARRESTEES. The responsibility for obtaining medical treatment for an inmate shall rest with the employee who has physical custody of the inmate. When any employee becomes aware that an inmate confined in any place of detention is, or complains of being, in need of medical treatment, the employee shall immediately notify a jail supervisor. The jail supervisor shall cause an examination to be made by a jail dispensary employee. If it is determined that an inmate needs further medical attention, or the facility does not have a jail dispensary, the jail supervisor shall contact Communications Division and request a police unit from the arresting officer's Area/division of assignment Code two to transport the inmate to a medical facility.

Note: For emergencies, in addition to the responsibilities listed below, refer to Department Manual Section 4/648.12.

Employee's Responsibilities. An employee responsible for obtaining medical treatment (non-emergency/emergency) for an inmate shall:

- Ensure that the inmate is transported to a hospital, jail dispensary, or Los Angeles County-University of Southern California Medical Center (LAC-USCMC) for advice and/or treatment (Department Manual Section 4/210.75).
- Obtain a copy of either the Medical Treatment Record, Form PDMSD 7, or the Los Angeles Fire Department Rescue Report, Form 660. Two copies are required when the arrestee is to be hospitalized at the LAC-USCMC Jail Ward.

Exception: These forms are not required when an inmate at Custody Services Division attends a regular sick call, and no outside treatment is needed, and the visit is recorded in a City of Los Angeles, Medical Services Division, Medical Treatment Log.

- Complete an Inmate Injury or Illness Report, Form 06.34.00, in cases involving injury of any degree, hospitalization at the LAC-USCMC, or epileptic seizure. A copy of either the Medical Treatment Record, or the Rescue Report, shall be attached to the copies of the Inmate Injury or Illness Report forwarded to the Commanding Officer, Custody Services Division. When an Inmate Injury or Illness Report is not required and medical treatment is given, a copy of either the Medical Treatment Record, or the Rescue Report, shall be attached to the Inmate's Custody Record Card; and,

Exception: The Inmate Injury or Illness Report is not required in cases of epileptic seizures when a previous seizure has been reported within the past 12 months.

- Complete a crime report in addition to the Illness or Injury Report when required by circumstances of the inmates illness or injury.

Medication.

- At no time shall Department employees dispense or allow arrestees to administer to themselves, any prescription medication which was in their possession at the time of the arrest;
- Arrestees that require periodic dispensing of medication **shall** be booked at Custody Services Division facilities;
- Prescription medication may only be administered by medical personnel at Custody Services Division as directed by the evaluating physician;
- An inmate may be administered non-prescription medication (such as aspirin) only upon the inmate's request. Department employees shall not suggest any form of medication; and,
- Medication dispensed by Department employees or medical personnel at Custody Services Division shall be recorded on the back of Page 5 (Jail Custody Record) of the Booking and Identification Record. The information shall be listed under the heading **Remarks** and shall include:
 - Date, time, and type of medication dispensed; and,
 - Name of Department employee and serial number dispensing medication.

Note: At end of watch, Department employees shall ensure that the succeeding watch is made aware of those inmates requiring medication and the time intervals at which it is to be administered.

Medical Attention. When the medical authorization indicates the need for constant medical supervision but not hospitalization, the arresting officers shall transport the arrestee to the nearest jail facility capable of administering to the arrestee's medical needs.

Transferring Arrestee to Los Angeles County-University of Southern California Medical Center. When the examining clinic physician recommends hospitalization of an arrestee, the procedure as set forth in Department Manual Section 4/648.10, "Arrestee to be Hospitalized," shall be followed except the Booking and Identification Record and its included reports shall not be completed.

Communications Division's Responsibilities.

Non-Emergency Medical Attention. When notified of a booked inmate requiring non-emergency medical attention, Communications Division shall attempt to assign the Code two non-emergency medical transfer call to the Area/division that initially arrested the inmate. However, the Watch Commander, Communications Division, shall have the final authority in determining which Area/division is ultimately assigned a Code two non-emergency medical transfer call.

Emergency Medical Attention. When notified of a booked inmate requiring emergency medical attention, Communications Division shall contact the Los Angeles Fire Department to request a rescue ambulance, and dispatch a patrol unit Code three to the jail facility utilizing the standard call selection sequence.

Outside Agency Arrestees. When an inmate booked into a Department jail facility by officers of an outside police agency (Department Manual Section 4/850) complains of illness or injury, the watch commander shall:

- Make an immediate telephonic notification to a supervisor of the concerned outside agency; and,
- Cause one copy of the completed Inmate Injury or Illness Report, when applicable, to be forwarded via the United States Postal Service to that agency.

648.25 ARRESTEES WITH CONTAGIOUS DISEASES.

Screening and Booking Arrestees With Contagious Diseases. When booking an arrestee into a Department jail facility, the booking employee shall, in addition to asking if he/she is ill or injured, ask the arrestee if he/she:

- Has, or has had, tuberculosis.
- Has hepatitis or venereal disease.

- Has AIDS or is HIV positive.
- Has any other contagious disease.

If the arrestee states, or otherwise evidences, that he has such a condition or has had tuberculosis, a medical evaluation shall be obtained prior to booking. Any statement made by the arrestee regarding his condition shall be noted in the "Special Medical Problem" section of the Los Angeles Consolidated Booking Form, Form 05.01.00. The arrestee shall be booked at the facility recommended on the Medical Record for Persons in Custody, Form PDMSD 15 (M.T. Record).

Note: When an arrestee is booked into a County facility *other than* Los Angeles County Jail, a copy of the M.T. Record shall be given to the Sheriff's booking employee. The Los Angeles County Jail Facility personnel will screen arrestees for contagious diseases and obtain any necessary medical evaluations.

Contagious Arrestees Discovered in Department Jail Facilities. When it is determined after booking that an arrestee has a contagious disease and is to be transferred to another facility, the arresting officer, when available, shall transport the arrestee. (This precludes unnecessary exposure to additional officers.)

When other transportation is provided, the jail supervisor shall promptly notify the arresting officers' watch commander, who shall promptly alert the arresting officers so that they may document the contact and take appropriate hygienic measures.

648.30 VERMINOUS INMATES. Verminous inmates shall be given immediate treatment and isolated until disinfected. The watch commander shall be notified and arrangements shall be made for disinfecting premises and sterilizing bedding and clothing.

649. INMATE HYGIENE AND RECREATION.

649.10 INMATE HYGIENE. The Commanding Officer, Custody Services Division, shall ensure that inmates who remain in Department custody longer than the morning following arrest are given an opportunity to shower, shave, and brush their teeth. Hygiene supplies are available through Supply Section, Fiscal Group; however, in case of emergency, Custody Services Division maintains additional hygiene supplies.

- Hygiene periods shall be scheduled during the day as directed by the Commanding Officer, Custody Services Division.

Exceptions:

- Inmates who demonstrate a propensity toward violence or who pose a risk to the reasonable security of the jail or to the safety of themselves or other persons shall not be allowed to shower or shave until the apparent risk subsides.
- Inmates who have distinctive facial hair which may be a factor in a follow-up investigation may be restricted from shaving by the concerned investigating officer or

watch commander of the jail facility by noting the shaving restriction on the booking approval. If the booking approval is no longer available, the watch commander or concerned investigating officer shall contact and notify the custodial detention officer of the shaving restriction.

- Hygiene periods may be temporarily suspended when detention officers cannot supervise inmate showers without compromising jail security or safety. Personal hygiene periods shall be resumed as soon as practicable.

649.20 INMATE RECREATION. The Department will provide newspapers, including a Spanish language publication, and recreational material (e.g., checkers, dominoes, etc.) in sufficient quantities to ensure reasonable access to such materials by all interested inmates. Recreational supplies are available through Custody Services Division.

650. INMATES BAIL BONDSMEN AND ATTORNEYS.

650.10 ARRESTEE'S RIGHT TO AN ATTORNEY PRIOR TO BOOKING. When an attorney appears at a police facility desiring to see an unbooked arrestee in response to a direct call from the arrestee or the arrestee's sponsor, the concerned officer shall:

- Identify the attorney by means of reasonable identification;
- Promptly tell the arrestee that the attorney desires to speak to him or her; and,
- If the arrestee wishes to see the attorney, allow him or her to do so.

650.40 IDENTIFYING ATTORNEY OR BAIL BONDSMAN. When a person desiring to see an inmate states that he/she is an attorney or bail bondsman responding to a direct call from the inmate or the inmates sponsor, (4/658.10) the interviewing officer shall:

- Identify the attorney or bail bondsman by means of reasonable identification.
- Determine by interviewing the inmate that this is the particular attorney or bail bondsman he/she requested.
- If the inmate in fact requested the services of the individual, allow such person to see the inmate, utilizing the procedure in 4/650.50.

650.50 BAIL BONDS AGENT OR ATTORNEY REQUESTING TO SEE INMATE. The detention officer or police officer assigned to Custody Services Division (CSD) shall:

- When an attorney or bail bonds agent who is requested by an inmate, friend, or relative of an inmate, desires to see the inmate, enter the name of the attorney or bail bonds agent on the Inmate Visitation Record, Form 06.31.00, and complete all of the applicable sections.

Note: A bail bonds agent responding to a request made by a relative or friend of an inmate must be accompanied by such person except when the relative or friend has been contacted directly by the inmate with a request to obtain the services of a bail bonds agent.

- When the inmate wishes to see his or her attorney or bail bonds agent, allow the interview and enter the name of the attorney or bail bonds agent on the Inmate Visitation Record and complete all of the applicable sections.
- When the bail bonds agent provides his or her name for the Inmate Visitation Record, the CSD officer shall write "Bond" along with the referral source (e.g., inmate's name, relative's name) under the Type of Visit (Bond, Personal) If Bond: Referral Source box; and,
- When the inmate does not desire to meet with his or her attorney or bail bonds agent, inform the attorney or bail bonds agent of the inmates refusal. The CSD write "Refused" within the Visitation Time's Start and End boxes.

650.60 RECOMMENDING ATTORNEYS AND BAIL BONDSMEN. An employee shall not recommend or suggest an attorney or bail bondsman under circumstances arising out of the performance of his/her official duties or on behalf of any person with whom contact has been established in the performance of official duties.

650.65 INMATE REQUESTS FOR ATTORNEY AND BAIL BONDSMAN INFORMATION. Inmates requesting information concerning the services of an attorney or bail bonds agent shall be referred to the referral agency telephone numbers conspicuously posted in each jail facility or to the applicable resources available (e.g., hard copy of a phone book or other available resource).

650.70 INMATE COMMUNICATING WITH ATTORNEYS AND BAIL BONDS AGENT. If an inmate contacts an attorney or bail bondsman prior to booking, while out of jail during an investigation, or while being transported, the employee having custody of the inmate shall inform the receiving booking officer or detention officer. That booking officer or detention officer shall record the contact on the reverse side of the Custody Record page of the Booking and Identification Record, Form 05.01.00.

652. JAIL INSPECTIONS.

652.10 INMATE COUNT. Information Technology Division shall compile custody disposition data from the Consolidated Crime Analysis Database (CCAD) and forward it to the Commanding Officer, Custody Services Division, at the end of each deployment period.

Custody disposition data compiled shall include the period from 0001 hours each Sunday through 2359 hours the following Saturday.

652.20 INSPECTION OF POST BY DETENTION OFFICER. A detention officer reporting on-duty shall inspect the detention facilities, accompanied by the detention officer being relieved, and note:

- The general appearance and condition of all inmates.
- The security of the cells and doors.
- The sanitation of the premises.

A count of inmates shall be made at the beginning of each watch and compared with the roster. A check of all cells and inmates shall be made on a half-hour basis.

652.30 REPORTING JAIL INSPECTIONS. The Commanding Officer, Custody Services Division, shall maintain a file of chronological records of inspections of jail facilities by a government agency, board, Grand Jury, or official inspections by members of the Department. It shall be the responsibility of the Commanding Officer, Custody Services Division, of the premises inspected, or his/her delegate, to report any order, recommendation, or suggestion made to any person of his/her command as the result of such inspection. One copy of the report shall be forwarded to each of the following:

- Assistant to the Director, Office of Special Operations.
- Commanding Officer, concerned geographic operations bureau.
- Jail Section watch commander division files.

653. SPECIAL CONFINEMENT AND OBSERVATION OF INMATES.

653.10 PLACING AN INMATE IN SPECIAL CONFINEMENT. Special confinement of an inmate may be required when an inmate exhibits characteristics or behavior which present a clear danger to the safety of themselves or others or pose a threat to the security of the jail facility. Special confinement shall only be authorized by a Custody Services Division supervisor where the inmate is incarcerated. When an inmate is placed in special confinement, the detention/police officer shall remove any of the inmates possessions such as shoes or clothing, which could be used to injure the inmate or damage the cell. The Custody Services Division staff shall complete a Safety Observation Record, Form 06.51.00, and obtain approval for special confinement from a Custody Services Division supervisor.

An inmate shall not be routinely deprived of all clothing when being placed in special confinement. Should it become necessary to remove more of an inmate's clothing, approval shall be obtained from Custody Services Division watch commander/watch supervisor. The supervisor shall record the reason for removal of the additional items on the Safety Observation Record.

653.20 INSPECTION OF INMATES IN SPECIAL CONFINEMENT. When an inmate is placed in special confinement, the jail detention staff shall inspect the inmate at least once each quarter of an hour, or more frequently if circumstances require, and record such inspection on the Safety Observation Record, Form 06.51.00.

The jail detention staff shall notify the watch commander/watch supervisor of Metropolitan Jail Section, Valley Jail Section, 77th Street Jail Section, or a Custody Services Division supervisor of at least the rank of Principal Detention Officer when:

- An inmate requires special confinement;
- An inmate has been initially placed in a special confinement for four hours without a medical evaluation; and,

- An inmate has been held in special confinement for a six-hour period after the initial medical evaluation.

The Custody Services Division watch commander/watch supervisor or designee shall:

- Document the circumstances and any medical evaluation given to the inmate in the Safety Observation Record; and,
- Ensure that a medical evaluation from the jail dispensary is completed within four hours of the initial special confinement and every subsequent six hours of special confinement.

654. SOBERING CELL. The sobering cell is used to temporarily confine any arrestee whose safety is at risk or who may be a threat to others, because of their state of intoxication or substance impairment. To determine whether the arrestee should be booked or transported to a contract hospital, arresting officers shall ensure the arrestee is evaluated by jail dispensary medical staff prior to booking. If it is established by the jail dispensary that the arrestee's health is not at risk due to injuries or other medical conditions, dispensary personnel may approve the arrestee for booking with a handling requirement of temporary housing in a sobering cell.

OFFICER'S RESPONSIBILITIES. An officer booking a 647(f)PC arrestee, any arrestee whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment shall:

- Have the arrestee evaluated at a Department jail dispensary by medical staff; and,

Note: Those arrestees with a Gas Chromatograph Intoximeter (GCI) breath test results of .30 or higher shall be examined at a Custody Services Division dispensary or contract hospital, as delineated in Department Manual Sections 4/343.25 and 4/648.17.

- Present the arrestee to Custody Services Division staff along with the Sobering Cell Inmate Welfare Form and the Inmate Classification Questionnaire and Record of Medical Screening.

Note: The availability of a sobering cell does not change the arresting officer's responsibility to ensure that the arrestee receives proper medical treatment as delineated in Department Manual Sections 4/210.23 and 4/648 (e.g., arrestees who have apparent injuries, arrestees who are unconscious, arrestees who have ingested narcotics or arrestees under the influence of phencyclidine, also known as (PCP)).

DETENTION OFFICER'S RESPONSIBILITIES. Detention officers shall do all of the following and document their findings on the Sobering Cell Inmate Welfare Form:

- Conduct a direct visual check of the inmate no less than every 30 minutes and log the actual time;
- Determine whether the inmate is awake or asleep;

- Wake sleeping inmates and document their verbal or physical response;
- Document whether the inmate's breathing is regular and whether the inmate has vomited;
- Document any changes in the inmate's respiration;
- Document the respective detention officer's name and serial number for each 30 minute inmate check;
- Ensure the inmate is re-evaluated by jail dispensary medical staff no later than 6 hours after the initial evaluation;
- Ensure the inmate's nutritional needs have been met and check the corresponding box on the Sobering Cell Inmate Welfare Form; and,
- Ensure the inmate is re-evaluated by jail dispensary medical staff no later than 12 hours after the initial evaluation.

AREA WATCH COMMANDER'S RESPONSIBILITY. Area watch commanders shall ensure all 647(f)PC arrestees, or any arrestee whose safety is at risk or who may be a threat to others because of their state of intoxication or substance impairment, be evaluated at a Department jail dispensary.

CUSTODY SERVICES DIVISION WATCH COMMANDER'S RESPONSIBILITIES. Custody Services Division watch commanders or shift supervisors shall:

- Complete the "Watch Commander/Shift Supervisor" section of the Sobering Cell Inmate Welfare Form;
- Complete their name, serial number, date, time and any additional comments;
- Indicate whether the inmate was released, transferred to another facility or transferred to a regular cell and indicate the date and time;
- Ensure all forms are properly completed;
- Ensure the completed Sobering Cell Inmate Welfare Form is attached to the jail watch supervisor's log; and,
- Ensure a copy of the Sobering Cell Inmate Welfare Form is attached to the inmate's divisional booking record (white card).

657. SERVING LEGAL PROCESSES ON INMATES.

657.50 CIVIL PROCESS SERVICE. A person presenting a civil process for service on an inmate shall be referred to the watch commander of the division in which the inmate is detained. The watch commander shall have the inmate brought to the office; and both shall sign the process, including the date and time.

When the inmate is not available, the watch commander shall place the date, time, and his or her signature on the process and shall have a 3x5-inch card receipt prepared stating the type of process and its requirements, if any.

When the inmate is available, the watch commander shall serve the process and have the inmate sign the receipt, including the date and the time. The signed receipt shall be forwarded

to the Commanding Officer, Records and Identification Division, who shall cause it to be filed for a period of three years.

658. MESSAGES BY PERSONS IN CUSTODY.

658.10 TELEPHONE CALLS - GENERAL GUIDELINES. The following guidelines apply to all telephone calls completed by in-custody adults and juveniles:

- Adults must be allowed to make telephone calls before and after booking; juveniles, immediately upon being taken to a place of confinement.
- An arrestee's refusal to cooperate in the booking process will not affect his or her right to complete calls. In any event, an adult arrestee's request to make phone calls will be granted within three hours following arrest, except where physically impossible. A juvenile, upon being taken to a place of confinement, must immediately be allowed the right to complete the phone calls, except when physically impossible.
- The arresting or booking officer is required to inquire as to whether the arrested person is a custodial parent with responsibility for a minor child as soon as practicable upon arrest but, except where physically impossible, no later than 3 hours after arrest. The booking or arresting officer is required to inform the arrested person that they are entitled to, and may request two additional telephone calls to make arrangements for a minor child.
- Calls made to an arrestee's attorney, religious advisor, or licensed physician must not be monitored, eavesdropped upon, or recorded (636 P.C.).

Note: The Penal Code specifically prohibits the monitoring, eavesdropping upon, or recording of calls made to an attorney, religious advisor, or licensed physician. In other situations, an officer must act reasonably within the limits of his authority as defined by statute and judicial interpretation, thereby ensuring that the rights of both the individual and the public are protected (1/508).

- Normally, calls completed at City expense must be limited to those which can be made on a City telephone by dialing "9."
- Arresting and custodial officers must document calls made at City expense, for adult and juvenile arrestees, when directed by the concerned investigating officer or a supervisor. The notation will include the date and time, and the name and telephone number of the person-called.
 - **Adults.** The notation must be made on the Custody Record page of the Los Angeles Consolidated Booking Form, Form 05.01.00.
 - **Juveniles.** The notation must be made on the related report and, if the minor is detained in a facility of another department, on the required entrance form. If no other reports are made, the information must be recorded on a Field Interview Report, Form 15.43.00.
- If City-expense calls are waived in favor of coin operated or calling collect, a notation must reflect that fact to avoid the appearance that the arrestee's telephone rights have been denied. The notation will be made on the custody record page of the Los Angeles

Consolidated Booking Form, Form 05.01.00, for adults and on the applicable related form for juveniles.

- The commanding officer of any location within a Department facility where an arrestee may be detained must ensure that a sign is posted in a conspicuous place containing the following information in bold block type:
 - Arrestees have the right to three free telephone calls within the local dialing area, or at their own expense if outside the local area. Arrestees may make calls to the following persons:
 - (1) An attorney of their choice or, if they have no funds, the public defender or other attorney assigned by the court at (213) 974-2811. This telephone call will not be monitored, eavesdropped upon, or recorded; or
 - (2) A bail bondsman; or,
 - (3) A relative or other person.
- You are entitled to, and may request two additional telephone calls to make arrangements for a minor child.

658.12 TELEPHONE CALLS-ADULT ARRESTEES/INMATES.

- The concerned arresting officer/custodial detention officer shall be responsible for advising an adult arrestee of the right to complete **three** telephone calls within **three** hours from the time of arrest. The calls, if in the local dialing area, shall be made at City expense. If City-expense calls are waived, the arrestee may utilize other available means (calling collect, coin operated, charge card) to complete the calls.
- When an inmate is to be transferred from a Department jail for arraignment, **and** the arraignment will be in a court **other** than where the accusatory pleading (complaint) was filed, he/she shall be allowed three calls in addition to those listed above.
- An inmate shall be permitted to complete one call, at his/her expense, to a magistrate for the purpose of obtaining release on bail.
- When intoxication is an element of the charge, the arrestee shall be permitted to call a qualified person of his or her choice, at his or her own expense, for the purpose of taking a breath, blood, or urine sample for analysis by an independent laboratory.

658.17 TELEPHONE CALLS - JUVENILE IN CUSTODY. Immediately after taking a juvenile to a place of confinement, and no later than one hour after being taken into custody, the Department employee shall advise the juvenile of the right and provide the opportunity, to complete at least two telephone calls (one call to a parent or guardian, a responsible relative, or employer, and another call to an attorney). The juvenile has the right to make at least one additional telephone call within three hours of arrest.

Note: Any deviations from this procedure, or if the juvenile opts to make telephone calls outside of this time limit, will be articulated within the "Comments of

Investigating Officer/Arresting Officer" section of the Juvenile Arrest Supplemental Report.

Note: The term "taken into custody" shall mean an arrest under Sections 601 or 602 of the California Welfare and Institutions Code, and the time of custody begins at the actual time of the arrest in the field.

Calls made within the local dialing areas shall be made at City expense.

Additionally, when intoxication is an element of the charge, the juvenile shall be permitted to call a qualified person of his or her choice, at his or her own expense, for the purpose of taking a breath, blood, or urine sample for analysis by an independent laboratory. Calls shall be made in the presence of an officer except when the call is made to an attorney, religious advisor, or licensed physician.

In the event a juvenile is without sufficient funds or is unable to complete telephone calls on a collect basis, telephone calls outside the local dialing areas may be made at City expense at the discretion and approval of the Area watch commander or other supervisor.

659. VISITING OF INMATES.

659.10 INMATE VISITATION. The Commanding Officer, Custody Services Division, shall ensure that inmates who are authorized to have visitors are allowed one visit per day. Each visit is limited to one visitor; however, one minor child may accompany each responsible adult visitor. Every effort shall be made to accommodate visitors of both felony and misdemeanor arrestees.

Visitation periods shall cause minimal interference with jail and detective operations.

Posting of Visitation Policy. Commanding officers of Department jails shall ensure that the visitation policy, printed in both English and Spanish, is posted at locations within each facility where it is visible from all detention and booking areas.

Visitation Restriction/Denial. Generally, inmate visitation rights are subject to denial or restriction if:

- Admittance of a particular visitor would threaten or compromise the security of the jail facility; or,
- Facts surrounding an investigation reasonably indicate that visitation by certain individuals will compromise the investigation.

The concerned investigating officer shall determine when visitation of a felony inmate is to be restricted. When there is no investigating officer, or the investigating officer is unavailable, the patrol watch commander where the jail facility is located shall determine if visitation should be restricted.

Concerned Investigating Officer or Patrol Watch Commander of the Jail Facility-Responsibility. When the concerned investigating officer or watch commander of the jail facility determines that certain persons shall not be allowed to visit an inmate, the investigating officer or watch commander shall:

- If the restriction is requested prior to booking, note the visitor restriction and the name of the restricted visitors on the Booking Approval, Form 12.31.00
- If the restriction is requested following booking, contact and notify the custodial detention officer of the restriction, the name of restricted visitors, and the name and serial number of the officer restricting the inmates visitation.

Custodial Detention Officer's Responsibility. When the custodial detention officer is notified that a visitor restriction is required, either via the Booking Approval, Form 12.31.00, or by the concerned investigating officer or watch commander of the jail facility, the custodial detention officer shall:

- Print in **red letters**, "VR" on the Jail Custody Record of the restricted inmates Los Angeles Consolidated Booking Form, Form 05.01.02, on the upper right hand corner; and,
- Print in **red letters**, on the restricted inmates Los Angeles Consolidated Booking Form, Form 05.01.02, on the reverse side of the Jail Custody Record in the "Remarks" box and on the front of the Division Booking Record in the blank space beneath the box for identification numbers, the following:
 - VISITOR RESTRICTION;
 - The date and time the restriction was initiated;
 - Any other comments that may be applicable to the restriction; and,
 - The name and serial number of the officer who restricted visitation.

Visitation Requests. When notified that an individual requests to visit an inmate, the custodial detention officer shall:

- Require the visitor to complete the Inmate Visitation and Temporary Sign-out Record, Form 06.31.00.
- Review the Inmates Division Booking Record and the Jail Custody Record of the Los Angeles Consolidated Booking Form, Form 05.01.02, for any visitor restriction.
- If visitation restriction is not indicated, visitation shall be allowed pursuant to the posted visitation policy.

If visitor restriction is indicated, the custodial detention officer shall:

- Verify the identity of all persons requesting permission to visit an inmate.
- Determine if the **visitor** has been restricted from visiting the inmate.

If the **visitor** is not restricted, and no general visitation restriction is indicated, allow visitation pursuant to the posted visitation policy.

If visitation is restricted for that visitor, advise the visitor only that visitation for that inmate has been restricted and the visitation will not be allowed. Visitors shall be referred to the officer placing the restriction for any further information or explanation.

659.15 NEWS MEDIA INTERVIEWS AND PHOTOGRAPHS. When an accredited news media representative requests to interview or photograph an inmate, the officer having custody of an inmate shall comply with the following procedures:

Unarraigned Inmates.

- Unarraigned inmates shall not be interviewed by members of news media except in exceptional cases with the approval of the Chief of Police.

Note: Representatives shall be informed that interviews are not permitted until an inmate has been arraigned.

- Approval to photograph unarraigned inmates by news media representatives shall be granted only if it does not interfere with the investigation. Granting of approval to photograph unarraigned inmates shall be the responsibility of:
- Detective Support and Vice Division, if the inmate is confined in Metropolitan Jail Section.
- Concerned investigating officers if the inmate is confined in a geographic jail.
- The Visitor's Pass, Form 06.21.00, shall be used to provide approval for news media representatives to photograph unarraigned inmates. The words "Photos Only" shall be printed in large letters across the face of the form.

Arraigned Inmates.

- Interviews or photographs of arraigned inmates by news media representatives may be granted without prior approval.
- Inmates shall not be compelled to be photographed or interviewed by news media representatives. An officer shall remain present when an inmate is being interviewed or photographed.

Inmates Consent to be Interviewed.

- The inmate shall be asked if he/she desires to be interviewed by the representatives of the news media.
- If the inmate refuses to consent to the interview, the requesting representatives shall be informed of such refusal.

If the inmate consents to the interview, the officer having custody shall:

- Complete the back of the Custody Record of the Los Angeles Consolidated Booking Form, Form 05.01.00.

- Complete the following statement on the back of the Custody Record of the Los Angeles Consolidated Booking Form, Form 05.01.00: "I understand that (name of reporter; if two or more, the word "reporters" shall suffice) representing (name of news media) desires to talk to me and I hereby certify that I voluntarily consent to the interview(s)." The inmate shall be requested to sign the form. This form shall be completed by the officer having custody of the inmate at the time the interview is requested.
- Remain in the presence of the inmate and the interviewers during the entire course of the interview.

659.40 CONDUCTING VISITORS THROUGH THE JAIL. Visitors may be conducted through the jail only when the detention officer has secured permission from a Custody Services Division watch commander or Operational Section supervisor.

660. TRANSFERRING AND TRANSPORTING BOOKED INMATES.

660.10 TRANSFERRING BOOKED INMATES. When a booked inmate is to be transferred to another Department jail, or to arraignment court, the transferring officer shall prepare or have available for the transfer:

- The Jail Transfer Record, Form 06.11.00.
- The Custody Record page of the Los Angeles Consolidated Booking Form, Form 05.01.00.

Note: The Custody Record (Page 5) of the Los Angeles Consolidated Booking Form, Form 05.01.00, shall be arranged in the same order as listed on the jail transfer record. Any wants, warrants, or abstracts of wants or warrants for the inmate shall be attached to the Custody Record.

- The inmates personal property package and the Inmates Property Identification page of the Los Angeles Consolidated Booking Form, Form 05.01.00.
- The City Attorney copy and the court copy of the Short Arrest Report, Form 05.02.01, if this form was used as an arrest report of a person booked on 647(c) P.C. (Begging).
- Three copies of the Arrest Report, Form 05.02.00, if this form was used.
- The complaint copy, in addition to the City Attorney copy and the court copy, of the Short Arrest Report, if this form was used as an arrest report, of a person booked on 647(f) P.C. (Drunk).

660.15 TRANSFERRING BOOKED INMATES TO LOS ANGELES SHERIFF'S DEPARTMENT'S CUSTODY. The custodial detention officer shall have all forms, inmates personal property, and inmates ready for pick-up *prior* to the scheduled arrival of the Sheriff's transportation detail.

660.20 TELETYPES OF INMATES TO BE TRANSPORTED TO ARRAIGNMENT COURTS BY THE LOS ANGELES SHERIFF'S DEPARTMENT. An "Order to Transport" teletype shall be sent, on court days, to the Los Angeles County Sheriff's

Department, Bureau of Transportation, by the custodial detention officers of each Department detention facility having inmates to be arraigned. The teletypes shall contain the number of inmates by sex and their court destinations. The order shall be sent not later than:

- 0430 hours for *morning* arraignment.
- 0900 hours for *afternoon* arraignment.

660.30 AUTHORIZATION REQUIRED FOR TRANSFER OF FELONS. Authorization from the concerned investigating officer shall be secured by a division detention officer before transferring a felony inmate from one division to another.

Note: When a felony inmate is transferred from one division to another because of the need to provide medical attention to the inmate, the concerned investigating officer shall be notified as soon as possible of the new location of detention.

660.40 OFFICERS TRANSPORTING TRANSFERRED INMATES. When an officer transports a booked inmate from one division to another, he shall:

- Sign the Jail Transfer Record, Form 06.11.00.
- Secure the inmates property and the reports prepared for transfer by the transferring officer (4/660.10).

660.45 ADULT MALE NARCOTIC ARRESTEES - JAIL TRANSFER. Adult male narcotic felony and 11550 H&S arrestees who have been booked at 77th Street Jail Section, Southwest jail facility, and adult male 11550 H&S arrestees booked at Southeast jail facility shall be transferred to Custody Services Division each court day no later than 0430 hours.

Note: Watch commanders shall ensure that narcotic violation arrestees are transferred by Area personnel utilizing B-wagons or other suitable vehicles.

660.50 DETENTION OFFICER RECEIVING TRANSFERRED INMATE. A detention officer receiving a transferred inmate shall:

- Sign the Jail Transfer Record, Form 06.11.00.
- Retain one copy of the form and return the other copy to the transporting officer for his records.
- Accept the inmates property and the reports obtained by the transporting officer from the division from which the inmate was taken (4/660.10).

670. ESCAPEES.

Booked Inmates. When an inmate has been *booked* and thereafter escapes the officer having custody of the inmate at the time of escape shall immediately:

- Notify a supervisor.
- Notify Communications Division.

- Complete an Escape Report, Form 06.06.00.
- Cause an escape teletype to be sent (4/165.60).

Unbooked Arrestees. When an arrestee escapes *prior to being booked*, the officer having custody of the arrestee at the time of escape shall complete a Investigative Report, Form 03.01.00, for the crime for which the person had been arrested and include the facts describing the escape.

670.05 ESCAPES FROM JUVENILE DETENTION FACILITIES - REPORTING OFFICER'S RESPONSIBILITY. When an escape from a juvenile facility located within the City of Los Angeles is reported to this Department, the geographic patrol division where the facility is located has preliminary investigative responsibility. The reporting officer shall complete a Investigative Report (IR), Form 03.01.00, title "Escape" and shall:

- Complete a local broadcast in accordance with Manual Section 4/165.60. The broadcast shall include information on any known accomplices and the escapee's residence address and division, if within the City of Los Angeles.
- Notify the division or outside agency responsible for investigating the crime for which the juvenile was originally detained.

Note: The reporting officer shall place this division or outside agency in the appropriate box on the "Escape" IR as the investigating entity.

- Notify any member of the concerned court, District Attorney's Office, or a victim or witness when there is a high probability that the juvenile may retaliate against any of these individuals.

Note: The detective handling the follow-up investigation shall ensure this notification was made.

- Upon the arrest of a juvenile escapee, notify the detective division responsible for the investigation of the escape.

Follow-up Investigation-Detective's Responsibility. The Area Detective Division or outside agency responsible for investigating the crime for which the juvenile was originally detained shall be responsible for the follow-up investigation for the crime of escape. However, when the original outside arresting agency declines to assume responsibility, or has no jurisdiction in Los Angeles County, i.e., out-of-state or another country, the operations support division where the facility is located shall investigate the crime of escape. The detective assigned the follow-up investigation shall:

- When it is determined there is a high probability of the juvenile retaliating against any member of the concerned court, District Attorney's Office, or a victim or witness, ensure the individuals were notified.
- Prepare a petition for the crime of escape and ensure that the District Attorney's Office adds a charge of escape to the original charge.

670.10 JUVENILE ESCAPEES. When a juvenile escapee is apprehended, the Watch Commander, Detective Support and Vice Division, shall be notified by telephone. The juvenile shall be booked and detained as advised by the Watch Commander, Detective Support and Vice Division.

670.15 CANCELLATION OF "WANTS" ON ESCAPED JUVENILES. When an escaped juvenile is apprehended, the Watch Commander, Detective Support and Vice Division, shall provide the necessary information to the agency which originally requested the apprehension of the juvenile in order that cancellation may be made.

670.20 APPREHENSION OF MISDEMEANOR ADULT ESCAPEE. When an adult misdemeanant who has escaped from the custody of the Department is apprehended, the concerned investigative division shall be notified immediately by telephone. If the concerned investigative division cannot be contacted, the Watch Commander, Detective Support and Vice Division, shall be notified.

674. RELEASE CONTROL FILES. Each jail facility shall maintain control files as follows:

- "Inmates Released-Not Verified by AJIS." Retain Page 6 of the Booking and Identification Record in this file until a verification teletype is received from AJIS acknowledging the inmates release.
- "Inmates Released-Verified by AJIS." Retain the verification teletype and Page 6 of the Booking and Identification Record, Form 05.01.00 or 05.01.01, for a period of 30 days.

675. RELEASES, DETENTION OFFICER'S DUTIES.

675.10 DETENTION OFFICER RECEIVING INVESTIGATOR'S FINAL REPORT

Inmate in Detention Officer's Custody. When a detention officer having custody of an inmate receives the Investigator's Final Report, Form 05.10.00, directly from the investigating officer, the detention officer shall:

- Release the inmate.

Note: A juvenile inmate shall be released to the custody of his or her parents, guardian, responsible relative, or other person or agency designated on the Investigator's Final Report. When the juvenile is not released within two hours, the detention officer shall notify the concerned investigating officer, his or her supervisor, or the Watch Commander, Detective Support and Vice Division, when the above personnel are not available and cause a Notification of Inmate Release Teletype to be sent within one hour to:

- The Automated Justice Information System (Department Manual Section 4/165.32); and,
- Detective Support and Vice Division, when the arrestee is a juvenile or is an adult booked on a felony charge.

A copy of the teletype shall be attached to the Investigator's Final Report.

Cannabis Complaints. When notified that all other charges against an arrestee have been rejected and only a cannabis possession charge [11357(b)(2) H&S] has been filed, the custodial detention officer shall, as soon as practicable, advise the arrestee of the status of the charges and release him or her on their own recognizance.

Note: In the event an arrestee in custody is to be released, but refuses to sign the promise to appear portion of the release form, he or she shall be arraigned on the cannabis possession offense within 48 hours, exclusive of Saturdays, Sundays and holidays, following the time of arrest.

675.12 DETENTION OFFICER RELEASING A MISDEMEANOR INMATE TO ANOTHER JURISDICTION. When a detention officer releases a misdemeanor inmate to another jurisdiction, he/she shall:

- Forward with the inmate all outstanding warrants or warrant information teletypes placed by other agencies (4/165.35).
- Send a Notification of Inmate Release Teletype to the Automated Justice Information System (4/165.32).

Note: See Section 4/775.13 for Certificate of Release requirements.

675.15 DETENTION OFFICER ORDERING RELEASE OF A INMATE NOT IN HIS CUSTODY. When a detention officer ordering the release of an arrestee by means of an Order to Release Teletype has not received a Notification of Release Teletype in one hour, he/she shall determine the reason for the delay.

675.20 DETENTION OFFICER RECEIVING ORDER TO RELEASE TELETYPE. The detention officer receiving an Order to Release Teletype from another division or from a Los Angeles County Sheriff's facility for the release of an arrestee shall:

- Ensure that a positive identification of the arrestee, via the Live Scan, has been received prior to releasing the arrestee. Refer to section 4/625.20 of the Department manual.

Note: When a bail or bond has been posted, the positive identification confirmation has not been received and it has been four (4) hours since the fingerprints were transmitted, Custody Services Division watch supervisors, with concurrence of the Custody Services Division Watch Commander, must use their best judgment as to whether the arrestee should be released or held, based on all known facts. The watch supervisor, prior to release, shall ensure that the R&I watch commander was notified and investigated the absence of a response. The Custody Services Division watch supervisor's determination shall be judged on the reasonableness of the decision given the information known at that time.

- When bail has been posted, issue a Bail Receipt and/or Notice to Appear, Form 6.15.00, to the arrestee and orally instruct him when and where to appear in court.

Note: The Form 6.15 shall be reviewed and approved by the issuing officer's supervisor.

- Release the arrestee.

Note: A juvenile inmate shall be released to the custody of his/her parents, guardian, responsible relative, or other person or agency designated on the Investigator's Final Report. When the juvenile is not released within two hours, the detention officer shall notify the concerned investigating officer; his or her supervisor; or the Watch Commander, Detective Support and Vice Division, when the above personnel are not available.

- Send a Notification of Inmate Release Teletype within one hour to:
 - The Automated Justice Information System (4/165.32).
 - Detective Support and Vice Division and the concerned investigating officer when an adult arrestee was booked on a felony charge or the arrestee is a juvenile.
 - The division or Sheriff's facility ordering the release.
 - Forward concerned teletypes; warrants; and Bail Receipt and/or Notice to Appear, Form 6.15, to the division bail auditor.

Note: When the arrestee was released other than on bail, one copy of the Notification of Inmate Release Teletype shall be attached to the Order to Release Inmate Teletype. Both teletypes shall be maintained at the division for a period of one month, after which time they shall be destroyed.

675.22 NOTIFICATION OF INMATE RELEASE TELETYPES - PROCESSING. Upon releasing a booked person from custody, the officer releasing the inmate shall:

- Enter the disposition information and the date and time of release on the line immediately following the charge on Page 3 (Property Record) and Page 6 (Division Booking Record).
- Retain Page 6 in a temporary file of "Inmates Released-*Not* Verified by AJIS."
- Forward Page 3 to the concerned teletype operator.
- Ensure that a Inmate Release Teletype is sent to the AJIS System as indicated in the LAPD Automated Justice Information System Teletype Operator's Manual.
- Metropolitan Jail Section and the Harbor Area Jail Section are responsible for sending the release teletypes.
- Divisional record clerks of other geographic areas shall be responsible for sending the release teletype.

Note: When the AJIS System rejects the release notification, the information shall be periodically teletyped until release verification is received.

- The verification teletype shall be returned to the detention officer, who shall attach it to Page 6 and place it in the "Inmates Released-Verified by AJIS" file. Page 3 can be discarded.

675.23 IMPERATIVE RELEASE (IR) MESSAGES - REVIEW. The detention officer of the on-coming watch shall:

- Review the IR teletype.
- Indicate thereon each arrestee's detention status.
- Forward the teletype to his/her watch commander.

Note: The watch commander shall review and initial the teletype.

- After the watch commander reviews the teletype, file under "Inmates Released-Verified by AJIS."

675.25 RELEASE ON ORDER FIXING BAIL. When an inmate confined on a felony charge without a warrant, or a person acting as his or her representative, requests an Order Fixing Bail pursuant to Section 1276 of the Penal Code, the following procedures shall apply:

- When an inmate acts on his or her own behalf, the Request and Order for Fixing Bail, County Form 76R381 V, shall be completed and sent without unnecessary delay to the District Attorney via the Mail Unit, Records and Identification Division.
- When a person acting in behalf of an inmate presents a Request and Order for Fixing Bail to the detention officer at the place of detention, the detention officer, when required by the instructions on the form, shall deliver the form to the inmate for his or her signature. The person acting in the inmates behalf shall then be directed to submit the form to the District Attorney's Office.

Detention officers shall cause the release of inmates confined in the City Jail System for whom fixed bail release orders have been signed by:

- Judges or commissioners of the Los Angeles Municipal Court ONLY when a person is arrested or booked within the boundaries of the City of Los Angeles.
- Judges or commissioners of the Superior Court of Los Angeles County when the offense was committed in the County of Los Angeles.
- Judges or commissioners of the Supreme Court and the Courts of Appeal in any bailable case.

When an inmate is released as a result of an Order Fixing Bail, in addition to any other notification, the custodial detention officer shall cause a Notification of Inmate Release Teletype to be sent to the concerned investigating officer.

675.30 ARRAIGNMENT OR RELEASE OF ADULT INMATES WHEN NO INVESTIGATING OFFICER ASSIGNED. The detention officer having custody of an inmate, to whose case no investigating officer has been assigned shall ensure that all adult

arrestees are arraigned or released as soon as possible, without unnecessary delay, and in no event beyond **two** court days following the day of arrest.

Exception: During a state of emergency a presiding judge may request that the "Chair of the Judicial Council" extend the time limit for inmate arraignment from the current two days to a period not to exceed seven days.

Note: See Section 4/775.13 for Certificate of Release requirements.

675.35 UNITED STATES DEPARTMENT OF HOMELAND SECURITY CIVIL IMMIGRATION DETAINERS. Department personnel shall not hold in custody and individual eligible for release based on a United States Department of Homeland Security or United States Immigration and Customs Enforcement Immigration detainer - Notice of Action, or other request, without a judicial probable cause determination (PCD) or judicial warrant, signed by a federal judge or magistrate, that authorizes a law enforcement officer to arrest and take into custody the individual for a federal criminal immigration offense or other crime. A PCD or warrant form that is signed by a federal immigration officer is not sufficient to prolong the detention of an individual who is otherwise eligible for release.

675.40 NOTIFICATION TO AGENCY PLACING SUPPLEMENTAL CHARGE, WHEN INMATE AVAILABLE FOR RELEASE. When a inmate against whom a supplemental charge has been placed by a parole or probation officer (4/646.15) is available for release, the custodial detention officer shall make a telephonic notification to the concerned agency. Releases of inmates so charged may be made at Metropolitan Jail Section, 77th Street Jail Section, Valley Jail Section, or Custody Services Division.

675.45 NOTIFICATION TO AGENCY PLACING SUPPLEMENTAL CHARGE, WHEN INMATE REMANDED TO CUSTODY OF SHERIFF. When a inmate against whom a supplemental charge has been placed by a parole or probation officer (4/646.15) is remanded to the custody of the Sheriff, the officer releasing the inmate from the City Jail system shall make a telephonic notification to the concerned agency.

675.50 NOTIFICATION TO AGENCIES HAVING MISDEMEANOR WARRANTS ON MISDEMEANOR INMATE RELEASED TO ANOTHER JURISDICTION. When a inmate is released from Department custody to another agency and warrants or warrant information teletypes received from other agencies have been forwarded with him/her, the detention officer releasing the inmate shall cause a Notification of Forwarded Warrants Teletype to be sent to the concerned agencies.

680. RELEASE ON BAIL.

680.02 RESPONSIBILITY TO ACCEPT BAIL. An employee shall accept bail in the form of cash, valid surety bonds, or verified negotiable paper in the form of cashier's checks, bank money orders, United States Postal Service money orders, and Western Union money orders,

for a inmate confined in any Los Angeles City or County jail facility on any charge or warrant for which bail has been set.

680.05 SEIZURE OF CASH BAIL IN NARCOTICS RELATED CASES.

Employee's Responsibility. Upon the presentation of cash bail on behalf of arrestees detained for cases involving Sections 11351, 11351.5, 11352, 11353, 11353.5, 11353.7, 11354, 11359, 11360, 11361, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, 11383(a), and 11383(b) H&S, or other related felonies where the presumptive bail is \$10,000 or more and there exists probable cause to believe that the currency represents proceeds from the sale of illegal drugs, the employee presented with the bail shall notify the on-duty uniformed patrol division or Watch Commander, Metropolitan Jail Section.

Watch Commander's Responsibility. Upon notification, the on-duty uniformed patrol division or Watch Commander, Metropolitan Jail Section shall:

- Ensure that a sworn officer is assigned to conduct a preliminary investigation which examines the source of the currency that has been presented for bail; and,
- Ensure that the Financial Unit, Gang and Narcotics Division, has been notified to respond to the location and that all directions from the Financial Unit are received and complied with.

Note: During off-hours, the on-duty detective at Narcotics Information Network (NIN), Gang and Narcotics Division, shall be notified. The on-duty NIN detective will notify the on-call Financial Unit detective who will respond to the location, warranted.

Officer's Responsibility. An officer assigned to begin an investigation as to the source of currency presented for bail shall initiate a "preliminary investigation." The officer shall complete the following functions in this exact order until the arrival of personnel from the Financial Unit, Gang and Narcotics Division:

- Notify the Financial Unit or, when closed, the NIN unit;
- Count the currency in the presence of the person offering the bail (presenter) and a supervisor;
- Place the currency into a Money Envelope, Form 10.12.02;

Note: If a Canine Unit will be responding, do not place the currency into money envelopes until the Canine Unit's investigation is complete.

- Complete the currency count register located on the back of the money envelope;
- Properly identify the presenter through Department sources; and,

Note: The officer may ask additional questions related to the money in order to form an opinion as to it's origin.

- Instruct the presenter to be seated until the arrival of detectives from the Financial Unit, Gang and Narcotics Division, who will then complete the investigation and, if appropriate, seize and book the currency per Department Manual Section 4/540.60.

Note: Only personnel from the Financial Unit, Gang and Narcotics Division, are authorized to seize and book currency pursuant to the provisions of 11470 H&S.

Upon the seizure of bail, the arrestee shall remain in custody until non-illicit cash or a bail bond is presented, or until the time of arraignment.

680.12 ACCEPTANCE OF BAIL AT CUSTODIAL DIVISION. When a request is made to deposit bail for the release of an arrestee, the custodial detention officer shall:

- Accept and process the bail (4/680.20, 4/680.21).
- Determine from the Court Schedule for Bail-Outs when and where the arrestee is to appear in court.

Note: If the arrestee was booked on a misdemeanor warrant and the warrant information sheet contains citing instructions in the information portion of the teletype, detention officers shall ensure that the instructions are included on the arrestee's Bail Receipt and/or Notice to Appear, Form 6.15.

- Orally instruct him/her when and where to appear in court.
- Release the arrestee.
- Cause a Notification of Inmate Release Teletype to be sent to the Automated Justice Information System (4/165.32).

680.14 ACCEPTANCE OF BAIL - ARRESTEE IN CUSTODY AT DIFFERENT LOCATION. When a request is made to deposit bail for the release of an inmate in custody at a different location, the employee accepting bail shall:

- Ensure that a positive identification confirmation of the arrestee, via the Live Scan, has been received. Refer to section 4/625.20 of the Department manual. Telephone the Arrestee Information Section, Inmate Reception Center, County Central Jail, when the arrestee is a male, or the Arrestee Information Section, Los Angeles County Jail, when the arrestee is female, to verify that the person is in custody on a bailable offense, and to determine the location of custody.
- Make a telephonic request to the custodial division for a Bail Information Teletype.

Exception: When the arrestee is in County custody, a Request for Bail Information Teletype shall be sent to the concerned Sheriff's facility.

- Upon receipt of the Bail Information Teletype, accept and process the bail (4/680.20).

Note: The Bail Information Teletype is the legal authorization to accept bail. When the Bail Information Teletype is incomplete, a telephonic request shall be made to the custodial detention officer to have a corrected Bail Information Teletype sent.

- Send an Order to Release Inmate Teletype to the custodial detention officer.

Note: When a Notification of Release Teletype is not received within an hour, the custodial detention officer shall be contacted to determine the reason for the delay.

680.15 SURETY BOND OFFERED BY ARRESTEE'S AGENT. The detention officer offered a Surety Bond by an arrestee's agent shall check the validity of the bond. The bond shall not be accepted when:

- The bond does not conform to the correct arrestee "Bail Information."
- The bond is for more than one warrant or one open charge.
- Alterations or erasures are made on the bond.
- Bail is in excess of the bond limit.
- The bond has expired.
- The bond is not executed by an insurer certified to transact surety insurance in this State.
- The bond has not been notarized.
- When the validity of the bond is in doubt, the concerned detention officer or jail watch commander, shall be consulted.
- After verification, the detention officer shall process the bond in the same manner as cash bail (4/680.12).

680.16 PARTIAL CASH BAIL OFFERED BY ARRESTEE'S AGENT. The detention officer offered partial cash bail by an arrestee's agent shall:

- Determine the amount of bail from the bail schedule or, if the arrestee was arrested on a warrant, from the warrant.
- Determine whether the arrestee has sufficient money in his/her property to complete the balance of the bail and whether the arrestee desires his/her money to be used for that purpose.

Sufficient Funds. If the arrestee has sufficient funds and desires that they be used for bail, secure their release to the arrestee's agent by having the arrestee complete a Property Release, Form 06.08.00. Complete the release procedure (4/680.12).

Insufficient Funds. If the arrestee has insufficient funds or if he/she is unwilling that his/her funds be used for bail, the detention officer shall decline to accept the partial payment offered by the arrestee's agent.

680.20 BAIL ACCEPTANCE PROCEDURES. Custody Services Division (CSD) personnel receiving bail shall:

- Complete a Bail Receipt and/or Notice to Appear, Form 06.15.00;
- Accept the proper amount of bail as indicated on the Bail Schedule, Bail Information Teletype, or warrant.
- Submit the Bail Receipt and/or Notice to Appear, to a supervisor for verification of bail amount and form approval;
- Ensure that a positive identification confirmation of the arrestee, via the Live Scan, has been received prior to releasing the arrestee (refer to Department Manual Section 4/625.20);

Note: When a bail or bond has been posted and the positive identification message has not been received within four (4) hours of the fingerprints transmittal, CSD watch supervisors, with concurrence from their respective watch commander, shall use their best judgment as to whether the arrestee should be released or held, based on all known facts. Prior to release, the watch supervisor shall ensure that the Records and Identification Division Watch Commander was notified and investigated the absence of a response. The CSD watch supervisor's determination shall be judged on the reasonableness of the decision given the information known at that time.

- Issue a Bail Receipt and/or Notice to Appear to the depositor and when applicable, to the arrestee; and,
- Ensure that the bail, the remaining copies of the Bail Receipt and/or Notice to Appear, and, when applicable, the warrant or Bail Information Teletype are delivered to the Division Bail Auditor as soon as practicable.

Note: Custody Services Division watch supervisors may collect, verify and approve the cash bail received by the Release Desk Officer in Charge when the bail does not exceed \$5,000. The cash bail received in excess of 5,000 shall necessitate the concerned CSD Watch Commander to verify and approve the bail.

Employees accepting bail in the form of cashier's checks, bank money orders, and Western Union money orders shall ensure that:

- The depositor presents two forms of valid identification at the time the negotiable paper is presented. The identification shall include:
 - A valid driver's license or identification card issued by a state of this country; and,
 - A current employee identification with photograph or a current credit card.
- The negotiable paper is drawn at a California bank;
- There is no evidence of alterations or erasures to the negotiable paper;
- The value equals, or is greater than, the correct bail amount;
- The negotiable paper is made payable to the "Los Angeles Police Department Bail Account;"
- The inmates name and booking number are recorded on the upper left front corner of the negotiable paper;

- The depositor's driver's license number or identification card number is recorded on the back of the negotiable paper;
- The negotiable paper is recorded as cash on the Bail Receipt and/or Notice to Appear, by placing a check in the "CASH" box; and,
- The following information is recorded in the "DEPOSITOR/BONDING AGENCY/ATTORNEY (if writ)" section of the Bail Receipt and/or Notice to Appear:
 - The depositor's name and address;
 - The depositor's state driver's license number or state identification card number; and,
 - The bank identification number printed on the cashier's check, bank money order, or Western Union money order; and,
- The completed Bail Receipt and/or Notice to Appear is submitted to a supervisor for approval and verification of bail amount.

Note: When the negotiable paper value is greater than the correct bail amount, the overage shall be sent to the appropriate court. The employee accepting the bail shall document the overage on the Bail Receipt and/or Notice to Appear by writing the word "OVERAGE" on the last line in the box titled "WARRANT NUMBER AND/OR CHARGE."

680.30 DETERMINING FELONY BAIL. When a watch commander approves the booking of a person arrested for a *bailable* felony offense, he or she shall:

- Determine the appropriate bail by applying the circumstances of the case to the current felony bail schedule for Los Angeles County.
- Record the appropriate bail and arraignment court in the lower right-hand corner of the Booking Approval, Form 12.31.00.

Note: When a watch commander or investigating supervisor advising booking determines that an increased bail should be sought, he/she shall, in addition, record the notation "Hold Pending Bail Increase" in the lower right-hand corner of the Booking Approval, Form 12.31.00.

- Direct the arresting officer to present the original Booking Approval, Form 12.31.00, to the booking employee, who shall enter the amount of bail in the appropriate space on the booking slip. The Booking Approval, Form 12.31.00, shall be attached to the division copy of the arrest report.

Exception: When an arrestee is to be booked directly into a Los Angeles County Jail facility, the transporting officer shall ensure that the appropriate bail and arraignment court information is entered on the Los Angeles Consolidated Booking Form, Form 05.01.00.

680.35 BAIL REDUCTION PROCEDURES. When notified by Detective Support and Vice Division that an inmate is seeking a bail reduction, the Area watch commander or concerned investigation officer shall:

- Conduct a prompt inquiry into the circumstances of the arrest to determine if the Department is opposed to a bail reduction or own recognizance (O.R.) release; and,

- Notify the Pretrial Services Division, Superior Court, of the Department's position.

680.40 DECREASED FELONY BAIL AND FELONY O.R. RELEASES. Detention officers shall permit a felony arrestee, or his/her representative, to contact a judge or commissioner to request a bail reduction or felony own recognizance release. When a detention officer receives a teletype notification of a felony bail *decrease*, he/she shall accept a cashier's check, bank money order, Western Union money order drawn on a California bank, cash or a valid surety bond in the specified amount, then release the arrestee. The teletype shall be attached to the division file copy of the Bail Receipt and/or Notice to Appear, Form 6.15.

Note: Felony bail reductions or Own Recognizance releases are not authorized for crimes delineated in 1270.1 P.C. and 667.5 P.C. These arrestees can not have their bail reduced, nor be released on their Own Recognizance, until after their first court appearance. Any change, or pending change, to an arrestee's bail shall be recorded on the Booking and Identification Record, Form 05.01.02, under the **additional charges** section of the Jail Custody page and the Division Booking page.

When a detention officer receives a teletype notification of a felony "own recognizance release" authorization, he/she shall:

- Complete, and obtain the arrestee's signature on, the Felony Own Recognizance Release and Agreement to Appear, Form 06.03.01.
- Contact the concerned investigating officer or watch commander to ensure that the Investigator's Final Report, Form 05.10.00, is completed.
- Release the arrestee.
- Attach the O.R. release teletype to the division file copy of the Form 06.03.01.

680.45 REQUESTING AN INCREASE IN FELONY BAIL.

Prior to arraignment, an officer shall request a bail deviation when an arrestee was arrested without a warrant and,

The defendant was arrested for a bailable felony offense or misdemeanor offense of violating a domestic violence restraining order; **and,**

The officer has reasonable cause to believe that the scheduled bail amount is insufficient to assure the defendant's appearance **or** to assure the protection of a victim, or family member(s) of a victim, of domestic violence.

Officer's Responsibility. Officers seeking a bail deviation on an arrestee shall:

- Book the suspect and obtain a booking number;
- Advise the detective supervisor/watch commander of the circumstances of the case which necessitates a bail deviation;
- Obtain approval from the detective supervisor/watch commander to request a bail deviation;

- Contact the Los Angeles County Bail Deviation Program and provide the contact individual with the following:
 - Bail amount requested;
 - Circumstances which led to the arrest;
 - Reason(s) for the bail deviation request;
 - Aggravating circumstances which support the bail increase request;
 - Information on whether or not the arrestee is considered a flight risk;
 - Information on whether or not the arrestee can bail out on the current standard bail;
 - Information on whether or not the arrestee is considered a threat to the community and/or victim(s);
 - Prior criminal history;
 - Arrestee's identification numbers (e.g., CII, FBI, Social Security Number, Driver's License, etc.); and,
 - Requesting officer's name and call-back number.

Note: Currently, the Los Angeles County Bail Deviation Program may be contacted seven days a week, including holidays, between 0630 and 0130 hours. Officers wishing to contact the program during off-hours shall wait until 0630 hours. Per Penal Code Section 1259(c), pending the issuance of a court order to change the bail amount, an arrestee may be prevented from posting bail for a maximum of eight hours from the time of booking.

- After initial contact, send a facsimile copy of the arrestee's Probable Cause Declaration to the Los Angeles County Bail Deviation Program;

The information provided to the contact individual at the Los Angeles County Bail Deviation Program will be immediately reviewed by the on-duty Bail Commissioner. Once the commissioner makes a decision, the requesting employee will be contacted and advised of the commissioner's decision. If a bail deviation is granted, the jail facility where the arrestee is in custody will receive a teletype of the court order from the Los Angeles County Bail Deviation Program informing them of the bail deviation.

- Upon approval of the request, document in the narrative portion of the arrest report the determined bail amount with the name of the concerned Bail Commissioner;
- Notify the watch commander of the jail facility of the revised bail amount; and,
- Obtain a copy of the teletype from the jail facility and attach it to the arrest report.

Detective Supervisor/Watch Commander's Responsibility. The detective supervisor/watch commander shall:

- Review the arrest report which documents the facts and circumstances which establish the reasonable cause to believe that the scheduled bail amount is insufficient;
- Determine if the bail deviation request is justified; and,
- If approved by a Bail Commissioner, ensure the required information is documented in the arrest report and a copy of the jail teletype is attached.

Jail Watch Commander/Supervisor's Responsibility. Upon notification by the Department employee of an approved bail deviation, the jail watch commander/supervisor shall ensure that the arrestee's bail deviation is updated on all booking/jail forms and that Records and Identification Division, Booking and Records Update Unit, is contacted.

Records and Identification (R&I) Division, Booking and Records Update Unit's Responsibility. Upon contact of a bail deviation by jail personnel, R&I Division personnel shall update the bail in the Automated Justice Information System (AJIS).

680.50 HOLD PENDING BAIL INCREASE - DETENTION OFFICER'S RESPONSIBILITY. When an inmate has been booked on a "hold pending bail increase" and a bail increase notification has **not** been received within eight hours of booking, the detention officer shall contact the detective supervisor/watch commander to verify that a bail increase has not been authorized. If a bail increase has not been authorized, the detention officer shall accept the amount of bail indicated on the Booking Approval, Form 12.31.00.

Note: Any change, or pending change, to an arrestee's bail shall be recorded on all booking/jail forms.

680.80 PROCESSING AND FORWARDING BAIL. Commanding officers of Areas or divisions which have bail responsibilities shall designate an employee as the division or Area bail auditor.

Each court day, the Area or division bail auditor shall:

- Verify all bail accepted at the division and resolve discrepancies.
- Deposit bail monies into the Los Angeles Police Department Bail Account at the bank designated to receive the funds.
- Complete and authorize a separate bank check payable to each separate court group (e.g., one check for Division 50-51, one check for Division 72-75).
- Forward check surety bonds, necessary copies of the Form 6.15, and any warrants to the appropriate court group.
- Forward one copy of each Bail Receipt and/or Notice to Appear, Form 06.15.00, one copy of the Division Bail Log, Form 06.16.00; and bail bank deposit receipt to the Administrative Section, Custody Services Division.
- Maintain the division bail file.
- Maintain the bail schedules and the Bail Instruction Booklet.
- Maintain the Daily Bail Accounts Receipts and Disbursements Report, Form 15.47.01.

680.95 FORWARDING ARREST REPORTS ON BAIL - OUTS. When a misdemeanor inmate bails out of a division jail the detention officer shall notify Metropolitan Jail Section on the regular wagon pick-up. The detention officer shall process the arrest reports and have them ready for the wagon pick-up.

681. POST - BOOKING RELEASE.

681.05 RESPONSIBILITY FOR MAKING POST - BOOKING RELEASE

DETERMINATIONS. The responsibility for making post-booking release determinations is as follows:

- For all misdemeanor arrestees detained in Metropolitan Jail Section, Release Desk Personnel.
- For all misdemeanor arrestees booked into Valley Jail Section, the watch supervisor or other designated employee.
- For all misdemeanor arrestees booked into 77th Street Jail Section, the watch supervisor or other designated employee.
- For all misdemeanor arrestees booked into the count jail system, the concerned Los Angeles County Sheriff's Department designee.
- For all misdemeanor arrestees booked into a geographic jail facility, the senior jail staff member on duty at the facility.

681.10 PROCEDURE FOR DETERMINING POST - BOOKING RELEASE

ELIGIBILITY. Watch commanders and the watch supervisor of Department jails shall review the status of *each* adult misdemeanor arrestee in custody during required jail inspections and prior to the arrestee's transfer to LASD custody. Misdemeanor adult arrestees shall be *immediately* released from custody on their own recognizance (O.R.) unless one or more of the following conditions exist:

- Arrestee is intoxicated to the point where the arrestee could be a danger to self or others.
- Arrestee requires a medical examination or medical care, or is otherwise unable to care for own safety.
- Arrestee is in custody for a violation of one or more of the circumstances listed in Sections 40302 or 40303 of the Vehicle Code.
- Arrestee has one or more outstanding felony arrest warrants.
- Arrestee has one or more outstanding misdemeanor arrest warrants not eligible for release under Section 827.1 of the Penal Code (4/216.67).
- Arrestee is unable to provide satisfactory identification. Positive identification confirmation shall be obtained via the electronic fingerprint Live Scan System.
- Immediate release of the arrestee would jeopardize the prosecution of the offense for which arrested or the prosecution for any other offense.
- There is a reasonable likelihood that the offense would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the arrestee.
- Arrestee demands to be taken before a magistrate or refuses to sign the Notice to Appear.
- There is reason to believe that the arrestee would not appear at the time/place specified in the notice.

Note: This includes those adult misdemeanor arrestees who cannot present satisfactory identification at the time of arrest, but whose identity is subsequently established via the Live Scan System. Refer to section 4/625.20 of the Department manual.

681.15 POST - BOOKING RELEASE PROCEDURES. When a misdemeanor arrestee is apparently eligible for a post-booking release, the releasing officer shall, prior to releasing him/her, ensure that:

- A want and warrant check based on positive identification has been conducted;
- The arrestee's criminal record has been reviewed for convictions that would affect the original booking charge (e.g., California Penal Code Sections 484 and 25400);

Exception: The supervisor responsible for the own recognizance (O.R.) determination may, when records are not available after a reasonable length of time, evaluate the circumstances and release the arrestee.

- The "O.R. Determination" portion of the Booking Approval, Form 12.31.00, indicates eligibility for post-booking release; and,
- A sworn supervisor has approved the post-booking release and signed the Jail Custody Record of the Los Angeles Consolidated Booking Form, Form 05.01.00.

681.20 REPORTING POST - BOOKING INELIGIBILITY. When a determination is made that a misdemeanor arrestee is not eligible for a post-booking release, the reason for the nonrelease and the name and serial number of the officer making the determination shall be entered on the Jail Custody Record page of the Form 05.01.00 by the custodial detention officer.

682. EXCEPTIONAL RELEASES.

682.15 IMMEDIATE CASH BAIL - OUT. Officers shall comply with the provisions of Vehicle Code Section 40304.5.

Note: Vehicle Code Section 40304.5 requires that any person who is taken into custody for **two or fewer** outstanding misdemeanor traffic warrants for failure to appear on a citation for a parking offense or a traffic infraction be provided the opportunity to immediately post bail. Additionally, if the arrestee does not have sufficient cash to post bail, the arrestee shall be allowed to make **three completed** telephone calls and have at least **three** hours to obtain sufficient bail. The arrestee shall not be booked, photographed, or fingerprinted, nor shall an arrest record be made, unless the three hours have elapsed or the arrestee declines to immediately post bail.

Local telephone calls shall be made at City expense utilizing the centrex system. Long distance calls shall be made collect by utilizing City Hall Operators and following their directions.

Adult arrestees taken into custody under the authority of 40302 V.C. through 40305 V.C., shall also be provided the opportunity to immediately post bail, without being booked, photographed, fingerprinted or having an arrest record made if they have sufficient cash in their possession.

It is the responsibility of the arresting officer to ensure that the arrestees have been informed of their rights concerning immediate cash bail-out. The detention officer, or an officer designated by the watch commander, shall accept the bail and immediately release the arrestee.

Note: Searches of arrestees deemed necessary to ensure officer safety and station security may be conducted on arrestees arranging for immediate cash bailout. This does not normally include strip searches.

Exceptions:

- When there is a question regarding the arrestee's identity, and the arrestee was arrested for a Vehicle Code violation, *while operating a motor vehicle*, the arrestee may be detained for a reasonable time, not to exceed two hours, so that his/her identity can be verified. In "immediate cash bail-out" situations, misdemeanor traffic warrant arrestees *shall not* be detained for purposes of identification.
- If the arrestees are intoxicated, the arrestees shall not be allowed to post immediate bail unless a responsible adult is present and willing to assume responsibility for them.

In lieu of a booking number, a DR number shall be used on the Bail Receipt and/or Notice to Appear, Form 6.15.

Exception: When there is a related report, the DR number of that report shall be used.

When immediate cash bail is posted for a misdemeanor traffic warrant, the Area jail unit shall enter the appropriate information into the **CWS** computer (4/611.30). Immediate cash bail-outs are cleared from the **CWS** System in the same manner as bookings (with the exception that the DR number is entered in place of the booking number). Custody Services Division personnel shall forward all copies of the abstract to Records and Identification Division.

682.20 CANCELLED WARRANT INFORMATION SHEET RELEASE. When an arrest warrant information sheet has been teletyped to a division for booking purposes and the Department is subsequently directed to recall the warrant, a Cancel Warrant Information Sheet teletype will be directed to the division watch commander. When no other charges are pending, the concerned watch commander shall:

- Cause the immediate release of the arrestee.

Note: When a question arises concerning the validity of a Cancel Warrant Information Sheet teletype, the concerned watch commander shall immediately telephone the Supervisor,

Automated Want/Warrant Unit, Records and Identification Division, to determine the status of the warrant.

- When the booking has been completed, cause the completion of an Investigator's Final Report, Form 05.10.00, authorizing the release. The notation "Warrant Information Sheet Canceled" shall precede all other information in the space provided for "Reason for Release."

Note: When the arrestee is detained at another facility, an Order to Release teletype shall be immediately transmitted to that facility.

690. JUVENILE RELEASES.

690.05 RELEASE OF JUVENILE DETAINED AT A JUVENILE HALL. To effect the release of a juvenile who is detained in a juvenile hall, the investigating officer shall:

- Present one copy of the Investigator's Final Report, Form 05.10.00, authorizing the release, to the Watch Commander, Detective Support and Vice Division; or,
- Present one copy of the Investigator's Final Report to the concerned record clerk and cause the transmittal of an "Order to Release Juvenile" teletype to the Watch Commander, Detective Support and Vice Division.

690.10 DETECTIVE SUPPORT AND VICE DIVISION - WATCH COMMANDER'S DUTIES. Upon receiving the teletype or Investigator's Final Report directing the release of a detained juvenile, the watch commander shall:

- Telephonically notify the probation officer at Intake Detention Control at the concerned juvenile hall to release the juvenile.
- Upon the notification of the release of the juvenile, cause the transmittal of a "Notification of Inmate Release" teletype to the concerned investigating officer.

Note: When the concerned detective division is located in the Police Administration Building, a telephonic notification may be made.

690.20 RELEASE AUTHORIZED BY A PROBATION OFFICER. When a probation officer from the Probation Department's Intake Detention Control contacts the Department regarding the release of a juvenile detained in a juvenile hall, the probation officer shall be directed to contact the Watch Commander, Detective Support and Vice Division. The Watch Commander, Detective Support and Vice Division, shall:

- Determine whether the subject shall be cited to return for further investigation and disposition.
- Cause the transmittal of a "Notification of Inmate Release" teletype to the concerned investigating officer when detained in a juvenile hall.

695. REGISTRATION OF CONVICTED PERSONS.

695.10 LOCATION FOR REGISTRATION OF CONVICTED PERSONS. Officers having a person in their custody whom they wish to register under the convicted person's registration laws shall take the person to the Criminal Records Section, Records and Identification Division, for processing. Persons wishing to register under such laws shall be directed to Records and Identification Division.

FOLLOW-UP INVESTIGATION

702. DETECTIVE'S CASE ENVELOPE - FELONY ARRESTEES.

The assigned investigator shall ensure that:

- A separate Detective's Case Envelope, Form 15.15.00 is utilized for each adult felony arrestee.

Exceptions: Investigations requiring use of a case package larger than the 15.15.00, or a Murder Book (4/710.30).

- A copy of all related reports is filed in the package.
- Applicable information is entered on the face of the envelope as it becomes available.
- The completed case package is submitted to a supervisor for approval as soon as practicable after the Investigator's Final Report, Form 05.10.00, is approved and returned to the investigator.

After approval, completed case packages are to be filed as directed by the division commanding officer.

705. SUPPLEMENTAL CHARGES - BOOKED INMATES (4/646).

705.05 SUPPLEMENTAL CHARGE - DEFINED (4/646.05).

705.10 PLACING SUPPLEMENTAL CHARGES OR RECORDING A REDUCTION IN CHARGES (4/646.10).

705.22 BOOKED MISDEMEANANT WANTED ON A FELONY. An officer who discovers that a person booked on a misdemeanor charge is wanted on a felony charge shall notify by telephone:

- The division requesting the arrestee, when the want is local.
- The division that regularly investigates cases similar to the felony charge, when the want is foreign.

When the concerned division is closed, the notification shall be made to Detective Support and Vice Division. The officer receiving the notifications shall:

- Determine whether the felony want is valid.
- If the felony want is valid, cause the supplemental charge to be placed (4/646.10).

705.42 WARRANT BOOKINGS - ADDITIONAL OFFENSES. When an officer, while serving a warrant, either felony or misdemeanor, encounters circumstances which justify an arrest for an additional offense, he/she shall book the suspect on both the warrant and the additional offense.

705.62 JUVENILE BOOKED AS AN ADULT. When it is learned that a person under the age of eighteen years has been booked as an adult by members of this Department or an outside police agency (4/805) and no adult complaint has been issued, the concerned watch commander shall, without unnecessary delay, cause the juvenile to be segregated from adult inmates and notify the concerned investigating officer and, if applicable, the involved outside police agency. The concerned investigating officer shall:

- Release the adult charge by completing an Investigator's Final Report, Form 05.10.00.

Note: A teletype abstract of the Form 05.10.00 shall be sent to the concerned investigative division when the release is accomplished by an officer of another division.

- Obtain a new booking number and rebook the subject as a juvenile.
- Obtain a new booking number, a new set of fingerprints via the Livescan Tenprinter, and complete a new set of the Los Angeles Consolidated Booking Form, Form 05.01.00. Enter the notation "Juvenile Rebooking" and the new booking number in the top left corner of the face sheet of a copy of the original adult arrest report. Forward both the cancelled and new Los Angeles Consolidated Booking Form, Form 05.01.00, to Records and Identification Division.

Note: When the original arrest report is a Short Arrest Report, Form 05.02.01, an Arrest Report, Form 05.02.00, shall be completed. The old booking number shall be placed in the ***Court Information*** space with the notation "Rebooking-Subject Originally Booked as an Adult (original booking number)." The court copy of the short form arrest report shall be attached to the investigating officer's copy of the arrest report.

- Indicate in the narrative portion of the arrest report the following:
 - The date and time the juvenile's true age became known.
 - The facts regarding the misrepresentation of age and how the juvenile's true age became known.
 - The juvenile's true name if different than the name he/she was booked under.
 - Cause the revised arrest report to be distributed as indicated in Manual Section 5/5.2-88.

- Complete a Detention Petition Request when the juvenile is detained.

Note: When a juvenile has been booked as an adult because the juvenile misrepresented his/her age and this misrepresentation materially delayed the investigation, a maximum of 48 hours additional time is allowed to complete the investigation and file a petition. The additional time begins when the juvenile's true age has been determined.

When the juvenile is rebooked and detained by other than the investigative division, the related reports shall be promptly delivered to the division responsible for the investigation. When the juvenile is released after rebooking, the related reports may be forwarded by Department mail to the concerned division.

Exception: When the juvenile has been booked as an adult by the CHP, the watch commander shall telephonically request that the concerned CHP supervisor promptly dispatch a CHP officer to accept custody of the juvenile and that a teletype be sent authorizing the release.

705.63 ADULT BOOKED AS A JUVENILE. When investigation reveals that a person booked as a juvenile was eighteen years of age or over at the time of the commission of the offense, the concerned investigating officer shall:

- Release the juvenile charge and complete an Investigator's Final Report, Form 05.10.00, if the person is in custody.
- Complete the disposition portion of the Arrest Report, Form 05.02.00.
- If the person is to be rebooked as an adult the investigating officer shall obtain a new booking number and complete a new Arrest Report, Form 05.02.00.
- If the person is rebooked as an adult, the background of the arrestee shall be investigated for possible O.R. considerations, in accordance with existing procedures (4/681.).

709. DEATHS.

709.10 DEATH INVESTIGATION - FOLLOW - UP PROCEDURES.

Natural, Accidental, and Suicide Deaths. Death investigations which reflect a supported classification of "natural," "accidental," or "suicide" shall not routinely require a Follow-up Report, Form 03.14.00.

Exception: A Follow-up Report shall be completed as soon as practical when:

- The facts articulated in the initial Death Investigation Report, Form 03.11.00, do not support the classification; or,
- Subsequent information significantly alters the original classification; or,
- The postmortem examination contradicts the classification and cause of death reported on the Death Investigation Report.

Traffic Related Deaths. When a death results from a traffic crash, the investigating officer shall complete a Traffic Collision Status Report, Form 04.16.00, within **60** days following the initial Death Investigation Report. The report shall indicate:

- The postmortem examination results, and final classification of death; or,
- That the investigation is continuing and the reason for its continuance.

Undetermined Deaths. The detective responsible for the follow-up investigation of a death classified as "undetermined" shall, as soon as possible but no later than **60** days after the initial Death Investigation Report, complete a Follow-up Report indicating:

- The postmortem examination results, and the final classification and cause of death; or,
- That the postmortem examination is continuing and a statement as to why the examination and/or the investigation has not been concluded.

Note: When the postmortem examination results cannot be obtained, the detective shall complete an additional Follow-up Report during each subsequent 90 day period, until the final classification or cause of death can be established. If either the classification or cause of death cannot be determined, the detective shall complete a Follow-up Report indicating the available results and the reason why a final determination by the Coroner is not possible.

710. HOMICIDES.

710.10 TELEPHONIC NOTIFICATIONS. A telephonic notification reporting the occurrence of a homicide shall be made by the homicide investigating officer as soon as practical after his/her preliminary investigation to the concerned operations bureau office and the Administrative Unit, Detective Support and Vice Division. The following information shall be included:

- Name of victim.
- Date and time of occurrence.
- Location of occurrence.
- Suspect in custody/outstanding.
- Cause of death.
- Motive for homicide (if known).
- Area of occurrence.
- Potential for additional problems.
- Name of reporting officer.

710.11 AUTOPSY NOTIFICATIONS.

Investigating Officer's Responsibility. The investigating officer responsible for a homicide or death investigation shall ensure that the coroner's office is provided with a valid contact number(s) for autopsy notification.

Responsibility to Attend an Autopsy. The I/O shall attend a scheduled autopsy when necessary to continue a thorough investigation. When notification is made to someone in the I/O's chain of command, that person shall ensure that the I/O, or an available alternate (when the I/O is unavailable), attends the autopsy.

710.20 HOMICIDE STATUS REPORTS.

Unsolved Homicides. A progress report on an unsolved homicide shall be submitted by detectives to their commanding officer, within 120 days of case assignment. The report is in lieu of a Follow-up Report, Form 03.14.00. It shall be on plain white paper and distributed as follows:

- Original and addenda to the assigned detective.
- One copy to the detective supervisor.
- One copy and addenda to the concerned operations bureau.
- One copy to Robbery-Homicide Division.

A follow-up report shall be completed:

- As soon as possible, when additional information consists of new evidence affecting the *cause* of death or when the status of the Death Investigation Report, Form 03.11.00, is changed.
- When any significant subsequent information is reported during the *unsolved* status of the homicide after an initial homicide progress report has been submitted.
- At the end of one year from the date of the crime on all unsolved homicides.
- After the first year as additional information becomes available.

Solved Homicides. When a homicide case is solved, the investigating officer shall submit a Follow-up Report, Form 03.14.00, containing the following information:

- Synopsis of the occurrence (who, what, when, where, how).
- Suspect(s)-Defendant(s).
- Investigative information positively identifying the suspect(s).
- M.O. used by the suspect(s).
- Criminal charges filed and/or warrant information.
- Postmortem examination information-cause of death.

Crimes or Incidents Reclassified as Criminal Homicides. When a reported crime or incident is reclassified as a criminal homicide, the assigned detective shall:

- Complete a Investigative Report (IR), Form 03.01.00, for "Murder" when the incident was originally reported on a Death Investigation Report, Form 03.11.00; Injury Report, Form 03.15.00; or Missing Persons Investigation Report, Form 03.16.00; OR,
- Submit a Follow-up Report, Form 03.14.00, reclassifying the original IR to "Murder" along with the face sheet of the original IR; AND,
- Prepare a Death Investigation Report, if not previously completed.

- If the original report was a Death Investigation Report, the classification shall be changed to "homicide."

All reports shall contain the DR number of the original crime or incident.

Exception: If the original crime has been cleared before the death of the victim occurs, or if the death occurred in a calendar year other than that in which the original report was completed, the subsequent Death Investigation Report, Follow-up Report, and/or Investigative Report shall be assigned a new DR number.

710.30 MURDER BOOK. Murder Books shall be used exclusively for homicide investigations.

The Forms 03.11.01 through 03.11.07 (5/3.11.1) are to be maintained in the Murder Book when used in a homicide investigation. When the forms are used in other than a homicide investigation, they are to be maintained in the appropriate case folder.

710.40 PROCEDURE TO REVIEW "CLEARED OTHER" MURDER INVESTIGATIONS.

Detective Bureau Homicide Coordinator's Responsibilities. Upon receiving a close-out Follow-Up Investigation, Form 03.14.00, and classifying the case status of a murder investigation as "Cleared Other," homicide coordinators shall forward the Follow-Up Investigation to the Area Detective Commanding Officer (CO), for review and approval.

Once the signed and approved Follow-Up Investigation is returned, the Area homicide coordinator shall ensure that the investigating officer (I/O) completes the "Cleared Other" Checklist in its entirety, and inserts it behind one of the miscellaneous areas within Sections 24, 25 or 26 of the Murder Book, Form 03.11.01. The I/O shall handwrite "Cleared Other" Checklist on the appropriate section of the Table of Contents and Murder Book.

Note: Robbery-Homicide Division (RHD) shall be the ONLY entity approved to update the Consolidated Crime Analysis Database (CCAD) on "Cleared Other" homicide cases.

Area Detective Commanding Officer's Responsibilities. The concerned Area Detective CO shall review the close-out Follow-Up Investigation report classifying the case status of a murder investigation as "Cleared Other" to ensure that it properly meets the Detective Operations Manual guidelines and the Federal Bureau of Investigation Uniform Crime Reporting Handbook guidelines for "Exceptional Clearances." If it does, the Detective CO shall complete and sign his or her name on the appropriate approval block on the last page of the Follow-Up Investigation, and forward the original report along with an Intradepartmental Correspondence, Form 15.02.00, to the CO, RHD. The Intradepartmental Correspondence shall be routed via the Area CO and geographic bureau CO for review.

Area Commanding Officer's Responsibilities. The concerned Area CO shall review the close-out Follow-Up Investigation report classifying the case status of a murder

investigation as “Cleared Other” and if in agreement, he or she shall complete and sign his or her name on the appropriate approval block on the last page of the Follow-Up Investigation, and forward the original report to the geographic bureau CO for review.

Geographic Bureau Commanding Officer’s Responsibilities. The concerned geographic bureau CO shall review the close-out Follow-Up Investigation report classifying the case status of a murder investigation as “Cleared Other” and if in agreement, he or she shall complete and sign his or her name on the appropriate approval block on the last page of the Follow-Up Investigation, prior to the submission to RHD for review. In addition, the bureau CO shall review and process the Follow-up Investigation reports that are received after RHD's review.

Note: If the concerned bureau CO disagrees with the findings and/or recommendations of-RHD when the Follow-Up Investigation is returned for processing, he/ or she must submit an Intradepartmental Correspondence outlining his or her rationale to the Chief of Detectives, Detective Bureau. The final reviewing authority shall be the Chief of Detectives.

Robbery-Homicide Division Commanding Officer’s Responsibilities. Upon receipt of a close-out Follow-Up Investigation report, the CO, RHD, shall assign a lieutenant and senior detective from Homicide Special Section to review the report. The assigned senior detective, RHD, shall conduct a review of the murder Follow-Up Investigation report.

Concurrence. If concurrence with the "Cleared Other" classification is met, the appropriate approval block on the last page of the Follow-Up Investigation report shall be stamped and signed by the CO, RHD, documenting RHD's agreement with the classification. The case shall be cleared in CCAD by RHD personnel and the Follow-Up Investigation report shall be forwarded with an Intradepartmental Correspondence to the concerned bureau CO for processing.

Note: Robbery-Homicide Division is responsible for updating CCAD of the “Cleared Other” status before sending it back to the concerned bureau CO for processing.

Non-Concurrence. If RHD does not concur with the "Cleared Other" classification, RHD shall meet with the investigating detective. The CO, RHD shall generate an Intradepartmental Correspondence documenting the rationale for non-concurrence and, if appropriate, request additional investigation and/or documented articulation to support the "Cleared Other" classification. The Follow-Up Investigation report shall be forwarded with an Intradepartmental Correspondence to the concerned bureau CO for his or her review.

Note: These documents shall be hand carried between commands.

Chief of Detectives Responsibilities. The Chief of Detectives shall have final approval authority for close-out Follow-Up Investigation reports classifying the case status of a murder investigation as “Cleared Other”.

711. FAMILY VIOLENCE.

711.05 INVESTIGATIONS INVOLVING FAMILY VIOLENCE. Operations Support Division detectives shall conduct follow-up investigations of all crimes of violence occurring within the family (e.g., domestic violence crime and incident, an assault with a deadly weapon, a battery, etc.).

Exception: Cases of physical or sexual child abuse where the suspect is the parent, stepparent, guardian, or a live-in boyfriend/girlfriend of the child's parent shall be assigned to the Child Protection Section, Juvenile Division.

Operations Support Division detectives shall conduct investigations to determine if child abuse issues also exist in current cases. If child abuse is discovered, investigators shall take action and follow established reporting procedures. The follow-up investigation shall be conducted according to existing Department procedures.

712. MISSING/FOUND PERSONS.

712.05 INVESTIGATION PRIOR TO REPORTING A MISSING ADULT. Before completing any report regarding a missing adult, the interviewing officer shall attempt to locate the person by telephoning the following:

- Missing Persons Detail or, when the detail is closed, Detective Support and Vice Division.
- Mental Evaluation Detail personnel located at the Police Administration Building.
- Los Angeles County-USC Medical Center.
- Divisional Records Clerk for traffic crash information.
- Inmate Reception Center, LA County Jail.
- County Coroner's Office.

712.10 MISSING/FOUNDPERSONS.

Employee's Responsibilities. When any person, resident or non-resident of Los Angeles, is reported missing, the employee conducting the preliminary investigation shall:

- Request advice from the Missing Persons Detail, Detective Support and Vice Division:
- Complete a Missing/Found Persons Investigation, Form 03.16.00, without delay; and,

Note: Parental abductions shall be accepted as missing persons cases.

Note: The California Penal Code requires law enforcement agencies to take missing persons reports (Form 03.16.00) telephonically. However, this should not be done routinely. The reporting person should be requested to make the report at the nearest law enforcement facility unless the reporting person is unable, i.e., disabled.

Exception: With the approval of the Area Juvenile Coordinator, a missing persons report may be taken telephonically when it involves a chronic juvenile runaway or extenuating circumstances are present which would create a severe hardship for the parent or guardian attempting to complete the report. When the Area Juvenile Coordinator is unavailable, approval for completion of the telephonic report shall be obtained from the concerned Juvenile Coordinator's immediate supervisor. When neither the Area Juvenile Coordinator nor the immediate supervisor is available, approval to complete the telephonic report shall be obtained from the concerned Area patrol division watch commander.

The Missing/Found Person Telephone Report, Form 03.16.02, shall only be used by investigative personnel as an interim report while the Missing/Found Persons Investigation, Form 03.16.00, is being processed.

Resident of Los Angeles. If the missing person (juvenile or adult) is a City of Los Angeles resident and was last seen outside the City, the employee completing the Missing/Found Persons Investigation, Form 03.16.00, shall immediately notify the outside agency having jurisdiction of the location where the person was last seen and record the name of the person and agency notified in the narrative portion of the report.

Notwithstanding other provisions the employee entering any missing person information into National Crime Information Center (NCIC) shall record the NCIC nine digit entry verification number in the "NCIC #" box on the Form 03.16.00.

Non-Resident of Los Angeles. When any non-resident of the City of Los Angeles is reported missing, the employee conducting the preliminary investigation shall complete a Missing/Found Persons Investigation, Form 03.16.00, without delay and immediately notify and forward a copy of the report to the outside agency having jurisdiction over the person's residence address and, if applicable, the jurisdiction where the missing person was last seen. The employee shall record the name of each person and agency notified in the narrative portion of the report.

NCIC Information Entry.

Officer's Responsibilities. To ensure that missing person report information is entered into NCIC within a timely manner, officers shall obtain a Division of Records (DR) number within two hours of determining that a Missing/Found Persons Investigation Report, Form 03.16.00, will be completed for any missing person (e.g., juvenile or adult).

Note: The information is entered into NCIC by Area records personnel when the DR number is obtained.

If unable to return to the Area station within two hours, officers shall contact the Records Unit of the Area of occurrence and obtain the DR number by telephone. If the Records Unit of the Area of occurrence is not available, officers shall obtain a DR number from a Records Unit of an Area within the geographic bureau. If the DR number is obtained by telephone, officers shall document the DR number, the File Control Number, and the NCIC number (all of which

will be provided by Area records personnel) on the Missing/Found Persons Investigation Report.

Upon returning to the Area station, officers shall obtain and attach the NCIC printout to the Missing/Found Persons Investigation Report. The completed report, along with the NCIC printout, shall then be submitted to the Area watch commander for approval.

Geographic Area Records Personnel Responsibilities. When obtaining a DR number for a Missing/Found Persons Investigation Report, Area records personnel should note the age of the missing person. Information regarding any missing person under the age of 21 shall be entered as a juvenile, solely for the purpose of the entry of information into NCIC. An "A" (adult) shall only be entered in the "REPORT TYPE" field for missing persons age 21 or older.

Note: The investigative procedures and responsibilities for missing persons investigations have not changed. Although the information for any missing person between the ages of 18 and 20 is entered into NCIC as a juvenile, the missing person investigation shall continue to be the responsibility of the Missing Persons Unit (MPU), Detective Support and Vice Division (DSVD), which is responsible for investigating all missing adults. Missing juvenile cases shall not be closed and reentered into the Missing and Unidentified Persons System/NCIC or the Detective Case Tracking System as an adult missing due to the missing juvenile reaching 18 years of age, and shall no longer be transferred to the MPU, DSVD. The concerned Area detectives shall retain investigative responsibility for all missing juvenile cases, even after the missing juvenile reaches 18 years of age. The case shall not be closed or cancelled until the missing juvenile/person has been found.

Child Abduction and/or Missing Child-Investigating. As a reminder, it is Department policy to accept all missing and child abduction reports. The California Penal Code (PC) Sections dealing with child abductions are listed as follows:

- Legal Definitions, 277 PC;
- Abduction Without Right of Custody, 278 PC;
- Abduction by One Parent Against the Other Parent, 278.5 PC; Prevention of Unlawful Flight and Return of an Abducted Child, 279.6PC; and, Jurisdictional Issues, 279 PC/784.5 PC.

The procedures for using the Emergency School Notification Missing or Abducted Child Alert Form, are specifically described in CEC 49068.6(a) which reads:

“Any law enforcement agency responsible for the investigation of a missing child shall inform the school district, other local educational agency, or private school, in which the child is enrolled, that the child is missing. The notice shall be in writing, shall include a photograph of the child if a photograph is available, and shall be given within 10 days of the child’s disappearance.”

The school is further required to place the notification form in front of each child's school attendance record when reported missing.

Officer's Responsibilities. Officers investigating a child abduction and/or missing child investigation shall:

- Ensure that the missing juvenile investigation is not separated from the child abduction investigation. The Major Assault Crimes investigator shall maintain control of the entire child abduction and missing child investigation;
- Notify the school within ten days of the child's disappearance by completing the Emergency Notification Missing or Abducted Child Alert Form, and when available, attach a current photograph of the child. When time allows, the notification should be made in person when school personnel can be properly instructed on the notification process. When the child is located, the investigating officer shall notify the child's school and cause the immediate removal of the Emergency Notification Missing or Abducted Child Alert Form from the school attendance record;

Note: Pursuant to CEC 49068.6(a), the school is required to notify the reporting law enforcement agency when they receive a record inquiry or request form any person or entity for the missing child.

- Contact the reporting party to determine if further investigation is warranted;
- Ensure that the missing person information is removed from NCIC when a disposition is made on the missing child investigation;
- Incases where the Department of Justice (DOJ) has been notified of the missing child investigation and a disposition is made, DOJ shall be advised of the disposition within 24 hours; and,
- The Emergency School Notification Missing or Abducted Child Alert Form, shall be maintained in the Detective Case Package.

Juvenile or 'At Risk' Missing Person. When the missing person is a juvenile under 16 years of age or any person, regardless of age, who is considered "At Risk," the employee receiving the report shall:

- Cause a police unit to be dispatched;
- Cause a Citywide crime broadcast to be made;
- Complete a Missing/Found Person Investigation, Form 03.16.00, without delay;
- Secure recent photo of missing person;
- Obtain a DR number from the Area Records Unit; and,
- Request a supervisor.

Note: "At Risk" includes but is not limited to a missing person regardless of age that is the victim of foul play or acrime; is in need of medical attention; has not demonstrated a pattern of running away; is the victim of parental abduction; or is mentally impaired.

The employee conducting the preliminary investigation shall be responsible for the disposition of the call unless specifically relieved by his/her watch commander.

Supervisor's Responsibilities. Supervisors assigned to a Missing Juvenile incident shall consider the following:

Immediate Search. Supervisors shall ensure an immediate search of the premises and surrounding neighborhood is made when a missing juvenile is under the age of 12 years or when other circumstances indicate the necessity of a search. Supervisors shall determine the necessity of a search when a juvenile is at least 12 years old, but under the age of 16.

Large Scale Search. When circumstances indicate the need for an immediate, large scale, organized search for a missing juvenile, the supervisor shall ensure the watch commander of the responsible Area is notified.

Detailed Log. Supervisors shall ensure a detailed log of police activities be maintained by the field unit assigned the call whenever the juvenile is under the age of 16 years, or when other circumstances indicate the necessity for its completion.

Watch Commander's Responsibilities. The watch commander, Area of occurrence, shall decide how often missing juvenile broadcasts shall be made over police radios and shall cause Communications Division to be notified.

When notified by a supervisor of the need for a large-scale search, the watch commander shall notify the:

- Area Commanding Officer;
- Watch supervisor, Department Command Post, Department Operations Center (DOC); and,
- Concerned geographic investigative division.

The watch commander, Area of occurrence, shall ensure that the reported information is transmitted by Area records personnel to the NCIC Missing Person System and the DOJ within two hours of determining that a Missing/Found Persons Investigation Report will be completed and that the information for missing persons under the age of 21 is entered as a juvenile.

The Specialized Report Distribution Unit, Records and Identification Division, shall, following the acceptance of the report, transmit the report information to NCIC on persons under 21 years of age and persons "At Risk" when Area computer facilities are not in operation.

Investigating Officer's Responsibilities. Officers conducting a missing person investigation shall:

- Upon receipt of a Missing/Found Persons Investigation, Form 03.16.00, contact the reporting party to determine if further investigation is warranted;

- Contact the involved outside agencies, if any, to determine investigative responsibility; and,
- Ensure that the missing person information is removed from NCIC when a disposition is made on the missing person investigation, and in those cases where DOJ has been notified, advise DOJ of the disposition within 24 hours.

Dental/Skeletal Records. When an officer assigned a missing person investigation determines that the person is missing under suspicious circumstances, or when the person is missing at least 14 days, the officer shall:

- Provide the family member or reporting person with the Authorization to Release Dental/Skeletal X-Rays/Treatment Notes/Photograph, California DOJ Form BCIA 4048 (DOJ Release Form, located in E-forms on the Department's Local Area Network) to complete, and instruct the concerned family member to obtain the dental/skeletal records, treatment notes and a recent photograph of the missing person and return them immediately to the officer; and,
- Upon receipt of the dental/skeletal records and treatment notes, confer with the coroner.

Note: If the family member or reporting person refuses or is otherwise unable to complete the DOJ Release Form and/or obtain the dental/skeletal records and treatment notes within 30 days from the time the person is missing, the investigating officer shall complete the form and obtain the dental/skeletal x-rays and treatment notes.

Forwarding of Dental/Skeletal Records. When the missing person's dental/skeletal x-rays, treatment notes and photograph have been obtained, the investigating officer shall so indicate on the Missing/Found Persons Investigation, Form 03.16.00, and forward a copy of the Form 03.16.00 and the original of the dental/skeletal x-rays, treatment notes and the photograph within 24 hours to:

Department of Justice
Bureau of Criminal Statistics and Special Services
Missing/Unidentified Persons System
Post Office Box 903417
Sacramento, CA 94203-4170

The concerned officer shall also maintain the DOJ Release Form in the detective's case package:

Detective Support and Vice Division's Responsibility. Detective Support and Vice Division shall be responsible for completing the appropriate notifications when advised by an outside agency that a resident of the City of Los Angeles has been reported missing.

712.20 GUIDELINES FOR INITIATION OF A PUBLIC ALERT.

The following alert types shall be requested on a Los Angeles Police Department Public Alert Form, Form 09.31.00 (LAPD Public Alert Form), with the applicable alert type check box marked, when specific conditions have been met:

- Amber Alert;
- Child Abduction Regional Emergency (CARE) Alert;
- Ebony Alert;
- Feather Alert;
- Silver Alert;
- Blue Alert; or,
- Yellow Alert.

AMBER ALERT. An Amber Alert shall be requested as soon as a verified child abduction or kidnapping has occurred.

Criteria for the Initiation of an AMBER ALERT. The criteria for initiating an Amber Alert is met when **all** of the following conditions apply:

- It has been confirmed that an abduction has occurred, or the child has been taken by anybody, including, but not limited to, parents and/or guardians; **and**,
- The victim is 17 years of age or younger, or suffers from a confirmed mental or physical disability; **and**,
- The victim is reasonably believed to be in **imminent** danger of serious bodily injury or death; **and**,
- There is sufficient information available that, if disseminated to the general public, could assist in the safe recovery of the victim.

Note: An Amber Alert is **not** intended for cases involving runaways, missing children in which there is no evidence of foul play, or custody disputes that are not reasonably believed to be endangering the life or physical health of a child.

Investigating Officer's Responsibilities. When an officer determines a child abduction or kidnapping has occurred, the officer shall:

- Request a field supervisor and/or notify the on-duty watch commander;
- Complete an LAPD Public Alert Form, with the Amber Alert box checked, and approved by the detective commanding officer or the Area watch commander (WC) in the detective commanding officer's absence;
- Immediately contact the Department Operations Center (DOC) to request an Amber Alert; and,
- Ensure the missing person's information is entered into the National Crime Information Center (NCIC) within two hours.

Note: The investigating officer shall seek advice from Robbery-Homicide Division (RHD) or the assigned detective supervisor on the preparation of an Amber Alert when it involves a kidnap for ransom, or any other case which could be compromised by the release of the

information. The release of police record information or any information regarding the investigation shall follow guidelines outlined in Department Manual Section 3/406.10.

- Email the completed LAPD Public Alert Form with the “AMBER ALERT” box checked, to DOC@lapd.online, and make a follow-up phone call to confirm that the form was received;
- Contact Media Relations Division (MRD) personnel once the DOC receives an Amber Alert approval from the California Highway Patrol (CHP) Emergency Notification and Tactical Alert Center (ENTAC);
- Forward a copy of the LAPD Public Alert Form during working hours via email to mediarelations@lapd.online (MRD), with a follow-up phone call to confirm that the form was received. During off-hours, the person responsible for requesting the Amber Alert shall advise the DOC to notify the on-call MRD officer; and,
- Contact the WC, Communications Division, at (213) 978-6552, and request that an Amber Alert be broadcast every hour.

Department Operations Center Responsibilities. The Department Operations Center shall contact the CHP ENTAC to initiate the Amber Alert. During off-hours, the DOC shall also notify the on-call MRD officer.

Media Relations Division Responsibilities. Media Relations Division personnel shall prepare a press release for the Amber Alert based on the information articulated on the LAPD Public Alert Form and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division, shall ensure that the hourly Amber Alert broadcasts are made, until they are canceled.

Upon obtaining additional follow-up information, or in the event the child is located, the investigating officer shall contact the DOC, RHD, Communications Division, and MRD to advise them that the child has been located. The DOC shall immediately notify the CHP ENTAC of the cancellation.

Note: The Amber Alert system does not replace current reporting procedures as required by California Penal Code Section 14211 relative to the Missing Unidentified Persons System and Department Manual Section 4/712.10, Missing/Found Persons.

CARE ALERT. The CARE Alert Program is a collaborative effort between the Department, the media (television, radio, and print), and the community.

Criteria for the Initiation of a CARE ALERT. The criteria for initiating a CARE Alert is met when the following circumstances apply:

- There has been a confirmed abduction by a non-family member; **or**,

- A parental abduction has occurred in which there is information that the child is being removed from the State of California or the jurisdiction of the United States; **or**,
- The child involved in a parental abduction faces a threat of injury or death.

Note: When circumstances surrounding a child's disappearance are unknown, a CARE Alert may be implemented after a complete investigation, or when significant time has elapsed and no alternative explanations for the child's absence are discovered (i.e., runaway).

Investigating Officer's Responsibilities. When an officer determines that the circumstances of an abduction or kidnapping meet the criteria of a CARE Alert, the officer shall:

- Request a field supervisor and/or notify the on-duty watch commander;
- Prepare an LAPD Public Alert Form, as soon as there is sufficient information, with the CARE ALERT box checked, and approved by the detective commanding officer or the Area WC in the detective commanding officer's absence;
- Ensure the missing person's information is entered into the NCIC within two hours;
Note: The investigating officer shall seek advice from RHD or the assigned detective supervisor on the preparation of a CARE Alert when it involves a kidnap for ransom, or any other case which could be compromised by the release of the information. Release of police record information or any information regarding the investigation shall follow guidelines outlined in Department Manual Section 3/406.10;
- Email the completed LAPD Public Alert Form with the CARE Alert box checked to DOC@lapd.online, and make a follow-up phone call to confirm the form was received;
- Email the completed LAPD Public Alert Form, with the CARE ALERT box checked to mediarelations@lapd.online. During off-hours, the person responsible for requesting the CARE Alert shall contact the DOC, which shall notify the on-call MRD officer; and,
- Contact the WC, Communications Division, at (213) 978-6552, and request that a CARE Alert be broadcasts every hour.

Department Operations Center Responsibilities. During off-hours the DOC shall also notify the on-call MRD officer.

Media Relations Division Responsibilities. Media Relations Division personnel shall prepare a press release based on the CARE ALERT information articulated on the LAPD Public Alert Form and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division, shall ensure that the hourly CARE Alert broadcasts are made, until they are canceled. upon obtaining additional follow-up information, or in the event the child is located, the investigating officer shall contact the DOC, RHD, Communications Division, and MRD to advise them that the child has been located.

Note: The CARE system does not replace current reporting procedures as required by California Penal Code Section 14211 relative to the Missing Unidentified Persons System and Department Manual Section 4/712.10, Missing/Found Persons.

EBONY ALERT. An Ebony Alert shall be requested as soon as a Black youth, including young women and girls, is reported missing under unexplained or suspicious circumstances, at risk, developmentally disabled, or cognitively impaired; or has been abducted.

Factors to Consider for the Initiation of an EBONY ALERT. The following factors may be considered in determining if an Ebony Alert would be an effective tool in the investigation:

- The missing person is between 12 to 25 years of age, inclusive;
- The missing person suffers from a mental or physical disability;
- The person is missing under circumstances that indicate any of the following:
 - The missing person's physical safety may be endangered; or,
 - The missing person may be subject to trafficking.
- It has been confirmed that the person has gone missing under unexplained or suspicious circumstances;
- The missing person is reasonably believed to be in danger because of age, health, mental or physical disability, or environment or weather conditions, the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril;
- All local resources have been utilized to locate the missing person; or,
- There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

Investigating Officer's Responsibilities. When an officer's investigation reveals that the circumstances of a missing person meet the criteria of an Ebony Alert, the officer shall:

- Request a field supervisor and notify the on-duty watch commander;
- Complete an LAPD Public Alert Form, with the EBONY ALERT box checked, and approved by the detective commanding officer or the Area watch commander (WC) in the detective commanding officer's absence;
- Notify the Missing Persons Unit, at (213) 996-1800 during business hours or the DOC, at (213) 484-6700 after hours, holidays and weekends when initiating an Ebony Alert for an adult missing person;
- Notify the respective Divisional Juvenile coordinator when initiating an Ebony Alert for a missing juvenile;
- Immediately contact the Department Operations Center (DOC) to request an Ebony Alert;
- Ensure the missing person's information is entered into the National Crime Information Center (NCIC) within two hours;

Note: The investigating officer shall seek advice from Robbery-Homicide Division (RHD) or the assigned detective supervisor on the preparation of an Ebony Alert when it involves a kidnap for ransom, or any other case which could be compromised by the release of the information. The release of police record information or any information regarding the investigation shall follow guidelines outlined in Department Manual Section 3/406.10.

- Email the completed LAPD Public Alert Form with the EBONY ALERT box checked, to DOC@lapd.online, and make a follow-up phone call to confirm that the form was received;
- Contact Media Relations Division (MRD) personnel once the DOC receives an Ebony Alert approval from the California Highway Patrol (CHP) Emergency Notification and Tactical Alert Center (ENTAC);
- Forward a copy of the LAPD Public Alert Form during working hours via email to mediarelations@lapd.online (MRD), with a follow-up phone call to confirm that the form was received. During off-hours, the person responsible for requesting the Ebony Alert shall advise the DOC to notify the on-call MRD officer; and,
- Contact the WC, Communications Division, at (213) 978-6552, and request that an Ebony Alert be broadcasted every hour.

Department Operations Center Responsibilities. The DOC shall contact the CHP ENTAC to initiate the Ebony Alert. During off-hours, the DOC shall also notify the on-call MRD officer.

Media Relations Division Responsibilities. Media Relations Division personnel shall prepare a press release for the Ebony Alert based on the information articulated on the LAPD Public Alert Form and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division, shall ensure that the hourly Ebony Alert broadcasts are made, until they are canceled.

Upon obtaining additional follow-up information, or in the event the child is located, the investigating officer shall contact the DOC, RHD, Communications Division, and MRD to advise them that the child has been located. The Department Operations Center shall immediately notify the CHP ENTAC of the cancellation.

Note: The Ebony Alert system does not replace current reporting procedures as required by California Penal Code Section 14211 relative to the Missing Unidentified Persons System and Department Manual Section 4/712.10, Missing/Found Persons.

FEATHER ALERT. A Feather Alert shall be requested as soon as an indigenous person is verified as missing under unexplained or suspicious circumstances. An indigenous person is of or relating to the earliest known inhabitants of a place and especially of a place that was colonized by a now-dominant group.

Criteria for the Initiation of a FEATHER ALERT. The criteria for initiating a Feather Alert is met when all of the following conditions apply:

- The missing person is an indigenous person; and,
- All local and tribal resources have been utilized to locate the missing person; and,

Note: Native American organizations in the City and County of Los Angeles are available at <https://lanaic.lacounty.gov/resources/indian-organizations/>

- It is determined that the person has gone missing under unexplained or suspicious circumstances; and,
- It is believed that the person is in danger because of age, health, mental or physical disability, or environment or weather conditions, the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril; and,
- There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

Investigating Officer's Responsibilities. When an officer's investigation reveals that the circumstances of a missing person meet the criteria of a Feather Alert, the officer shall:

- Request a field supervisor and notify the on-duty watch commander;
- Refer to the Indigenous Language Identification Card that can be accessed in E-Forms on the Department's Local Area Network if needed;
- Complete an LAPD Public Alert Form, with the FEATHER ALERT box checked, and approved by the detective commanding officer or the Area watch commander (WC) in the detective commanding officer's absence;
- Notify the Missing Persons Unit, at (213) 996-1800 during business hours when initiating a Feather Alert for an adult missing person;
- Notify the respective Divisional Juvenile coordinator when initiating a Feather Alert for a missing juvenile;
- Immediately contact the Department Operations Center (DOC) to request a Feather Alert;
- Ensure the missing person's information is entered into the National Crime Information Center (NCIC) within two hours;

Note: The investigating officer shall seek advice from Robbery-Homicide Division (RHD) or the assigned detective supervisor on the preparation of a Feather Alert when it involves a kidnap for ransom, or any other case which could be compromised by the release of the information. The release of police record information or any information regarding the investigation shall follow guidelines outlined in Department Manual Section 3/406.10.

- Email the completed LAPD Public Alert Form with the FEATHER ALERT box checked, to DOC@lapd.online, and make a follow-up phone call to confirm that the form was received;

- Contact Media Relations Division (MRD) personnel once the DOC receives a Feather Alert approval from the California Highway Patrol (CHP) Emergency Notification and Tactical Alert Center (ENTAC);
- Forward a copy of the LAPD Public Alert Form during working hours via email to mediarelations@lapd.online (MRD), with a follow-up phone call to confirm that the form was received. During off-hours, the person responsible for requesting the Feather Alert shall advise the DOC to notify the on-call MRD officer; and,
- Contact the WC, Communications Division, at (213) 978-6552, and request that a Feather Alert be broadcast every hour.

Department Operations Center Responsibilities. Upon receiving notification of a Feather Alert, the Department Operations Center shall contact the CHP ENTAC to initiate the Feather Alert. During off-hours, the DOC shall also notify the on-call MRD officer.

Media Relations Division Responsibilities. Upon receiving notification of a Feather Alert, the Media Relations Division personnel shall prepare a press release for the Feather Alert based on the information articulated on the LAPD Public Alert Form and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division, shall ensure that the hourly Feather Alert broadcasts are made, until they are canceled.

Upon obtaining additional follow-up information, or in the event the missing person is located, the investigating officer shall contact the DOC, RHD, Communications Division, and MRD to advise them that the person has been located. The Department Operations Center shall immediately notify the CHP ENTAC of the cancellation.

Note: The Feather Alert system does not replace current reporting procedures as required by California Penal Code Section 14211 relative to the Missing Unidentified Persons System and Department Manual Section 4/712.10, Missing/Found Persons.

SILVER ALERT. A Silver Alert shall be requested on an LAPD Public Alert Form, with the SILVER ALERT box checked, and submitted for approval, for a missing person meeting the criteria below.

Criteria for the Initiation of a SILVER ALERT. The criteria for initiating a Silver Alert is met when all of the following conditions apply (per Section 8594.10 of the Government Code):

- The missing person is developmentally disabled, or cognitively impaired, **regardless of his or her age; and,**
- Missing under unexplained or suspicious circumstances; **and,**
- All available local resources have been utilized, such as the distribution of flyers, cell phone tracking, neighborhood canvassing, checking area hospitals, contacting family members and friends, obtaining photos, and issuing a “Be on the lookout” advisory; **and,**

- The missing person is in danger due to age, health, mental or physical disability, environment or weather conditions, or the person is in the company of a potentially dangerous person, or other factors indicating the person may be in peril (i.e., Alzheimer's, dementia, diabetes); **and**,
- There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

Investigating Officer's Responsibilities. When an officer's investigation reveals that the circumstances of a missing person meet the criteria of a Silver Alert, the officer shall:

- Request a field supervisor and/or notify the on-duty watch commander;
- Complete an LAPD Public Alert Form, with the SILVER ALERT box checked, and approved by the WC;
- Immediately contact the DOC to request a Silver Alert;
- Ensure the missing person's information is entered into NCIC within two hours;

Note: The investigating officer shall seek advice from RHD or the assigned detective supervisor on the preparation of a Silver Alert when it involves a kidnap for ransom, or any other case which could be compromised by the release of the information. Release of police record information or any information regarding the investigation shall follow guidelines outlined in Department Manual Section 3/406.10.

- Contact the CHP ENTAC for request and verification if the investigating officer believes a Silver Alert is warranted. If denied by CHP ENTAC, the WC shall be notified. If CHP ENTAC grants the Silver Alert, then the completed LAPD Public Alert Form with the SILVER ALERT box checked shall be emailed to DOC@lapd.online, and a follow-up phone call made to confirm the form was received;
- Contact MRD personnel once the DOC receives a Silver Alert approval from CHP ENTAC;
- Forward a copy of the LAPD Public Alert Form via email to mediarelations@lapd.online, with a follow-up phone call to confirm that the form was received. During off-hours, the investigating officer for the Silver Alert shall advise the DOC to notify the on-call MRD officer during working hours;
- Contact the WC, Communications Division, at (213) 978-6552, and request that a Silver Alert be broadcast every hour;
- Notify the Missing Persons Unit, at 213-996-1800 during business hours, when initiating a Silver Alert that involves individuals experiencing Dementia/Alzheimer's, developmental disabilities and/or cognitive developmental disabilities;
- Notify the DOC, RHD, Communications Division, and MRD upon obtaining additional follow-up information, or in the event the person is located; and,
- Contact the CHP ENTAC to cancel the Silver Alert as appropriate. During off-hours, the officer shall notify the on-call MRD officer.

Department Operations Center Responsibilities. During off-hours, DOC shall also notify the Missing Persons Unit (MPU) by sending an email to missingpersons@lapd.online.

Media Relations Division Responsibilities. Media Relations Division personnel shall prepare a press release based on the information articulated on the LAPD Public Alert Form, with the SILVER ALERT box checked, and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division, shall ensure that hourly Silver Alert broadcasts are made, until they are canceled.

Note: The Silver Alert system does not replace current reporting procedures as required by California Penal Code Section 14211 relative to the Missing Unidentified Persons System and Department Manual Section 4/712.10, Missing/Found Persons.

BLUE ALERT. A Blue Alert is intended to solicit help from the public in the safe and swift apprehension of violent suspects that have killed or seriously injured law enforcement officers and who continue to pose a threat to public safety. Robbery-Homicide Division shall be contacted prior to the initiation of a Blue Alert in order to ensure that the case information is not compromised by the release of information.

Criteria for the Initiation of a BLUE ALERT. The criteria for initiating a Blue Alert is when all of the following conditions are met:

- A law enforcement officer has been killed or has suffered serious bodily injury, or is assaulted with a deadly weapon, and the suspect has fled the scene of the offense; **and**,
- A law enforcement agency investigating the offense has determined that the suspect poses an imminent threat to the public or other law enforcement personnel; **and**,
- A detailed description of the suspect's vehicle or license plate is available for broadcast; **and**,
- Public dissemination of available information may help avert further harm or accelerate the apprehension of the suspect.

Note: This section does not compel RHD to release any information it deems unsuitable for release to the public.

Investigating Officer's Responsibilities. When an investigating officer (IO) determines that the apprehension of a violent suspect(s) who has killed or seriously injured a law enforcement officer meets the criteria of a BLUE Alert, the IO shall:

- Immediately notify the WC;
- Complete an LAPD Public Alert Form, with the BLUE ALERT box checked and approved by the WC;
- Request a Blue Alert by emailing the completed Public Alert Form, to DOC@lapd.online, and make a follow-up phone call to confirm that the form was received;
- Contact MRD personnel once the DOC receives a Blue Alert approval from the CHP ENTAC;

- Forward a copy of the LAPD Public Alert Form during work hours via email to mediarelations@lapd.online, with a follow-up phone call to confirm that the form was received. During off-hours, the IO shall advise the DOC to notify the on-call MRD Officer;
- Contact the WC, Communications Division, at (213) 978-6552, and request that a Blue Alert be broadcast every hour;
- Contact the DOC to cancel the CHP's Blue Alert and Communications Division broadcasts once it is no longer needed; and,
- Notify the DOC, RHD, Communications Division, and MRD when the suspect has been taken into custody and the Blue Alert broadcast is no longer necessary.

Department Operations Center Responsibilities. The Department Operations Center shall contact the CHP ENTAC to initiate or cancel the Blue Alert as appropriate. During off-hours, the DOC shall also notify the on-call MRD officer. The Department Operations Center shall contact the CHP to cancel the Blue Alert upon notification from an officer that the subject has been located.

Media Relations Division Responsibilities. Media Relations Division personnel shall prepare a press release based on the information articulated on the LAPD Public Alert Form, with the BLUE ALERT box checked, and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division shall ensure that the hourly Blue Alert broadcasts are made, until they are canceled.

YELLOW ALERT. The purpose of the Yellow Alert is to issue and coordinate alerts following a hit-and-run incident wherein a person has been killed as required by Government Code Section 8594.15 and described in Section 20001 of the Vehicle Code, when certain requirements are met.

Criteria for the Initiation of a YELLOW ALERT. The criteria for initiating a Yellow Alert is met when **all** of the following conditions apply:

- A person has been killed due to a hit-and-run incident; **and,**
- There is an indication that a suspect has fled the scene utilizing the state highway system or is likely to be observed by the public on the state highway system; **and,**
- The investigating law enforcement agency has additional information concerning the suspect or the suspect's vehicle, including, but not limited to, any of the following:
 - The complete license plate number of the suspect's vehicle;
 - A partial license plate number and additional unique identifying characteristics, such as the make, model, and color of the suspect's vehicle, which could reasonably lead to the apprehension of the suspect;
 - The identity of the suspect; **and,**
- Public dissemination of available information could either help avert further harm or accelerate apprehension of the suspect based on any factor including, but not limited to,

fatality which occurred, the time elapsed between a hit-and-run incident and the request, or the likelihood that an activation would reasonably lead to the apprehension of a suspect.

Investigating Officers Responsibilities. When an officer's investigation reveals that the circumstances of hit-and-run resulting in a fatality meet the criteria of a YELLOW Alert, the officer shall:

- Request a field supervisor and/or notify the on-duty watch commander;
- Complete an LAPD Public Alert Form, with the YELLOW ALERT box checked, with the approval of the detective commanding officer or the Area WC in the detective commanding officer's absence;
- Immediately contact the DOC to request a Yellow Alert;
- Email the completed LAPD Public Alert Form, with the YELLOW ALERT box checked to DOC@lapd.online, and make a follow-up phone call to confirm that the form was received;
- Contact MRD personnel once the DOC receives a Yellow Alert approval from the CHP ENTAC;
- Forward a copy of the LAPD Public Alert Form during work hours via email to mediarelations@lapd.online (MRD), with a follow-up phone call to confirm that the form was received. During off-hours, the person responsible for requesting the Yellow Alert, shall advise the DOC to notify the on-call MRD officer;
- Contact the WC, Communications Division WC at (213) 978-6552, and request that a Yellow Alert be broadcast every hour; and,
- Notify the DOC, Communications Division, and MRD when the suspect has been taken into custody.

Department Operations Center Responsibilities. The Department Operations Center shall contact the CHP ENTAC to initiate or cancel the Yellow Alert as appropriate. During off-hours, the DOC shall also notify the on-call MRD officer.

Media Relations Division Responsibilities. Media Relations Division personnel shall prepare a press release based on the information articulated on the LAPD Public Alert Form, with the YELLOW ALERT box checked, and disseminate the release to the appropriate news wire services and media outlets.

Watch Commander, Communications Division Responsibilities. The WC, Communications Division, shall ensure that the hourly Yellow Alert broadcasts are made, until they are canceled.

Note: The Yellow Alert does not alter or impact the Hit and Run Award and Alert Network System.

712.30 FOUND/UNIDENTIFIED PERSONS.

Employee's Responsibility. Any Department employee receiving information concerning a found/unidentified person who cannot be reunited with family or friends during the preliminary investigation, shall:

- Request advice from the Missing Persons Unit, Detective Support and Vice Division;
- Complete a Found/Missing Persons Investigation, Form 03.16.00; and,
- Ensure that the disposition of the individual is noted in the narrative of the report.

Investigating Officer's Responsibility. An officer receiving a Found/Unidentified Persons Report shall, in addition to established Procedures, ensure that the appropriate information is entered into the Unidentified Persons File, NCIC.

Note: NCIC routinely completes a cross-search between the Unidentified Persons File and the Missing Persons File in an effort to locate missing persons.

712.35 FOUND ADULTS - SHELTER. When a lost adult is taken into protective custody and a release to a relative or other responsible person cannot be effected immediately, a notification to Adult Protective Services shall be made by the investigating officer. If Department personnel suspect that the adult taken into custody suffers from a mental health disorder and needs to be transported to a health facility or hospital, they shall contact the Mental Evaluation Unit prior to transport (Department Manual Section 4/260.20, Taking Persons with a Mental Illness into Custody).

715. FUGITIVES.

715.05 FUGITIVE - DEFINED. A fugitive is a person wanted by a jurisdiction other than this Department.

715.10 FUGITIVE ARRESTED ON A LOCAL CHARGE. When a fugitive is in custody on a local felony or misdemeanor charge or warrant, the fugitive charge shall be placed supplementary (4/646.10).

715.40 BOOKING ON FUGITIVE "WANT" - NOTIFICATION. (4/606.07).

715.70 HANDLING OF LOCAL AND FUGITIVE CHARGES. When it is ascertained that a person booked on a fugitive charge has a local felony or misdemeanor want or warrant, the local charge shall be placed supplementary.

Notification shall be made to the Fugitive Warrants Section, Gang and Narcotics Division, by:

- The Criminal Records Unit, Records and Identification Division, when the supplemental booking is on a warrant.
- The concerned investigating officer, when the supplemental booking is on a felony want.

Local charges against a fugitive shall be disposed of prior to releasing a fugitive to a demanding jurisdiction.

Exception: When it appears that separate prosecutions of a local and a fugitive charge may be prohibited by California Penal Code Section 654 (Multiple Prosecutions), all charges shall be presented to the local prosecutor, who will determine jurisdictional responsibility.

716. NOTIFICATIONS.

716.10 EXTRADITION OR INVESTIGATION. Prior to leaving Los Angeles County on an extradition or an investigation, notification shall be made to Detective Support and Vice Division giving the:

- Name and division of the officer leaving the County.
- Nature of the trip.
- Destination.
- Intended date of departure from Los Angeles.
- Departing officer's supervisor approving the trip.

716.11 VICE OR NARCOTICS INVESTIGATIONS ON STATE UNIVERSITY CAMPUSES. Investigating officers shall, as soon as practicable, notify their Area/division commanding officers when a narcotics or vice investigation occurs or is anticipated on a state university campus. When notified of narcotics or vice investigations on a state university campus, Area/division commanding officers shall review the circumstances and, if appropriate, notify the concerned university of the investigation.

716.60 CONTACTING THE DEPARTMENT, WHILE ABSENT FROM THE COUNTY. When necessary, an officer out of the County on an extradition or an investigation may contact this Department by:

- Placing a telephone call to the officer's division of assignment.
- Directing a teletype or a collect wire to the Office of the Chief of Police, Attention: (officer's division of assignment).

An officer out of the County for an extended period of time shall contact the division of assignment at least once a week or as the officer's commanding officer directs.

720. COMPLAINTS.

720.10 ARRESTEE CHARGED WITH BOTH MISDEMEANOR AND FELONY. When the arrestee is charged with both a felony and misdemeanor offense, the arrestee shall *not* be arraigned on the misdemeanor charge prior to the completion of the felony investigation by the concerned investigating officer.

720.20 REPORTS NECESSARY FOR FELONY COMPLAINT. When requesting a felony filing with the District Attorney's Office, the following number of copies of all concerned police reports shall be presented:

In-Custody Filings. Three copies of all concerned police reports.

Not-in-Custody Filings. Four copies of all concerned police reports, plus one additional copy for each co-defendant.

720.25 REPORTS NECESSARY FOR MISDEMEANOR COMPLAINT. When requesting a misdemeanor complaint, the City Attorney's Office shall be presented with three copies of all police reports concerning the case in question.

720.30 SECURING COMPLAINT FROM A FELONY BOOKING.

Prima Facie Evidence of Felony. When an Arrest Report, Form 05.02.00, of an adult felony arrestee contains prima facie evidence of a felony, the results of the investigation will normally be presented to the District Attorney's Office.

Incomplete Prima Facie Evidence of Felony. When an arrest report of a felony arrestee contains a portion of the element of a felony, but investigation indicates that the remaining elements can be established, the investigating officer shall:

- Prepare a Follow-Up Report, Form 03.14.00, containing the necessary elements of the felony if requested by the District Attorney's Office.
- Apply to the District Attorney's Office for a felony complaint.

Prima Facie Evidence of Misdemeanor. When investigation fails to establish prima facie evidence of the commission of a felony by a felony arrestee but does establish prima facie evidence of the commission of a misdemeanor, the investigating officer shall:

- Obtain a felony complaint rejection approval from his/her watch commander or Section OIC.
- Apply to the City Attorney for a misdemeanor complaint.
- Complete the "Additional Action" portion of the Form 05.10.00, indicating approval for a bypass referral to the City Attorney. Deliver a copy of the Form 05.10.00 to the City Attorney, along with the related reports.

Rejection Of Complaint. If the District Attorney's Office does not issue a complaint, the investigating officer shall secure a written "Rejection of Complaint" signed by the District Attorney or one of his/her deputies. If the investigation indicates that a misdemeanor complaint should be applied for, the investigating officer shall submit a copy of the "Rejection of Complaint" to the City Attorney together with the other reports necessary to obtain the complaint.

Note: The investigating officer shall affix his/her signature to the original of the completed "Rejection of Complaint" in the space provided.

An officer shall not affix his/her signature to any other statement, written or printed, which purports to validate the rejection of a complaint or concurs with the reasons for non-issuance of a complaint.

Prior to forwarding the "Rejection of Complaint" to Records and Identification Division, the investigating officer shall cause to be entered in the upper right-hand corner of all copies:

- The LA number, in the case of an ARRESTEE or a SUSPECT WITH AN ARREST RECORD IN RECORDS AND IDENTIFICATION DIVISION; AND,
- Forward the original copy of the "Rejection of Complaint" to Criminal Records Section, Records and Identification Division; OR,
- The related DR number of earliest issuance, in the case of a SUSPECT WHO HAS NEVER BEEN BOOKED BY THIS DEPARTMENT; AND,
- When appropriate, attach the original of the completed Follow-up Report, Form 03.14.00, to the original of the "Rejection of Complaint" and forward to the Crime and Miscellaneous Report Section, Records and Identification Division.

720.32 FELONY ARREST REPORT USED FOR MISDEMEANOR COMPLAINT.

When the felony arrest report is used to obtain a misdemeanor complaint, the investigating officer shall include, with the report, information of the prior record of the arrestee or a notation, "No prior record."

720.35 INCOMPLETE PRIMA FACIE EVIDENCE OF A CRIME. When an Arrest Report, Form 05.02.00, contains the elements of a crime but the investigating officer is unable to fully substantiate these elements, the investigating officer shall:

- Obtain a felony complaint rejection approval from his/her watch commander.
- Release the arrestee.

Note: In cases where the victim refuses to prosecute and his/her testimony is essential in substantiating the elements of the crime, a defendant may be released from custody and the case closed without a complaint being sought, unless:

- The injury to the victim is of a serious nature and is likely to result in death or disablement; or,
- A firearm was used in the commission of the crime; or,
- There is a strong likelihood of future crimes being committed by the defendant against the victim; or,
- The defendant is on probation or parole; or,
- There are other crimes for which the defendant could be prosecuted without the testimony of the victim.

720.36 17(b)4 P.C. REFERRALS TO THE CITY ATTORNEY'S OFFICE. Due to procedural changes implemented by the new Inter-Agency Operational Agreement between the Office of the Los Angeles County District Attorney (DA), the Office of the Los Angeles City Attorney (CA), and the Los Angeles County Prosecutors Association, the aforementioned entities have developed new guidelines for Penal Code (PC) Section 17(b)(4) referrals outlined in the Inter-Agency Operational Agreement, 17(b)(4) PC Referrals, Schedule I Under the agreement, the 17(b)(4) PC bypass cases listed on Schedule I also known as "wobblers," shall be referred directly to the CA for filing, provided they meet the criteria listed on the schedule. All other wobblers not listed on the schedule shall be reviewed by the DA and accompanied by a Los Angeles County District Attorney Charge Evaluation Worksheet (CEW) when being presented to the CA for filing consideration. The CEW is informally referred to as a "blue sheet" or a "reject" form. Unless otherwise defined in Schedule I of this agreement, any wobblers presented for review by a filing investigator to a CA or a City prosecutor without a CEW from the DA's Office will be immediately referred to the DA 's Office for felony filing consideration.

Note: Felony/misdemeanor offenses that do not meet all the criteria described in the Inter-Agency Operational Agreement, 17(b)(4) PC Referrals, Schedule I, **shall** go directly to the DA's office for felony filing consideration.

Wobbler cases involving allegations of police misconduct shall be immediately forwarded by the investigating law enforcement agency to the DA's Office.

720.38 ARRAIGNING FELONY ARRESTEE ON A MISDEMEANOR. When a misdemeanor complaint is issued against an incustody arrestee booked on a related felony charge, the investigating officer shall:

- If the arrestee is in custody, have the arrestee immediately rebooked on the misdemeanor complaint, and have him/her arraigned without delay;
- If not immediately arraigned, instruct the detention officer to transfer the arrestee for arraignment on the reduced charge at the next transportation session;

Note: The inmate may only be transferred by the Los Angeles Sheriff's Department transportation if it will enable arraignment within the lawfully prescribed time period.

If the arrestee is a female, cause a Change of Arrest Status notification to be directed to Records and Identification Division, and also to Valley Jail Section, 77th Street Regional Jail or Twin Towers, whichever pertains to her custody;

Provide to the detention officer the Investigator's Final Report, Form 05.10.00, indicating that a misdemeanor filing has in fact been accepted by the court and instruct the detention officer to rebook per 17B4 P.C.; and,

Absent the actual filing of a misdemeanor complaint on the arrestee, deliver the Investigator's Final Report, Form 05.10.00, to the detention officer who will handle the request as "Transportation Request" only.

720.40 RELEASING OR ARRAIGNING FELONY ARRESTEE ON A CANNABIS POSSESSION CHARGE. If, after normal complaint filing procedures have been followed, the booking offense is rejected both as a felony *and* as a misdemeanor, but the charge of cannabis possession [11357(b)(2) H&S] is filed, the concerned detective shall release the inmate on his or her own recognizance (O.R.) or cause the O.R. release to be accomplished by the detention officer in the confinement facility.

Note: In the event an arrestee in custody is to be released, but refuses to sign the promise to appear portion of the release form, he or she shall be arraigned on the cannabis possession offense within 48 hours, exclusive of Saturdays, Sundays and holidays, following the time of arrest.

720.50 ARRESTEE ARMED. When obtaining a felony complaint, the District Attorney shall be notified if:

- The arrestee was armed at the time of the commission of the offense.
- The arrestee was armed at the time of his/her arrest.

720.55 OBTAINING COMPLAINTS - CHARGE BASED ON PRIOR FELONY CONVICTION. When a complaint is requested and a prior felony conviction is alleged, the investigating officer shall deliver a copy of the arrestee's Bureau of Identification arrest record to the Prior Unit, District Attorney's Office.

At the arraignment, the arraigning officer shall request the full-time interval before the preliminary hearing in order that proof of the prior conviction may be obtained.

720.60 OBTAINING COMPLAINTS - CHARGE BASED ON PRIOR MISDEMEANOR CONVICTION. When a complaint is to be requested and a prior misdemeanor conviction is to be alleged, the investigating officer shall:

- Ascertain where the arrestee served the sentence for the prior conviction.
- Request certified copies of both the concerned court docket and the order of commitment from the court having jurisdiction for the prior trial.

Prior Served at City Jail. When a complaint is requested alleging a prior conviction, and the sentence for the prior conviction was served at the Los Angeles City Jail, the investigating officer shall:

- Ascertain whether the arrestee's fingerprints are on the Records and Identification Division copy of the certification of commitment for the alleged prior. When the arrestee's fingerprints are on the certification, the investigating officer shall request a certified copy of the commitment record.

- When the arrestee's fingerprints are not on the certification of commitment, the investigating officer shall request from Records and Identification Division a certified copy of the Booking Identification page of the Form 05.01.00 completed for the arrest which resulted in the prior conviction and shall cause the officer who fingerprinted the arrestee at the time of booking to be subpoenaed.

Prior Served at County Jail. When a complaint is requested alleging a prior conviction, and the sentence for the prior conviction was served at the County Jail subsequent to July, 1964, the investigating officer shall notify the Commander, Sheriff's Fingerprint Section, by telephone. The notification shall include:

- The arrestee's name, LASD number, and CII number;
- The location of the arrestee, if in custody; and,
- The approximate date the arrestee was sentenced for the prior conviction.

If the release for the prior conviction occurred before July, 1964, the investigating officer shall teletype the Bureau of Identification and request a certified copy of the LASD fingerprint card taken at the time of commitment for the prior conviction (4/170.55).

Prior Served in Other Than Los Angeles City or County Jail. At the arraignment, if the sentence for the prior conviction was served outside of Los Angeles County, the arraigning officer shall request the full-time interval before the preliminary hearing in order that proof of the prior conviction may be obtained.

Notification to Latent Print Section. When a complaint is being requested and a prior conviction is alleged, the investigating officer shall notify the Latent Print Section, Technical Investigation Division. When practical, the arrestee shall be brought to the Latent Print Section for fingerprint comparisons.

720.70 FELONY VICE COMPLAINTS. Felony vice complaints, except for forcible 286 and 288a P.C., shall be obtained as follows:

Metropolitan Area. Vice Division shall be responsible for obtaining felony vice complaints in the metropolitan area (2/490.45).

Exception: The vice unit of the Area making the arrest shall be responsible for obtaining the complaint for violations of 266 through 266i P.C.

Outlying Area. The vice unit of the Area making the arrest shall be responsible for obtaining felony vice complaints.

Forcible 286 and 288a P.C. In cases of forcible 286 and 288(a) P.C., the detective division in the Area of occurrence shall be responsible for obtaining the complaint.

720.75 MISDEMEANOR VICE COMPLAINTS. Misdemeanor vice complaints against arrestees shall be obtained as follows:

Metropolitan Area. Los Angeles City Attorney's Liaison Unit, Detective Support and Vice Division, shall be responsible for obtaining misdemeanor vice complaints against arrestees booked in the metropolitan area, including female arrestees booked at Los Angeles County Jail.

Valley Area. The Complaint Detail, Valley Court Liaison Section, shall be responsible for obtaining misdemeanor vice complaints against all arrestees booked within Operations-Valley Bureau (2/530.05).

West Los Angeles and Pacific Areas. West Los Angeles Court Liaison Section shall be responsible for obtaining misdemeanor vice complaints against arrestees booked at Valley Jail Section but arrested in Pacific or West Los Angeles Areas.

Harbor Area. Harbor Area shall be responsible for obtaining misdemeanor vice complaints against all arrestees booked in Harbor Area, including females arrested in 77th Street Area and booked at Harbor Division Jail.

Complaint Against Person Not in Custody. The vice unit of the Area of occurrence shall be responsible for obtaining the misdemeanor vice complaint against a suspect, not in custody, who is named in a misdemeanor vice crime report or application for a complaint.

720.78 VICE COMPLAINTS-INVESTIGATIONS CONDUCTED BY VICE DIVISION. Vice Division shall be responsible for the follow-up investigation, including obtaining the complaint, regardless of geographic Area boundaries, when they initiate a crime report, initiate an investigation, or conduct the follow-up investigation at the request of another Area.

720.79 ABATEMENT AND CONDITIONAL USE PERMIT REVIEW PROCESS.

Abatement Process. Abatement is a general term used to describe an action(s) taken by the Office of the City Attorney to control a commercial or non-commercial location which is a public nuisance. In that process, general nuisance is defined as a significant problem which adversely affects the quality of life for a neighborhood(s) within the City of Los Angeles. Generally, the purpose of an abatement is to correct the problem causing the nuisance through a variety of means such as obtaining voluntary compliance, obtaining an injunction which prohibits the nuisance activity from occurring, or as a last resort, seizing a location.

Conditional Use Permit Process. The Department of City Planning initially issues a Conditional Use Permit (CUP) to a business or commercial location specified under Section 12.24 of the Los Angeles Municipal Code (LAMC) to prevent any public nuisance from occurring. Generally, businesses required to obtain a CUP include pawn shops, motels, recycling centers, certain adult entertainment locations, and businesses which sell alcoholic beverages.

When a CUP is being initiated, the Department of City Planning advises the concerned Area commanding officer that a CUP hearing will be conducted. The Area commanding officer shall determine if the business in question may adversely affect the community and if Department attendance at the hearing is required. If attendance is required at the hearing, the Area commanding officer shall ensure the appropriate personnel appear and provide testimony to assist the Department of City Planning in its decision to issue or deny the permit. Information such as a Consolidated Crime Analysis Database (CCAD) report with supporting documentation, crime statistics, Vice investigations, calls for services at the location, and/or community concerns may be submitted to support his/her testimony.

In providing a Department response, a commanding officer may also suggest conditions for the initial CUP. Generally, these suggested conditions shall conform with conditions established by the Commanding Officer, Vice Division, who is the Department's CUP Coordinator. Should a particular location require an extraordinary condition(s), prior approval shall be obtained from the Commanding Officer, Vice Division.

Conditional Use Permit Review And Nuisance Abatement Revocation Action. The Department of City Planning, through its Office of Zoning Administration, has the authority to review an existing CUP containing preventative "conditions" on a regulated business. The Department of City Planning may also revoke an existing CUP, require a formerly unregulated business to obtain a CUP, or impose corrective conditions on an existing CUP when a business is causing an ongoing public nuisance. **The primary purpose of a CUP review is to prevent or eradicate activity from creating a nuisance, rather than closing the subject location.** In the instance where a nuisance location does not fall under Section 12.24 of the LAMC, the Department of City Planning, Office of Zoning Administration, may initiate a nuisance abatement revocation action against the property.

Note: When a modification or revocation is required for a preexisting CUP or when a CUP does not exist, but a nuisance abatement revocation action is appropriate, employees shall follow the approval process and procedure delineated in the remainder of this Section. However, the procedure delineated in the remainder of this Section does **not** apply to the initial CUP issuance process.

Initial/Preliminary Public Nuisance Determination. Department personnel who become aware of a public nuisance location shall bring it to the attention of an immediate supervisor. That supervisor shall ensure that a Citywide Nuisance Abatement Problem Property Referral, Form 03.19.01, is completed and forwarded to the Area commanding officer responsible for the location. The Area commanding officer shall evaluate the situation and determine if the location requires the initiation of a preliminary investigation based upon the following criteria:

- The location is an **ongoing** problem;
- The owner/lessee is aware of the problem and is unable or unwilling to cooperate in solving the problem; and,
- Standard law enforcement efforts have proven to be unsuccessful in solving the problem.

Preliminary Investigative Entity. When the Area commanding officer determines that a location meets the criteria for a preliminary investigation, the investigating officer shall complete an Abatement Package consisting of the original Form 03.19.01, and a historical profile of the nuisance location. The historical profile shall include:

- Written documentation such as complaints from the community, elected officials, or other enforcement agencies, and any previous correspondence with the owner/lessee of the nuisance location;
- Consolidated Crime Analysis Database (CCAD) Report for the preceding two years;

Note: The investigating officers shall work with Gang and Narcotics Division for abatements or Vice Division for CUPs or nuisance abatement revocations to determine the scope of the CCAD run. In most cases, it must be limited to the exact location. However, in some circumstances, a larger area such as the whole block may be more appropriate.

- A copy of any crime, arrest, or other police reports within a minimum of the two preceding years that reflect the relationship between the location and the ongoing nuisance activity;
- A report from the Project Unit, Communications Division, documenting the number and type of calls for service that have occurred at the location for the past two years. The request for this report shall be made on an Intradepartmental Correspondence, Form 15.02.00;
- Any additional pertinent documentation such as a Sergeant's Daily Report, Form 15.48.00, which will assist in the review process; and,

Note: Any information on a Sergeant's Daily Report, Form 15.48.00, which is unrelated to the location, shall be redacted from the copy placed in the package.

If the location is a business or commercial location, also obtain the following:

- Certificate of Occupancy for the location; and,
- Conditional Use Permit/variance, if one exists;
- Submit the Citywide Nuisance Abatement Program Property Referral with supporting documentation via the chain of command to the Commanding Officer, Area Detective Division, for review, completeness, and accuracy.

Area Commanding Officer Responsibility.

Preliminary Investigation. Upon receiving the preliminary investigation, the concerned Area commanding officer shall review the package for completeness and accuracy. If it is determined that the matter should be pursued further, the Area commanding officer shall:

- Include any additional pertinent documentation such as a Sergeant's Daily Report, Form 15.48.00, which will assist in the review process.
- Retain a copy of the Form 03.19.01, and the historical package at the Area vice unit.

Approved Abatement Package. After receiving the approved abatement package from the Bureau Abatement Coordinator (BAC), the Area commanding officer shall:

- Ensure that the investigating officer conducts a thorough investigation into the abatement, Conditional Use Permit review, or nuisance abatement revocation review process;
- Ensure that the investigating officer completes a 90-day follow-up and closeout using Form 03.19.01, and that copies are forwarded to the BAC; and,
- Ensure that a Department representative attends all relevant hearing(s).

Bureau Abatement Coordinator Responsibility. Upon receipt of the abatement package from the Area commanding officer, the BAC shall review the package for accuracy and content ensuring that the required documents are included and the elements necessary to initiate an abatement have been completed. If the package is complete and the required elements have been met, the BAC shall forward the abatement package to the following entities in the following sequence:

- The Citywide Nuisance Abatement Program (CNAP) Administrative Coordinator to obtain a CNAP Control Number;
- The Commanding Officer, Vice Division, for abatements involving vice nuisances, or the Commanding Officer, Field Enforcement Section (FES), Gang and Narcotics Division (GND), for abatements involving narcotic nuisances; and,
- The Director of the Citywide Nuisance Abatement Program (CNAP), who will make the final recommendation whether to approve, reject or refer the package to another agency for further investigation.

After approval or denial of the request, the BAC shall return the package to the Area commanding officer.

Additionally, the BAC shall:

- Forward a copy of the Form 03.19.01, to the Department Abatement Coordinator, Commanding Officer, Vice Division; and,
- Maintain a file of all ongoing abatements affecting the bureau.

Nuisance Abatement and Conditional Use Permit Coordinator Responsibility. The Commanding Officer, Vice Division, is the Department Nuisance Abatement/CUP Coordinator and shall:

- Monitor all requests for nuisance or narcotic abatements; and,

Note: This is accomplished when BACs forward copies of Forms 03.19.01, with CNAP Control Numbers to the Commanding Officer, Vice Division.

- Maintain copies of Forms 03.19.01, with a CNAP Control Number for abatements initiated by the Narcotics Abatement Unit and Vice Division.

Citywide Nuisance Abatement Program, Narcotic Division's Responsibility. The Citywide Nuisance Abatement Unit, Narcotic Division, shall:

- Advise and train Department employees on narcotics abatements;
- When specific expertise is required for an abatement, assume responsibility for the investigation; and,
- Forward copies of all Forms 03.19.01, initiated by Gang and Narcotics Division to the Commanding Officer, Vice Division and a copy to the applicable BAC.

Commanding Officer, Field Enforcement Section, Gang and Narcotics Division Responsibility. The Commanding Officer, FES, ND, is responsible for approving and disapproving requests for a formal narcotic abatement and shall:

- For a disapproval, sign and return the abatement package to the Area commanding officer via the BAC, indicating the reason(s) for the disapproval; or,
- For an approval, sign and return the abatement package to the Area commanding officer via the BAC.

Commanding Officer, Vice Division's, Responsibility. The Commanding Officer, Vice Division, is responsible for approving and disapproving requests for a formal abatement or Conditional Use Permit review process and shall:

For a disapproval, sign and return the abatement package to the Area commanding officer via the BAC, indicating the reason(s) for the disapproval; or,

For an approval, sign and return the abatement package to the Area commanding officer via the BAC.

Vice Division Responsibility. The Community Problems Unit, Vice Division, shall:

- Advise and train Department employees and business groups on CUP reviews and nuisance abatements;
- When specific expertise is required for an abatement, assume responsibility for the investigation; and,
- Forward copies of all Forms 03.19.01, initiated by Vice Division to the Commanding Officer, Department Abatement and Conditional Use Permit Coordinator, and a copy to the applicable BAC.

Note: Vice Division shall be exempt from forwarding abatement packages initiated by the unit to the BAC.

Vice Investigations that Result in Abatement Action. When a vice condition reported on a Vice Report, Form 03.18.00, results in the initiation of an abatement proceeding, the investigating officer shall:

- Using the follow-up format (Form 03.18.00), close the case using the “Other” justification category, and ensure the “Reason for Continuance” heading indicates the case is “Closed Pending Abatement”;
- Complete a follow-up Form 03.18.00 each quarter (from the date of the initial proceeding) and summarize the status of the abatement proceedings for that period until the case has concluded; and,
- Upon the conclusion of the abatement proceedings, complete a closeout 3.18 report (follow-up), summarizing the final results of the abatement.

720.80 COMPLAINT ISSUED AGAINST ARMED FORCES PERSONNEL - NOTIFICATION. When a complaint has been issued against a member of the Armed Forces, the concerned investigating officer shall make a telephonic notification to the Department Command Post, Department Operations Center (DOC). This notification shall include the charge, date of trial, and the court division where the trial or hearing is to be held.

721. GANG ENHANCEMENT PROCEDURES AND GANG HISTORY BOOKS.

721.10 APPLICABLE GANG ENFORCEMENT STATUTES. The following Penal Code sections are applicable when seeking gang enhancements in felony cases. The gang enhancements in the PC Sections can add two, three, or four years to any felony, five years to any serious felony and 10 years to any violent felony.

A. Penal Code Section 186.22(b)(1). This Section may be used as an enhancement for any gang-related felony. All that is required is that the felony be committed for the benefit of, at the direction of, or in association with a criminal street gang and that the defendant specifically intends to promote, further, or assist in any criminal conduct by gang members. This should be the first option for gang enhancements in felony cases.

B. Penal Code Section 186.22(b)(4). This Section enhances certain felonies, making them life sentence crimes. Application of this Section can result in a sentence of seven years to life for gang extortion and witness intimidation. It can also result in a sentence of 15 years to life for a gang home invasion robbery, carjacking, shooting at an occupied vehicle or building, and discharging a firearm from a vehicle resulting in great bodily injury or death. Again, it is required that the felony be committed for the benefit of, at the direction of, or in association with a criminal street gang and that the defendant specifically intends to promote, further, or assist in any criminal conduct by gang members.

C. Penal Code Section 186.22(d). This Section makes a misdemeanor committed for the benefit of a gang, such as vandalism/tagging, a “wobbler” or prosecutable as either a felony or a misdemeanor. It also enhances the sentences on misdemeanors requiring a mandatory minimum sentence of 180 days. It tracks, word-for-word, the language of 186.22(b)(1) PC gang enhancement. It is an effective tool to increase punishment on traditional misdemeanor

cases, such as when a gang member spray paints graffiti, but the damage is less than \$400.00, or where a gang fight results in a battery.

D. Penal Code Section 186.30. This Section requires persons convicted of gang-related crimes, who are ordered by the court, to register with the Chief of Police or Sheriff in their jurisdictions of residence. Registration must be completed within 10 days of release from custody or within 10 days of changing residence. The registration is mandatory for a period of five years from the date of conviction. Penal Code Section 186.33 provides that failure to register in compliance with 186.30 PC is a misdemeanor. This Section should always be filed when gang enhancements are sought. However, it could also be applied if the court finds that the crime is gang-related at the time of sentencing or disposition.

721.15 FILING GANG ENHANCEMENTS. The two main components of a successful gang enhancement allegation are the quality of the gang expert and his/her testimony, and predicate crimes committed by persons who are current or former members of the gang and exhibit a pattern of criminal activity as delineated in PC Section 186.22(e).

Gang Expert Defined. A Gang expert **must** possess personal knowledge of the gang itself and its criminal activities. This can be enhanced by reviewing all available documentation. The expert should have personal knowledge of the gang member or, at a minimum, be able to testify that the individual is a documented gang member. The expert will ultimately have to give the opinion that this particular crime was committed for the benefit of the gang with the specific intent to further criminal gang activity and/or to increase the gang's reputation or influence.

Gang Expert Qualifications. Qualifying criteria for a gang expert should include, but is not limited to:

- Works or has worked a specialized gang detail;
- Has routine contact/conversations with members of a gang;
- Has investigated or assisted in investigations of crimes committed by members of a gang;
- Discusses the gang with other members of his/her agency;
- Has received specialized training on the subject of gangs;
- Has personal experience or background in dealing with gangs and gang members; and,
- Has read books and articles on gang activity.

Note: It is recommended that a gang expert have a constantly updated resumé for court and instructional purposes. The information on the gang expert (name, serial number, location of work) has to be available at the time the case is filed.

Testimony Provided by a Gang Expert. An officer called to testify as a gang expert should be prepared to explain:

- Previous testimony and evidence;
- How gangs operate;

- Specific information about the gang involved, (ethnic makeup, size, signs, symbols, area, history, criminal activity, associates, rivals):
- Levels of gang involvement, rivalry, and revenge;
- How and why people join and quit gangs;
- The significance of graffiti and crossing it out;
- The meaning of tattoos and monikers;
- Criteria for documenting a person as a gang member;
- The difference between an active member and an affiliate;
- What constitutes a gang;
- Witness intimidation and the lack of cooperation with authorities;
- How the gang increases its power and reputation;
- The importance of respect in gang culture; and,
- Who would qualify as an ex-gang member.

Patterns of Criminal Gang Activity. The prosecution must prove a “pattern of criminal gang activity,” as defined in Section 186.22(e) PC, by determining that prior crimes have been committed. These prior crimes must have been committed by any person who was then, or is now, a member of the defendant's gang. The filing officer must obtain copies of the prior crime and/or arrest reports, and certified records of conviction from the court clerk linking this gang to the commission or attempted commission, conspiracy to commit, or solicitation of, sustained juvenile petition for, or conviction of two or more of the following crimes, and the offenses were committed on separate occasions, or by two or more persons:

- Assault with a deadly weapon;
- Robbery;
- Murder or Manslaughter;
- Sale, possession for sale, transportation, manufacture, offer for sale or offer to manufacture any controlled substance;
- Shooting at an occupied vehicle or inhabited building;
- Discharging or permitting discharge of a firearm from a motor vehicle;
- Arson;
- Witness intimidation;
- Grand theft;
- Grand theft of any firearm, vehicle trailer or vessel;
- Burglary;
- Rape;
- Looting;
- Money laundering;
- Kidnapping;
- Mayhem;
- Aggravated mayhem;
- Torture;
- Felony extortion;
- Felony vandalism;
- Carjacking;
- The sale, delivery or transfer of a firearm;

- Possession of a concealable firearm by a juvenile;
- Criminal Threats; or,
- Theft and unlawful taking/driving of a vehicle.

The last predicate crime committed must have occurred within three years of the current crime. The current crime must be gang-related. The prior crimes must have been committed by any person who was then, or is now, a member of the defendant's gang.

Note: The prior crimes history must be available at the time the case is filed.

To successfully obtain prosecution, it must be shown that the current crime was committed for the benefit of, at the direction of, or in association with the gang. This can be accomplished by admitting the prior crimes and relying on the testimony of the gang expert.

721.20 GANG HISTORY BOOKS. The availability of historical gang information is an important component in the training and development of gang expertise. This information can further assist in the prosecution of members of the gang. Each Gang Impact Team (GIT) shall prepare a Gang History Book for each of the major gangs in their Area. Each Gang History Book should include, but is not limited to:

- A list of gang experts for this gang;
- History of the gang;
- Criminal activity of this gang, including copies of crime reports, arrest reports and certified records of convictions attributed to this gang, news clippings and written articles;
- Alliances and enemies of the gang;
- A map of the gang's area; and,
- Photos of the gang's graffiti.

The Gang History book shall **not** contain:

- Individual gang records;
- CAL/GANG Cards; or,
- Gang lists.

The Gang History Books will become a ready reference for current gang experts and for establishing predicated offenses. The Gang History Books shall be continually updated as more officers become experts and more crimes and convictions are attributed to the gang. This will greatly assist in the timely preparation of gang enhancement cases. The Gang History Books are considered part of the gang intelligence files and the same criteria of “right to know” and “need to know” is required.

Note: In accordance with Department Manual Section 4/269.40, only Department-authorized gang investigation units are authorized to maintain the Gang History Books. The watch commander shall have access to all gang files, including the Gang History Books. The Gang

History Books shall not be removed from the Area station without prior approval from the Area Commanding Officer.

721.25 PREDICATE CRIMES AND GANG EXPERTISE IN THE CAL/GANG SYSTEM. To make predicate crimes and gang experts available Countywide, it shall be the responsibility of every Gang Impact Team employee to also ensure that his or her gang expertise is documented in the CAL/GANG System. Successful prosecutions of gang enhancement cases shall be entered in the CAL/GANG Case Management System, including current and all predicate crimes related to the case. The CAL/GANG System can serve as an automated resource for easily obtaining gang experts and predicate crime information for specific gangs. Gang Support Section, Gang and Narcotics Division, will advise and assist in updating CAL/GANG user profiles and case management input for predicate crimes.

721.30 GANG OFFICER'S RESPONSIBILITY. Every gang officer should become an expert in each of his/her assigned gang(s) as soon as practical. Once expertise has been established, it shall be documented in the Gang History Book and in the CAL/GANG System.

Gang Impact Teams shall maintain an updated Gang History Book for all of their major gangs.

721.35 GANG DETECTIVE'S RESPONSIBILITY. Gang expertise by detectives shall be documented in the Gang History Book and entered into the CAL/GANG System. When a gang detective becomes aware of an arrest of any gang member in his or her Area, gang enhancements shall be considered before filing charges. If necessary, the detective shall be guided by the recommendation of the filing deputy from the City Attorney's or District Attorney's Office. When a case is filed with gang enhancements, the gang detective shall ensure that the information on the predicate crimes is entered into the CAL/GANG System.

722. COMPLAINT OFFICER-CITY ATTORNEY'S OFFICE.

722.10 INVESTIGATING OFFICER'S DUTIES - GENERAL PROVISIONS.

Investigating officers assigned to divisions in the metropolitan area may use the services of the complaint officer for processing misdemeanor complaints, obtaining warrants, and directing detention officers to record the release felony charges and the placing of misdemeanor charges. Investigating officers shall:

- Present the case to the City Attorney in the usual manner; and,
- After the City Attorney indicates that a complaint will be issued, complete the Investigator's Final Report, Form 05.10.00, releasing the felony charge and placing the misdemeanor charge (4/646.10). Leave one copy of the Form 05.10.00 with the Chief Complaint Deputy for use by the complaint officer.

Suspect in Custody Not Due for Release. Investigating officers shall use the services of the complaint officer when the suspect is not due for release at a time when court is in session on the day the complaint is sought.

Suspect in Custody Due for Release. Investigating officers shall not use the services of the complaint officer when the suspect is due for release at a time when court is in session on the day the complaint is sought. Investigating officers shall be responsible for obtaining the complaint, the warrant and arraigning the suspect.

Suspect Free on Fixed Bail Release. When an investigating officer seeks a misdemeanor complaint against a suspect who is free on a fixed bail release, he/she shall:

- Present the case to the City Attorney in the usual manner;
- After determining that a complaint will be issued, leave the Arraignment Information, Form 05.17.00, with the complaint officer; and,
- If the suspect has been directed to appear at a branch court, the investigating officer shall deliver the arraignment information form to the concerned court.

Misdemeanor Complaint and Warrant Sought on a Suspect Not in Custody. When an investigating officer seeks a misdemeanor complaint and warrant on a suspect who is not in custody, he/she shall present the case to the City Attorney in the usual manner. If the complaint is issued, leave the complaint with the complaint officer for further processing.

Note: When an investigating officer determines that the misdemeanor warrant should be certified for service between 2200 hours and 0600 hours, a statement requesting the certification and a statement which shows good cause for the certification shall be included in the reports presented to the City Attorney.

722.20 COMPLAINT OFFICER - DUTIES. The complaint officer shall deliver the complaints signed by the City Attorney to the warrant clerk in Division 80 of the Municipal Court, sign and swear to the complaints as the complaining officer, and, if necessary, obtain warrants.

Suspect in Custody at Custody Services Division. If the suspect is in custody, the complaint officer shall deliver the Investigator's Final Report, Form 05.10.00, and/or the warrant to Metropolitan Jail Section, 77th Street Jail Section, or Valley Jail Section for completion of the Supplemental Charge Record, Form 05.08.00, by the custodial detention officer.

Suspect in Custody in Division Jail or County Jail System. If the suspect is in custody in a divisional jail or the County Jail System, the complaint officer shall:

- Deliver the Investigator's Final Report, Form 05.10.00, and/or the warrant, to the release desk at Metropolitan Jail Section; and,
- Cause a Felony Release and Supplemental Charge Teletype (4/165.26) to be sent to the custodial detention officer.

Misdemeanor Complaint Sought on a Felony Suspect Free on Fixed Bail Release. The complaint officer shall:

- Deliver the complaint and the Arraignment information, Form 05.17.00, to the clerk in Division 80.

Exception: If the suspect has been directed to appear at a branch court, it shall be the investigating officer's responsibility to deliver the Arraignment Information, Form 05.17.00, to the concerned court.

Misdemeanor Complaint and Warrant Sought on a Suspect Not in Custody. When a misdemeanor complaint or warrant is sought on a suspect not in custody, the complaint officer shall deliver the complaint to the appropriate filing deputy from the City Attorney's Office.

725. ARREST WARRANTS.

725.04 LOCAL WARRANT - DEFINED. A local warrant is a warrant issued by a court having jurisdiction of criminal matters arising within the City of Los Angeles.

725.05 IN-COUNTY WARRANT - DEFINED. An in-county warrant is a warrant issued by a court having jurisdiction over matters arising within the County of Los Angeles.

725.06 FOREIGN WARRANT - DEFINED. A foreign-warrant is a warrant obtained by an agency other than this Department.

725.07 RETAINABLE OFFENSE - DEFINED. A retainable offense is an offense recordable on the arrestee's criminal history record (rap sheet) by the Department of Justice.

725.08 INVESTIGATING OFFICER'S RESPONSIBILITY. An investigating officer securing any type of warrant on a suspect shall indicate on the face of the warrant "Possibly Armed" or "Combative" when the suspect has a prior history of being armed or combative toward the police.

Investigating officers who become aware that a person against whom a criminal complaint has been filed or an indictment returned is in custody outside of Los Angeles County, or in federal custody, shall:

- Obtain a certified copy of the arrest warrants from the Watch Commander, Records and Identification Division;
- Mail the certified copy of the arrest warrant to the person in charge of the detention facility where the defendant is in custody; and,
- If no warrant is on file, attempt to obtain a warrant through established procedures and, if issued, mail a certified copy to the appropriate detention facility.

Questions regarding extradition of out-of-county or federal inmates shall be resolved by the Office of the District Attorney, Extradition Services Section.

725.09 DUE DILIGENCE-INVESTIGATIVE RESPONSIBILITY. When a felony arrest warrant is obtained, Fugitive Warrant Section (FWS), Gang and Narcotics Division, shall be

responsible for making a systematic, continuing effort to apprehend the suspect. The FWS shall be responsible for the due diligence of narcotic warrants and those warrants obtained by area detective division investigators, with the exception of homicide and juvenile warrants. If Area detective division investigators or investigating officers assigned to other Department entities wish to maintain responsibility for a warrant, they shall contact the Officer in Charge, FWS, and advise of such. This will prevent duplication of efforts and ensure officer safety. The officer attempting service of the warrant shall be responsible for updating Countywide Warrant System on those due diligence efforts.

Note: The following Department entities are responsible for the due diligence and service of the warrants they generate:

- Traffic divisions;
- Detective Support and Vice Division;
- Commercial Crimes Division;
- Robbery-Homicide Division;
- Gang and Narcotics Division;
- Juvenile Division;
- Internal Affairs Division; and,
- Major Crimes Division.

Exception: Major Crimes Division will assist the Los Angeles Fire Department Arson Unit with the due diligence of warrants involving special circumstance arson cases.

Investigating officers assigned a case shall not relinquish responsibility for the investigation of that case. However, the investigating officers will not have the primary responsibility for the service of the warrant. The investigating officer(s) who obtain a felony warrant shall be responsible for generating the felony warrant package.

Exception: The FWS shall be responsible for generating warrant packages and maintaining a felony warrant package file for all adult felony narcotic warrant suspects.

Note: The fact that FWS is responsible for the primary exercise of due diligence efforts does not relieve other Department officers from their duty to arrest warrant suspects as soon as possible.

Due Diligence Coordinator. Due Diligence coordinators shall ensure that California Penal Code Section 980 is adhered to (Department Manual Section 4/728.16).

725.10 REGISTERING WARRANTS. For the purpose of this section, "registering warrants" is defined as the forwarding of warrant information to the Warrant Section, Records and Identification Division, for input into the Countywide Warrant System, regardless of the method of transmittal.

Exception: Probable Cause Arrest Warrants shall not be registered with Records and Identification Division (4/725.12).

Registering Felony Warrants. When a suspect is not in custody at the time a felony warrant is issued for his/her arrest, the warrant shall be registered with the Warrant Section, Records and Identification Division, no later than the end of the working day during which the warrant was issued. When registering warrants and the method of transmittal is other than delivery of the original warrant itself, the concerned officer shall ensure that the original warrant is delivered to the Warrant Section, Records and Identification Division, as soon as practicable, but no later than eight hours from the time the warrant was registered. The warrant shall be registered by:

- The concerned investigating officer, when:
- He/she processes the warrant through the District Attorney's Office;
- He/she receives a felony bench warrant directly from a Los Angeles Judicial District preliminary court; and,
- A felony warrant is issued and no Liaison Officer is assigned to the issuing court.
- The Liaison Officer, Detective Support and Vice Division assigned to the District Attorney's Office, when the Liaison Officer processes a felony warrant through the District Attorney's Office;
- The Liaison Officer, Detective Support and Vice Division assigned to Division 30, when a felony bench warrant is issued by a Los Angeles Judicial District preliminary court in the metropolitan area and the bench warrant is delivered to the Liaison Officer; and,

Note: The Liaison Officer in Division 30 shall notify the investigating officer of the issuance of a felony bench warrant by ensuring that a Warrant Notice-Suspect Description, Form 08.48.00, is prepared and forwarded to the investigating officer.

- The Vice Division Liaison Officer assigned to the District Attorney's Office, when the Liaison Officer processes a felony warrant through the District Attorney's Office.

Additional Information Needed When Registering Felony Warrants. When a felony warrant is registered, the Warrant Section, Records and Identification Division, shall be furnished with the following information:

- All available pertinent identification numbers, such as the Department's LA number, Criminal Information and Identification number, Federal Bureau of Investigation number, and the subject's social security number;
- DR number of the crime report;
- Concerned investigating officer's name, serial number, and unit of assignment;
- Physical description of the subject, including his/her date of birth, or, operator's license number; and,

Note: The computer will only accept the warrant information if all the following data is provided:

- Name.
- Sex.
- Descent.
- Date of birth or operator's license number.
- AKA of subject, if available.

Registering Misdemeanor Warrants. Misdemeanor warrants are automatically registered with the Warrant Section, Records and Identification Division, by the clerk of the concerned misdemeanor court. Investigating officers who wish to be notified of the service of a misdemeanor warrant shall request the court clerk to include on the warrant their name, serial number, unit of assignment, and a request to be notified.

725.12 PROBABLE CAUSE ARREST WARRANT (see also Section 4/742.10).

Obtaining. In the absence of exigent circumstances, an officer desiring to enter a residence to arrest an adult felony suspect or a juvenile for either a felony or misdemeanor offense, shall check the Countywide Warrant System (CWS) to determine if an existing warrant may be used. If no such warrant exists, he shall contact the concerned investigating officer, or investigative supervisor. When concerned investigative personnel are unavailable, the officer shall contact his/her immediate supervisor for direction.

If circumstances necessitate obtaining a Probable Cause Arrest Warrant, the concerned investigating officer or an officer designated by a supervisor, shall:

- If the suspect is an adult, complete one copy of the Probable Cause Arrest Warrant and Affidavit (Adult), Form 08.96.00;
- If the suspect is a juvenile, complete one copy of the Probable Cause Arrest Warrant and Affidavit (Juvenile), Form 08.97.00;
- Attach a copy of each related report; e.g. crime report, property report, narcotics buy note. Specify the total number of *pages* attached in the space provided on the affidavit;

Note: Additional probable cause, expertise, and/or confidential information not documented in crime and follow-up reports may be stated on a Continuation Sheet, Form 15.09.00, or a Search Warrant Affidavit Continuation Sheet, District Attorney Form DA 394A.

- During other than normal working hours, obtain the name and telephone number of the on-call magistrate from the on-call deputy district attorney; and,

Note: Although the deputy is available for advice, it is not necessary to obtain the deputy's approval.

- Sign the affidavit in the presence of the magistrate who issues the warrant.

Arresting officers need NOT have a warrant in their possession at the time of arrest (842 PC).

If an arrest is made pursuant to a Probable Cause Arrest Warrant by an officer, the original warrant and affidavit shall be forwarded to the concerned investigating officer with copies of the arrest report. The concerned investigating officer shall retain the original warrant and affidavit form in the Detective's Case Envelope, Form 15.15.00, or Murder Book.

If no arrest is made pursuant to the warrant, the original warrant and affidavit shall be forwarded to the concerned investigating officer with copies of the crime report. The concerned investigating officer shall retain the original warrant and affidavit forms in the work folder or Murder Book for reference.

Booking and Arraignment.

- The words "P/C WARR" shall be entered in the **Warrant No.** portion of the booking slip or on the arrest report in the case of a juvenile who is not booked;
- The procedure for filing formal charges, and the time limit for arraignment, is the same as for felons arrested without a warrant; and,

Note: If a formal charge is not sought or obtained, a person arrested on a Probable Cause Arrest Warrant may be released pursuant to the authority-to-release clause of the warrant.

- Adult arrestees shall be transported for arraignment only at the direction of the concerned investigating officer.

Warrant Not Served. A Probable Cause Arrest Warrant shall not be registered with Records and Identification Division.

If the suspect is not apprehended prior to end of watch, the officer who obtained the warrant shall telephonically register the warrant with the Administrative Unit, Detective Support and Vice Division (DSVD), and shall forward a **copy** of the warrant to DSVD.

Exception. An investigative supervisor may direct that the warrant not be registered or forwarded to DSVD. DSVD shall retain a copy of any registered Probable Cause Arrest Warrant until expiration.

An officer desiring to serve a warrant which has been registered with DSVD shall first contact DSVD to ensure that it is still valid. If the warrant is served, the officer shall promptly notify DSVD.

Posting Bail. If an adult arrestee posts the bail provided for on the warrant, the releasing employee shall cite the arrestee to appear in court as determined from the Court Schedule for Bail-Outs.

Action Taken on Warrant. The concerned investigating officer shall retain the warrant and affidavit, and shall promptly notify DSVD of any change in status of the warrant. The

notification may include specific information or instructions; e.g., "suspect armed and dangerous" or "contact investigator prior to serving."

Detention of Juveniles. Juveniles arrested pursuant to a probable cause arrest warrant shall be detained under the same criteria as established in Manual Section 4/218.64.

Case Disposition-Juveniles. In processing juveniles arrested pursuant to a probable cause arrest warrant, investigating officers shall make a final case disposition in accordance with Chapter Seven of the Manual of Juvenile Procedures, e.g., petition request, counsel release (C/R), action suspended, referral, exonerated, insufficient evidence.

725.20 RESPONSIBILITY FOR SERVICE OF WARRANTS.

California Adult Misdemeanor Warrants. The Fugitive Warrant Section (FWS), Gang and Narcotics Division (GND), shall be responsible for ensuring that a systematic continuing effort is expended to apprehend California adult, high-grade misdemeanor warrant suspects.

Local Felony Warrants. The FWS, GND, shall have primary responsibility for the service of adult felony warrants (Department Manual Section 4/725.09).

Felony Bench Warrants. The FWS shall have primary responsibility for the service of felony bench warrants issued in a superior court as a result of an LAPD case.

Foreign Felony and Out-of-State Misdemeanor Warrants. The FWS shall have primary responsibility for the service of foreign adult felony and out-of-state adult misdemeanor warrants.

Note: The FWS shall acknowledge receipt of a warrant to the requesting agency within 10 days of receipt of correspondence regarding wanted persons.

725.30 SIGNING OUT WARRANTS. An officer shall not sign out a warrant unless he/she has the suspect in custody and intends to book the person on the warrant.

725.40 ARREST ON WARRANTS – SPECIAL INSTRUCTIONS. When an arrest is made on a foreign felony want or warrant, or on an out-of-state misdemeanor warrant, the Fugitive Warrants Section (FWS), Gang and Narcotics Division, shall be responsible for completing the Investigator's Final Report, Form 05.10.00.

Exception: The arresting officer shall be responsible for completing the *Release Information* section of the Investigator's Final Report when an arrest made on any of the following constitutes a felony charge:

- Violation of California State parole under authority of California Penal Code Section 3056 or Welfare and Institutions Code 3151;
- Violation of probation bench warrant held by the Los Angeles County Sheriff's Department; and,

- "Failure to Appear" bench warrant held by the Los Angeles County Sheriff's Department.

Upon completion, the Investigator's Final Report shall be delivered to the record clerk, Area of booking who shall immediately forward it to the Criminal History Section, Records and Identification Division. One copy of the Investigator's Final Report shall be attached to the prisoner's custody record; and, the other copy shall be forwarded to the FWS, GND.

Note: If any of the above violations constitute a misdemeanor charge only, the Investigator's Final Report is unnecessary.

725.48 ARREST REPORTS - ARRESTS ON WARRANTS.

Arrest narratives are not required for felony warrant arrests **except** under the following circumstances:

- Parole and Probation Holds;
- Arrests involving a use of force;
- Evidence recovered as a result of the arrest;
- If arrestee receives injuries which could be attributed to the officers;
- Aggravated or unusual circumstances; and,
- At the direction of the watch commander.

Below are the reports required for each type of felony warrant arrest:

Felony Warrants and Felony Wants Involving Adults. An arrest report is not required for felony warrant arrests not involving an open charge. For felony warrant arrests, including parole/probation warrants, officers shall submit the following to the watch commander or his or her designee:

- Arrest Report "Face Sheet", Form 05.02.00;

Note: The "Approval/Reporting Officers" section shall still be completed, including the "Supervisor Approving Report" box.

- Investigator's Final Report, Form 05.10.00;

Note: Officers shall still comply with procedures for the completion of the Investigator's Final Report outlined in Department Manual Section 4/775.20.

- Copy of the Warrant Information Sheet (WIS) or abstract for warrants issued within California; and,
- Booking Approval, Form 12.31.00.

Note: Parole/probation **holds** are different from parole/probation **warrants**. Parolees at Large (PALs) are considered parole warrant suspects. Parole **holds** require an

arrest narrative.

Juvenile Warrant Arrests. For warrant arrests involving juveniles, officers shall submit the following:

- Arrest Report “Face Sheet”;
- Investigator’s Final Report;
- Copy of the WIS or abstract for warrants issued within California;
- Disposition of Arrest and Court Action, Form 05.09.00;
- Booking Approval; and,
- Juvenile Arrest Supplemental Report, Form 05.02.06.

Note: Officers shall document the circumstances under which they came into contact with the juvenile on the Juvenile Arrest Supplemental Report.

1551.1 PC Fugitive Arrests. For 1551.1 PC Fugitive arrests, officers shall submit the following to the watch commander or his/her designee:

- Arrest Report “Face Sheet”;
- Disposition of Arrest and Court Action, Form 05.09.00;
- Investigator’s Final Report;
- Probable Cause Determination (PCD), Form CRIM 064;
- National Crime Information Center (NCIC) printout; and,
- Booking Approval.

Parole Holds. For parole holds, officers shall submit the following to the watch commander or his/her designee:

- Arrest Report “Face Sheet”;
- Investigator’s Final Report;
- Arrest narrative;
- Copy of parole hold authorization from the California Department of Corrections and Rehabilitation; and,
- Booking Approval.

Probation Holds. For probation holds, officers shall submit the following to the watch commander or his or her designee:

- Arrest Report “Face Sheet”;
- Investigator’s Final Report;
- Arrest narrative;
- PCD Form;
- Copy of probation hold authorization from the Los Angeles County Probation Department; and,
- Booking Approval.

Note: The Consolidated Criminal History Reporting System (CCHRS) printout, Criminal Identification and Information (CII) printout, Department of Motor Vehicles (DMV) history, and City Attorney's Disclosure Statement are not required for felony warrant arrests, 1551.1 PC fugitive arrests, parole holds or probation holds.

Misdemeanor Warrants. An arrest narrative is generally not required for a misdemeanor warrant arrest. Misdemeanor warrant arrests shall be reported on an Arrest Report or a Release From Custody (RFC) Report, Form 05.02.02, and an arrest narrative completed when:

- The warrant is an out-of-state misdemeanor warrant and a local warrant has been obtained authorizing the arrest for the out-of-state warrant;
- The charge is 314(1) P.C. (Indecent Exposure), 647.6 P.C. (Annoying or Molesting Children), or 653b(a) P.C. (Loitering About Schools or Other Places Attended by Children);
- The charge is 272 P.C. (Contributing to the Delinquency of a Minor, Luring Minor Under 14 Away From Home);
- 470, 470(a), 470(b) P.C. (Forgery);
- 475 P.C. (Possession or Receipt of Items as Forgery);
- 476 P.C. (Bill, Note, or Check) or 476a P.C. (Making or Delivering Check with Insufficient Funds);
- 484e, 484f(a), 484g, 484i P.C. (Forgeries and Other Misuses Involving Access Cards);
- 532 P.C. (Fraudulently Obtaining Money, Property or Labor) or 532a P.C. (False Financial Statement);
- There are unusual or aggravated circumstances;
- It is not obvious that the arrestee is the suspect identified on the warrant;
- The arrestee sustains an injury at the time of arrest or subsequent to the arrest and prior to acceptance by the detention officer;
- The arrestee receives medical treatment for an old injury or for injuries sustained prior to and not incidental to the arrest; and,
- The arrestee is a member of the Armed Forces.

Exception: When a person arrested for a cannabis offense, is eligible for release from custody (Department Manual Section 4/216.65), and is additionally charged with a misdemeanor warrant charging one of the above crimes, the arresting officer shall, in lieu of completing an Arrest Report:

- Complete a Non - Traffic Notice to Appear, Form 05.02.02, for the cannabis offense (4/216.65);
- Include the warrant number, charge, and issuing court in the narrative of the RFC Report;
- Write "Includes Misdemeanor Warrant for (*e.g., 470 P.C.*)" in the upper right margin of the RFC Report; and,
- Book the arrestee for the misdemeanor warrant only.

725.49 SERVICE OF FELONY AND CALIFORNIA MISDEMEANOR ARREST WARRANTS - PERSON IN - CUSTODY.

Felony or Misdemeanor Arrestee-Prior to Booking. When a person arrested on a misdemeanor or felony charge is found, prior to booking, to be the subject of a felony or California misdemeanor warrant, the arresting officer shall book the person on both the original charge and the warrant. The original arrest and necessary information related to the warrant shall be reported on the Arrest Report, Form 05.02.00.

The custodial detention officer shall initiate an Arrest Disposition Report, Form 05.09.00, for *each* in-county arrest warrant issued for a retainable offense.

Note: Each Form 05.09.00 for an in-county warrant shall be attached to the Jail Custody Record, page 5 of the Los Angeles Consolidated Booking Form, Form 05.01.00, and shall accompany the arrestee to court.

Exception: A Form 05.09.00 initiated for an arrest under the authority of a Ramey Warrant shall be processed with the Arrest Report.

Felony or Misdemeanor Arrestee-Booked. When a person already booked on a misdemeanor or felony charge is found to be the subject of a felony or California misdemeanor warrant, the Criminal Records Section, Records and Identification (R&I) Division, shall:

- Make a telephonic notification to the custodial detention officer; and,
- Cause a warrant information teletype or teletype abstract of the warrant to be sent to the detention officer.

The custodial detention officer, after establishing the arrestee's identification, shall:

- Complete a Supplemental Charge Record, Form 05.08.00, and include the System ID number in the "Additional Information" box; and,
- Initiate a Form 05.09.00 for *each* in-county arrest warrant issued for a retainable offense. A Form 05.09.00 is not required for an out-of-county warrant arrest unless it is the primary charge.

Note: Each Form 05.09.00 for an in-county warrant shall be attached to the Jail Custody Record and shall accompany the arrestee to court.

Exception: A Form 05.09.00 initiated for an arrest under the authority of a Ramey Warrant shall be processed with the Arrest Report.

When the arrestee is the subject of a felony warrant, the custodial detention officer shall also:

- Cause a Supplemental Charge Teletype to be sent to the Criminal Records Section, Records and Identification Division, without delay; and,
- Attach the warrant information teletype to page 5 (Jail Custody Record) of the original Los Angeles Consolidated Booking Form, Form 05.01.00.

The arrestee shall not be arraigned on the misdemeanor charge prior to the completion of the felony investigation by the concerned investigating officer.

Note: When a felony charge against an arrestee is released and normal misdemeanor transportation cannot provide for arraignment within the 48-hour time limit, the investigating officer responsible for the original investigation shall ensure that the arrestee is transported for arraignment. The 48-hour time limit shall begin at the time of the original arrest.

725.50 SERVICE OF WANTS AND WARRANTS - PERSON IN LOS ANGELES COUNTY CUSTODY.

Investigating Officer's Responsibilities. When an inmate in a Los Angeles County jail facility is wanted by this Department on a felony warrant, or is the subject of an additional filed or open charge, the concerned investigating officer shall:

- Determine the location and booking number, then confirm the identity of the inmate from the Warrants and Detainers Section, Men's Central Jail; and,
- Using the original booking number, ensure the investigating (INV) format on the Network Communications System (NECS) is completed, including sending a Warrant Information Sheet (WIS) to the Warrants and Detainers Section, Men's Central Jail.

Exception: If an investigating officer wishes to serve a inmate on an open charge, the investigating officer shall physically respond to Men's Central Jail or the Twin Towers Correctional Facility in Los Angeles.

The following procedures and documentations are necessary for the warrant(s) or open charge to be recorded in the Department's Consolidated Criminal Analysis Database (CCAD), Detective Case Tracking System (DCTS); The State Automated Criminal History System (ACHS); and, the Federal Interstate Identification Index (III) Criminal History System:

- Ensure the county booking number is entered in the Decentralized Arrest Booking Information System (DABIS) by Custody Services Division (CSD) personnel, which will generate an arrest booking form set;
- Ensure that the date of arrest entered in DABIS is the date when the arrestee was notified of the warrant(s) or open charge;
- Ensure that three Fingerprint Cards, Form FD 249, have been completed on the new charges;
- Forward the Fingerprint Cards, the Booking and Identification Record, Form 05.01.00, and the Criminal Investigations and Identification (CII) Arrest Notification, Form 05.01.02, to Criminal History Section, Records and Identification (R&I) Division;

- Complete the Arrest Report, Form 05.02.00, and narrative, and forward to the concerned Area Records Unit for established protocols for report distribution; and,
- Retain the Disposition of Arrest and Court Action, Form 05.09.00, and the Investigator's Final Report, Form 05.10.00.

Note: Investigating officers assigned to Fugitive Warrant Section, Gang and Narcotics Division, need not respond physically to Men's Central Jail or the Twin Towers Correctional Facility to rebook inmates in custody for California Penal Code Section 1551.1, Fugitive Arrest Without a Warrant. This booking may be accomplished electronically for this charge only.

- Ensure a teletype is sent to the Warrants and Detainers Section, Men's Central Jail, including all booking information; and,
- Via telephone, ensure the Warrants and Detainers Section received the teletype and WIS and that the inmate was served with the warrant or informed of the additional charges;

Note: When a inmate is confined at a location other than Men's Central Jail or the Twin Towers Correctional Facility, and the investigating officer wishes to physically serve the warrant(s) or open charge, the investigating officer shall send a teletype to the Watch Commander, Inmate Reception Center, requesting that the inmate be immediately transferred to the Men's Central Jail or the Twin Towers Correctional Facility. Felony warrants and open charges shall be served only at Men's Central Jail or Twin Towers Correctional Facility.

- Ensure that three Fingerprint Cards, Form FD 249, have been completed on the new charges;
- Forward the Fingerprint Cards, the Booking and Identification Record, and the CII Arrest Notification, to Criminal History Section, R&I Division;
- Complete the Arrest Report narrative, and forward it to the concerned Area Records Unit for report distribution; and,
- Retain the Disposition of Arrest and Court Action, and the Investigator's Final Report.

Note: If an arrest warrant is served or previously filed charges are being added, forward the Disposition of Arrest and Court Action to the appropriate arraignment court.

Investigating officers serving felony warrants or preferring additional charges on a female inmate in custody at the Twin Towers Correctional Facility shall comply with the procedure applicable at County Central system.

Local Misdemeanor Warrants. When notified that there are outstanding local misdemeanor warrants for a inmate in the County Jail, the Warrant and Teletype Unit, R&I shall:

- Obtain the inmates booking number; and,
- Forward a teletype of the WIS, including the inmates booking number, to the Warrants and Detainers Section, Inmate Reception Center, County Central Jail.

Foreign California Misdemeanor Warrant. When notified that there are outstanding foreign California misdemeanor warrants in the possession of this Department for a person in the County Jail System, the Warrant and Teletype Unit, R&I, shall:

- Obtain the person's booking number;
- Record the booking number on the top front of the warrant and forward it to the Warrant Detainer Section, Inmate Reception Center, Men's Central Jail; and,

Note: If the person is due to be released, a teletype abstract of the warrant shall be sent immediately to the same location, prior to forwarding the warrant.

- Immediately notify the agency from which the warrant was received that the person is in the County Jail and that the warrant has been forwarded to the Sheriff's Department for service.

Foreign Felony and Out-of-State Misdemeanor Warrants. When it is ascertained that a person arrested by this Department has a foreign felony want or warrant, or an out-of-state misdemeanor warrant, notification shall be made to the Fugitive Warrants Section, Gang and Narcotics Division, without delay (Department Manual Section 4/201.30).

Note: When the Fugitive Warrants Section is closed, the Department Operations Center, Communications Division shall be notified.

Suspect Released to LAPD – Not Booked. When an arrestee booked by another agency is released to LAPD custody and the arrestee is not subsequently booked by this Department, the concerned investigating officer shall:

- Complete the left portion of Section A of the Disposition of Arrest and Court Action;
- Insert the original arresting agency's booking number and the CII, FBI, and LA number, if available, in the appropriate spaces; and,
- Insert "BOOKED BY (agency - agency type) - RELEASED TO, NOT BOOKED, LAPD" in the remarks section.

The investigating officer shall forward the Disposition of Arrest and Court Action to the Reports Services Section, R&I Division.

725.51 SERVICE OF CALIFORNIA MISDEMEANOR WARRANTS - PERSON REMANDED TO THE CUSTODY OF THE SHERIFF.

Felony Inmates. When an investigating officer transports a felony inmate to court for arraignment, he or she shall furnish the officer of this Department assigned to the arraignment court with the outstanding warrants or a teletype abstract of each outstanding warrant against the inmate. When such inmate is remanded to the custody of the Sheriff, the officer assigned to the arraignment court shall deliver the warrants of the inmate.

Note: When no officer of this Department is assigned to the arraigning court, the concerned investigating officer shall be responsible for delivering the warrants or teletype abstracts to the deputy sheriff taking custody of the inmate.

Misdemeanor Inmates. When an inmate for whom there are additional misdemeanor warrant charges is remanded to the custody of the Sheriff, the officer of this Department assigned to the arraigning court shall present the warrants or teletype abstracts of the warrants to the deputy sheriff taking custody of the inmate.

Note: Custody Services Division records relating to the additional misdemeanor charges shall be cleared by indicating that such charges have been forwarded to the Sheriff's Department.

725.52 BOOKING OF INMATES RELEASED BY THE SHERIFF. When a Sheriff's inmate wanted by this Department is available for release to this Department, the officer responsible for investigation of the case shall, without delay, obtain custody of the inmate and book him or her in a jail of the City Jail System.

725.54 SERVICE OF LOCAL MISDEMEANOR WARRANT - PERSON IN CUSTODY IN ANOTHER CITY. The watch commander of the concerned patrol division shall arrange transportation and booking according to the following assignments, when persons arrested are at the County Jail or in nearby cities on Los Angeles warrants and are to be released to this Department:

Central Area-County Jail.

Foothill Area-San Fernando.

Harbor Area-Long Beach, Palos Verdes, Signal Hill and Torrance.

Hollenbeck Area-Alhambra, El Monte, Montebello, Monterey Park, San Gabriel, San Marino and Whittier.

Newton Area-Maywood and Vernon.

Northeast Area-Arcadia, Glendale, Pasadena, Sierra Madre and South Pasadena.

North Hollywood Area-Burbank.

Pacific Area-Culver City, El Segundo, Hawthorne, Hermosa Beach, Manhattan Beach, Redondo Beach and Santa Monica.

77th Street Area-Bell, Bell Gardens, Downey, Huntington Park, South Gate and Inglewood.

Southeast Area-Compton and Gardena.

Wilshire Area-Beverly Hills.

Officers shall obtain either the warrant or warrant information teletype upon arrival at the other city.

Arranging transportation and booking from all other cities in California shall be the responsibility of Fugitive Warrants Section, Detective Support and Vice Division.

725.55 SERVICE OF OUT - OF - STATE MISDEMEANOR WARRANTS AND FOREIGN FELONY WARRANTS. When persons are arrested on foreign felony warrants or warrants and out-of-state misdemeanor warrants, the arresting officer shall, *prior* to obtaining booking advice, notify the Fugitive Warrants Section (FWS), Gang and Narcotics Division, which shall handle notifications, correspondence, and obtain necessary court orders and complaints.

Note: When the FWS is closed, the Department Operations Center, Communications Division shall be notified.

725.56 WARRANT ARRESTS ON MILITARY PREMISES. Permission shall be obtained from the commanding officer of the concerned ship or station before making a warrant arrest on a member of the Armed Forces while on military premises.

The commanding officer may require a signed agreement from the arresting officers that the service person will be returned to military jurisdiction in the event he is acquitted or otherwise released. When such an agreement is signed, the officers shall deliver a copy to the Liaison Officer, Detective Support and Vice Division. If the service person is subsequently released or acquitted, the commanding officer of the division serving the warrant shall carry out the terms of the agreement.

725.57 FELONY WARRANT ARREST MADE OUTSIDE THE COUNTY OF ISSUANCE.

Officer's Responsibility. Officers who arrest a bailable felony warrant defendant outside the county of issuance, but within the State of California, shall complete a Compliance with Section 821 of the California Penal Code, Form 08.48.01. The arresting officer shall inform the defendant of his option to have a bail hearing in the county of arrest or in the county the warrant was issued. After obtaining the defendant's signature, the officer shall sign and date the form. If the defendant refuses to sign, the word "refused" shall be written in the space provided for the defendant's signature. The form shall be included as a page in the Arrest Report.

Note: This procedure does not apply to no-bail warrants, and shall apply to an arrestee who is booked on a felony warrant only, with no open charges.

Custody Services Division-Employee's Responsibility. The following procedures shall only apply to arrestees booked for warrants that were issued within the State of California, but outside the County of Los Angeles. When a Custody Services Division employee receives an

arrestee to be booked for an out-of-county felony warrant, with the exception of no-bail warrants, the Custody Services Division employee shall follow normal booking procedures, and:

- Ensure the Form 08.48.01 is complete;
- Ensure a transfer to the appropriate court is completed should the arrestee desire to go before a magistrate within Los Angeles County; and,
- Notify the county that issued the warrant to pick up the arrestee, if the arrestee waives the right to go before a magistrate in Los Angeles County.

Note: If the agency holding the warrant contracts with the Los Angeles Sheriff's Department for transportation, the arrestee shall be transferred to Sheriff's custody and transported by the Sheriff's Department. All other agencies shall take custody of the arrestee within five days, or five court days if the law enforcement agency requesting arrest is more than 400 miles away, otherwise the agency shall be notified and the arrestee shall be released.

725.70 REQUESTING WARRANT FOR PERSON RELEASED ON WRIT OF HABEAS CORPUS.

Outlying Divisions. Officers in the outlying divisions who request a warrant on an arrestee released on a Writ of Habeas Corpus shall request an original and two copies of the warrant from the court clerk. The two copies of the warrant shall be sent, without delay, to the City Attorney's Writs Department, via Department mail.

725.72 WARRANT OBTAINED FOR PERSON RELEASED ON WRIT OF HABEAS CORPUS. When a warrant has been obtained for an arrestee released on a Writ of Habeas Corpus, the officer responsible for investigation of the case shall:

- Cause the warrant to be delivered to the Chief Investigator, City Attorney's Office, not later than 1630 hours on the day previous to the date upon which the Writ is returnable; and,
- Appear in court where the Writ is returnable, at least fifteen minutes prior to the time set for the hearing.
- Upon arrival in court, he/she shall:
 - Contact the City Attorney's investigators;
 - Properly identify himself/herself;
 - Obtain the warrant; and,
 - Remain in court to take the defendant into custody, if so ordered by the court.

725.90 RECALLS ON WARRANTS. Warrants which are assigned to a division for service and are later recalled by the court shall be forwarded to the Criminal Records Section, Records and Identification Division.

725.95 WARRANT RECALL LISTS - OUTLYING DIVISIONS. Watch commanders in outlying divisions in which courts are located shall:

- Obtain a warrant recall list from the court clerk at the end of the clerk's daily tour of duty;
- Cause the warrant recall list to be teletyped immediately to the Criminal Records Section, Records and Identification Division; and,
- Send the warrant recall list to the Criminal Records Section, Records and Identification Division, by Department mail.

728. NATIONAL CRIME INFORMATION CENTER (N.C.I.C.).

728.10 WANTED PERSON FILE - ENTRY OF FELONY WARRANT INFORMATION.

Concerned investigating officers may request felony warrant information to be entered in the Wanted Person File, N.C.I.C., by completing a Warrant Information, Form 08.48.00, when:

- The suspect is not in custody; and,
- There is cause to believe that the suspect may leave the jurisdiction.

728.15 WANTED PERSON FILE - ENTRY OF TEMPORARY FELONY WANT. An investigating officer may enter temporary felony want information into the N.C.I.C. Wanted Person File when:

- There is probable cause to believe a suspect has committed a felony,
- There is cause to believe the suspect may leave the jurisdiction, and,
- Circumstances preclude the immediate procurement of a felony warrant.

Note: A temporary felony want is subject to verification and support by a proper warrant and is automatically purged from the file after 48 hours.

When temporary felony want information is to be entered into the N.C.I.C. Wanted Person File, the "Temporary Felony Want" box shall be checked on a **copy** of the Form 08.48.00 and forwarded to Records and Identification Division for entry. When the warrant is obtained, the warrant information shall be entered on the original Form 08.48.00, the "Felony Warrant" box shall be checked, and the original and two copies of the form forwarded (4/728.18) to Records and Identification Division for entry.

728.16 FELONY WARRANT DUE DILIGENCE COORDINATOR. Upon receiving a felony warrant, the Felony Warrant Due Diligence Coordinator shall cause the investigating officer to:

- Determine if NCIC entry is required by 980 PC;
- Determine if the wanted person will be extradited; and,
- Determine if the wanted person, based on available information, poses an officer-safety risk.

If any of these conditions exist, the investigating officer shall complete a Warrant Information Form, Form 08.48.00, and forward the form to Records and Identification Division, Warrant

Teletype Unit. The Coordinator shall also ensure that the Due Diligence Investigative Responsibility procedure outlined in Department Manual Section 4/725.09 is complied with.

728.18 WANTED PERSON FILE-MODIFICATION OF EXTRADITION

INFORMATION. All Felony Warrants are programmatically rolled over into the NCIC Wanted Person File with a "NOEX OUTSIDE CA" designation in the miscellaneous field. In order to modify the warrant to reflect Extraditable (EX), or to add or change identifying information, the concerned detective shall:

- Complete a Warrant Information Form, Form 08.48.00, containing the suspect's full name, date of birth, and other identifying information;
- Obtain the signature of the concerned Area's detective commanding officer approving the Form 08.48.00, and cause the completed Form 08.48.00 to be forwarded to the Warrant Teletype Unit (WTU), Records and Identification Division. Upon receiving the Warrant Information Form, Form 08.48.00, the WTU personnel shall make the appropriate modification reflecting extradition approval; and,
- To re-modify the warrant back to Non-Extraditable (NOEX), the concerned detective shall follow the steps above and submit a completed Warrant Information Form, 08.48.00, to the WTU, Records and Identification Division. The completed form shall include a "NOEX" designation written at the top to alert WTU personnel of the proper modification.

Note: A "NOEX" warrant remains in the NCIC Wanted Person File until the concerned detective requests its removal.

Exception: When the felony warrant or temporary felony want is for a traffic offense and the concerned division commanding officer is not available, the Form 08.48.00 shall be submitted to the officer in charge, concerned collision investigation follow-up unit (5/095), for approval.

728.20 WARRANT REMOVAL. When it is learned that a suspect listed on a warrant in the N.C.I.C. Wanted Person File will definitely **NOT** be extradited for that warrant, the related warrant shall be modified in the Wanted Person File to reflect Non-Extraditable (NOEX). When a felony warrant is to be removed from the NCIC Wanted Person File for reasons other than the warrant being NOEX, the concerned investigating officer shall:

- Complete a Warrant Information, Form 08.48.00, containing the suspect's full name, date of birth (if available), all known identifying information (hair color, scars, marks, tattoos, etc.), and warrant number;
- Place a check mark in the "Warrant Removal" box at the bottom of the Form 08.48.00;
- Explain the reason for warrant removal under the "Additional Information" section of the Form 08.48.00;
- Obtain the signature of the concerned detective commanding officer approving the Form 08.48.00, and cause the completed Form 08.48.00 to be forwarded to Records and Identification Division; and,

- To have the extradition information modified to reflect Non-Extraditable (NOEX), indicate NOEX at the top of the Form 08.48.00 and forward the completed form to the WTU, Records and Identification Division.

728.23 WARRANT AMENDMENT. When additional information that will significantly assist in identifying or eliminating a warrant suspect is gained subsequent to initial warrant entry, the concerned investigating officer shall complete a Warrant Information, Form 08.48.00, in the same manner delineated in warrant removal procedures. The "Warrant Amendment" box at the bottom of the Form 08.48.00 shall be checked, and new descriptive or explanatory information should be entered in the "Additional Information" section of the Form 08.48.00.

730. INTERVIEWING.

730.10 SUSPECTS, ADMONITION OF MIRANDA RIGHTS. (4/202.10).

730.20 SUBJECTS DETAINED AT JUVENILE HALL. Prior to proceeding to Juvenile Hall to interview a detained juvenile, an investigating officer shall telephonically contact the Juvenile Hall Intake and Detention Control (IDC) Officer to determine whether the juvenile has requested to have an attorney and to determine when the juvenile may be interviewed.

The investigating officer may proceed to Juvenile Hall and request an interview with the juvenile only after it has been determined that an attorney has not been requested.

Note: If the juvenile has requested an attorney and the investigating officer deems it necessary to interview the juvenile, the investigating officer shall request a member of the IDC staff to contact the concerned private attorney or public defender to determine if and when the investigating officer may interview the juvenile.

When an interview is scheduled, the IDC Officer will remain present *only* during the time that the investigating officer advises a juvenile of his or her Miranda rights. The IDC Officer will determine if the juvenile understands and properly waives his or her Miranda rights. If, in the opinion of the IDC Officer, the juvenile does not understand or waive his or her Miranda rights, the IDC Officer will not permit any interview to take place.

Reporting Problems with Personnel or Procedures at Juvenile Hall. When investigating officers, while at Juvenile Hall, experience an immediate problem with personnel or procedures of that facility, the Detention Control Officer should be sought for assistance. If a concerned investigating officer is of the opinion that a problem was not properly resolved or that some further action should be taken, the circumstances may be subsequently reported to the Juvenile Hall Liaison Officer, Juvenile Division, for possible remedial action.

730.50 INTERVIEWS/PHOTOGRAPHS AT LOS ANGELES COUNTY - USC MEDICAL CENTER.

Patient Not an Inmate. An officer desiring to interview or photograph a patient at the Los Angeles County-USC Medical Center who is not an inmate shall:

- Contact the Hospital Security Office to obtain a "Special Pass and Consent of Patient," LAC-USCMC Form 664, prior to entering into any patient care area;

Exception: The LAC-USCMC Form 664 is not required and officers do not have to report to the Security Office when they wish to interview a patient in the emergency room. However, consider the welfare and care of the patient as a primary concern when conducting emergency room interviews.

- Submit the LAC-USCMC Form 664 to the attending physician or Charge Nurse, and briefly explain the purpose of the visit;
- Ascertain through the attending physician or Charge Nurse if the patient's health status would be jeopardized by the interview and/or photographing; and,

Note: When the patient's health status prohibits interviewing or photographing obtain an estimated time when interviewing or photographing may be accomplished.

- Contact the Watch Commander, Detective Support and Vice Division, to mediate any conflicts.

Patient is an Inmate. When an interview of an inmate is to be conducted at the Los Angeles County-USC Medical Center, the interviewing officers may go directly to the hospital and present their identification card at the Jail Ward for admittance. Section 4/635 outlines procedures on photographing inmates.

733. INFORMANTS.

733.10 INFORMANTS - OFFICER'S RESPONSIBILITY. Department policy limits the use of informants to officers who are in investigative assignments. Consequently, uniformed officers are not allowed to use or maintain informants. A uniformed officer who comes in contact with a potential informant shall refer that person to the appropriate investigative entity. Officers shall refer to the current Informant Manual for direction.

733.20 UNDESIRABLE INFORMANT FILE. Refer to current Department Informant Manual for information regarding the Undesirable Informant File.

734. CONFIDENTIAL INFORMANT TRACKING SYSTEM DATABASE. The Confidential Informant Tracking System Database (CITSD) has been created to centralize and better manage information regarding Department informants.

Officer's Responsibility. Prior to utilizing a confidential informant, an officer shall hand-carry (forms shall not be mailed) a copy of the Informant Information Form(s), signed by his or her commanding officer to the Commanding Officer, Gang and Narcotics Division (GND). Informant Information Forms shall only be delivered to GND during normal business hours (non-holiday weekdays, (0800-1700 hours).

Exception: Occasionally, exigent circumstances dictate the necessity of using an informant prior to obtaining written approval. Exigent circumstances exist when a delay in acting upon the information would jeopardize the investigation of a serious crime. In such cases, the managing officer shall request verbal approval from his/her commanding officer, who will contact the Commanding Officer, Gang and Narcotics Division (GND), for final approval. The Department Operations Center (DOC) can assist in contacting the Commanding Officer, GND.

Verbal approval shall be documented in the Exceptional Handling Report of the confidential informant package. Additionally, if an emergency request is made and approved, and regardless if the informant is to be used in the future, or if the information is acted upon, an informant package shall be completed and hand delivered to the Commanding Officer, GND, by the managing officer's next working day, or at the specific time and location as directed by the Commanding Officer, GND, at the time of the verbal approval.

Gang and Narcotics Division, Commanding Officer's Responsibility. The Commanding Officer, GND, shall be responsible for coordinating the CITSD program. He or she shall ensure that:

- All Informant Information Form data is accurately entered into the CITSD; and,
- Assigned Confidential Informant (CI) numbers are conveyed to the appropriate commanding officers as soon as practicable.

Commanding Officer's Responsibility. Upon receiving a CI number from GND, the originating commanding officer of each Area shall ensure that the CI number is written on all original Informant Information Forms and on the file folder tab of the Informant Control Package. The Informant Control Package, which includes a record of all contacts with an informant, is confidential and shall be maintained in a secure location by the commanding office of the Area or specialized division utilizing the informant.

Informants Used In Conjunction with Another Agency. Informants used in conjunction with another agency are specifically excluded from entry into CITSD. Each commanding officer having an informant(s) falling under this exception shall review the Informant Control Package, verify that the informant is exempted, and write the words "shared with another agency" in red ink on the front of the package. The commanding officer shall include a notation of this review and determination in the informant's package.

735. DIVISIONAL AND FORMAL SHOW - UPS.

735.05 SCHEDULING AND LOCATION OF FORMAL SHOW - UPS FOR ADULT SUSPECTS. Formal show-ups for adult suspects shall be conducted in:

- The Auditorium, Room 100, Parker Center;
- The Auditorium of the Los Angeles County Central Jail; or,
- The designated facilities at Los Angeles County Jail.

An investigating officer who desires to have an arrestee shown in a formal show-up shall notify Robbery Special Section, Robbery-Homicide Division, by telephone, 24-hours prior to the desired time of the show-up. The notification shall include:

- The arrestee's name, booking number, charge, and physical description;
- The location where the arrestee is being held;
- The division conducting the investigation; and,
- A statement regarding the willingness of the arrestee to stand in a show-up.

Exception: In unusual circumstances, the investigating officer may request an immediate show-up by contacting Robbery Special Section, Robbery-Homicide Division.

735.10 SCHEDULING AND LOCATION OF FORMAL SHOW - UPS FOR JUVENILE SUSPECTS. Formal show-ups for juvenile suspects shall be conducted at:

- Central Juvenile Hall (Eastlake);
- San Fernando Valley Juvenile Hall; or,
- Los Padrinos Juvenile Hall.

An investigating officer desiring to schedule a juvenile show-up shall contact the liaison officer at the concerned juvenile facility. Liaison officers are available on court days between 0730 and 1600 hours.

735.15 OFFICERS' DUTIES PRIOR TO PRE - ARRAIGNMENT SHOW-UPS. Officers who intend to place an arrestee in a show-up prior to the arrestee's arraignment shall inform the arrestee that he has the right to have an attorney present *during the show-up*.

Note: Arraignments *shall not* be delayed in order to conduct a show-up.

735.20 OFFICER'S DUTIES PRIOR TO POST - ARRAIGNMENT SHOW-UP. An officer who intends to show an arrestee in a formal show-up shall inform the arrestee that:

- The arrestee has the right to have an attorney present during the show-up; and,
- If the arrestee so desires and cannot afford one, an attorney will be appointed without charge.

After the admonition has been given, the officer shall:

- Determine whether the arrestee understands the right to an attorney; and,

- Determine whether the arrestee wishes to have an attorney present during the show-up.

Note: If the arrestee desires an attorney, the investigating officer shall include the attorney's name on the Follow-up Investigation, Form 03.14.00, (4/735.30).

735.25 ARRESTEE WAIVES ATTORNEY. When an arrestee waives the right to have an attorney present at the show-up, the concerned investigating officer shall cause the arrestee to read a waiver form, provided by Robbery-Homicide Division, and, if appropriate, to sign the waiver. The investigating officer shall retain the following in the Case Investigation Envelope, Form 15.15.00, when appropriate:

- Statements indicating the arrestee's understanding of his/her right to have an attorney present at the show-up;
- Statements indicating the arrestee's waiver of his/her right to the presence of an attorney during the show-up; and,
- The waiver form, signed by the arrestee.

Note: If the arrestee waives his/her right to the presence of an attorney but refuses to sign the waiver form, a statement indicating the arrestee's refusal to sign shall be documented on the waiver form *and* on a Follow-Up Investigation, Form 03.14.00.

735.30 ARRESTEE REQUESTS ATTORNEY. When an arrestee has retained an attorney or has one appointed to be present at the show-up, the investigating officer shall:

- Notify both the prosecuting and defense attorneys as to the date, time and location of the show-up *immediately* after the show-up is scheduled by Robbery Special Section, Robbery-Homicide Division; and,
- Include the name of the attorney, the date, and the time of the notification on the Follow-up Investigation, Form 03.14.00.

In the case of a pre-arraignment show-up, if the arrestee requests a private attorney, that attorney must be able to appear within 12-24 hours of being notified. If the private attorney cannot appear within that time period, the arrestee shall be advised that:

- The arrestee does not have the right to have that particular attorney present at the show-up;
- The arrestee may request a public defender at the show-up or the arrestee may appear without counsel; and,
- If the arrestee refuses to appear in the show-up, it will be commented on in a court of law.

Note: Formal pre-arraignment show-ups without counsel are permitted only under exigent circumstances unless the arrestee waives the right to counsel.

735.35 ATTORNEY PRESENT AT SHOW - UP. Upon request by an attorney representing an arrestee in a show-up, the investigating officer shall ensure that the attorney is:

- Given an opportunity to confer with his/her client before the show-up;
- Allowed to observe the entire line-up prior to the show-up;
- Allowed to attend the show-up session in the capacity of an observer only; and,
- Allowed to attend the identification process which follows the show-up, in the capacity of an observer only.

Note: The investigating officer shall make a note on the Follow-up Investigation, Form 03.14.00, of any objection made by the arrestee's attorney. A copy of the Follow-Up Investigation, Form 03.14.00, shall be retained in the respective case folder.

735.40 DEFENSE ATTORNEY NOTIFIED BUT FAILS TO ATTEND. When an attorney who has been notified that an arrestee requested his/her presence at a show-up and the attorney fails to appear, the investigating officer shall delay the show-up and attempt to contact the attorney representing the arrestee.

Note: If unable to contact the attorney, be guided by the advice of the prosecuting attorney.

735.45 ARRESTEE REFUSES TO PARTICIPATE IN SHOW - UP. The investigating officer shall advise an arrestee who refuses to participate in a pre or post arraignment show-up, or an attorney who advises the arrestee not to participate in a pre or post-arraignment show-up that:

- The show-up is for elimination or identification purposes only;
- The arrestee does not have a right to refuse to participate in any phase of the show-up; and,
- The refusal of an arrestee to participate in a show-up may be introduced in a court of law.

The investigating officer shall ensure that:

- Circumstances of a refusal are documented on the Line-Up Refusal, Form 12.02.00;
- Circumstances of the refusal are documented on the Follow-Up Investigation, Form 03.14.00; and,
- The arrestee has signed the Line-Up Refusal, Form 12.02.00, if possible.

Note: Force shall not be used to compel an arrestee to participate in a show-up. If an arrestee refuses to participate, the investigating officer shall follow the procedure for identifying the arrestee through the use of photographs (4/738.05).

735.55 ATTENDANCE OF VICTIMS OR WITNESS AT SHOW - UP. Each victim or witness who might identify an arrestee as the perpetrator of a crime shall be informed of the date, time, and location of the show-up at which the arrestee is to be shown.

735.70 TRANSPORTATION OF ADULT ARRESTEE FOR FORMAL SHOW - UP. If an adult arrestee in custody is to appear in a formal show-up, the concerned investigator shall transport the arrestee to the location of the scheduled show-up in accordance with the following procedure:

Metropolitan Jail Section. Two hours prior to the scheduled show-up;

Los Angeles County Central Jail (Inmate Reception Center). As directed by Robbery Special Section, Robbery-Homicide Division; and,

Los Angeles County Jail. As directed by Robbery Special Section, Robbery-Homicide Division.

735.80 ARRESTEE POSSIBLY INVOLVED IN OTHER JURISDICTIONS. The investigating officer shall send a teletype notification (4/170.04) to all detective division commanding officers and concerned outside investigating agencies when an arrestee appearing in a formal show-up is believed to be involved in crimes committed in the concerned jurisdiction.

735.90 RESULTS OF FORMAL SHOW - UPS TELETYPED. At the conclusion of a formal show-up, the officer in charge shall send a teletype of the results (4/170.08) to all detective division commanding officers and the Sheriff's Department.

738. PHOTOGRAPHIC IDENTIFICATIONS.

738.05 PHOTOGRAPHIC IDENTIFICATION OF A SUSPECT. Prior to conducting the procedure for identifying a suspect, the investigating officer shall obtain the description of the suspect from the victim or witness as close as possible to the time of the incident. An investigating officer who intends to show a suspect's photograph to a victim or witness for the purpose of identification shall use **blind administration** or **blinded administration**.

Note: Investigating officers may refer to Robbery Special Section, Robbery-Homicide Division, for guidance.

Blind administration - Defined. The administrator (i.e., officer or investigating officer) of an eyewitness identification procedure does not know the identity of a suspect.

Blinded administration - Defined. The administrator of an eyewitness identification procedure may know the identity of the suspect but does not know where the suspect's photograph, as applicable, has been placed or positioned in the identification procedure.

BLIND ADMINISTRATION.

Investigating Officer's Responsibilities. The investigating officer who intends to conduct a photographic line-up using blind administration shall conduct the following:

- Obtain the suspect's photograph;

Note: If practicable, the photograph should resemble his or her appearance at the time of the offense and should not unduly stand out.

- Assemble a photographic line-up containing the photograph of the suspect and five others that generally fit the eyewitness' description of the suspect;
- Only one suspected perpetrator shall be included in any identification procedure;
- Redact, or otherwise remove, all markings such as dates or booking numbers;
- Assemble the six photographs on a sheet of paper or print individual photographs, numbered one through six;
- Create a separate copy of the line-up for each eyewitness participating in the photographic line-up;
- Select a sworn member of the Department that does not know the identity or placement of the suspect to act as the Line-up Administrator; and,
- Attempt to obtain facts to corroborate an identification made by an eyewitness.

BLINDED ADMINISTRATION.

Investigating Officer's Responsibilities. An investigating officer who intends to show a photographic line-up through a blinded administration shall:

- State in writing why the presentation of the photographic line-up was not conducted using a blind administration;
- When feasible, use another sworn employee to assemble the photographic line-up and place it in a sealed envelope;
- Ensure the position of the suspect is not known to him or her prior to showing the photographic line-up;
- Continue with the line-up administrator's procedures, as described below; and,
- Present the eyewitness with the sealed envelope containing the photographic line-up.

Note: The Investigating Officer should make reasonable efforts to avoid viewing the photographic line-up until the eyewitness has finished viewing the photographic line-up.

- If the eyewitness identifies a person he or she believes to be the suspect, all of the following shall apply:
 - Direct the eyewitness to circle the specific photograph, initial the photographic line-up, and record the date and time;
 - Direct the eyewitness to write comments regarding his or her identification in the Statement of Witness portion of the Photographic Identification Report;
 - Direct the eyewitness to sign the Photographic Identification Report and record the date and time;
 - Immediately inquire as to the eyewitness' confidence level of the identification and record in writing, verbatim, what the eyewitness says;
 - Information concerning the identified person shall not be given to the eyewitness prior to obtaining the eyewitness' statement of confidence level and documenting the exact words of the eyewitness; and

- The Administrator shall not validate or invalidate the eyewitness' identification.

Line-up administrator - Defined. Any sworn member of the Department assigned the task of showing a photographic line-up.

Although a blind administration is the preferred method to be used when conducting a photographic line-up, a blinded administration of photographic line-ups may be appropriate in certain cases. Three examples where a blinded administration may be appropriate are:

- When the eyewitness has been so traumatized by the events of a crime, that the introduction of another investigator to conduct the blind administration may cause unreasonable emotional hardship to the eyewitness;
- The eyewitness refuses to meet with another sworn member to conduct a photographic line-up using blind administration; or,
- When there is limited personnel or resources available during the time of the photographic line-up.

Note: In the event that a blind administration is not used, the investigator shall state in writing the reason the presentation of the photographic line-up was not conducted using blind administration.

Line-up Administrator's Responsibilities. Any sworn member of the Department assigned the task of showing a photographic line-up shall:

- Ensure the suspect and the position of the suspect's photograph is not known to him or her;
- Separate all eyewitnesses taking part in the identification procedure;
- Record the procedure;
 - An electronic recording shall be made that includes both audio and visual representations of the identification procedures when feasible; and
 - When audio recording without video recording is used, the investigator shall state in writing the reason that video recording was not feasible.
- Read the Photographic Show-up Admonition printed on the Photographic Identification Report, Form 15.50.04, to the eyewitness;
- Have the witness sign the admonition acknowledgement;
- Show the photographic line-up to the eyewitness; and,
- Nothing shall be said to the eyewitness that might influence the eyewitness' identification of the suspect.

Commanding Officer's Responsibilities. Commanding Officers whose personnel conduct a photographic procedure shall be responsible for compliance with this section.

Note: This section does not affect current field show up procedures. Live line-ups shall continue to be conducted by Robbery-Homicide Division as outlined in Department Manual Section 4/735.05, Scheduling and Location of Formal Show-ups for Adult Suspects. Robbery-

Homicide Division live line-up procedures shall be outlined and conducted in accordance with California Penal Code Section 859.7.

740. VOICE IDENTIFICATIONS. An officer desiring comparisons of tape-recorded voices shall:

- Place his name, division of assignment, the date, and DR number on each tape recording;
- Label the tape recording of the known voice with the name of the suspect whose voice is recorded;
- Label the tape recording of the unknown voice with the words "Unknown Suspect;"
- Cause the tape recordings to be personally delivered to the Criminalistics Section, Technical Investigation Division; and,
- Notify the Criminalistics Section, Technical Investigation Division, of the desired analysis.

742. SEARCH WARRANTS.

742.05 SEARCH AND ARREST WARRANT SERVICE POLICY AND

PROCEDURES. The execution of search and/or probable cause arrest warrants is one of the most necessary, but high-risk functions of American law enforcement. For the Los Angeles Police Department (Department), a reverence for human life, as well as the safety of Department personnel and members of the community shall be paramount in all warrant operations and shall not be outweighed by the need for an expeditious recovery of evidence that might be easily destroyed. Moreover, any warrant entry is a highly-intrusive law enforcement action that should never be taken lightly. For these reasons, and in compliance with California Penal Code (PC) Sections 844 and 1531, absent reasonable suspicion of exigency (as further set forth below), all warrants shall be executed following knock-notice.

The Law Applicable to Warrants. The execution of search and/or probable cause arrest warrants is based upon the United States Constitution, established case law, and the California Penal Code.

The Fourth amendment of the United States Constitution guarantees the rights of all individuals to be secure against unreasonable searches and seizures by law enforcement regardless of socio-economic status, community, or type of dwelling. Law enforcement personnel may only enter a private dwelling uninvited in limited circumstances, which include but are not limited to, a warrant or exigent circumstances.

California Penal Code Section 1531 states, "An officer may break open any outer or inner door or window of a house, or any part of a house, or anything therein, to execute the warrant, if, after notice of his [her] authority and purpose, he [she] is refused admittance."

A judicial officer cannot provide advance authorization for an exception to the requirements of 1531 PC, and officers shall not seek a judge's approval for not providing a knock-notice at the time of a warrant's service.

California Penal Code Section 844 states in pertinent part: “To make an arrest, ... a peace officer, may break open the door or window of the house in which the person to be arrested is, or in which they have reasonable grounds for believing the person to be, after having demanded admittance and explained the purpose for which admittance is desired.”

The purpose of the knock-notice rule is (1) to protect the privacy of the household; (2) to safeguard innocent persons on the premises; (3) to prevent violent confrontations arising from unannounced entries; and, (4) to protect the police from injuries caused by a surprised or fearful householder, See People v. Murphy (2005) 37 Cal. 4th 490, 495.

Department Policy. With the intent of averting violent encounters between law enforcement personnel and surprised occupants during these endeavors, Department policy requires officers to, absent reasonable suspicion of exigent circumstances, provide knock-notice prior to entry. Forcible entry maybe made only if, after notice and a reasonable amount of time has been given, clear and articulable facts are present that the suspect(s)/occupant(s) has failed to comply or does not intend on complying with lawful commands.

Note: Notwithstanding 844 PC and 1531 PC, Department personnel should not force entry after the suspect(s)/occupant(s) refuses to comply when the warrant is for weapons, indestructible evidence or to make an arrest. Instead, in such a circumstance, containment should be established and notification should be made to Metropolitan Division for advice or declaration of a barricaded suspect where it is probable that the suspect(s)/occupant(s) is armed or has access to weapons, requiring the assistance of Special Weapons and Tactics (SWAT).

Department Warrant Procedure. Officers shall knock, identify themselves, and state their authority to be admitted (e.g., “Police officers! We have a search warrant and demand entry!” or, “Police Officers! We have a valid arrest warrant!”). The suspect(s)/occupant(s) should then be given a reasonable amount of time to open the door and comply with the officers’ commands. Various factors may influence the amount of time that is reasonable for the occupants to open the door and comply with the officers’ knock-notice commands. Those factors may include, but are not limited to:

- Time of the warrant service;
- Size of the structure;
- Area surrounding the location;
- Security measures to purposely hinder law enforcement;
- Type of fortification;
- Strategies or knowledge of destruction measures in place;
- Early warning systems such as cameras, lookouts or sentries;
- Remoteness of the location; and/or,
- Type of approach needed or distance to the point of entry.

Exigent Circumstances. Less than full compliance with 844 PC and 1531 PC may occur only if the specific facts known to officers before entry establish reasonable suspicion of

exigent circumstances. Exigency or exigent circumstances in the context of warrant service consist of specific facts supporting a good faith belief that compliance with knock-notice, under the particular circumstances, will be dangerous to the officer(s) or inhibit the effective investigation of the crime, such as allowing for the imminent destruction of evidence.

Note: The fact that a warrant involves narcotics, in and of itself, will not justify less than full compliance with knock-notice. Officers shall possess **specific facts** relating to the narcotics activity to establish reasonable suspicion of exigency allowing for entry without full compliance with 844 PC and 1531 PC.

Any deviation from knock-notice shall only be permissible with the approval of the warrant service incident commander. Thereafter, the circumstances of the entry (establishing exigent circumstances) shall be clearly articulated in a police report about the search and, if an arrest has been made, in the corresponding Arrest Report or Follow-Up Investigation (e.g., “Upon our approach Suspect Jones exited the front door of the residence, looked in our direction and then attempted to run back inside and lock the door”). Officers shall not, however, create their own exigency.

As with all tactical operations, numerous pieces of information and intelligence must be gathered and thoroughly evaluated before serving a warrant in order to develop the safest tactical plan and techniques that will minimize risk of injury or death to officers, as well as members of the public. This information is vital in determining the most viable and safest tactics to be used, as well as the most appropriate entity to serve the warrant. Department personnel are authorized to use the following tactics when serving a search or probable cause arrest warrant:

- **Dynamic** - To be used only by SWAT, in circumstances where speed and/or the element of surprise are needed to quickly mitigate a threat. May include pyrotechnic devices, mechanical breach tools, diversionary tactics or other extraordinary measures.
- **Rapid Entry** - To be used only by properly equipped and trained specialized units or personnel, in circumstances that may also require a swift entry or defeat of security measures to prevent the complete destruction of evidence sought where there is an absence of evidence that officers will be met with a violent response. This technique may only be used after knock-notice is given and may include manual breach tools or diversionary tactics such as “break and rake.”
- **Surround and Call-Out** - To be used in cases of search warrants where the evidence sought is not easily destroyed (e.g., firearms, stolen property, or a large-scale marijuana growing operation), or for the apprehension of a known individual.
- **Detain and Rollback** - To be used if it is more feasible to take a subject into custody at a location other than their residence, in order to mitigate the risk of a violent confrontation if the dwelling affords a tactical advantage or access to weapons by the subject. In these cases officers may opt to take the suspect into custody at their workplace, public parking lot, etc.

Screen Down Process. All search and probable cause arrest warrants completed by and to be served by Department personnel (apart from evidentiary searches, such as those at banks, hospitals, phone companies, etc.) shall be screened through Metropolitan Division prior to service to determine which entity is best suited to safely execute the warrant service.

If, throughout the course of an investigation or prior to service, it is determined that Department personnel involved in the execution of a search or probable cause arrest warrant may face a confrontation with a violent suspect, superior weaponry, a heavily fortified location, etc., or are simply not adequately trained or equipped for the mission, the affiant's supervisor shall ensure that all known factors of concern are disclosed during the warrant screen-down process. This will ensure that the SWAT supervisor completing the warrant screen-down process recommends the appropriate tactics, as well as the entity best suited to execute the warrant service (i. e., SWAT, Metropolitan Division, Gang Enforcement Detail, Narcotics Enforcement Detail or detective personnel).

Resource-driven requests shall be forwarded to Metropolitan Division for large-scale or multi-agency operations, or when resources within an Area or bureau have been exhausted and/or will negatively impact deployment.

Note: Personnel assigned to federal or joint task forces executing the service of search and/or probable cause arrest warrants shall adhere to authorized Department tactics and protocols as well as California law, and shall not participate in warrant services without knock-notice, absent exigent circumstances as listed above.

Note: The procedures described in this section do not apply to search warrants targeting only global positioning system (GPS) devices or third-party records (e.g., telephones, bank records, internet service providers, such as subscriber information, e-mail content, images, chat logs, and instant messaging).

742.10 SEARCH WARRANT AND PROBABLE CAUSE ARREST WARRANT

PROCEDURES (see Department Manual Section 4/725.12). All Department personnel involved in the service (including the planning and debriefing) of a search or Ramey warrant shall comply with the instructions set forth in the Search Warrant Service Procedures Guide, (hyperlink: <http://pdinfoweb/urldisplay.aspx?did=130711>), prepared by Investigative Analysis Section, Detective Bureau. Each commanding officer shall be responsible for maintaining the Search Warrant Service Procedures Guide and ensuring that such procedures are made available to Department personnel. Department personnel shall follow these guidelines when preparing, obtaining, serving, and returning a search or Ramey warrant. A Tactical Operation Plan with Warrant Addendum, Form 12.25.00 shall be used for the service of search or Ramey warrant.

Note: For purposes of this section, a Ramey warrant is defined as an arrest warrant signed by a judge for the arrest of a particular subject prior to the filing of criminal charges. Upon arrest, law enforcement has 48 hours to present the case to the prosecutor for the formal filing of criminal charges.

Note: After the search warrant is served, the completed State of California - County of Los Angeles Return to Search Warrant (Search Warrant Return) shall be submitted to the court, within 10 calendar days after the date of issuance [California Penal Code (PC) Section 1534(a)]. The date of issuance (the day the warrant is signed) is day zero (California Government Code Section 6800). If the tenth day falls on a weekend or holiday, then it shall be submitted on the next scheduled court day. If not submitted within 10 calendar days (only in rare circumstances), check the second box within Roman Numeral III, under the Additional heading, within the Tactical Operation Plan - Warrant Service Checklist, Form 12.25.01, and provide a brief explanation.

Department personnel obtaining a search or Ramey warrant shall;

- Review the investigation with his or her immediate supervisor;
- Consult with an on-duty investigative supervisor from the investigative entity responsible for the follow-up investigation;
- When the officer's supervisor agrees that a search or Ramey warrant is the next appropriate step, complete the warrant affidavit and supporting documentation, and submit these documents to his or her supervisor for review and approval.
- Upon obtaining a search or Ramey warrant issued by a magistrate, complete all of the required information on the Warrant Tracking Log, Form 08.17.05.

Note: In the event an officer's work location is different from his or her commanding officer's (CO) location, the officer shall cause all required information to be entered on his or her Area/division's Warrant Tracking Log.

- Complete pages 1- 9 of the Tactical Operation Plan with Warrant Addendum, Form 12.25.00, and submit it for approval;
- Refer to the Tactical Operation Plan – Warrant Service Checklist, Form 12.25.01, as a guide only;

Note: The Warrant Review Officer is the only authorized supervisor who shall complete Form 12.25.01 after the service of the search warrant.

- Complete the search or Ramey warrant and other related documents including the:
 - Tactical Operation Plan with Warrant Addendum;
 - Property Report Form 10.01.00;
 - Receipt for Property Taken Into Custody Form 10.10.00; and,
 - State of California - County of Los Angeles Return to Search Warrant (Search Warrant Return).
- Maintain these documents in the warrant package (in the Detective Case Package, Control Folder, or Murder Book, as applicable).

Note: When information such as the Division of Records number, case number, search warrant number, or booking number is not available, that information shall be entered on the Warrant Tracking Log as soon as it becomes available.

Note: When a Ramey warrant is not served, the officer who obtained the warrant shall comply with Department Manual Section 4/725.12 regarding Probable Cause Arrest Warrants.

Supervisor Responsibilities. The concerned supervisor shall place his or her initials and serial number on the lower right hand corner of each page of the original copy of the warrant affidavit, indicating that he or she has thoroughly reviewed the document. Supervisors are reminded that every page shall be reviewed and initialed in order to document a thorough review.

Exception: When a supervisor reviews a search warrant via e-mail due to the affiant being in another County and returns the corrected and reviewed warrant via e-mail, the reply e-mail will constitute a “signature” by the supervisor. After a judge has signed the warrant and it has been served, the same supervisor shall initial each page of the warrant as otherwise required by this section.

A Tactical Operation Plan is required for the service of all Ramey warrants and search warrants, with limited exceptions. A supervisor shall be present at all warrant services involving a Tactical Operation Plan. Prior to service, the concerned supervisor shall review the warrant affidavit to determine if a Tactical Operation Plan is necessary, and if not, whether a supervisor’s presence at the warrant service is recommended.

Exception: A Tactical Operation Plan or Employee’s Report, Form 15.07.00, is not required for search warrants targeting only global positioning system (GPS) devices or third-party records (e.g., telephones, bank records, internet service providers, such as subscriber information, e-mail content, images, chat logs, and instant messaging). An entry in the Warrant Tracking Log shall be completed, specifically stating “GPS installation only” or “records warrant only” respectively, in the comment box. Also, a Tactical Operation Plan or an Employee’s Report, is not required for search warrants served at secure locations (e.g., police facilities, jail facilities, prisons, Official Police Garages, crime scenes requiring a Mincey Warrant) including warrants involving body cavity searches, deoxyribonucleic acid (DNA), blood, urine, saliva, or other bodily fluids.

Should the supervisor determine that a Tactical Operation Plan is unnecessary, he or she shall complete an Employee’s Report, articulating the facts in determining the inherent security of the warrant service location. This Employee’s Report shall be approved and signed by the Area/specialized division CO and included in the search warrant package. Should exigent circumstances exist that require immediate approval of the Employee’s Report, the CO’s designee or the Area/specialized division watch commander may do so.

A Tactical Operation Plan is not required for warrants served pursuant to a spontaneous incident or tactical operation, such as a barricaded suspect. Officers obtaining a search or Ramey warrant to be served by an outside agency or a Forward Looking Infrared (FLIR) warrant (e.g., narcotics investigations) to be served by AirSupport Division do not need to complete a Tactical Operation Plan.

Note: The supervisor initialing the search warrant and/or Tactical Operation Plan with Warrant Addendum shall not be the same as the affiant.

Supervisors are reminded that, if a warrant service requires a Tactical Operation Plan and the service of the warrant involves multiple locations, a separate Tactical Operation Plan with Warrant Addendum shall be completed for each location.

Supervisor's Presence at Warrant Service. A supervisor shall be present for all warrant services that require a Tactical Operation Plan. If a warrant service does not require a Tactical Operation Plan, the presence of a supervisor is not required. However, a supervisor's presence is recommended if such a warrant service is anticipated to yield a significant amount of narcotics or currency. In addition to guidelines established in Department Manual Sections 4/742.10 and 4/742.30, supervisors overseeing a warrant service shall review the Area/division Warrant Tracking Log to ensure that the concerned warrant is entered and properly updated, and that the return date box is completed.

Tactical Operation Plan with Warrant Addendum. If a Tactical Operation Plan is required for a warrant service, the warrant Addendum within shall be completed; and the supervisor shall follow the guidelines established in the Department's E-Forms, Form Use link, for the Tactical Operation Plan with Warrant Addendum's completion.

The reviewing supervisor shall also ensure that a thorough risk assessment is conducted to address tactics in regards to the scope, ability, equipment, and training levels of those involved, as well as disclose any concerns to Metropolitan Division during the warrant screen-down process (see Department Manual Section 4/742.05).

Exception: When a Department supervisor determines that a Tactical Operation Plan is not required and the warrant service does not meet the parameters listed within the exceptions above, the supervisor shall complete an Employee's Report, Form 15.07.00, addressed to his or her commanding officer, indicating the following:

- Date and time of entry into a location;
- Method of entry into a location;
- Condition of the location prior to the officers' entry into the location and when the officers exited the location;
- Pre and post-search warrant photographs;
- Any injury or damage as a result of police action taken during the search warrant; and,
- Identification of the involved employees and the officer in charge at the scene of the search warrant.

Following the warrant service, the on-scene supervisor shall review the overall service, as well as the Tactical Operation Plan with warrant Addendum, and provide the following:

- A summary of pre-search condition and post search conditions (Page 8);
- Whether the supervisor was present throughout the entire search;
- Whether the assigned supervisor ensured all involved personnel received a proper briefing prior to the service;
- Whether the supervisor ensured the proper documentation of any currency or valuables discovered during the search; and,
- Whether the supervisor ensured that the following was left at a conspicuous place at each warrant service location:
 - Search Warrant and Affidavit - Face Sheet Only. When the warrant is for multiple locations, information regarding locations not presently being served at the current specific location shall be redacted from any documentation left at scene, so as not to reveal the full scope of an investigation to potential suspects; and,
 - Department business card with pertinent contact information.

Exception: As necessary, the supervisor may provide additional warrant pages that describe a person to be searched or searched for, and particularly describing the property, thing(s), and the place to be searched.

Note: If officers conduct a search pursuant to a federal search warrant, officers are required to leave a copy of the face sheet of the search warrant along with Attachment A [Description of Property to be Searched (Location)] and Attachment B (Description of Property to be Seized) in a conspicuous place at the location. Officers shall refer to Federal Rule of Criminal Procedures Rule 41 (f)(1)(c) for additional information, and/or call the Assistant United States Attorney listed on the face sheet of the warrant.

Note: As a reminder, the reviewing supervisor shall place his or her initials and serial number on the lower right hand corner of each page of the original affidavit.

- Documented confirmation that a debriefing with involved personnel was conducted no later than the next working day after warrant service (Page 9 of the Tactical Operation Plan with Warrant Addendum); and,
- A summary of the debriefing no later than the next working day after warrant service.

The “Debriefing Comments” section on Page 9 shall, at a minimum, address the following issues:

- Compliance with 1531 P.C. - Authorized Breaching, or factors that resulted in a deviation;
- Presence/absence of digital or hard copy photographs, audio, and/or video recordings;
- Supervisory oversight before, during, and after service of the warrant;
- Date, time, and location of the debriefing; and,

- Issues discussed, and any training needs that were identified.

Note: If the supervisor at scene is the same as the warrant affiant, he or she shall not complete the debriefing summary.

Notifications and Screen-Down Process. Prior to the service of the warrant, the designated supervisor shall ensure that the following notifications are made:

- Metropolitan Division [all search and probable cause arrest warrants completed by and to be served by Department personnel (apart from evidentiary searches, such as those at banks, hospitals, phone companies, etc.) shall be screened through Metropolitan Division prior to service to determine which entity is best suited to safely execute the warrant service];
- The on-duty watch commander of the Area where the warrant is being served;
- Mental Evaluation Unit, Detective Support and Vice Division, for a query regarding the history of calls for service at the location;
- Los Angeles Regional Criminal Information Clearinghouse (LA CLEAR); and,
- Any outside law enforcement agency having jurisdiction over the location where the warrant is being served.

Commanding Officer's Responsibilities. The CO of each Area/specialized division (or designated Area detective CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service and:

- Review and approve the Tactical Operation Plan with Warrant Addendum within 14 calendar days after the date of service;
- Maintain a single location for the Warrant Tracking Logs for his or her command in the Area detectives or specialized division office;
- Ensure the presence of the affiant at the service of a FLIR warrant;
- Ensure the presence of a supervisor (Sergeant I, Detective II, or higher), if necessary, during the service of a search or Ramey warrant;
- Prior to the service, the commanding officer or designee shall review and approve the tactical Operation Plan with Warrant Addendum (in accordance with Use of Force - Tactics Directive No. 10.3, March 2019), by placing his or her initials on the bottom right hand corner of Pages 1 and 6 (i.e., the Addendum's first page). Following service of the warrant, the commanding officer shall review the Tactical Operation Plan for completeness and sign Page 9;

Note: The presence of a lieutenant or above is required for any search or Ramey warrant initiated or served by gang enforcement officers [i.e., Area Gang Enforcement detail (GED), and/or Community Law Enforcement and Recovery (CLEAR)] or Narcotics Enforcement Division (NED) officers, or where they act as affiants. A supervisor does not need to be present for the service of a FLIR warrant which does not involve gang personnel.

- Ensure that the warrant number and return date are entered on the Warrant Tracking Log no later than ten business days from the date of service, with the exception of third-party records warrants;

Note: The return date may not be available to be entered into the return date box of the final printout of the Warrant Tracking Log if the warrant was served on or near the end of the month. Should this be the case, the investigating officer shall print the return date on the original printout signed by the CO and shall ensure that this date matches the date entered into the Detective Case Tracking System. The Warrant Tracking Log shall not be reprinted. The CO shall initial and date the return dates (that were later added to the Warrant Tracking Log). The monthly printout of the Warrant Tracking Log shall still be submitted to the CO for his or her signature, despite the missing return date. When the warrant is returned, the investigating officer shall retrieve the original signed Warrant Tracking Log and print the return date where applicable. The CO shall acknowledge the updated information by initialing and dating by the added return date.

- Ensure that the warrant number is recorded on both the Warrant Tracking Log and the first page of the Tactical Operation Plan's Warrant Addendum;
- Sign and date the bottom of the final printout of the Warrant Tracking Log, at the completion of each month; and,
- Complete an analysis of the performance of the supervisor providing supervisory oversight (designated supervisor) at the service of a search warrant and document the results on an Employee Comment Sheet, Form 01.77.00.

Note: Neither the original, nor a copy of the Employee Comment Sheet shall be placed inside the warrant package. The original Employee Comment Sheet shall be placed inside the concerned employee's divisional personnel folder or unit administrative office.

The Employee Comment Sheet shall be completed within seven business days of the warrant service and include the following information:

- Identity of the designated supervisor assigned (e.g., name, rank, and serial number);
- Warrant location;
- Date and time of service;
- Whether the supervisor's actions during the service of the warrant were appropriate;
- Evaluation of the performance of the designated supervisor(s) at each warrant location; and,
- Any other information deemed by the CO to be pertinent to the designated supervisor's performance.

Note: As a reminder, commanding officers are required to sign and date the completed Employee Comment Sheet.

The Area/specialized division CO, Area patrol CO, detective officer in charge, or their respective designee (of supervisory rank or above) shall designate a Warrant Review Officer (WRO) and ensure that the WRO conducts a timely review of all warrant documentation.

Warrant Review Officer. All Areas/specialized divisions responsible for the service of search and Ramey warrants shall designate a WRO in accordance with the guidelines established in this section. The WRO shall be the rank of Sergeant I, Detective II, or higher and shall conduct a final quality assurance review for completeness and accuracy of all warrant documentation. This review shall ensure:

- The initiation of a Tactical Operation Plan - Warrant Service Checklist, Form 12.25.01, to be completed only by a WRO after the service and completion of the search warrant, and placed into the Search Warrant Package;
- The required notation is included in the Tactical Operation Plan with Warrant Addendum indicating that the concerned CO's review and approval was performed within 14 calendar days after the warrant service;
- The Warrant Tracking Log entry is complete and accurate;
- The Property Report and the Receipt for Property Taken Into Custody forms match; and,
- Any errors, inaccuracies, or omissions within the search warrant package are promptly corrected prior to proper storage.

742.15 MANDATORY COMPLIANCE WITH ELECTRONIC COMMUNICATION

PRIVACY ACT. The provisions and requirements of the California "Electronic Communication Privacy Act" (California Penal Code Sections 1534, 1546, 1546.1 and 1546.2) governs access to and retrieval of evidence from service providers or digital devices (computer forensics). Digital devices include, but are not limited to: computers, cellular telephones, hard drives, floppy disks, thumb drives, memory cards, MP3 players, digital video recorders (DVR), any device or software that permits the tracking of the movement of a person or object, and any items capable of storing digital data. An electronic device does not include the magnetic strip on a driver's license or identification card issued by California or another state. **Failure to comply with the Electronic Communications Privacy Act may result in the suppression of evidence and/or civil liability.**

Note: An electronic device does not include the magnetic strip on a driver's license or identification card issued by California or another state.

Department Personnel shall ensure that the following key requirements are met:

- Personnel shall adhere to the procedures outlined in Department Manual Section 1/140.15 when requesting the acquisition and use of certain systems and technologies;
- Personnel shall have either a search warrant, wiretap order, or an order for a pen register or trap and trace device (or both) to compel production of or access to "electronic communication information" from a service provider;

- Personnel shall have either a search warrant, wiretap order, or an order for a pen register or trap and trace device (or both) to compel production of or access to “electronic device information” from a person or entity other than the “authorized possessor” of the device;

Note: An authorized possessor is defined as the person who is in actual possession of an electronic device and who either owns the device or has the owner’s permission to have possession of the device.

- Personnel may access electronic device information by means of physical interaction or electronic communication with the device, only where they have a search warrant, wiretap order, tracking device search warrant [pursuant to California Penal Code Sections 1524(a)(12) and 1534(b)] or order for a pen register or trap and trace device (or both);
- As exceptions to the warrant/order requirements, personnel may access electronic device information by way of direct manipulation or electronically connecting with the device:

- A. With specific consent from the authorized possessor of the device (Consent to Search, In House Form 11). Specific consent is defined as consent that is given directly to the government entity seeking information;

Note: When a government entity is the intended recipient on an electronic communication, this satisfies “specific consent,” even if the person making the communication does not have actual knowledge that he or she is communicating with the government.

- B. With specific consent from the owner of the device, only when the device has been reported lost or stolen;
- C. When they have a good faith belief that an “emergency” exists. “Emergency” under this section is limited to circumstances involving danger of death or serious physical injury to any person;

Note: When the electronic information is obtained due to an “emergency,” Department personnel shall, within three **court** days of obtaining the information, file an application for a search warrant or court order.

- D. If the device is seized from an authorized possessor of the device who is either on parole (under the supervision of the Department of Corrections and Rehabilitation) or a term of post release community supervision (under the supervision of County Probation);
- E. If the device is seized from an authorized possessor of the device who is subject to an electronic device search as a clear and unambiguous condition of probation, mandatory supervision, or pretrial release; and,

Note: Personnel shall verify the existence of a specific electronic device search provision **prior to** accessing electronic device information based on this exception.

F. Where personnel are accessing information concerning the location or telephone number of the device specifically in order to respond to an emergency 9-1-1 call from that device.

- Personnel shall adhere to the following when applying for warrants under this section:

A. All search warrants shall describe with particularity, the information to be seized, and must include, as appropriate and reasonable:

1. The time periods covered;
2. The target individuals or accounts;
3. The applications or services covered; and,
4. The types of information sought.

Note: In the case of a search warrant for access to electronic device information by means of physical interaction or electronic communication with the device, the court may determine that it is not appropriate to specify time periods, due to specific circumstances surrounding the investigation (including the nature of the device to be searched).

B. The warrant shall disclose that any information obtained through the warrant's execution that is unrelated to the objective (outside the scope) of the warrant shall be sealed and not subject to further review, use, or disclosure, without a court order or to comply with discovery required by California Penal Code Sections 1054.1 and 1054.7; and,

C. If the investigating officer seeks "electronic communications information" from a service provider, the warrant shall be accompanied by an order requiring the service provider to verify the authenticity of any electronic information produced.

- When a service provider voluntarily discloses electronic communication or subscriber information:

A. Department personnel shall destroy the information within 90 days, unless:

1. Department personnel receive specific consent from the sender or recipient of the information; or,
2. Department personnel obtain a court order authorizing retention of the information; or,
3. Department personnel reasonably believe the information is related to child pornography crime and the information is stored in a multi-agency database and retained as evidence of such case(s) or related crime(s); or,
4. The service provider or subscriber is, or discloses the information to, a federal, state or local prison, jail or juvenile detention facility, and ALL participants to the electronic communication were told, prior to the

communication, that the service provider may disclose the information to the government entity.

- Investigating officers shall serve notice to the identified target of the search warrant or target of the emergency access to the device. This notice shall:

A. Inform the target that information about them has been compelled or requested;

Note: Pursuant to Assembly Bill No. 904 “No later than 10 calendar days after the use of the tracking device has ended, the officer who executed the tracking device warrant shall notify the person who was tracked or whose property was tracked.” Notification is pursuant to 1546.2(a) P.C.

B. State, with reasonable specificity, the nature of the investigation regarding the obtained information;

C. Include a copy of the search warrant, or, in the case of an emergency, a written statement setting forth facts giving rise to the emergency;

D. Made contemporaneous to the execution of the warrant. If the electronic information was obtained as the result of an emergency, notice shall be served within three court days after obtaining the electronic information; and,

Note: Service shall be affected by personal service, or delivered by registered or first-class mail, electronic mail, or other means reasonably calculated to be effective.

E. Be communicated by the investigating officers are required to serve notice to the Department of Justice within three days of the execution of the search warrant when the target of the search warrant is not known.

Department personnel may seek to delay the required notice, and prevent any party from notifying the target that information has been sought:

A. Pursuant to a request included in the warrant affidavit;

B. Where the court determines there is reason to believe that notification may have an “adverse result”;

C. For up to 90 days, by the court, with court-issued extensions available.

When the extension period expires, the affiant must serve notice to the target, and the notice shall:

A. inform the target that information about them has been compelled or requested;

B. state, with reasonable specificity, the nature of the investigation regarding the obtained information; and,

C. include a copy of the search warrant, or, in the case of an emergency - a written statement setting forth facts giving rise to the emergency, and include a copy of the

electronic information obtained or a summary of it (include the number and type of records, date/time records created, and statement of grounds for court order delay in notification).

Note: The California Electronic Communications Privacy Act does not change the authority of the Department to compel employees authorized to possess Department-issued electronic devices to return such devices to the Department.

742.30 SUPERVISION AT SEARCH WARRANT LOCATIONS.

Supervisor's Responsibilities. A supervisor shall be present for all warrant services that require a Tactical Operation Plan, Form 12.25.00. If a warrant service does not require a Tactical Operation Plan, the presence of a supervisor is not required. However, a supervisor's presence is recommended if such a warrant service is anticipated to yield a significant amount of narcotics or currency. In addition to guidelines established in Department Manual Sections 4/742.10 and 4/742.30, supervisors overseeing a warrant service shall review the Area/division Warrant Tracking Log, Form 08.17.05, to ensure that the concerned warrant is entered and properly updated, and that the return date box is completed.

Search Warrants involving Gang Enforcement Detail (GED)/Community Law Enforcement and Recovery (CLEAR) or Narcotics Enforcement Detail (NED) Personnel. A lieutenant or above shall be present at the service of all search warrants where GED/CLEAR and NED personnel are involved in the service of the warrant.

Lieutenant Responsibilities. A lieutenant's responsibilities include the following:

- Ask the occupant(s) of the location if there are any valuables and/or currency they would like to secure prior to initiating the search;
- Secure those items in the presence of the occupant(s);
- Remain at scene for the duration of the search warrant until all officers/units have cleared the location;
- Ensure that all current procedures involving the search of the location and recovery of evidence are followed as outlined in the Search Warrant Service Procedures Guide;
- Accompany the supervisor and occupant for the final walk-through at the termination of the search warrant;
- Leave a business card at the location and ascertain if there are any questions or concerns by the individuals at the location; and,
- Review Pages 6 and 7 of the Tactical Operation Plan to ensure that proper procedures were followed in execution of the warrant and recovery of evidence.

Exception. When multiple search warrant locations are involved, it shall be at the discretion of the commanding officer of the geographic Area where the search warrant was initiated to determine if a lieutenant is required at each location or if the responsibility should be delegated to any GED/CLEAR or NED supervisor.

Note: The presence of a lieutenant or above is required for search or Ramey warrants initiated by any uniformed gang or narcotics enforcement-related detail, and warrants where any uniformed gang or narcotics enforcement-related officers act as affiants. However, a lieutenant or above is not required for warrants using uniformed gang enforcement personnel in a support capacity only. Additionally, a supervisor need not be present for the service of a Forward-looking Infra-red (FLIR) warrant.

Note: At the discretion of the coordinating supervisor, photographs of the pre-search and post-search locations may be taken by personnel from the Area or photographers from the Photo Lab, Technical Investigation Division, depending upon availability.

Photographs taken are official Department photographs and shall be retained in the detective's case folder at the division having investigative responsibility for the case, together with all other investigative reports connected to the search warrant.

Commanding Officer's Responsibilities. The commanding officer of each Area/specialized division (or designated Area detective's CO at the rank of lieutenant or above) shall ensure that his or her command is in compliance with Department policy and procedure as it relates to search and Ramey warrant service.

742.40 SERVING SEARCH WARRANTS FOR TOLL - BILL INFORMATION.

Investigators shall, prior to serving a search warrant for telephone toll-bill information, contact Vice Division. Vice Division personnel shall ensure that the investigator is aware of measures to safeguard against premature notification to the subscriber, and shall record appropriate information from the search warrant.

742.50 SEARCH WARRANTS INVOLVING NEWS MEDIA FACILITIES, MEMBERS OF THE NEWS MEDIA, NEWS MEDIA VEHICLES AND/OR NEWS MEDIA ELECTRONIC DEVICES.

News Media Facility - Defined. An established facility where the primary function is the gathering of and distribution of news events.

Members of the News Media - Defined. As defined in Evidence Code Section 1070, a publisher, editor, reporter, or other person connected with or employed by a newspaper, magazine, or other periodical publication, or by a press association or wire service.

News Media Vehicles - Defined. Vehicles owned by newspapers, publications, wire-services, radio or television news services, which are operated by employees of the news media service for the purpose of gathering and distributing news events.

News Media Electronic Storage Devices - Defined. Electronic devices capable of storing data that are used for the purposes of documenting, recording and distributing news events and which are owned by members of the news media or agencies.

Note: There is no law that protects news media facilities, members of the news media, news media vehicles or news media electronic storage devices from a legal search and seizure via a properly obtained search warrant. The “news media shield laws” often referred to include:

- The California Constitution, Article 1, Section 2(b), which states that members of the news media, "shall not be judged in contempt by a judicial, legislative or administrative body... for refusing to disclose the source of any information procured...or refusing to disclose any unpublished information."
- Evidence Code Section 1070, which further states that members of the news media, “cannot be adjudged in contempt by a judicial, legislative, administrative body... for refusing to disclose, in any proceeding... the source of any information procured... or for refusing to disclose any unpublished information.”
- Penal Code Section 1524(g), which states "No warrant shall be issued for any item or items described in Section 1070 of the Evidence Code."

Responsibilities for Authoring and Serving a Search Warrant Involving News Media Facilities, Members of the News Media, News Media Vehicles and/or News Media Electronic Devices.

Officer's (Affiant's) Responsibilities. When authoring a search warrant where the subjects to be searched are news media facilities, members of the news media, news media vehicles and/or news media electronic devices owned by or in possession of a member of the news media or agency, the Affiant shall:

- Clearly state that the facility to be searched serves a public news media function;
- Ensure that the opening statement of the Affidavit, clearly and unequivocally identifies the facility, person, vehicles and/or electronic devices named in the search warrant as being "news media-related," AND which news media agency they employ and/or are owned by. The opening statement in the affidavit shall also include language stating the Affiant is "NOT seeking any sources of information or unpublished information";
- Make certain the warrant is in full compliance with the California Electronic Communications Privacy Act (Section 1546.1);
- Include in the affidavit the reasons why consent is impractical or unavailable;
- Contact the District Attorney's Office or the City Attorney's Office, whichever is applicable, and request a Deputy District Attorney or Deputy City Attorney be assigned to review the search warrant. Searching officers and their agencies will generally be shielded against civil liability by "qualified immunity" when a supervisor and a prosecutor have reviewed and a magistrate has approved a search warrant authorizing the search; and,
- Write and submit an Intradepartmental Correspondence, Form 15.02.00, to the Chief of Police (COP) requesting approval to conduct the physical search of a news media facility, members of the news media, news media vehicle and/or news media electronic device.

Approval to conduct a search of a news media facility shall be requested, with the approval of the concerned commanding officer, in the following manner:

- Request shall be submitted on an Intradepartmental Correspondence, Form 15.02.00, signed by the concerned bureau and office. Requests shall be hand-carried through the approval chain of command to the COP; and,
- When the Office of the Chief of Police is closed emergency requests may be made through the Chief of Detectives (COD), Detective Bureau, with the approval of a staff officer from the concerned bureau. The concerned Office shall be notified on the next working day. The COD shall secure an approval or denial of the request from the COP, or Acting COP. The COD shall then advise the requesting employee of the denial or approval.

Detective Commanding Officer's Responsibilities. Detective Commanding Officers are responsible for the following:

- Ensuring all employees under their command authoring a search warrant involving a news media facility, members of the news media, news media vehicle and/or news media electronic device, adhere to the provisions of this section;
- Reviewing the Affiant's search warrant for required news media language and confirming that the search warrant has been reviewed by a Deputy District Attorney or Deputy City Attorney; and,
- Reviewing the Affiant's Intradepartmental Correspondence request for approval to conduct a search on the news media facility, members of the news media, news media vehicles and/or news media electronic devices.

Commanding Officer's Responsibilities. The Affiant's Commanding Officer is responsible for the following:

- Ensuring that all employees under their command authoring a search warrant involving a news media facility, members of the news media, news media vehicles and/or news media electronic devices, adhere to the provisions of this section;
- Signing the request for the approval to search; and,
- Ensuring the Intradepartmental Correspondence is hand-carried through the chain of command to the COP.

742.60 TELEPHONIC SEARCH WARRANTS. An officer may request a telephonic search warrant if there is probable cause to justify the issuance of a search warrant and a genuine emergency exists that will justify the issuance of a telephonic, rather than a written, search warrant.

Note: A police officer assigned to a non-investigative position shall obtain the approval of the immediate supervisor to initiate a request for a telephonic or facsimile search warrant. If the supervisor concurs, the officer shall contact the concerned detective division or, if the

concerned detective division is closed, Detective Support and Vice Division for advice prior to initiating a request for a telephonic search warrant.

In requesting the telephonic search warrant, officer's shall adhere to the following procedures:

- During normal business hours, the investigating officer requesting a telephonic search warrant shall contact the District Attorney's Office where the case will be filed. During non-business hours, the investigating officer shall contact the District Attorney's Office Command Post for the name and telephone number of the deputy district attorney on-duty. The investigating officer shall have ready a blank search warrant form set. The investigating officer shall relate to the deputy district attorney all of the elements which substantiate the need for a telephonic search warrant. If he/she concurs, the deputy district attorney will arrange a conference call between a magistrate, the deputy district attorney, the investigating officer, and a recording device located in the District Attorney's Office;
- When the conference call has been established the investigating officer shall relate to the magistrate all the facts which substantiate the need for a telephonic search warrant. The investigating officer shall then answer any additional questions asked by the magistrate or the deputy district attorney;
- If, upon conclusion of the investigating officer's statement, the magistrate feels a telephonic search warrant is justified, the magistrate will complete the copy of the search warrant and sign it. The magistrate will then dictate verbatim the contents of the warrant to the investigating officer so that the investigating officer may complete the copy of the warrant. The magistrate will then authorize the investigating officer to sign the date, time, and the magistrate's name to the search warrant;

Note: The investigating officer's copy of the search warrant is a *duplicate original* warrant and must be completed *exactly* as directed by the magistrate.

- The investigating officer, assisted by the field officer or other concerned personnel, may then conduct the authorized search using the duplicate original search warrant. The investigating officer shall enter the warrant. The investigating officer shall enter the exact time of execution on the warrant. The investigating officer shall issue a receipt for any and all property seized during the course of the search;
- The District Attorney's Office will then transcribe the tape recording of the conference call and notify the investigating officer when it has been completed; and,

Note: When the original request for the telephonic search warrant was made pursuant to a misdemeanor case, the investigating officer shall be responsible for obtaining the tape recording of the conference call from the District Attorney's Office and delivering it to the City Attorney's Office, where the case, if any, arising from the search will be filed. The City Attorney's Office will transcribe the tape and notify the investigating officer when it has been completed.

- The investigating officer shall then, *and under no circumstances more than five days from the date of issuance*, obtain the transcript and the tape recording from the District

Attorney's Office or City Attorney's Office and deliver these, with the duplicate original search warrant, to the issuing magistrate. The investigating officer shall also prepare a Return to a Search Warrant and deliver it to the issuing magistrate (4/540.90).

As an alternative to obtaining a search warrant solely by telephonic means, an officer may obtain a search warrant by use of a telephone and facsimile machine. The Los Angeles County District Attorney's "**By Facsimile**" search warrant form shall be used when the facsimile search warrant procedure is employed. An officer requesting a facsimile search warrant shall contact a magistrate by using a standard telephonic search warrant guidelines and shall adhere to the following procedures:

- Upon instruction from the magistrate, the investigating officers shall transmit by facsimile machine the search warrant and all supporting documents, including the officer's sworn affidavit in support of the search warrant, to the magistrate;
- The officer shall confirm receipt of the documents by the magistrate;
- Upon administration of the oath, the officer shall relate to the magistrate all the facts which substantiate the need for a facsimile search warrant. The officer shall then answer any additional questions asked by the magistrate;
- Upon receipt of the signed warrant facsimile and authorization from the magistrate, the officer shall write "duplicate original" on the signed facsimile;
- The investigating officer shall obliterate the magistrate's facsimile number from all documents prior to serving the warrant;
- The duplicate original warrant and the original warrant with all supporting documents shall be returned by personal service to the issuing magistrate within the statutory time limit. The investigating officer shall also prepare a Return to a Search Warrant and deliver it to the issuing magistrate (4/540.90); and,

Note: A telephonic or facsimile search warrant requested by an officer assigned to a non-investigative position shall be reviewed by the officer's immediate supervisor for accuracy, legibility, and compliance with all mandated procedures and guidelines. The supervisor shall also verify that the issuing magistrate's facsimile number has been obliterated from all documents received by the officer prior to service of the warrant.

- Should a telephonic or facsimile search warrant not be executed after it has been issued, it shall be so marked and returned to the clerk of the issuing magistrate's court.

745. SUBPOENAS - INVESTIGATING OFFICERS' DUTIES.

745.10 SERVICE OF SUBPOENAS TO PRIVATE PERSONS. When a subpoena for a private person is secured by an investigating officer, the officer shall promptly serve the subpoena. When this is impracticable, the officer may request the field services division watch commander of the Area in which the witness resides to cause the service to be made. When served by an investigating officer, subpoenas shall be taken directly to court on the day of the hearing.

745.11 SUBPOENA SERVICE BY MAIL. Subpoena service by mail procedures shall only be used by investigative personnel. When a subpoena for a preliminary hearing is to be served by mail on a private person witness, the concerned detective shall:

- Determine if the witness is willing to accept the subpoena by mail and is willing to appear in court;
- Determine if the witness has a permanent or valid mailing address; and,
- Instruct the witness to acknowledge receipt of the subpoena by telephone, by mail, or in person, and to verify his or her identity by providing date of birth AND driver's license number, or Department of Motor Vehicles Identification Card number.

Note: Subpoena service is not complete until the above criteria are met.

Subpoenas shall be mailed using a plain white envelope. The envelope shall be marked legibly with the address of the witness and a complete return address. Subpoenas shall be mailed through United States mail via intradepartmental mail.

A detective or other employee receiving an acknowledgment for receipt of a subpoena shall record the witness's identification information on the original (sender's) copy of the subpoena and process the original in accordance with the procedures set forth in Section 4/745.10.

If a Department employee who has mailed a subpoena does not receive timely verification that the witness has received the subpoena, the employee shall make a reasonable effort to contact the witness to ensure proper service of the subpoena.

745.12 SERVICE OF SUBPOENAS ON MILITARY PREMISES. Permission shall be secured from the commanding officer of a military base or ship before serving a subpoena on a member of the Armed Forces while on the base or ship.

745.15 SERVICE OF SUBPOENAS TO OFFICERS. When investigating officers secure a subpoena which contains only their names, they shall:

- Enter the subpoena information on the division's Officer Subpoena Record, Form 15.29.00;
- Sign the subpoena; and,
- Return the subpoena to court on the day of the hearing.

When the subpoena contains the names of officers assigned to the same area as the investigating officer who secured the subpoena, the investigating officer shall:

- Cause a Court Notice, Form 15.57.00, to be completed immediately for each officer named on the subpoena;
- Place investigating officer's name, serial number, and division of assignment on each Court Notice, Form 15.57.00, completed;
- Deliver, for service, the completed Court Notices to the watch commander on-duty at the subpoenaed officers' division of assignment; and,

- Return the subpoena to court on the day of the hearing.

When the subpoena contains the names of officers, other than those assigned in the same area as the investigating officers, the investigating officers shall:

- Cause a subpoena teletype to be promptly sent to the watch commanders where these officers are assigned; and,
- Return the subpoena to court on the day of the hearing.

745.20 EXPERT TESTIMONY REQUIRED. When the testimony of an expert on the Department is desired or required in a trial, the investigating officer shall notify the concerned expert not less than five working days prior to the date of the trial. The notification shall include:

- The time, date, and place of the trial;
- Name of the defendant;
- DR number of the case; and,
- A description of the evidence about which the expert will be required to testify.

745.25 EXPERT TESTIMONY - CHP ARRESTS. Experts of this Department shall provide expert testimony relative to chemical tests and other investigations performed by them incidental to CHP arrests. Persons requesting such testimony shall be encouraged to give five working days' advance notice.

745.50 INFORMATION TO BE PLACED ON SUBPOENAS. Investigating officers who secure a subpoena shall:

- Place their names and detail across the upper left corner of the subpoena, on the side containing the names and addresses of the witnesses;
- Check the names and addresses of the witnesses; and correct any errors; and,
- Enter, below the witnesses' names and addresses, any business addresses, telephone numbers, and other information which may aid in the service of the subpoena.

In addition to the foregoing, the following information shall be placed on the subpoena below the name and address of the witness when the witness is:

A Doctor. The name of the patient and the date and time of treatment, if the subpoena resulted from a service performed by the doctor.

A Bank or Firm Representative. A statement of what the witness is expected to testify to and any records required, if the subpoena resulted from a service performed by the witness' organization. A subpoena duces tecum may be required to obtain the required records.

An Autopsy Surgeon. The name of the deceased, if the subpoena resulted from an autopsy performed by the surgeon.

A Member of the Armed Services. A statement of why appearance of the witness is necessary, and the name and address of the witness' commanding officer.

745.90 SUBPOENA OF COURT RECORDS FROM THE COUNTY CLERK. Officers desiring to have court records or exhibits from the County Clerk's Office available for presentation in court, shall:

- Prior to obtaining a complaint, obtain the case number, exhibit number, name of the defendant, and the description of the records desired, from the County Clerk's Office; and,
- When requesting the complaint from the District Attorney, list and describe those records desired in court on the back of the complaint form, under "Witnesses." The records will be subpoenaed into court by the District Attorney's Office.

When a complaint has already been filed, and an officer desires that court records be available for presentation in court, he/she shall:

- Obtain two blank subpoenas from Division 30 of the Municipal Court;
- Obtain the case number, exhibit number, name of the defendant, and description of the records desired, from the County Clerk's Office;
- Complete the subpoenas and leave a copy with the County Clerk's Office; and,
 - Return the original of the subpoena to Division 30 of the Municipal Court.

Note: Officers shall present a subpoena for court records to the County Clerk's Office at least one day prior to the date of trial.

750. TAKING INMATES TO COURT.

750.10 ARRAIGNMENTS. When a felony arrestee is to be taken to his/her arraignment, the investigating officer shall:

- Obtain the arrestee's personal property and Custody Record.
- Retain personal property in the sealed plastic envelope.
- Cause the detention officer to complete a Jail Transfer Record, Form 06.11.00.
- Obtain the arrestee and transport him to the appropriate court lock-up.
- Cause a copy of the Jail Transfer Record, Form 06.11.00, to be signed by the deputy sheriff accepting custody of the arrestee.
- If the complaint has been obtained, ensure that the complaint is presented to the clerk of the court.

If the complaint has not been obtained, the investigating officer shall:

- Obtain a complaint from the District Attorney's Office.
- Ensure that the complaint is filed in the court which will consider the arraignment.
- Return the signed copy of the Jail Transfer Record, Form 06.11.00, to the division files.

750.12 USE OF LOS ANGELES SHERIFF'S DEPARTMENT TRANSPORTATION OF FELONY ARRESTEES TO ARRAIGNMENT COURT. Investigating officers desiring to use the Sheriff's transportation for arraignment of felony inmates shall:

- Obtain a complaint and file it in the appropriate court;
- Ensure that use of transportation will cause the inmate to appear in court *without unnecessary delay*; and,
- Direct the custodial detention officer to transfer the arrestee on the next available transportation to the specific arraignment court by:
- Sending a teletype ordering transfer of the arrestee, or,
- Signing a Jail Transfer Record ordering the transfer of the arrestee.

750.18 ARRAIGNMENT - ARRESTEE IN COUNTY JAIL SYSTEM. When a non-warrant felony arrestee in custody in the County Jail System is to be arraigned, the investigating officer shall:

- Obtain a complaint from the District Attorney's Office; and,
- Cause a teletype to be sent to the custodial detention officer indicating the date and time that arraignment is requested, and the arraignment court.

Note: If the arrestee is to be arraigned in a morning court session, notification shall be made the day before. If the arrestee is to be arraigned in an afternoon session, notification shall be made not later than 0900 hours of the arraignment date.

750.20 FELONY ARRAIGNMENT DELAY BY COURT ORDER. When a felony arrestee confined in the Los Angeles County-USC Medical Center Jail Ward is in such medical condition that he/she cannot be taken to court for arraignment within forty-eight hours from the time of his/her arrest, the investigating officer shall:

- Request a Los Angeles County-USC Medical Center physician to complete a Declaration of Physician, County Form Sh-Cr-409; and,
- Present two copies of the form, along with the warrant, to the concerned court.

Note: When the arrestee has been booked originally on a warrant, the investigating officer shall present only the two copies of the Declaration of Physician, County Form Sh-Cr-409, to the concerned court.

The Court Order. The court will issue an order to the Sheriff directing the arrestee to be held upon the warrant and arraigned when his or her condition permits.

Release or Change of Status. When the arrestee is to be released or the charge is reduced from a felony to a misdemeanor prior to arraignment, the concerned investigating officer shall:

- Notify the Criminal Records Section, Records and Identification Division.
- Cause a notification teletype to be sent to the Sheriff's Warrant Detainer Section.

When the charge is reduced from a felony to a misdemeanor, the concerned investigating officer shall attach two copies of the Declaration of Physician, County Form Sh-Cr-409, to the misdemeanor complaint.

750.30 ARRAIGNMENT INFORMATION. When an investigating officer has a felony inmate to be arraigned in Division 30 of the Municipal Court but does not remain in court for the arraignment, he/she shall deliver one copy of the arraignment information report to the court officer.

755. UNFOUNDING OF REPORTS.

755.10 TELEPHONE REQUESTS FOR UNFOUNDING OF REPORTS. An officer or record unit clerk receiving a telephone call from a private person requesting unfounding of a crime, lost, or stolen property report shall transfer the call to the concerned investigative division.

Exception: Persons telephoning a vehicle recovery report shall be told to make a signed report at the nearest police station.

755.20 LETTER RECEIVED REQUESTING UNFOUNDING OF A REPORT. A letter received from a private person requesting unfounding of a crime, lost, or stolen property report shall be forwarded to the commanding officer of the concerned investigative division.

755.80 UNFOUNDING OF REPORTS. Reports shall be unfounded on a Follow-up Report, Form 03.14.00, except when the following are involved:

Vehicles. Unfounding of reports of lost or stolen vehicles shall be reported on a Vehicle Report, CHP Form 180.

760. BULLETINS AND WANTS.

760.10 LOS ANGELES POLICE BULLETINS. The Los Angeles Police Bulletin shall be used to disseminate information on the following:

- Wanted or missing persons;
- Items involved in an investigation;
- Crimes having distinctive modus operandi;
- Subject matter so unique or extensive that special attention is desirable; and,
- Cancellation of any of the above information.

760.12 SUBMITTING INFORMATION TO BE INCLUDED IN A LOS ANGELES POLICE BULLETIN. An officer submitting information to be included in a Los Angeles Police Bulletin shall:

- Complete an original and two copies of a Police Bulletin Request/Cancellation, Form 15.32.00;
- Upon the approval of officer's division commanding officer, submit the original and one copy of the Form 15.32.00, photographs of wanted or missing person(s) or other items, a copy of the suspect's CII and LA rap sheets, and a copy of any related warrant teletypes, to the Investigative Analysis Unit, Detective Bureau; and,
- Retain one copy of the Form 15.32.00 for unit files.

760.14 PROCESSING REQUESTS FOR INFORMATION.

Investigative Analysis Unit. Upon receiving a request to include information in a Los Angeles Police Bulletin, Investigative Analysis Unit shall:

- Verify that the criminal information included on the Form 15.32.00 corresponds to the information on the suspect's LAPD rap sheets and related warrant teletypes;
- Obtain suspect's fingerprints from Records and Identification Division; and,
- Coordinate bulletin printing and distribution.

Note: Investigative Analysis Unit shall maintain a file of Forms 15.32.00 received and a file of published bulletins.

760.16 SUBMITTING CANCELLATION INFORMATION. When the objective of the Los Angeles Police Bulletin has been met, the concerned investigating officer shall, when appropriate:

- Complete an original and three copies of a Police Bulletin Request/Cancellation, Form 15.32.00;
- Upon the approval of his or her division commanding officer, submit the original and two copies of the Form 15.32.00 to the Investigative Analysis Unit; and,
- Retain one copy of the Form 15.32.00 for unit files.

760.18 PROCESSING REQUESTS FOR CANCELLATION OF INFORMATION.

Investigative Analysis Unit. Upon receiving a request to cancel information included in a Los Angeles Police Bulletin, Investigative Analysis Unit shall:

- Verify that the information on the Form 15.32.00 cancellation request correctly corresponds with the information on the Police Bulletin to be canceled, and that the cancellation has been approved by the concerned detective commanding officer; and,
- Include the cancellation information in the next appropriate Los Angeles Police Bulletin with a distribution equal to, or greater than, the bulletin to be canceled.

760.20 BLUE ALERT SYSTEM. A Blue Alert is intended to solicit help from the public in the safe and swift apprehension of violent suspects that have killed or seriously injured law enforcement officers and who continue to pose a threat to public safety.

The following are guidelines for the initiation of the Blue Alert System.

Robbery-Homicide Division's Responsibilities. Robbery-Homicide Division (RHD) shall be responsible for notifying Department Operations Center(DOC) if a Blue Alert is needed. The Blue Alert shall be requested by DOC through the CHP if **all** of the following conditions are met:

- A law enforcement officer has been killed, has suffered serious bodily injury, or is assaulted with a deadly weapon, and the suspect has fled the scene of the offense;
- A law enforcement agency investigating the offense has determined that the suspect poses an imminent threat to the public or other law enforcement personnel;
- A detailed description of the suspect's vehicle or license plate is available for broadcast;
- and,**
- Public dissemination of available information may help avert further harm or accelerate the apprehension of the suspect.

Note: Nothing in this Order shall compel RHD to release any information they deem not suitable for release to the public.

As soon as there is sufficient information for a Blue Alert, the assigned RHD investigator shall immediately contact DOC.

Once DOC receives a Blue Alert approval from the CHP, the assigned RHD investigator should contact Media Relations Section personnel, who shall prepare a press release based on the information articulated on the Blue Alert and disseminate the release to the appropriate news wire services and media outlets.

Note: The assigned RHD investigator shall be responsible for contacting DOC to cancel the CHP's Blue Alert and Communications Division broadcasts.

Department Operations Center's Responsibilities. Department Operations Center shall contact the CHP's Emergency Notification and Tactical Alert Center to initiate the Blue Alert. Once the Blue Alert is approved by the CHP, DOC shall contact Communications Division and request that a Blue Alert be broadcasted every hour. Department Operations Center shall contact the assigned RHD investigator to indicate that the CHP approved the Blue Alert, so that the assigned RHD investigator can contact the Media Relations Section.

Department Operations Center shall contact the CHP to cancel the Blue Alert and contact Communications Division to cancel the broadcasts upon notification from the assigned RHD investigator.

Communications Division's Responsibilities. The Watch Commander, Communications Division, shall ensure that the hourly Blue Alert broadcasts are made, until they are canceled.

760.80 FELONY WANTS IN STOLEN VEHICLE SYSTEM. When the follow-up investigator determines that a vehicle connected with a felony, other than the theft of the

vehicle, should be entered into the Stolen Vehicle System, he/she shall direct a Felony Want teletype to the Vehicle/Property Unit, Records and Identification Division.

Note: The information will remain in the Stolen Vehicle System for ninety days before it is automatically purged.

When the follow-up investigator determines that a vehicle should be removed from the Stolen Vehicle System, or remain in the Stolen Vehicle System beyond the 90-day period, he/she shall submit a request via teletype to the Vehicle/Property Unit, Records and Identification Division.

760.85 CANCELLATION OF FELONY WANTS OTHER THAN GRAND THEFT AUTO (GTA) ON THE HOT SHEET. When an officer determines that a vehicle license number should be removed from the Stolen Vehicle System, he/she shall cancel the vehicle portion of the All Points Bulletin or the want broadcast through Communications Division.

762. REQUESTS FOR STATISTICAL SERVICES.

762.30 REQUESTS ORIGINATING WITHIN THE DEPARTMENT. Statistical information shall be requested in the following manner:

- Requests of an emergency nature for suspect or modus operandi "runs" may be made directly to the Automated Information Section, Information Technology Division;

Note: Routine requests for M.O. runs are made through Investigative Analysis Unit.

- Requests for statistical information routinely compiled or published may be made directly to the Automated Information Section, Information Technology Division; and,
- Requests for information not routinely compiled or available in existing files shall be forwarded to the Commanding Officer, Information Technology Division. Each request shall include the specific information required, with a statement showing the need, purpose, urgency, and deadline, and the name and unit of the employee requesting the information.

762.60 REQUESTS ORIGINATING OUTSIDE THE DEPARTMENT. Requests for statistical information by individuals or agencies, outside the Department shall be referred to Community Outreach and Development Division.

762.70 REQUESTING A FIELD INTERVIEW CHECK. Officers desiring a check of the Automated Field Interview System shall make a telephonic request to the Automated Field Interview Unit. The request shall include as much information as possible to facilitate a search of the files.

When an immediate file check is necessary and this office is closed, requests shall be made telephonically to Detective Support and Vice Division.

765. LIAISON WITH OTHER AGENCIES.

765.10 REQUESTING INFORMATION FROM A CORPORATION OR A UTILITY. A request to a corporation or a public utility for information shall be made to the office of the Chief Special Agent of the concerned corporation or utility.

765.30 REQUESTING INFORMATION FROM THE POST OFFICE. When information regarding an arrestee or suspect is desired from the United States Post Office, the investigating officer shall:

- Complete, as far as possible, a Post Office Information Request or Want Notice, Form 12.23.00; and,
- Forward the completed Form 12.23.00 to the Commanding Officer, Detective Support and Vice Division.

765.50 ARRESTEE SUSPECTED OF CRIMES IN THIS AND OTHER JURISDICTIONS -NOTIFICATIONS.

Jurisdiction Within the State. When an arrestee is believed to have committed crimes in this jurisdiction and in another jurisdiction within the State, the investigating officer shall:

- Notify the Fugitive Warrants Section (FWS), Gang and Narcotics Division; and,
- Notify the other jurisdiction.

Notifications shall include the information that a case is pending against the arrestee.

Jurisdiction Outside the State. When an arrestee is believed to have committed crimes in this jurisdiction and in another jurisdiction outside the State, the investigating officer shall notify the FWS, Gang and Narcotics Division. (Department Manual Section 4/201.30)

765.52 SUSPECT ARRESTED IN POSSESSION OF PROPERTY STOLEN OUTSIDE OF THE CITY.

Within the State. When a suspect is arrested for possessing property reported stolen outside the City, but within the State, the concerned investigating officer shall, in addition to other appropriate Department procedures:

- Notify and furnish a copy of the Arrest Report to the appropriate police agency in the jurisdiction of the theft;
- Attempt to confer with the concerned investigating officer of the outside police agency in order to evaluate which jurisdiction, if any, appears to have the stronger prosecutorial case;
- Make a recommendation to the respective prosecutors based on an evaluation of the case;
- Contact FWS, Gang and Narcotics Division (GND), if the arrestee is to be extradited to another county; and,

- Contact the District Attorney's Office for advice if difficulties are encountered with any outside agency.

Outside the State. When a suspect is arrested within the City for possessing property stolen outside the State, the investigating officer shall notify FWS, GND, for advice.

765.54 OUTSIDE AGENCY ARRESTING SUSPECT IN POSSESSION OF PROPERTY STOLEN WITHIN THE CITY.

Outside Agency Within the State. When notified that an outside police agency within the State has arrested a suspect for possessing stolen property within the City of Los Angeles, the concerned investigating officer of this Department shall:

- Request a copy of the outside agency's arrest report of the suspect(s);
- Attempt to confer with the concerned investigating officer of the outside police agency in order to evaluate which jurisdiction, if any, appears to have the stronger prosecutorial case;
- Make a recommendation to the respective prosecutors based on an evaluation of the case;
- Contact Fugitive Warrants Section (FWS), Gang and Narcotics Division (GND), if extradition of the arrestee appears appropriate;
- Contact the District Attorney's Office for advice if difficulties are encountered with any outside agency; and,
- When the stolen property is a vehicle, notify the victim within 48 hours, excluding weekends and holidays, and inform the victim of the location and condition of the vehicle; and notify the registered and legal owners, in writing, concerning the status of the vehicle.

Out of State Agency. When notified that a police agency outside the State has arrested a suspect for possessing reported stolen property within the City of Los Angeles, the concerned investigating officer of this Department shall notify FWS, GND, for advice.

Additionally, when the outside agency's recovered property is an LAPD reported stolen vehicle the concerned investigating officer of this Department, after verifying the recovery and location of the vehicle, shall:

- Notify the victim within 48 hours, excluding weekends and holidays, and inform the victim of the location and condition of the vehicle;
- Notify the registered and legal owners, in writing, concerning the status of the vehicle; and,
- Document the notification information on the Vehicle Report, CHP 180, work copy.

765.56 SUSPECT ARRESTED IN POSSESSION OF PROPERTY STOLEN WITHIN THE CITY BUT OUTSIDE THE AREA OF ARREST. When a suspect is arrested for, or in, possession of property reported stolen in an Area other than the Area of arrest, the

investigators from the concerned Areas shall evaluate the merits of the case prior to making a decision on whether to request that a complaint be filed.

765.60 REQUESTS FOR LETTERS OF RECOMMENDATION FOR

INDEMNIFICATION OF PRIVATE CITIZENS. When a request for a letter of recommendation for a private citizen is received from the State Board of Control, the commanding officer or officer in charge of the division or section responsible for the follow-up investigation of the initial incident from which the claim for indemnification resulted shall cause the letter of recommendation to be prepared. The letter shall be forwarded to the concerned bureau commanding officer for review and approval. The content of the letter shall be limited to:

- The DR number of the concerned report(s),
- A statement that the incident from which the claim has resulted did occur, and,
- The recommendation that indemnification be made based on a review by the State Board of Control of the facts of the case.

A recommendation that a claim be considered invalid shall apply only in cases where:

- The incident did not occur, or an involvement of the person making the claim cannot be substantiated; or,
- The victim of a crime has not cooperated in a subsequent prosecution of persons responsible for the commission of the offense.

No attempt shall be made to ascertain the extent of an injury or the monetary losses resulting from the involvement of a claimant as the California Government Code provides that this determination be made by another agency. Legible copies of reports relating to the incident shall accompany the letter as enclosures.

765.70 INFORMATION REQUESTED BY PROBATION DEPARTMENT. An officer receiving a reference letter, Form 01.14.00, from the Adult Division, Los Angeles County Probation Department, regarding an arrestee shall, without delay, complete the form and return it to the originating office via Department mail.

765.75 REQUESTING INFORMATION FROM PROBATION DEPARTMENT. When information is desired from the Los Angeles County Probation Department's Index, the investigating officer shall use the 194 County tie-line. The officer shall give the operator the last name of the subject after requesting to be connected with the Probation Department Index. The investigating officer shall furnish:

- The name of the arrestee or subject;
- Any aliases he/she has used; and,
- His prior record.

If the information concerns a juvenile or the information is needed but cannot be obtained from the Probation Department Index, the officer shall request to be connected with the Inter-Agency Contact Officer of the Probation Department.

765.80 DETENTION AND ARRESTS OF FOREIGN NATIONALS - NOTIFICATIONS.

The Vienna Convention on Consular Relations is a treaty signed by over 140 countries including the United States (U.S.). This Treaty guarantees that individuals arrested **or** detained (for more than two hours) in a designated foreign country, must be notified by police of their right to speak to a consular officer from their country's consulate. If a **foreign national (defined as any person who is not a U.S. citizen)** is arrested **or** detained (for more than two hours), officers **shall** cause such notification to be made without delay. Certain countries require **mandatory** consular notification by police when their citizens are arrested **or** detained for more than two hours. This notification shall be made without delay, regardless of the foreign national's request to the contrary.

California Penal Code Section 834c mandates that California peace officers comply with the spirit of the Treaty for handling the arrest or detention (for more than two hours), of a known or suspected foreign national.

Officers may **become aware** an arrestee or detainee is a foreign national:

- When informed by the arrestee/detainee;
- When presented with a foreign passport or an Permanent Resident Card;
- Through reliable third-party information [e.g., another officer, family member, interpreter, or National Crime Information Center (NCIC) check], or
- During the booking process or completion of a Field Interview Report, Form 15.43.00, the arrestee/detainee indicates that they were born in a foreign country, or names a foreign country as their place of birth or residence.

Employees must never ask an arrestee/detainee about their legal status in the U.S.

Note: For foreign nationals who qualify for immunity from arrest or detention, employees should refer to Department Manual Section 4/284.10, Diplomatic and Consular Contacts.

Department employees shall comply with the following procedures when they **become aware** that an arrestee or a person detained (for more than two hours) is a foreign national.

Arresting/Detaining Officer's Responsibilities. If during an arrest, detention or booking process, the arresting/detaining officer **becomes aware** that the arrestee/detainee is a foreign national, the officer shall:

- Ask the arrestee/detainee if they are a U.S. citizen;

- If the arrestee/detainee states that he/she is **not** a U.S. citizen, determine the arrestee's/detainee's country of citizenship and whether that country is subject to mandatory or optional notification protocols;
- Advise the foreign national that he/she has a right to communicate with an official from the consulate of his/her country;
- During the booking process, advise the detention officer of the arrestee's foreign national status for appropriate action; or,
- During the detention (if detained for more than two hours):
 - Provide the detainee with a Foreign National Advisement, Form 02.11.00, complete the applicable sections of the form, and have the detainee sign it;
 - Telephonically notify the Custody Services Division Watch Commander (WC) of the detainee's foreign national status for appropriate action;
 - Provide the telephone number of the consular office to the detainee;
 - Fax/scan and email a copy of the Foreign National Advisement form without delay to the Custody Services Division WC; and,
 - As soon as practicable, hand-deliver or send, via intradepartmental mail, the original Foreign National Advisement form, to the Custody Services Division WC.

Note: Department Operations Center must be contacted for guidance when a detainee claims to be a diplomatic agent, a career consular officer, an honorary consular officer, or a family member or employee of such agent.

Detention Officer's Responsibilities: When advised by the arresting officer that an arrestee is a foreign national, the detention officer shall:

- Provide the arrestee with a Foreign National Advisement form, complete the applicable sections of the form and have the arrestee sign it;

Note: In the event the arrestee does not understand the Foreign National Advisement form due to a language barrier, a Foreign National Advisement form in his/her appropriate language or Department translation services shall be provided. A copy of the Foreign National Advisement in foreign languages may be located in the Consular Notification and Access Handbook with the WC or available online at (http://travel.state.gov/law/consular/consular_753.html). A copy of the Foreign National Advisement in the person's appropriate language must be attached with the original Foreign National Advisement form.

- Whether the notification is optionally requested or mandatorily required, complete a Notification of Arrest/Detention of a Foreign National, Form 02.11.01, and fax/scan and email it to the appropriate consular office;
- Provide the telephone number of the consular office to the arrestee; and,
- The **original** Notification of Arrest/Detention of a Foreign National form and the Foreign National Advisement form must be filed at Custody Services Division.

If requested by the arrestee, the detention officer shall:

- Ensure that the arrestee is allowed access to a telephone to contact their country's consular office;
- Permit a consular officer to visit the arrestee; and,
- Permit a consular officer to telephonically speak with the arrestee, when the consular officer is unable to personally visit the arrestee.

Custody Services Division Watch Commander's Responsibilities. When notified that a foreign national has been or will be detained **for more than two hours** and will not be booked, the Custody Services Division WC shall:

- Determine whether the foreign national's country is subject to mandatory or optional notification;
- If either optionally requested or mandatorily required, complete a Notification of Arrest/Detention of a Foreign National form;
- Fax/scan and email a copy of the Notification of Arrest/Detention of a Foreign National form to the detained foreign national's appropriate consular's office;
- Cause the detaining officer to provide the telephone number of the consular office to the detained foreign national; and,
- File the **original** Notification of Arrest/Detention of a Foreign National form and the Foreign National Advisement form at Custody Services Division.

If requested by the detained foreign national (if detained for more than two hours), the Custody Services Division WC shall:

- Ensure that the detained foreign national is allowed access to a telephone to contact the consular office;
- Permit a consular officer to visit the detained foreign national; and,
- Permit a consular officer to telephonically speak with the detained foreign national, when the consular office is unable to personally visit the detained foreign national.

Area Commanding Officers' and Custody Services Division Commanding Officer's Responsibility. Area commanding officers and the Custody Services Division Commanding Officer must ensure that officers and detention officers adhere to the procedures within this section.

Department Operations Center Responsibilities. Department Operations Center must make the appropriate inquiries when they become aware that a detainee claims to be a diplomatic agent, a career consular officer, an honorary consular officer, or a family member or employee of such agent.

765.85 RECEIPT OF INTERPOL REQUESTS. Any Department entity receiving an INTERPOL request for investigative assistance shall forward the request to Detective Support and Vice Division. Detective Support and Vice Division shall coordinate all such

correspondence and, when necessary, assign the investigation to the appropriate Department entity.

767. LICENSE TO CARRY CONCEALED FIREARMS.

767.05 REQUEST FOR LICENSE. All requests for Carry Concealed Weapon (CCW) licenses shall be acted upon, by the Chief of Police.

Employee's Responsibility. When any person who resides in the City of Los Angeles contacts a Department employee to inquire about a CCW license the Department employee shall direct the person to www.lapdonline.org to review the Department's CCW Carry Concealed Weapon License Policy.

Officers are reminded to advise the applicant that upon completion of the CCW license application within the "Get Services" tab, the applicant shall contact Gang and Narcotics Division CCW Unit to be scheduled for an in-person interview, as instructed in the Department's Carry Concealed Weapon License Policy.

Note: Questions concerning concealed firearms licenses shall be referred to the Gang and Narcotics Division, CCW Unit.

767.10 INVESTIGATING REQUESTS. Upon receiving an application for a license to carry a concealed firearm the Gang and Narcotics Division, CCW Unit, shall:

- Investigate all applications for concealed weapon licenses;
- Verify all documentation has been submitted in accordance with statutory requirements;
- Forward the application with recommendations via their chain of command to the Office of the Chief of Police for approval/denial; and,
- Notify the applicant of the Chief of Police's decision.

770. PAWNSHOP PROCEDURE.

770.05 PAWNSHOP – DEFINED. For the purposes of this section, "pawnshops" shall be defined as, any pawnshop, junkyard, secondhand dealer, or store dealing in used or secondhand merchandise.

Pawnshops and secondhand dealers are required to possess a valid Police Commission permit.

770.10 HOLD – DEFINED. A hold or hold order is a written order, Process for Reclaiming Property, Form 12.43.00, by a concerned geographical burglary/theft detective directing a pawnshop or secondhand dealer to maintain custody and control over specified property until the hold or hold order is removed.

Note: The hold shall not exceed a period of 90 calendar days but may be renewed as often as required for a criminal investigation or court proceeding.

770.20 STOLEN PROPERTY. A hold shall be placed on allegedly stolen property when the property is identified in a pawnshop or in the custody of a secondhand dealer.

Upon discovery of stolen property at a pawnshop or secondhand dealer, an officer shall:

- Place a hold on the property (pursuant to Department Manual Section 4/770.30);
- Notify the concerned geographical burglary/theft detectives for investigative assistance;
- Verify the pawnbroker or secondhand dealer has a valid Police Commission permit as required under Los Angeles Municipal Code (LAMC) Section 103.306, Pawnbroker, and LAMC Section 103.02.1, Permit Applications; and,
- Notify Commission Investigation Division's (CID) Administrative Section if:
 - The business is not permitted to operate;
 - It is suspected that the business knowingly purchased stolen property; or,
 - Concerns exist regarding its business operations.

770.30 HOW TO PLACE A HOLD ON PAWNED PROPERTY. When an officer determines it is necessary to place a hold on property in a pawnshop or in the custody of a secondhand dealer, the officer shall:

- Call the pawnshop or secondhand dealer and advise them of the hold on the property and make a demand for a hold;
- Provide written notice to the pawnshop or secondhand dealer on Department letterhead, with an accurate description of the property, an acknowledgment that the property is being placed on a 90-day hold denoting whether physical possession will remain with the licensed pawnbroker or secondhand dealer or will be taken by the officer into custody;
- Indicate the Department's Division of Records (DR) number on the notice, if issued;
- Include the date the notice was delivered to the licensed pawnbroker or secondhand dealer;
- Provide written notice of the hold within two business days to the person who reported the property lost, stolen or embezzled;
- Immediately notify the concerned geographical burglary/theft detectives for investigative assistance and advise the investigative unit where the crime occurred when the officer placing the hold is not assigned to that division; and,
- Notify the concerned jurisdiction when the crime occurred outside the City.

770.40 WHEN TO RELEASE A HOLD ON PROPERTY. A hold placed on property at a permitted pawnshop or secondhand dealer shall be released:

- Immediately, upon the discovery that the property is **not** lost, stolen, or evidence; or,
- After 90 days, if extensive efforts to locate and identify the legal owner have failed.

770.45 HOLD EXTENSIONS. A hold placed on property at a permitted pawnshop or secondhand dealer may be extended beyond 90 days when:

- The legal owner of the held property has been identified but is not available to retrieve the property; or,
- It is necessary for an ongoing criminal investigation or court proceeding.

770.50 HOW TO RELEASE HOLDS ON PROPERTY. When a hold is to be released on property, the authorizing officer shall notify the concerned geographical burglary/theft detectives, listing the following information, if known:

- Victim's name and address;
- Suspect's name;
- Description of property to be released;
- Pawnshop or secondhand dealer's business name and address;
- Pawnshop or secondhand dealer's loan or buy number;
- DR number; and,
- Authorizing officer's name, serial number, and division of assignment.

An assigned detective, upon receiving the above information, shall:

- Notify the pawnshop or secondhand dealer of the released hold; and,
- Serve the pawnshop or secondhand dealer a copy of the Process for Reclaiming Property, Form 12.43.00.

770.60 REQUESTS FOR HOLDS - OUTSIDE AGENCIES. When an agent from an outside law enforcement agency requests a hold to be placed on property in a pawnshop or secondhand dealer within the City, the concerned geographical burglary/theft detectives shall:

- Prepare a letter to the requesting agent informing them that the hold will be placed for a maximum period of 90 days and that a written request for the hold is required from their department;
- Send the original letter to the requesting agent and file a copy in the concerned geographical burglary/theft detective's file; and,
- Place a hold on the property (pursuant to Department Manual Section 4/770.30).

Note: The hold shall be released (pursuant to Department Manual Section 4/770.50) if no communication concerning retaining or releasing the hold is received from the requesting agency within 90 days.

770.70 RELEASING PROPERTY TO THE LEGAL OWNER. When held property is available for release to the legal owner, or their agent, the concerned officer shall:

- Release the hold on the property (4/770.50);
- Complete a Process for Reclaiming Property, Form 12.43.00;
- Send the first page of the form to the legal owner or their agent;
- Direct the legal owner, or their agent, to present Form 12.43.00 to the pawnshop or secondhand dealer in order to claim their property;

- Place the second page of Form 12.43.00 in the concerned geographical burglary/theft detectives case file; and,
- Send the third page of Form 12.43.00 to the pawnshop or secondhand dealer holding the property.

772. SUBROGATED PROPERTY - INVESTIGATING OFFICER'S RESPONSIBILITY.

772.10 NOTICE OF SUBROGATION. A copy of a notice of subrogation received from Records and Identification Division by an investigating officer shall be attached to the investigating officer's copy of the related crime report.

772.20 PROPERTY RECOVERED SUBSEQUENT TO THE RECEIPT OF A NOTICE OF SUBROGATION. When property is recovered subsequent to the receipt of a notice of subrogation, or is in Department custody when a notice of subrogation is received, the concerned investigating officer shall:

- Complete a Subrogated Property Notification, Form 10.17.00;
- Ensure that the Subrogated Property Notification is properly distributed; and,
- Ensure that the property is not released until the current legal owner has been determined.

772.50 AREA AUTO COORDINATORS' - RESPONSIBILITY. When notice of a subrogated vehicle has been initially received at an Area station instead of Records and Identification Division, the Area Auto Coordinator shall cause the Stolen Vehicle System (SVS) to be queried. If the listed owner is not the insurance carrier, as reflected on the Notice of Subrogation, he/she shall cause a telephonic notification to be made to the Vehicle/Property Unit (VPU), Records and Identification Division, and request the VPU clerk to update the SVS to reflect that the insurance carrier is the current owner.

775. ARRESTEES' RELEASES - INVESTIGATING OFFICERS' DUTIES.

775.10 RELEASE WITHOUT PROSECUTION. Investigating officers shall cause the release of an arrestee (4/775.30), without unnecessary delay, when a complaint or indictment is not obtainable.

775.13 CERTIFICATE OF RELEASE. When issuing a Certificate of Release, Form 08.16.00, use the following procedures:

The Certificate of Release shall be issued to:

- An arrestee (either adult or juvenile) who has been booked pursuant to a County Wide System (CWS) warrant and thereafter cleared; or,
- An adult arrestee who, at the time of release from custody, is not scheduled for a court appearance resulting from the arrest (A City Attorney hearing is not a court appearance);

Example: A detective reviewing an arrest report for an in-custody arrestee determines the case does not meet the filing standards for a criminal complaint. The detective authorizes release of an arrestee by teletype. The releasing employee (e.g., the detention officer) shall issue a Certificate of Release.

Example: A detective presents an arrest report for an arrestee to a prosecutor for filing consideration. The prosecutor requests the detective to conduct additional investigation before filing the case. In the interim, the detective releases the arrestee under the authority of California Penal Code (PC) Section 849(b)(1). The detective authorizes release of the arrestee by teletype. The releasing employee shall issue a Certificate of Release.

- An adult arrestee who was scheduled for a court appearance at the time of release from custody (bail, own recognizance, Non-Traffic Notice to Appear, Form 05.02.02, or court order) but a formal complaint was not subsequently filed. The Certificate of Release shall be issued upon establishing that a formal complaint will not be filed.

Example: An arrestee for battery is released from custody on bail or his or her own recognizance. When the case is presented to the City Attorney's Office, the prosecutor elects to hold a City Attorney hearing. The detective who presented this case for filing should issue a Certificate of Release because a formal complaint was not filed.

The Certificate of Release shall be issued at the time of release from custody. When it is not practicable to present the arrestee's copy of the Certificate of Release to him or her personally, it shall be mailed to the arrestee's last known address.

Exception: The Certificate of Release shall not be issued to a person arrested for California PC Section 647(f), who is released under PC Section 849(b) (2) because no further proceedings are desirable. In addition, a supplemental booking on **any** warrant results in the scheduling of a court appearance, and precludes the need for a Certificate of Release.

Note: The application of force does not necessarily mean that a person is under arrest. Officers may use non-lethal force to affect and safely maintain an investigative detention.

Responsibility for Issuance. The Certificate of Release shall be issued as follows:

Arresting Officer's Responsibilities. When an arrestee is released prior to booking, and a Non-Traffic Notice to Appear has not been issued, the arresting officer shall issue a Certificate of Release. Any Certificate of Release issued to an arrestee prior to booking shall be approved by a detective supervisor or watch commander and shall include the pertinent information from any applicable detention log.

When the arresting officer issues the Certificate of Release, he or she shall also complete a Field Interview Report, Form 15.43.00, and place the notation, "Certificate of Release Issued," in the space provided for "Circumstance of Interview." A copy of the issued Certificate of Release

shall be attached to the Adult Detention Log, Form 06.19.00; the Secure Juvenile Detention Log, Form 09.05.00; or, the Non-Secure Juvenile Detention Log, Form 09.06.00, when applicable.

Arresting officers shall include pertinent recap information and detailed comments in the incident disposition box provided on a Computer Aided Dispatch Summary Report or Daily Field Activities Report, Form 15.52.00. For arrests under the law later deemed as a detention pursuant to PC Section 851.6, comments should include the reasonable suspicion for the stop, the probable cause for the arrest, and the reason for the arrestee's release.

Concerned Investigating Officer's Responsibilities. When an investigating officer is responsible for follow-up on the arrest, he or she shall issue the Certificate of Release, if practicable. One copy shall be given to the arrestee. The original shall be attached to the Disposition of Arrest and Court Action, Form 05.09.00, and presented with the Investigator's Final Report, Form 05.10.00, for supervisory review prior to disposition.

Exception: When an investigating officer has teletyped the authorization for release of a prisoner, the Certificate of Release issuance and distribution shall be completed by the releasing employee. The investigating officer shall include a copy of the Notification of Prisoner Release Teletype with the Disposition of Arrest and Court Action and Investigator's Final Report in lieu of the Certificate of Release.

Releasing Employee's Responsibilities. If the investigating officer is not available at the time of the arrestee's release, the releasing employee shall issue the Certificate of Release. One copy shall be provided to the arrestee. The original copy shall be attached to the Jail Custody Record, Page 5, of the Los Angeles Consolidated Booking Form, Form 05.01.00.

Court Liaison Officer's Responsibilities. When no investigating officer is responsible for follow-up of the arrest, the concerned court liaison officer shall issue the Certificate of Release upon learning that a filing has been rejected. One copy shall be provided to the arrestee. The original copy shall be attached to the Arrest Disposition Report, Form 05.09.00.

Custody Services Division Watch Commander's or Watch Supervisor's Responsibilities. A Custody Services Division (CSD) watch commander or watch supervisor determines that a booked arrestee is to be released [except with the authority of PC Section 849(b)(2)j and not required to appear in court, the CSD watch commander or watch supervisor shall ensure that a Certificate of Release has been issued. One copy shall be provided to the arrestee. The original Certificate of Release shall be attached to the Jail Custody record, Page 5 of the Los Angeles Consolidated Booking Form.

775.14 RELEASE FROM COUNTY JAIL FACILITY. When an arrestee detained at a County jail facility is released pursuant to 849(b) 1 P.C. and the investigating officer authorizing the release is present, the investigating officer shall complete a County Inmate Release Order, County Form SHJ 70.

775.15 ARRAIGNMENT OR RELEASE OF ADULT INMATES. The assigned investigating officer shall ensure that all adult arrestees are arraigned or released as soon as possible, without unnecessary delay, and in no event beyond **two** court days following the day of arrest.

Exception: During a state of emergency a presiding judge may request that the "Chair of the Judicial Council" extend the time limit for inmate arraignment from the current two days to a period not to exceed seven days.

If the investigating officer is not available at the time a inmate is due to be arraigned or released, the watch commander of the investigating division shall be responsible for the arraignment or release.

775.20 INVESTIGATOR'S FINAL REPORT – COMPLETION RESPONSIBILITIES. Officers assigned to the follow-up investigation of a felony shall immediately complete both sides (Pages 1 and 2) of an Investigator's Final Report, Form 05.10.00, when a filing is obtained or refused, the charge is released, or the arrestee is released to another law enforcement agency.

The Investigating officer (I/O) shall complete the Booking Disposition Boxes (part C) section of the Investigator's Final Report when an arrest made on any of the following constitutes a felony charge:

- Violation of California State parole under authority of California Penal Code 3056 or Welfare and Institution Code Section 3151;
- Violation of probation bench warrant held by the Los Angeles County Sheriff's Department; and,
- "Failure to Appear" bench warrant held by the Los Angeles County Sheriff's Department.

A Property Disposition/Update Request, Form 10.06.00, shall be attached to the Investigator's Final Report prior to I/O's submission for supervisory approval. Upon completion, the Investigator's Final Report shall be delivered to the record clerk, division of booking.

Note: If any of the above violations constitutes a misdemeanor charge only, the Investigator's Final Report is unnecessary.

When the arrestee for whom the Investigator's Final Report is completed has an Modus Operandi (MO) that is distinct and consistent, the I/O shall so indicate by checking the "**Yes**" box after the words "**MO Sheet**" on Page 2 of the Investigator's Final Report.

Exception: Regardless of the charge, an Investigator's Final Report shall be completed on a juvenile whose MO is unusual, distinctive, or characteristic of that particular subject.

Fugitive Warrants Section Arrestees. Officers assigned to Fugitive Warrants Section (FWS), Gang and Narcotics Division, shall complete the Investigator's Final Report upon receipt of an arrest report for a fugitive warrant arrest. If the arrest occurs during normal duty hours, an attempt shall be made to contact the concerned detective(s) for interviewing and completion of the Investigator's Final Report.

Fugitive Warrants Section officers may, in appropriate circumstances, admonish arrestees and attempt to obtain statements at the time of arrest unless the assigned detectives have indicated otherwise. Additionally, FWS officers shall perform appropriate follow-up investigations, within a reasonable distance and time frame, when circumstances demand immediate action.

Felony Bail-Out Procedures.

The concerned detention officer processing the receipt of bail for a felony inmate confined in a Department jail facility shall:

- Process the receipt of the bail as outlined via current policy in the Jail Operations Manual; and,
- Save an electronic copy of the bail receipt, sequenced by the inmate's last name, first name and booking number, in the Custody Services Division drive on the LAPD Application Launcher, within the associated Bureau (Central, West, South or Valley) utilizing the corresponding Area of arrest.

The Investigating Officer shall check the Custody Services Division drive on the LAPD Application Launcher and complete the following sections of the Investigator's Final Report:

- The Completion of Descriptors – Part A, specifically the Arraignment Date;
- The Booking Disposition Boxes – Part C;
- The Disposition of Arrest Information – Part E; and,
- The Narrative – Part G.

775.24 INVESTIGATOR'S FINAL REPORT - RESPONSIBILITY OF WATCH COMMANDERS AND OFFICERS IN CHARGE. Watch commanders and officers in charge in divisions, sections, or units which process the Investigator's Final Report, Form 05.10.00, shall inspect daily the active arrestee index card file (or control book) and check for those arrests over 48 hours old for which no Form 05.10.00 has been submitted.

Watch commanders and officers in charge shall ensure that a Form 05.10.00 is completed and distributed without delay for each arrest exceeding the maximum in-custody dead line.

775.27 APPROVAL OF INVESTIGATOR'S FINAL REPORT. An investigating officer completing an Investigator's Final Report, Form 05.10.00, authorizing the release of a inmate, shall submit the completed Form 05.10.00 to his/her watch commander or officer in charge for approval. Approval of the watch commander or officer in charge is not necessary prior to the release of an inmate but may be obtained if its procurement causes no delay in the release. If the division commanding officer does not approve the release, the division commanding officer

shall refer the Form 05.10.00 to the commanding officer of the concerned bureau for his/her review, together with his reason for not approving the release.

775.30 ACCOMPLISHING RELEASE OF ARRESTEE. To effect the release of an arrestee who is in custody, the investigating officer shall:

- Present one copy of the Investigator's Final Report, Form 05.10.00, authorizing the release, to the detention Officer having custody of the arrestee; or,
- Present one copy of the Form 05.10.00 to a teletype operator. The operator shall be requested to send an Order to Release Teletype to the custodial detention officer. If a Notification of Release Teletype is not received from the custodial detention officer within one hour, the investigating officer shall determine the reason for delay.

The detention officer or the teletype operator receiving the Form 05.10.00 authorizing the release of an arrestee shall be requested to sign the investigating officer's copy as a receipt.

775.31 RELEASE OF CHP ARRESTEES. A CHP officer requesting the release of an inmate booked by the CHP shall normally make the request by teletype. When a CHP officer arrives at a jail facility and requests the release of such an inmate and no teletype has been sent, the CHP officer shall be referred to the divisional investigating officers or Detective Support and Vice Division. When the investigating officer determines that the release should be authorized, he/she shall complete an Investigator's Final Report, Form 05.10.00.

775.32 RELEASE PROCEDURE - WHEN INMATE DIES IN A DIVISION JAIL. When an inmate dies in a division jail, the investigating officer shall follow the procedure set forth in 4/238.65.

775.50 RELEASES TO OTHER AGENCIES. Investigating officers shall immediately notify the Fugitive Warrants Section (FWS), Gang and Narcotics Division (GND), by teletype or telephone, when:

- It is learned that an arrestee is wanted by another agency on a felony charge; and,
- A local charge is to be dismissed and the arrestee is wanted by another agency on a felony charge.

Approval to release an individual who is arrested by this Department on a foreign felony want or warrant directly to the wanting agency, without being formally booked by this Department, shall be obtained from the FWS.

Note: If the arrestee is wanted by more than one agency, the FWS shall determine the agency to which he or she shall be released.

The name of the advising officer shall be noted in the Investigator's Final Report, Form 05.10.00.

Note: When FWS is closed, the Department Operations Center shall provide advice on release procedures.

775.54 PLACING FELONY CHARGE PRIOR TO RELEASE TO WANTING

AGENCY. Authorization to supplementary charge an arrestee with a felony for another agency (Department Manual Section 4/775.50) shall be indicated on the Investigator's Final Report, Form 05.10.00. All copies of the Investigator's Final Report shall be forwarded to the Fugitive Warrants Section (FWS), Gang and Narcotics Division. The FWS shall:

- Effect the release of the original charge;
- Cause the charge of the wanting agency to be placed against the inmate;
- Record on the Investigator's Final Report that the felony charge has been placed;
- Complete a new Arrest Report, Form 05.02.00; and,
- Provide for the distribution of the Investigator's Final Report and the Arrest Report.

775.58 RELEASE TO WANTING AGENCY WITHOUT PLACING FELONY

CHARGE. Upon authorization to release an arrestee to another agency without placing a felony charge (Department Manual Section 4/775.50), the investigating officer shall include in the Investigator's Final Report, Form 05.10.00:

- A full explanation of the circumstances of the release;
- The names of the officers, if known, and the jurisdiction to which the arrestee was released; and,
- The charge upon which the arrestee was wanted.

Two copies of the original Arrest Report, Form 05.02.00; and one copy of the Investigator's Final Report shall be sent to the Fugitive Warrants Section, Gang and Narcotics Division.

775.60 CRIME COMMITTED BY JUVENILE-ARRESTED WHEN ADULT. When it is discovered that a person over eighteen years of age, in custody on a felony charge, was less than eighteen years of age at the time of the commission of the crime, the investigating officer shall inform his/her watch commander of the status of the case. The watch commander shall determine whether the case is to be reassigned.

The investigating officer given responsibility for the investigation of the crime and disposition of the case shall:

- Obtain advice from the Watch Commander, Detective Support and Vice Division; and,
- Complete an Investigator's Final Report, Form 05.10.00, to release the adult charge.

775.70 RELEASE OF ARMED FORCES PERSONNEL - NOTIFICATION. Prior to the release of a member of the Armed Forces, the watch commander shall notify the Department Command Post, Department Operations Center (DOC), and shall be guided by the instructions of the watch commander.

Exception: This provision does not apply when Armed Forces personnel are field released.

Note: Armed Forces arrestees who are otherwise legally entitled to immediate release may be detained for a reasonable time up to forty-eight hours from time of arrest, excluding Sundays and holidays, if there has been a hold placed on the arrestee by military authorities.

778. NOTIFICATION OF FELONY BOOKING DISPOSITION.

778.10 REQUIRED NOTIFICATION TO RECORDS AND IDENTIFICATION DIVISION. The Criminal Records Section, Records and Identification Division, shall be notified of all adult male and female felony booking dispositions as indicated on the Investigator's Final Report, Form 05.10.00.

778.20 PROCEDURE FOR NOTIFYING RECORDS AND IDENTIFICATION DIVISION. Upon disposition of a felony arrest, the concerned investigating officer shall immediately complete an Investigator's Final Report, Form 05.10.00. The original copy of the Form 05.103.00 shall be forwarded to the Data Entry Section, Information Technology Division, without delay. Following key punching of felony disposition information, the Investigator's Final Report, Form 05.10.00, shall be forwarded to Records and Identification Division.

780. VEHICLES - INVESTIGATION AND RELEASE.

780.10 AREA OF IMPOUNDMENT - DEFINED. The area of impoundment is defined as the area in which the vehicle is actually stored.

780.15 PRESENT OWNER - DEFINED. The present owner of a vehicle is defined as the registered owner on the records of the Department of Motor Vehicles.

Exception: When the registered owner on record has transferred his/her ownership rights, the present owner is the last person to whom equity or ownership of the vehicle has been transferred.

780.17 INVESTIGATING OFFICER'S RESPONSIBILITY - LOST VEHICLES. Lost vehicle information is automatically purged from the Stolen Vehicle System (SVS) thirty days from the date entered. When a lost vehicle has not been found or reported stolen before the SVS purge date, the follow-up investigator shall:

- Contact the present owner or reporting person and, when appropriate, reclassify the report to "Stolen" by completing a Follow-up Report, Form 03.14.00, and notifying the Vehicle/Property Unit, Records and Identification Division; and,
- When reclassification is not appropriate, cause the "Lost" information to be reentered into the SVS.

Note: There is no limit on the number of times lost vehicle information may be reentered into the SVS. However, each reentry requires follow-up prior to the thirty-day automatic purge.

INVESTIGATING OFFICER'S RESPONSIBILITY - FOUND VEHICLE. When a vehicle which was reported as lost has been found, has not been impounded, and no notification has been made to the registered owner or person reporting the lost vehicle (4/221.20), it shall be the responsibility of the Area investigating officer to contact the owner or person who made the lost report. The investigating officer shall notify the victim within 48 hours, excluding weekends and holidays. The victim must be advised of the location and condition of the vehicle.

780.19 INVESTIGATING OFFICER'S RESPONSIBILITY - DISPOSAL OF UNIDENTIFIABLE VEHICLES AND VEHICLE PARTS. Upon determining that an unidentifiable vehicle or normally serialized vehicle part is of no value in a criminal proceeding, or when the court having jurisdiction does not order disposition of the unidentifiable vehicle or normally serialized part, the investigating officer shall:

- Immediately notify Commercial Auto Theft Section, Commercial Crimes Division to determine if disposal by civil court action is appropriate;
- If directed by Commercial Auto Theft Section, complete and distribute the Notice of Impoundment of Vehicle and/or Component Part, L.A.P.D. Form 15.23.01; and,
- Record the action taken as a result of Commercial Auto Theft Section's advice, and include the disposition of the item on a Follow-Up Report, Form 03.14.00.

780.20 INQUIRIES CONCERNING THE STATUS OF STOLEN, LOST, OR IMPOUNDED VEHICLES.

Employee Receiving Inquiry-Responsibility. When a person who has a legitimate interest in a vehicle makes an inquiry concerning its status, the employee receiving the inquiry shall check the Stolen Vehicle System (SVS).

If the vehicle is impounded, determine the Area of impoundment from the SVS and:

- If stored only, refer the person to the tow garage. The person shall be advised that, to secure the release of the vehicle, from the garage, he/she must present proof of ownership or written authorization from the present owner to receive the vehicle. If the owner is in custody of the Department, the authorization may be on a Property Release Authorization, Form 06.08.00; and,
- If held, refer the person to the appropriate Area Vehicle Control Clerk.

780.24 INSPECTION OF VEHICLES - VEHICLE THEFT INVESTIGATIONS.

Pursuant to Section 2805 VC, member of a city police department whose primary responsibility is to conduct vehicle theft investigations (auto detective) may inspect vehicles required to be registered under the Vehicle Code, or any identifiable vehicle component part thereof, for the purpose of locating stolen vehicles. These inspections shall be conducted only

when the vehicle or component part thereof is in on one of the locations outlined in Section 2805 VC. The officer may inspect the title or registration of those vehicles in order to establish rightful ownership or possession of the vehicle or identifiable vehicle component. Detective commanding officers shall:

- Ensure vehicle inspections pursuant to Section 2805 VC are conducted regularly;
- Ensure Detectives III report the results of each inspection conducted during the previous month; and,
- Approve the wearing of the official Department jumpsuit in accordance with Manual Section 3/619.20.

Exception: Officers are cautioned that Section 2805 VC shall only be used by personnel whose primary assignment is the investigation of vehicle theft crimes. Under no circumstance shall Section 2805 VC be used to circumvent a search warrant or to search for non-vehicle theft-related evidence. Whenever sufficient probable cause exists, a search warrant shall be obtained.

780.30 AUDIT OF IMPOUND REPORTS.

Area Detectives. The concerned detectives in the Area of impoundment are responsible for ensuring the accuracy and completeness of reports pertaining to vehicles impounded from their Area.

Area Vehicle Coordinator. The Area Vehicle Coordinator shall cause a weekly audit to be made of Vehicle Impound Reports. Reports that indicate a vehicle has been impounded and stored in excess of *five* days shall be reviewed. The review shall include, but not be limited to:

- Verification that the person reporting, and the present, registered, and legal owners of the impounded vehicle were notified. If prior notifications were incorrect, appropriate notifications shall be made in writing and, if practicable, telephonically;
- Verification of the status of any holds placed on a vehicle as the result of a Subrogated Property Notification, Form 10.17.00. (When a claim has been paid to the owner of a stolen vehicle, the insurance company becomes the legal owner); and,
- Verification that all notifications and vehicle status information have been documented on the Area Vehicle Control Clerk's copy of the Impound Report.

Note: If a DR number from a related report is to be assigned to a Vehicle Report, CHP Form 180, VPU shall be apprised of all pertinent information regarding the impound.

780.35 VEHICLE REPORTED STOLEN OUTSIDE CITY (4/765.52). When a vehicle which has been reported stolen outside the City is recovered in Los Angeles, an investigating officer of the Area in which the vehicle was impounded shall notify the law enforcement agency which reported the theft.

780.40 INVESTIGATING OFFICER'S RESPONSIBILITY - VEHICLES RECOVERED OUTSIDE THE CITY (4/765.54). When an investigating officer responsible for the

investigation of a vehicle stolen *inside* the City receives information from another agency that the vehicle has been recovered *outside* the City, the officer shall:

- Notify the victim within 48 hours, excluding weekends and holidays, and inform the victim of the location and condition of the vehicle;
- Notify the registered and legal owners, in writing, concerning the status of the vehicle;
- When a Subrogated Property Notification, Form 10.17.00, is on file, notify the subrogator that the vehicle has been recovered; and,
- Document the notification information on the vehicle report work copy.

780.45 VEHICLE RECOVERED BY OWNER. When a person requests the cancellation of a Vehicle "Stolen" Report, CHP Form 180, by telephone, he or she shall be advised to make a written report at the nearest police station.

780.50 RELEASING VEHICLE HELD FOR INVESTIGATION. (A vehicle impounded and stored only shall be released by the tow garage storing the vehicle.)

The assigned detective of the division *for* which the vehicle was held shall be responsible for releasing the hold. When the vehicle is no longer needed, the detective shall ensure that the following information is blocked out on the release copy of the Vehicle Investigation at the Area of Impoundment:

- Juvenile suspect/arrestee names and addresses;
- Items which would endanger the safety of a witness or other person; and,
- Items which would interfere with the success of the investigation or any other investigation.

The detective shall then complete the release authorization portion on the release copy of the Vehicle Investigation at the Area of Impoundment. (Indicate "OK to Release.")

Exception: If the vehicle is impounded in an Area other than the investigator's Area of assignment, an "O.K. to Release" teletype may be sent to the Area Vehicle Control Clerk in the Area of impoundment. The Area Vehicle Control Clerk may accept a telephonic release from an investigator when there is no doubt concerning its authenticity. In these cases, it shall be the responsibility of the Area Vehicle Control Clerk to block out the above listed items (Name of juvenile arrestee, etc.)

The Area Vehicle Control Clerk shall complete all required notices of impounded vehicle and telephonically contact the person to whom the vehicle is to be released, unless notified by the investigator that such notification has already been made.

VEHICLES SEIZED AS EVIDENCE. When a vehicle has been seized as evidence, under the authority of California Vehicle Code (CVC) Section 22655.5, Fiscal Group (FG) may pay certain towing and storage fees which have accrued, from the time of seizure until 24 hours

after the registered or current owner is notified that the vehicle is available for immediate release. FG will directly reimburse the concerned Official Police Garage (OPG).

The Department employee (e.g., Area Vehicle Coordinator, Collision Investigation Follow-Up Investigator, etc.) responsible for authorizing the release of a vehicle, which has been seized as evidence, shall:

- Ensure that the registered or current owner is immediately notified (telephonic or in person if practicable) that their vehicle is available for immediate release, at no cost to them;
- Ensure that the registered or current owner is provided with the explanation that they will be responsible for any storage fees which will begin to accrue 24 hours after such notification;
- Complete and obtain approval of the Order Release/Reimbursement Request, Form 15.23.04;
- Upon completion, provide a copy to the registered or current owner to present to the OPG; and,
- Ensure that all related reports are properly distributed.

VEHICLE STORED FOR AN UNREASONABLE TIME PERIOD. If a vehicle has been towed and stored under the authority of a CVC Section other than 22655.5, FG may directly reimburse the concerned OPG for certain fees which have accrued, when a vehicle remains stored for an unreasonable amount of time, at no fault of the registered or current owner (i.e., internal administrative errors resulting in the registered or current owner not receiving timely notification regarding the status or location of the vehicle).

The Department employee (e.g., Area Vehicle Coordinator, Collision Investigation Follow-Up Investigator, etc.) responsible for authorizing the release of a vehicle which was towed and stored under the authority of a vehicle code section (not evidence related) for an unreasonable amount of time, at no fault of the registered or current owner shall:

- Ensure that the registered or current owner is immediately notified (telephonic or in person if practicable) that their vehicle is available for immediate release;
- Ensure that the registered or current owner is provided with the explanation stating that they are responsible for payment of fees to cover the towing and the first two days of storage only;
- Ensure that the registered or current owner is provided with the explanation stating that the Department is responsible for payment of storage fees accruing from the third day of storage;
- Complete and obtain approval of the Order Release/Reimbursement Request, Form 15.23.04;
- Upon completion, provide a copy to the registered or current owner to be presented to the OPG; and,
- Ensure that all related reports are properly distributed.

AREA DETECTIVE DIVISION/TRAFFIC DIVISION COMMANDING OFFICERS' RESPONSIBILITIES. The Area Detective Division/Traffic Division Commanding Officer shall ensure that the copies of the related reports are properly distributed.

780.55 OFFICIAL POLICE GARAGEVEHICLE RELEASE PROCEDURES.

Department employees shall use the following procedures when utilizing the Los Angeles Police Department Vehicle Release, Form 15.23.07, when a registered owner, legal owner, or agent of the legal owner (e.g., reposessor) requests the release of a vehicle at an Area/division.

Note: This form shall be used in conjunction with the California Highway Patrol Vehicle Report (CHP 180) form.

Department Employee's Responsibilities. The Department employee receiving the request shall direct the requestor to an on-duty Area auto detective or his or her designee for the release of any vehicle. During off-hours, front desk officers shall be guided by the Area watch commander and night watch detective supervisor.

Area Auto Detective's Responsibilities. The Area auto detectives or their designee shall:

- Review all associated reports to determine the suitability of the vehicle release. This shall include, but is not limited to:
 - Obtaining approval from the responsible investigative unit, if applicable, and.
 - Verifying the vehicle's Department of Motor Vehicle's current registration and/or legal ownership information;
- Obtain a valid driver's license or United States government-issued identification (e.g., legal owner, registered owner, or agent) from the requestor. The validity of the driver's license shall be verified in the system, and a copy attached to the release form. If the requestor does not have a valid driver's license, a person with a valid driver's license shall be present to lawfully drive the vehicle once it is released;
- Determine the requestor's entitlement to the vehicle (e. g., legal owner, registered owner, or agent);
- If the requestor is an official vehicle reposessor, obtain from the reposessor, if applicable, a valid agency photo identification, as well as documentation indicating the reposessor's (or reposessor's employer's) "agent" relationship with the legal owner;
- Make a photocopy of all requisite possessor identification for the CHP 180 form;
- Authorize the release via the CHP 180 and complete the "Release" box procedures;
- Authorize the release via the Los Angeles Police Department Vehicle Release and issue a copy to the requestor.
- Ensure that the Official Police Garage (OPG) employee who completes the OPG section of the Los Angeles Police Department Vehicle Release faxes or emails the completed form back to the involved Area auto detective (a copy of the form shall be retained until the completed form is obtained from OPG).

Area Watch Commander's Responsibilities. Area watch commanders shall direct the requestor to the on-duty Area auto detective or his or her designee, or the night watch detective supervisor, for a release of the vehicle.

During off-hours if the night watch detective, on-call detective, or auto coordinator or his or her designee is unavailable, the watch commander may release the vehicle for California Vehicle Code Sections 22651(O) and 22651 (P), as stipulated in Department Manual Section 4/780. 60.

For all other vehicle releases, absent exigent circumstances, the watch commander should defer the vehicle release approval until regular detective business hours or until he or she can obtain advisement telephonically from any of the above.

Should circumstances require an after-hours release approval, an attempt should be made to contact the concerned OPG to determine if they are conducting after-hours releases. If OPG cannot be reached or is unavailable to release the vehicle, the vehicle release approval can be given to the requestor by the watch commander with the advisement that the vehicle will only be released during OPG's business hours (7:00 am to 7:00 pm).

780.60 RELEASE OF VEHICLES IMPOUNDED PURSUANT TO VEHICLE CODE SECTION 22651 (O) OR (P).

Area Vehicle Coordinator or Releasing Officer's Responsibility. An employee releasing a vehicle shall determine if the vehicle was impounded from within his or her Area/division. If not, the employee shall refer the citizen to the appropriate Area, division, or governmental agency.

An employee authorizing the release of a vehicle which has been impounded pursuant to Section 22651 (o) (p) VC shall:

- Refer the person requesting the release to the Department of Motor Vehicles when reasons exist which preclude a vehicle from being released (i.e., owner or agent does not possess a valid driver's license or the vehicle is not currently registered);
- Verify proof of registration for subsection (o) impounds, or possession of a valid driver's license of subsection (p) impounds prior, to releasing the vehicle; photocopy the bona fide identification and registration provided by the citizen and attach the copy to the Vehicle Report, CHP Form 180;
- Complete all of the information in the "Vehicle Release Order" box on the impound/hold copy of CHP Form 180; and,
- Ensure a copy of the properly completed vehicle release order is forwarded to the Area Vehicle Coordination, Area of impound.

Documenting Release when Vehicle Report Unavailable. When an employee is requested to release an impounded vehicle and the original "impound" Vehicle Report, CHP Form 180, is unavailable, the employee shall query the Stolen Vehicle System to determine the DR number

assigned to the impounded vehicle and ensure the citizen requesting the release is either the registered or legal owner. Using a blank CHP Form 180, the employee shall:

- Record the citizen's personal information (i.e., name, residence and business address, etc.) in the appropriate boxes on the CHP Form 180;
- Photocopy the bona fide identification provided by the citizen and attach the copy to the CHP Form 180;
- Check the "OK REL" box and complete the appropriate vehicle description boxes on the CHP Form 180;
- Complete the Vehicle Release Order portion of the CHP Form 180;
- Ensure the person requesting the release signs the release order (CHP Form 180) in the space provided;
- Release the vehicle and provide a copy of the CHP Form 180 to the registered owner for presentation to the Official Police Garage; and,
- Forward the CHP Form 180, with attachments, to the Area Vehicle Coordinator, Area of impound.

Release of Impounded Vehicles During Non-Business Hours. During non-business hours, when the Area Vehicle Coordinator is not available, document verification and release authorization **shall** be completed by the patrol division watch commander.

Exception: Bureau commanding officers may exercise the option to centralize the document verification and release procedures for the entire bureau. However, document verification and release procedures for 22651(o) and (p) VC impounds shall be available 24 hours per day.

780.70 RELEASE TO PRESENT OWNER. An impounded vehicle which is available for release (4/780.50) shall be released to the present owner or the owner's representative:

- Upon presentation of proof of ownership; and,
- Upon presentation of satisfactory personal identification and written authorization from the present owner to receive the impounded vehicle.

780.72 RELEASE OF IMPOUNDED VEHICLE - OWNER IN CUSTODY. When the present owner of an impounded vehicle is in custody of the Department, the vehicle shall be released to another person only when it is available for release and:

- The person presents a properly completed Property Release Authorization, Form 06.08.00, authorizing that person to receive the vehicle; and,
- The person presents satisfactory personal identification to show that the individual is the person authorized to receive the impounded vehicle.

780.75 RELEASE OF IMPOUNDED VEHICLE TO INDIVIDUAL OR CORPORATE LEGAL OWNER. An impounded vehicle which is available for release shall be released to the individual or corporate legal owner only when:

- A reasonable search by the concerned investigating officers has failed to locate the present owner; and,
- The individual or corporate legal owner or the owner's representative presents satisfactory personal identification and proof of ownership.

780.77 HOLD ON VEHICLE-TWO - DAY LIMIT. An impounded vehicle shall not be held for investigation longer than two business days, unless the vehicle has been impounded for a violation of Section 22651 (o) or (p) VC.

Exception: The supervisor (Detective III or higher) of the detective responsible for the release of a vehicle which has been impounded as a result of an investigation not related to Section 22651 (o) or (p) VC may authorize an extension when specific circumstance warrant. When an extension is warranted, the supervisor shall ensure the Area Vehicle Coordinator and the Official Police Garage (OPG) are notified of the extension and that the justification for the extension is recorded on the Investigator's Case Progress Log, Form 01.44.00.

Note: The release of a hold for a vehicle impounded pursuant to Section 22651 (o) or (p) VC is not triggered by time, but action taken by the vehicle owner, the vehicle shall be held until disposed of by the storing OPG. However, for OPG lien processing purposes only, the hold will lift six calendar days after the vehicle has been impounded.

780.80 AREA VEHICLE CONTROL CLERK. (See also "Impounding Conveyances Used in Drug Trafficking," 4/222.16). Each Area Vehicle Control Clerk (day watch Senior Clerk Typist position) shall:

- Maintain a Vehicle Impound Control Log, Form 12.39.00, for all vehicles impounded within the Area, including vehicles with holds;
- Notify appropriate supervisors when a vehicle has been held for two business days;
- Notify the victim within 48 hours, excluding weekends and holidays, and inform the victim of the location and condition of the vehicle when such notification has not been made by the impounding employee;
- Notify the registered and legal owners, in writing, concerning the status of the recovered or impounded vehicle when such notification has not been made by the impounding employee;
- Send teletype notification to law enforcement agencies regarding recovery of vehicles reported stolen or lost in their jurisdiction;
- Monitor distribution of the Vehicle Impound Notice;
- Attach teletyped releases to the originals and Area file copies of the Vehicle Investigation;
- Fulfill all assigned duties and responsibilities pursuant to vehicle impound hearings (4/226.05);
- Teletype vehicle information and inquiries to Areas, divisions, and outside agencies as necessary;
- Following an investigator's release of a hold, cause a telephonic notification to be made to the person to whom the vehicle is to be released. The notification information shall be documented on the original and Area copies of the Vehicle Investigation;

- Complete and send an additional Notice of Impounded Vehicle to the person to whom a held vehicle is to be released; and,
- Upon release of a Hold, forward two copies of the Vehicle Release Order to the impound garage. Retain the subsequently received Garage Report of Release or Sale in the divisional file.

Note: When a hold has been placed on a vehicle at any OPG, the Area Vehicle Control Clerk shall forward a copy of the report to the Department entity for which the hold has been placed.

Stored Vehicle-Notification to State. The Area Vehicle Control Clerk shall forward a Notice of Stored/Abandoned Vehicle, Form 15.23.00, to the Department of Justice, Sacramento, when:

- It cannot be verified that the owner of an impounded vehicle has been notified;
- The vehicle is unregistered or registered out of State; and,
- The vehicle has not been claimed within five days after its availability for release.

Note: Vehicles registered in California require only an entry into the Stolen Vehicle System (SVS).

If the vehicle is registered out of State, a teletype from the registering state, indicating the registered owner's address, shall be attached. Names and addresses of all persons to whom a Notice of Impounded Vehicle was sent shall also be forwarded.

780.85 ANSWERING INQUIRIES CONCERNING THE STATUS OF STOLEN, LOST, OR IMPOUNDED VEHICLES. An Area Vehicle Control Clerk receiving an inquiry concerning the status of a vehicle shall verify the status of the vehicle by checking the SVS.

Vehicle Impounded for Investigation.

- Determine the release status of the vehicle by contacting the concerned investigating officer, and apprise the person inquiring; and,
- If the vehicle is not available for release and the reason cannot be determined, refer the person to the division for which the hold was placed. **Vehicle Impounded and Stored Only.** Refer the person to the tow garage storing the vehicle.

782. NOTIFICATION TO INSURERS ON SUSPECTED FRAUD CASES. When an investigating officer initiates or conducts a follow-up investigation of a fraudulent act relating to a motor vehicle theft or motor vehicle insurance claim, the investigating officer shall cause the concerned insurance company to be notified in writing within thirty days of becoming aware of the suspected fraudulent act. The correspondence shall be signed by the investigating officer's commanding officer, and should be directed to the nearest corporate office location of the insurance company. The information contained in the notification should be limited to that necessary to inform the insurance company of the occurrence, and shall not include any criminal history information.

Note: Vehicle Code Sections 10903 and 10904 may be used as guidelines in preparing the written notification.

790. PROPERTY - INVESTIGATION AND DISPOSITION.

790.05 CHARGE - BASED PROPERTY DISPOSITION. The investigation and disposition of property shall be performed in accordance with charge-based evidence disposition procedures (4/550.12).

790.10 INVESTIGATION OF PROPERTY REPORTS - GENERAL. It shall be the responsibility of the concerned detective commanding officer to determine the guidelines for the viewing of property as necessary to maintain the quality of investigations.

When detectives are assigned the responsibility for conducting the investigation of a case which involves booked property, they shall:

- Upon viewing booked property, cause their name to be entered on the Property Card, Form 10.07.2, maintained by the concerned property officer; and,
- Complete a Follow-up Report, Form 03.14.00, when an item has a serial number, monogram, or other identifiable characteristic which was not described on the related property report.

790.12 COMPLETION OF PROPERTY DISPOSITION REQUEST. Prior to submitting the Investigator's Final Report, Form 05.10.00, to the concerned detective supervisor for adult arrestees, or the Arrest Report, Form 05.02.00, for juvenile arrestees, a Form 10.06.00 containing all appropriate information known by the detective, including disposition instructions, i.e., "Dispose," "Release," or "Hold Until," shall be attached to the Form 05.10.00 or the Form 05.02.00.

Note: In the event of multiple arrests, evidence shall be held until it is no longer needed for prosecution in a related case.

When the Form 05.10.00 or the Form 05.02.00 has been approved by the concerned detective supervisor, the Form 10.06.00 shall be forwarded to the Area/specialized division Property Disposition Coordinator who shall forward it to the appropriate property room.

In instances when the completion of a Form 05.10.00 or Form 05.02.00 is inappropriate, a Form 10.06.00 will be issued to the employee responsible for the disposition of the property by Evidence and Property Management Division.

790.15 PROPERTY DETERMINED TO BE LOST OR STOLEN - NOTIFICATIONS.

When an investigating officer identifies an item listed on a Property Report as having been reported on a crime or lost report assigned to another investigating officer of this Department, and no suspect is in custody, he or she shall notify the concerned investigating officer who shall assume the responsibility for the investigation and release of the booked property.

When an investigating officer identifies an item listed on a Property Report as having been reported on a crime or lost report in *another jurisdiction*, he or she shall:

- Notify the outside agency of the circumstances surrounding the booking of the property;
- Obtain the name and address of the victim;
- Record on the reverse side of the Property Disposition Card the name and address of the victim and the item numbers as listed on the Property Report;
- When the item has no evidentiary value to this Department and upon authorization from the outside jurisdiction, indicate disposition instructions for the property; and,

Exception: Credit cards shall be released to the concerned credit card company, and checks shall be destroyed.

- Forward the Property Disposition Card to the custodial property room.

790.20 SPECIALIZED INVESTIGATIVE UNITS. When property is taken into custody and booked by an officer of a specialized investigative unit, he or she shall assume the responsibility for the investigation and disposition of the property.

Note: The investigating officer shall forward two copies of the Property Report to the detective division in the geographic Area where the property was booked.

790.22 INVESTIGATIONS AND NOTIFICATIONS REQUIRED WHEN FIREARMS BOOKED.

Investigation of Booked Firearms. The robbery unit coordinator of Area detectives shall review and cause an investigation to be made of all Property Reports, Form 10.01.00, listing firearms booked in their division relative to a misdemeanor crime or any non-criminal incident for which no investigative officer or specialized detective division has been assigned follow-up investigation responsibility.

Investigative personnel assigned to follow-up investigation responsibility for a report involving a firearm booked in or by their Area/division shall:

- Cause the detective's name and division of assignment to be entered across the top of the appropriate Property Card, Form 10.7.2;
- Upon being assigned the report, query AFS and NCIC and record the finding on a Follow-up Investigation Report, Form 03.14.00, if the booking employee was unable to ascertain the current status of the firearm at the time the firearm was originally booked. If the firearm has been reported stolen/lost, complete a Form 03.14.00 to include:
 - A complete description of the firearm;
 - A narrative statement indicating that the stolen/lost entries are to be removed from the AFS; and,

- If the firearm is an LAPD stolen/lost print the word "FIREARM" in *red* in the top margin of the report.
- If the firearm has been reported stolen/lost, notify the investigating officer responsible for investigating the original stolen/lost report via telephone or teletype, recording the date, time, and name of the investigating officer notified on the Form 03.14.00. If the firearm is not an LAPD stolen/lost, request the outside agency to enter the appropriate evidence information in AFS and NCIC;
- Upon receipt of the Firearms Supplemental Property Report, Form 10.01.01, and the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, when applicable, the Gun Unit, Detective Support and Vice Division, shall continue to forward copies directly to ATF's National Tracing Center; and,
- Recheck the AFS and NCIC within five days to ensure that the evidence information has been entered.

Firearm Notification-The Gun Unit, Detective Support and Vice Division's Responsibility. Personnel assigned to the Gun Unit, Detective Support and Vice Division, shall complete a Firearm Notification, LAPD Temp. Form 67.0, and forward it to the concerned detective division when:

- An outside agency is in possession of a firearm wanted by the Department; or,
- A firearm in Department custody is wanted by an outside agency or a Department division other than the division responsible for booking the firearm.

Firearm Notification-Assigned Detective-Responsibility. When a LAPD Temp. Form 67.0, is received from the Gun Unit, Detective Support and Vice Division, concerning a recovered, stolen/lost or wanted firearm, the assigned detective supervisor shall assign it to an investigative officer as a Category I follow-up investigation. When a Form 03.14.00 is completed, the investigative supervisor shall cause one copy of the Form 03.14.00 and the Firearm Notification to be forwarded to the Gun Unit, Detective Support and Vice Division.

790.24 SCREENING IN - CUSTODY FIREARMS. Personnel assigned to the Gun Unit, Detective Support and Vice Division (DSVD), shall:

- Maintain a list identifying firearms wanted in connection with unsolved homicides and other serious crimes;
- Update the open-homicide list of wanted firearms when notified by Forensic Science Division (FSD) of an additional firearm sought for comparison purposes;
- Review all received Property Reports, Form 10.01.00, Firearms Supplemental Property Report, Form 10.01.01, and the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, when applicable, and determine if any firearms listed on a report should be test fired. If a firearm is to be test fired, the Gun Unit, DSVD, shall:
 - Arrange for the transfer of the firearm to Central Property Section; and,
 - Enter on the concerned Form 10.01.00, the name of the officer reviewing the Form 10.01.00;

- If no FSU/TID testing is required, enter on the concerned Form 10.01.00 the name of the reviewing officer, date reviewed, and a statement that no FSU/TID testing is required;
- Maintain a 30-day rotating suspense file of all Forms 10.01.00 received and reviewed;
- When notified by FSD of an additional firearm being sought, review the 30-day rotating suspense file to determine if a described weapon is currently in Department custody. If such a firearm was booked into custody on or after the date of the crime in which FSD is interested, follow the prescribed procedure for transfer of the firearm to FSD for testing;
- Retain copies of the Forms 10.01.00, Firearms Supplemental Property Report, Form 10.01.01, and the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, on file for a period of one year; and,
- When telephonically contacted for authorization to release a firearm within 90 days of the date on which the firearm was booked, determine if the firearm in question is wanted for FSD testing. If the firearm is not wanted, so advise the inquiring investigating officer and authorize release of the firearm. If the firearm is wanted, deny release of the firearm and ensure initiation of the procedure for firearm testing by FSD.

790.25 PROPERTY BOOKED - NARCOTICS ARRESTS.

Narcotics Arrests by Investigative Personnel. The investigation and disposition of property booked as a result of a narcotics arrest made by an investigating officer assigned to an area or specialized investigative division or unit shall be the responsibility of the arresting officer.

Narcotics Arrests by Uniformed or Other Non-Investigative Personnel. The follow-up investigation and disposition of all evidence for which an adult arrestee was booked on a felony narcotics charge shall be the responsibility of Gang and Narcotics Division. When a juvenile arrestee is booked on a felony narcotics charge, the follow-up investigation and disposition of all evidence shall be the responsibility of Juvenile Division. The follow-up investigation and disposition of evidence in cases involving adults and juveniles arrested together shall be handled per mutual agreement between Gang and Narcotics Division and Juvenile Division (4/550.12).

Note: In determining the appropriate disposition of property, the investigating officer shall coordinate his/her investigation with other potentially concerned investigating officers.

Narcotic Evidence Returned from Court. Disposition instructions for narcotic evidence not received into evidence by the court and no longer needed by the Department shall be indicated by the *employee* returning such evidence to the property room. The returning employee shall complete a Property Disposition/Request, Form 10.06.00, indicating the reason the property was not received into evidence by the court and the disposition instructions for the property (4/540.40).

Note: The employee returning the narcotic evidence shall contact the concerned deputy district attorney or city attorney in determining the proper disposition of the evidence prior to returning the evidence to the property room.

790.27 PROPERTY BOOKED - JUVENILE NARCOTICS. When Forensic Science Division receives an Analyzed Evidence Report in juvenile narcotic cases, the concerned analyst shall:

- Complete the analysis of the evidence as soon as possible;
- Complete appropriate portions of the Analyzed Evidence Report and forward two copies to the Juvenile Justice System Monitoring Unit, Juvenile Division; and,
- Ensure that they are available on an on-call status for court appearances.

Note: Investigating officers requesting petitions in juvenile narcotic cases where analysis of evidence is required shall include the notation “FSD Representative On Call-DR Number” in the subpoena list on the appropriate reports and make a request for analysis to FSD.

Note: Investigating officers normally have to file the petition on “detained” juvenile cases within 24 hours and, on “released” juvenile cases, within seven calendar days.

790.30 CHECKS, CHECK PARAPHERNALIA, AND CREDIT CARDS. An investigating officer assigned the responsibility for conducting the investigation of a Property Report, wherein the principal items booked are checks, check paraphernalia, or credit cards, shall:

- **Metropolitan Areas.** Forward two copies of the Property Report to Commercial Crimes Division, which shall assume responsibility for the investigation and disposition of the property.
- **Valley Areas.** Forward one copy of the Property Report to Commercial Crimes Division and forward two copies to Valley Forgery Section, which shall assume responsibility for the investigation and disposition of the property.
- **Harbor, Pacific, or West Los Angeles Area.** Assume the responsibility for the investigation and disposition of the property and forward one copy of the Property Report to Commercial Crimes Division.

790.35 COMPLETION OF PROPERTY DISPOSITION. An investigating officer who receives a Property Disposition/Update Request, Form 10.06.00, from the Property Disposition Coordinator shall indicate the disposition instructions for the property on the form and return it to the concerned Property Disposition Coordinator by the 20th day of each month.

Note: When the owner of the property is unknown and the item has a serial number, the investigating officer shall request a want on the item through the Automated Property System, Department of Justice. If no identification is made, he/she shall attach a copy of the teletype reply to the Form 10.06.00, prior to submission to the Property Disposition Coordinator.

Whenever property belonging to an organization or company is to be released, the investigating officer shall indicate the name of the individual or agent in the organization or company to whom the property should be released on the "Name" line of the Form 10.06.00.

792. DISCOVERY PROCEDURES.

792.10 DISCOVERY OF MATERIAL OBTAINED IN A CRIMINAL

INVESTIGATION. An investigating officer receiving a request from a deputy district attorney to discover materials obtained in a criminal investigation shall:

- Consult with the deputy district attorney from whom the request was received, if necessary, to interpret unclear requests, to ascertain the scope of discovery requests; or to determine the propriety of releasing specific requested items such as the names of confidential informants, personnel files, etc. When an officer receives a request which appears to be unreasonable, he or she may request that the deputy district attorney challenge it by filing a notice of noncompliance.
- Obtain copies of all written materials to be furnished.
- Prepare a brief description of the contents of any requested video or audio tape recordings, photographs, motion pictures, or other requested physical evidence held by the Department (e.g., "One audio tape, 25 minutes in length, containing conversation between John Doe and Officer R. Smith, recorded on October 2, 1975"). Include the time and place these items will be available for inspection and propose a procedure which the defense attorney should follow in arranging for inspection.
- Prepare a separate list of any additional related items held by the Department which may be subject to a discovery request.
- Sign a statement if so requested by the deputy district attorney. The statement, which will become part of the deputy district attorney's statement of compliance, shall be in the following form:

"I am the investigating officer in *People v.* case number _____. All information and/or evidence known to the investigating agency as to those matters requested and/or ordered discovered is attached to this statement.

Signature

- Forward the statement, copies of written materials, list of related materials, and descriptions of items available for inspection to the concerned deputy district attorney within 10 days of the date of the request made by the defense.

792.20 NEW EVIDENCE OBTAINED AFTER DISCOVERY COMPLIANCE. If, after having complied with a discovery request, investigating officers acquire new evidence which may be the subject of discovery in the same case, they shall:

- Immediately notify the concerned deputy district attorney; and,
- Upon instructions from the deputy district attorney follow the procedures outlined above regarding response to discovery requests.

792.30 CRIMINAL DISCOVERY REQUESTS INVOLVING NON-CATEGORICAL USE OF FORCE INVESTIGATIONS. Criminal discovery requests are received from the City Attorney's or District Attorney's Offices requesting the Department to disclose and provide information associated with criminal cases.

All criminal discovery requests associated with Non-Categorical Use Of Force (NCUOF) investigations will be forwarded to the geographic Bureau Detective Coordinator (BDC) from the Area of occurrence or the BDC where the officer is assigned, if the incident occurred outside the City.

Discoverable Information. Information that may be available during these procedures includes, but is not limited to:

- Redacted copy of the Non-Categorical Use of Force Report;
- Photographs, videotapes or audio tapes, and a description of the relevant items;
- Witness statements;
- Scene diagrams;
- Documents not previously listed in a crime or arrest report;
- Newly discovered evidence not contained in a crime or arrest report; and,
- Corrections or reconciliation of conflicting information.

Note: The Follow-Up Investigation, Form 03.14.00, should no longer be used to provide NCUOF information for the purpose of criminal discovery. The redacted copy of the NCUOF should be used instead of the Form 03.14.00; however, in cases where additional information may be needed, a Form 03.14.00 may be completed and attached to the redacted copy of the NCUOF.

Non-Discoverable Information. Certain information in NCUOF investigations is considered confidential and **shall not** be provided as part of the discovery response. Such information includes, but is not limited to:

- Adjudication of the Use of Force incident;
- Critiques of an officer's tactics;
- Training Evaluation and Management Systems II reports of individual officers;
- Training and/or counseling documentation;
- Disciplinary issues or actions; and,
- Any portion of the Internal Review Process.

Note: Certain items of information may not be clear as to whether a confidential or privileged status exists. In such situations, a City attorney assigned to Police Discovery Section of the City Attorney's Office shall be contacted for guidance. In some cases, protective orders may be needed for compelled statements.

792.40 GEOGRAPHIC BUREAU DETECTIVE COORDINATOR RESPONSIBILITIES. The geographic Bureau Detective Coordinator (BDC) will be

responsible for handling criminal discovery requests associated with a NCUOF investigation from the City Attorney's or District Attorney's Office. The BDC handling the request must:

- Prepare a package that contains the related discovery material;
- Complete a Proposed Protective Order; and,
- Forward the package to the requesting entity (City Attorney's or District Attorney's Office).

Note: Criminal Discovery Requests for Uses of Force involving officers who are assigned to a non-geographic bureau will be handled by the BDC where the incident occurred.

If the case is less than six months old, the related reports may be available in the geographic BDC's Office. Cases older than six months may be stored at Critical Incident Review Division.

Bureau Commanding Officer's Responsibility: All bureau commanding officers must designate and maintain a BDC to comply with the duties and responsibilities.

OUTSIDE POLICE AGENCIES

801. OUTSIDE AGENCIES.

"Outside Agencies" refers to those organizations with which the Department has established formal procedures:

- Bureau of Street Services, Investigation and Enforcement Division (BSS IED)
- California Highway Patrol;
- California State University Police;
- Los Angeles Community College Police;
- Los Angeles County Office of Public Safety;
- Los Angeles Department of Airports Police Bureau (LADAPB) (Formal procedures with LADAPB are restricted to the booking of evidence and property into Department custody, Manual Section 4/840);
- Los Angeles Department of Public Works (LADPW)
- Los Angeles Department of Transportation, Transportation Investigators;
- Los Angeles Department of General Services Security Division;
- Los Angeles Harbor Department Port Warden;
- Los Angeles Housing Authority Police Department;
- Los Angeles Unified School District Police Department; and,
- University of Southern California Department of Public Safety.

Peace Officers' Powers. Officers of outside agencies are police officers while on-duty and may make arrests, conduct investigations, and complete reports involving routine criminal matters as necessary to protect property designated as the concerned agency's responsibility. The Los Angeles Police Department shall retain final responsibility in all police matters

occurring on school district, community college, park, or Housing Authority property within the City.

810. INVESTIGATIVE RESPONSIBILITY OF OUTSIDE POLICE AGENCY OFFICERS. Outside police agency officers will normally conduct routine preliminary investigations of crimes occurring on property designated as the concerned agency's responsibility. The responsibility for conducting follow-up investigations shall remain with the LAPD.

Note: This Department shall conduct both the preliminary and the follow-up investigations of any complex felony crimes and crimes of violence involving the use of any weapon.

811. RESPONSIBILITY OF THE DEPARTMENT ON STATE UNIVERSITY PROPERTY. Officers of the Los Angeles Police Department shall retain the preliminary and follow-up investigative responsibility for the following situations occurring on UCLA or state university property:

- Homicide and death investigations;
- Crimes involving critical injuries;
- Any situation requiring the Los Angeles Police Department Special Weapons and Tactics Team;
- Bomb threats requiring the Los Angeles Police Department; and,
- Other major crimes beyond the resources of respective campus police departments.

In cases involving crimes on the respective campuses, persons arrested and property booked by members of this Department shall be handled according to current procedures.

815. FINGERPRINT INVESTIGATIONS. The Department will provide required fingerprint investigations within the City when requested by the:

- California Highway Patrol;
- Los Angeles Community Colleges Police;
- Los Angeles County Office of Public Safety;
- Los Angeles Department of General Services Security Division;
- Los Angeles Harbor Department Port Warden;
- Los Angeles Housing Authority Police Department;
- Los Angeles Unified School District Police Department; and,
- University of Southern California Department of Public Safety. Qualified officers of these outside agencies may conduct their own latent print investigations.

820. OUTSIDE POLICE AGENCY REPORTS. Crimes investigated by outside police agencies will be reported to this Department on the concerned agency's report forms. The original of each outside agency report will be delivered to the concerned geographic field services division watch commander within 24 hours of completion.

Exception: Crime and vehicle reports requiring immediate teletype transmission will be delivered to the concerned field services division watch commander immediately upon completion.

DR Number Issuance and Report Approval. All outside agency reports shall be approved by a supervisor of this Department prior to acceptance. The approving supervisor shall ensure that appropriate DR numbers are obtained from the Area Records unit by the concerned agency officers after report approval.

830. CHEMICAL TEST REQUESTED BY OUTSIDE POLICE AGENCY OFFICER.

Gas Chromatograph Intoximeter Tests. Gas Chromatograph Intoximeter tests required for an officer of an outside police agency investigation shall be provided by a qualified officer of the outside agency or an officer of this Department. When an outside agency officer is not qualified to administer the Gas Chromatograph Intoximeter Test, and the test is administered by a Department employee, the tests shall be witnessed by the concerned agency officer. Expert testimony in court relative to the Gas Chromatograph Intoximeter shall be provided by this Department.

Blood and Urine Samples. Blood and urine samples will be booked at the same location as the arrestee or at Evidence and Property Management Division. Only Los Angeles Police Department blood and urine containers shall be accepted.

Note: A CHP officer desiring to administer a chemical test to an arrestee in their custody shall be accommodated in the same manner as an officer of this Department.

840. EVIDENCE BOOKED BY OUTSIDE POLICE AGENCIES. Officers of an outside police agency shall be permitted to book evidence and property into the custody of this Department. Department officers accepting custody of an outside agency's arrestee shall assume responsibility for all evidence and property associated with the arrest, and the concerned agency officer Taken Into Custody, Form 10.10.00.

Officers of outside agencies removing evidence from Evidence and Property Management Division shall comply with procedures applicable to Department personnel.

When property is booked at an LAPD facility by officers of the Office of Public Safety (OPS) as a routine preliminary investigation, OPS is responsible for determining the disposition instructions for that property if that property does not result in an LAPD follow-up investigation.

841. EVIDENCE BOOKED BY CHP OFFICERS. The CHP may book evidence when it is:

- To be analyzed by Forensic Science Division; and,
- A firearm.

The CHP employee shall complete a Property Report, Form 10.01.00 (when a firearm is involved, a Firearms Supplemental Property Report, Form 10.01.01, and the Continuation Sheet for Firearms Supplemental Property Report, Form 10.01.02, when applicable, shall also be completed. A DR number shall be obtained and entered on the report by the LAPD supervisor who approves the report.

850. ARRESTS BY OUTSIDE POLICE AGENCY OFFICERS.

Arrests-LAPD's Responsibility. Outside police agency officers initiating an arrest will complete the arrest, booking, and other related reports. Department personnel shall assume the investigative responsibility for the follow-up investigation of the crime.

Officers of this Department shall remain available to assist the outside police agency officers with the booking and processing of their adult and juvenile arrestees, as well as evidence and property procedures.

Note: Outside agency initiated arrests which require transportation to an outside custodial facility, other than Los Angeles Unified School District arrests, shall be the responsibility of the officer initiating the arrest.

The concerned agency officers shall care for the arrestee's vehicle when they are responsible for completing the investigation.

Improper Arrests. When a supervisor of this Department becomes aware that an arrest effected by an outside agency officer is improper, a supervisor from the concerned agency shall immediately be requested to review the matter. It shall be the responsibility of a supervisor of this Department to make the final determination on accepting custody of an arrestee.

851. CALIFORNIA HIGHWAY PATROL ARRESTS.

California Highway Patrol - Responsibilities. The California Highway Patrol (CHP) shall be responsible for booking and follow-up investigation of persons arrested by CHP officers within the City when:

- The arrest is for an offense which is within the purview of the CHP (California Vehicle Code (CVC) Sections 2400-2409), *except*:
 - When the offense is related to a non-freeway reportable traffic crash; and,
 - When the offense is within Division 4, Chapter 4, of the CVC (Theft and Injury to Vehicles), and the Los Angeles Police Department (LAPD) has investigative responsibility.
- The arrest is for possession of a controlled substance, *except*:
 - When a juvenile is involved as a suspect or victim;
 - When the quantity of the controlled substance could result in a booking for "possession for sale;" and,

- When the circumstances of the arrest indicate the need for an on-the-scene investigation by the Department.
- The arrest is for California Penal Code (PC) Section 148 (Resisting); and,
- The arrest is based on a California misdemeanor warrant.

Note: When the wanting agency is other than the City of Los Angeles, the custodial detention officer shall ensure that the CHP officer has notified the wanting agency prior to booking the arrestee.

LAPD's Responsibility. When an arrest is made by a CHP officer for a crime committed in the City and the investigation does not ordinarily fall within the responsibility of the Highway Patrol, a LAPD unit will be requested to meet the CHP unit and accept custody of the arrestee, property, and vehicle.

Note: When an LAPD unit is dispatched and an uncertainty regarding the responsible agency cannot be resolved in the field, the LAPD officers shall assist the CHP officers until the responsibility is later determined by the LAPD watch commander giving booking approval.

When officers of this Department accept custody of a CHP arrestee, they shall also assume responsibility for the custody of all evidence and property associated with the arrest, and complete the booking and related reports.

Exception: When the evidence or property is of substantial value, the CHP officers will remain present until the property is booked into Department custody.

The concerned Department investigating officers shall assume responsibility for the booking advice and investigation of the crime. Booking approval for any arrest, shall only be obtained from an Area watch commander or the Watch Commander, Metropolitan Jail Section, Custody Services Division. When the arrest is for a misdemeanor offense, or when the concerned Department investigating officers are not available, the uniformed watch commander of the division of booking shall cause the booking and related reports to be completed.

Arrest Report Information. When an officer of this Department accepts custody of an arrestee from the CHP and completes the booking and related reports, the officer shall:

- Ensure that all pertinent information is received from the CHP officer (e.g., name, serial number, observations, probable cause, violations committed, arrestee's statements, etc.) and is included in the arrest reports; and,

Note: On all misdemeanor arrests, the CHP officer initiating the arrest shall appear as the arresting officer on the arrest report. The names of the LAPD officers accepting custody of a CHP misdemeanor arrestee shall appear in the narrative portion of the arrest report.

- When the initial arrest is for driving under the influence (23152 C.V.C.), attach one copy of the Intoxication Report, CHP Form 218, and both the court and violator copies of the Notice to Appear (traffic citation), CHP Form 215, to the *investigating officer's*

copies of the LAPD arrest reports. The CHP officer will administer the related sobriety tests at the appropriate Department facility and remain present until all related reports are approved and duplicated. After duplication, the original CHP Intoxication Report shall be returned to the CHP officer.

Note: The CHP Notice to Appear will not be signed by the arrestee. The word "*IN CUSTODY*" will be placed by the CHP officer in the signature box. The "*Date and Time for Appearance*" box will be left blank.

Firearms Investigation. When a CHP officer conducting an investigation within the City determines that a person is illegally in possession of a firearm in violation of P.C. Sections 29800-29825 and 25850, the following procedures shall apply:

- If the arrestee is also in custody for an offense which is within the purview of the CHP, the uniformed watch commander of the Area of arrest or the concerned Department investigative supervisor shall provide booking advice. When booking on a felony charge that is not within the CHP's scope of responsibility, the concerned watch commander or detective supervisor shall be advised to book the firearm into Department custody according to the procedure of this Department;
- When a CHP officer does not intend to book the person, an officer of this Department will be requested to meet the CHP officer. If the responding LAPD officer determines that the person should be arrested, he or she shall transport the person to the concerned division for booking advice; and,
- Assigned LAPD investigating officers shall be responsible for the investigation and disposition of all firearms booked into Department custody by CHP officers.

Controlled Substance Investigation. When a CHP officer conducting an investigation within the City determines that a person is illegally in possession of a controlled substance and the arrest is within the responsibility of the CHP, the following procedures shall apply:

- The LAPD watch commander giving booking approval may conduct a preliminary drug test, on felony arrests, to corroborate the arresting officer's opinion. A preliminary drug test **shall** be completed for misdemeanor arrests. Booking advice shall be provided on a Booking Approval, Form 12.31.00;
- California Highway Patrol officers shall complete all related reports prior to leaving the booking facility. Division Record numbers shall be obtained by the supervisor approving the reports (Manual Section 4/841);

Exception: When a female is to be booked at Los Angeles County Jail, all reports will be completed and approved at Metropolitan Jail Section *after* the arrestee is booked. When a female is arrested in West Los Angeles or Pacific Areas, all reports shall be completed and approved in the Area of arrest *after* the arrestee is booked at Valley Jail Section.

- California Highway Patrol officers shall book the evidence as advised by the narcotics investigator or watch commander; and,

- California Highway Patrol officers shall use the California Highway Patrol Supplemental Report, Form 556, in lieu of the Continuation Sheet, Form 15.09.00, and the CHP Felony Report format in lieu of the LAPD Arrest Report, Form 05.02.00, format.

Note: When necessary, a CHP supervisor shall be contacted to assist in resolving any problem in processing a CHP arrestee.

860. BOOKING OUTSIDE POLICE AGENCY ARRESTEES.

Bookings-General. The Los Angeles Police Department shall furnish jail facilities for adult inmates arrested within the City by officers of an outside police agency or Los Angeles Department of Transportation (LADOT) Investigators.

The Area Detective Division watch commanders shall be responsible for booking and arrest report approval during Detective Division operational hours of 0600 to 0200 hrs. Bookings made by officers of an outside police agency or LADOT Investigators outside these hours shall be approved by an Area or Custody Services Division watch commander. The watch commander providing that booking approval shall ensure that the arresting outside agency officer furnishes juvenile arrest and booking information to the Area/division teletype operator within 30 minutes of obtaining the booking number.

Transportation of adult and juvenile arrestees to an outside custodial facility shall be the responsibility of the arresting officers.

Excess personal property of such arrestees shall be accepted by this Department.

Exception: When an arrest is made by the CHP for an offense over which the CHP retains investigative responsibility (4/851), no prior booking approval from a member of this Department shall be required. In such cases, the Arrest Disposition Report, Form 05.09.00 (page 1b of the Booking and Identification Record, Form 05.01.00), shall be given to the arresting officer.

When an arrest is made by the CHP for 10851 V.C. (Driving Without Owner's Consent), the detention officer shall ensure that the arresting officer has made telephonic notification to the concerned detective division or, when that division is closed, Detective Support and Vice Division. When a person wanted by this Department has been arrested by the CHP outside of this City and subsequently transported to a Department facility for booking, the concerned divisional investigating officers shall be responsible for the booking and related reports. When the investigating officers are not available, the concerned watch commander shall cause an employee of this Department to complete the booking and necessary reports.

Evidence of Medical Treatment. Prior to booking a sick or injured person at any Los Angeles Police Department (LAPD) facility, the arresting outside police agency or LADOT Investigator

shall provide evidence of medical treatment and medical authority to book, from a City approved contract hospital, to the approving LAPD Watch Commander.

Complaints of Misconduct. In any case of a complaint of misconduct against an officer of an outside agency, the concerned Department supervisor shall notify the supervisor in charge from that agency. When misconduct constituting a crime is alleged against the officer, the concerned supervisor of this Department shall ensure that the appropriate crime report is taken and complete an Employee's Report, Form 15.07.00, describing the allegation. The Employee's Report and a copy of the crime report shall be forwarded to the Commanding Officer, Internal Affairs Division (IAD). The Commanding Officer, IAD, shall forward copies of both reports to the senior executive of the involved outside agency. The original crime report shall be processed in the normal manner.

865. BOOKINGS BY OUTSIDE POLICE AGENCIES. When an arrestee is booked by an outside police agency, the Department detention officer shall include the following information on the Booking and Identification Record, Form 05.01.00:

- In the box entitled "DIV & DETAIL ARRESTING," insert the concerned agency's initials;
- In the box entitled "CHARGE," following the inserted charge, add the arraignment court; and,
- In the box entitled "ARRESTING OFFICER," insert the name and identifying number of the arresting officer, followed by the concerned agency's initials.

The following agency initials shall be used:

Bureau of Street Services, Investigation and Enforcement Division	"BSS IED"
California Highway Patrol	"CHP"
Los Angeles Community Colleges Police Department	"LCPD"
Los Angeles County Office of Public Safety	"OPS"
Los Angeles Department of General Services Security Division	"GSSD"
Los Angeles Department of Public Works	"LADPW"
Los Angeles Department of Transportation	"LADOT"
Los Angeles Harbor Department Port Warden	"LHPW"
Los Angeles Unified School Police Department	"LAUS"
University of Southern California Department of Public Safety	"USCOPS"
California Department of Corrections Department of Motor Vehicles	"CDOC"
California Department of Investigations and Audits Division	"DMV IAD"
Los Angeles Department of Recreation and Parks	"LADRP"
Los Angeles County Probation Department	":LACPD"
Department of Public Works	"DPW"

870. ARRAIGNMENT OF INMATES BOOKED BY AN OUTSIDE POLICE AGENCY.

The detention officer having custody of an inmate booked by an outside police agency shall cause the inmate to be transported to, and arraigned at, the proper court as an "LAPD case."

871. ARRAIGNMENT OR RELEASE OF INMATES OF CHP RESPONSIBILITY. The detention officer having custody of a misdemeanor inmate booked by the CHP shall cause the inmate to be transported to the proper arraignment court. Felony inmates booked by the CHP will be released upon the receipt of a teletype from the CHP authorizing the release.

When it appears that an inmate will not be arraigned on or before the second court day following the calendar day of arrest, the detention officer shall notify the watch commander at least two hours prior to the expiration of the time limit. The watch commander shall make a telephone notification to the concerned CHP Area commander. The inmate shall not be detained past the time limit. When a CHP officer has requested the release of an inmate and no teletype authorizing the release has been received, the CHP officer shall be referred to the concerned investigating officers or Detective Support and Vice Division. When the investigating officer determines that a release should be authorized, he/she shall complete an Investigator's Final Report, Form 05.10.00.