Chapter 1 - Policy and Ethics

• 3-01/000.00 - Policy and Ethics

The function of this Department involves the responsibility for the protection of life and property and enforcement of the law. Toward this end, all employees have an obligation to the public we serve to develop and maintain the highest ethical standards in both personal and official conduct. Honesty and integrity are at the forefront of the Department's ethical standards. These high standards for all Department members, both sworn and professional staff, are in accordance with our affirmative duty to protect and defend the Constitution of the United States and the California state constitution.

The Policy and Ethics chapter outlines the Department's policies in these matters. All employees shall conform to the provisions contained herein.

• 3-01/000.05 - Bias - Free Policing

The Department is committed to ensuring that members of the public receive equal protection of the law without bias based on actual or perceived race, color, ethnicity, national origin, religion, gender, gender identity, disability, sexual orientation, or age, in accordance with the rights secured or protected by the Constitution or laws of the United States.

Core Values

The Department's Core Values encourage all Department members to Lead with Compassion, Serve with Humility, and Courageously Seek Justice for All. All Department members shall conduct themselves in a manner consistent with and without ignoring or contradicting the Department's Core Values. Refer to Manual of Policy and Procedures (MPP) sections 2-01/010.00, Core Values and 3-01/000.13, Professional Conduct – Core Values.

The Department is committed to ensuring members of the public receive equal protection of the law without bias, as described in MPP section 5-09/520.00, Constitutional Policing and Stops. These ideals are engrained into our efforts and reflect our Department's continued commitment to bias-free policing and conduct as bias-based policing and conduct alienates communities, promotes distrust of law enforcement actions and undermines legitimate law enforcement efforts. Biased, racial, or identity profiling is not tolerated by the Department.

Definitions

- **Racial or Identity Profiling -** The consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop: pat-down, consensual, and/or nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing

a citation, or making an arrest. (Penal Code 13519.4 (e)).

- **Bias-Based Policing -** The intentional practice by an individual law enforcement officer who incorporates prejudicial judgments based on actual or perceived race, color, ethnicity, national origin, religion, gender, gender identity, disability, sexual orientation, or age and inappropriately applies them in the performance of their duties.

- **Biased Conduct -** *Biased conduct is any conduct, including but not limited to, conduct online, such as social media use, engaged in by a peace officer in any encounter with the public, first responders, or employees of criminal justice agencies, as defined in Penal Code Section 13101, which is motivated by bias toward any person's protected class or characteristic, as identified in Civil Code Section 51(b), whether actual or perceived. Biased conduct may result from implicit and explicit biases. Conduct is biased if a reasonable person with the same training and experience would conclude, based upon the facts, that the officer's conduct resulted from bias towards that person's membership in a protected class described in Civil Code Section 51 (b). An officer need not admit biased or prejudiced intent for conduct to be determined to be biased conduct.*

  > ***Subdivision (b) of Section 51 of the Civil Code** - All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.*

- **Implicit Bias -** The attitudes or stereotypes that affect a person's understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.

- **Bias by Proxy -** Occurs when an individual contacts the police and makes a false or ill-informed claim of criminal conduct by persons they dislike or are biased against based on explicit racial and/or identity profiling or implicit bias. When the police act on a request for service based on such bias, they risk perpetuating the callers' own bias. Department personnel should use their critical decision-making skills, drawing upon their training, to assess whether criminal conduct actually exists.

- **Stop –** Any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control. (Government Code section 12525.5(g)(2)).

Detentions and Stops

Department members shall not use actual or perceived race, color, ethnicity, national origin, religion, gender, gender identity, disability, sexual orientation, or age as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause, except as part of actual and reliable information and description(s) of a specific suspect or suspects in any criminal investigation. (Navarette v California, 572 US 393, (2014)).

Deputies should draw upon their training and critical decision-making skills to assess whether there is criminal conduct and be aware of implicit bias and bias by proxy while carrying out their duties. Deputies conducting

investigative detentions and stops shall:

- Establish reasonable suspicion or probable cause using actual and credible description(s) of and/or information regarding a specific suspect or suspects in any criminal investigation;
- Only conduct investigatory stops or detentions when they have reasonable suspicion that a person has been, is, or is about to be engaged in the commission of a crime;
- Refrain from using racial or identity profiling in exercising their discretion to conduct a search, except as part of actual and reliable information regarding the description of a specific suspect or suspects in any criminal investigation;
- Refrain from initiating stops or other field contacts because of an individual's actual or perceived immigration status;
- Ensure requests to conduct consent searches are reasonable, and be able to articulate a valid reason under the law and Department policy for initially having stopped an individual; and
- Only conduct searches of individuals based on probation or parole status when knowledge of a probation or parole search condition has been established.

Persons that are contacted during consensual encounters shall be free to leave at all times, and the contact shall be voluntary. A consensual encounter can transform into a detention if a reasonable person believes they are not free to leave. Refer to MPP section 5-09/520.05, Stops, Seizures, and Searches, MPP section 5-09/520.15, Consensual Encounters, and MPP section 5-09/520.25, Logging Field Activities.

Community Encounters

Department personnel are to interact with members of the public in a manner that is professional, respectful, and courteous. Refer to MPP 3-01/030.15, Conduct Toward Others, MPP section 5-09/560.00, Interactions with Transgender and Gender Non-Conforming Persons, and MPP section 2-02/090.00, Deputy Sheriffs.

Training

State Mandated

- **Racial Profiling –** All sworn personnel must attend once every five years. (Penal Code 13519.4(i)).

Department Mandated

- **Respect Based Leadership –** All personnel must attend once; and
- **Leadership Development Institute (DLI) –** All personnel must attend session one (16 hours) once.

Unit Optional Training

- Ethics in Community Policing.

All units shall provide training to personnel, whenever possible, which enhances competence and skills required to meet unit needs. The training may consist of formal training sessions and/or briefings as time and necessity dictate. See MPP section 3-02/080.01, Training Requirements for Sworn Personnel.

Department personnel are responsible for knowing the contents of the policy on Training Requirements for Sworn Personnel, MPP section 3-02/080.01.

Complaints/Supervisory Review

Department personnel who witness or otherwise become aware of an incident of biased policing, shall immediately report the incident to a supervisor.

If any member of the public alleges bias, the employee shall call a supervisor to the scene to determine an appropriate course of action.

Sergeants are first-line supervisors with primary responsibility for ensuring compliance with the professional and ethical standards of the Department by all subordinate deputy sheriffs and civilian employees. See MPP section 2-02/080.00, Sergeants.

A Department Service Review is a supervisory review of the Department's or individual employee's performance that is initiated as a result of information received from any member of the public. Department service reviews shall be documented on Watch Commander Service Comment Report (WCSCR) forms. The watch commander of the unit shall initiate a service review by immediately interviewing any member of the public who offers a service comment/information. In cases of public input received through the mail or electronic means, the unit commander shall designate a lieutenant to complete the Service Comment Report form. Complaints of racial bias must be noted on the WCSCR form. See MPP 3-01/122.20, Policy of Equality-Procedures-External Complaint Monitoring, and MPP 3-04/010.05, Procedures for Department Service Reviews.

California Penal Code section 13510.6(a) requires the use of the "biased conduct" definition developed by POST, and provided in the definition section above, when investigating any bias-related complaint or incident that involves possible indications of officer bias.

The unit commander will assess the complaint and determine the disposition based on the evidence. See MPP 3-04/010.25, Personnel Complaints.

Data Collection

All significant public contacts and activities (as defined by section 5-09/520.25 - Logging Field Activities) shall be appropriately logged on the Mobile Digital Computer's (MDC) Deputy's Daily Work Sheet (DDWS). The DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop. See MPP 5-09/520.25, Logging Field Activities.

Assembly Bill 953 (AB 953), also known as the Racial and Identity Profiling Act, was signed into law by the Governor in 2015, enacting section 12525.5 of the Government Code (12525.5 GC). As 12525.5 GC mandates, each state and local agency employing peace officers shall submit specific information, referred to as "stop data," to the California State Attorney General regarding police practices pertaining to racial and

identity profiling. The following personnel shall make a “stop data” entry into the Sheriff’s Automated Contact Reporting (SACR) system after conducting a stop.

- Any sworn member working a patrol assignment;
- Any sworn member working a detective assignment, specialized unit, and special task force (OSS, COPS, parole compliance, federal task force, etc.).
- Any sworn member working Department contracted overtime (parades, concerts, movies, sporting events).
- Any school resource deputy; and
- Any sworn member working in a courthouse or custody facility where there is civilian (public) contact.
- Any sworn member who, in an official capacity, conducts a detention, search of a person or property under the person’s control (including consensual searches), or makes an arrest.

  NOTE: Refer to Field Operations Directive 18-04 Sheriff’s Automated Contact Reporting (SACR) System.

This data is collected and sent to the Department of Justice (DOJ) annually as required by law.

• 3-01/000.10 - Professional Conduct

All Department members shall be held accountable for any on-duty or off-duty conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the Department, or its members. Conduct unbecoming also includes any conduct which brings the Department or any members into disrepute or brings discredit upon the Department or its members. Department members shall also be held accountable for their utterances, writings, conduct, and visual representations; including electronic and web-based communications, when they conflict with our Core Values, our Mission, or our Creed and personnel can be reasonably identified as Department members.

Personnel who cause undue embarrassment or damage to the reputation of and/or erode the public’s confidence in the Department shall be deemed to have violated this policy and shall be subject to counseling and/or discipline up to and including discharge.

Unit commanders shall ensure copies of our Mission, our Core Values, and our Creed are clearly and prominently displayed and maintained in the public lobbies of all Sheriff’s Department facilities.

Unit commanders shall ensure copies of our Mission, Core Values, and our Creed are clearly and prominently displayed and maintained within a high-traffic work area in all Sheriff’s Department facilities (e.g., briefing room) for viewing by assigned personnel.

Unit commanders shall routinely express to the members of their staff their expectations of honesty, integrity, trustworthiness, and acceptable conduct, including the tenets of the Core Values. The message that shall be conveyed to each employee is, “You are part of something greater than yourself. Don’t dishonor it!”

• 3-01/000.13 - Professional Conduct - Core Values

Members shall conduct themselves in a manner consistent with the Department’s Core Values. Members shall not ignore nor contradict the Department’s Core Values. Examples of conduct inconsistent with the Department’s Core Values include, but are not limited to, the following:

1. Conduct or behavior resulting from a situational outburst of emotion including, but not limited to, the use of profanity and/or other inappropriate, inconsiderate, and/or insensitive language, phrases, or terms of speech;
2. Conduct or behavior that demonstrates a bias, prejudice, and/or intolerance, or demonstrates a trend or pattern of undesirable and/or unprofessional behavior; and/or,
3. Conduct or behavior so egregious that it constitutes a severe and immediate threat to the integrity of the Department and/or jeopardizes the health, safety, and/or welfare of the public including, but not limited to, criminal misconduct of members, and/or the misuse of Department assets, resources, or intellectual property.

• 3-01/000.14 - Ethics Awareness Enhancement

Each unit commander/director shall be responsible for integrity and ethics awareness enhancement at his or her unit. Awareness enhancement efforts shall cover the consequences of dishonesty, and shall involve all unit personnel. The ethics awareness enhancement shall include training, briefings, and/or discussion groups emphasizing honesty and integrity as required of all Department members.

Each unit's continuous efforts and accomplishments in this area shall be a subject of review during the annual inspection.

• 3-01/000.15 - Electronic and Web-Based Communications

Electronic and web-based communications include any medium used to deliver information electronically or digitally. Examples of electronic and web-based communications include, but are not limited to, websites, “smart” phone technologies, text messaging, Nixle, electronic mail (email) and “social media” sites such Facebook, Myspace, Pinterest, and Twitter; photo sharing websites such as Flickr; video sharing websites such as YouTube; and/or any other similar electronic or digital delivery system.

“Social media” includes any electronic medium where users may create, share, and view user-generated content, including uploading or downloading videos or still photographs, blogs, video blogs, podcasts, or instant messages, or online social networking content.

• 3-01/005.00 - Accountability

All Department members shall be held accountable to the Sheriff through the defined chain of command.

- accountability is the absolute obligation that all members be personally answerable for their individual actions. It is the responsibility of all members to meet the standards of performance established for their positions. Accountability is also a commitment to the Department and the public we serve;
- all members will be evaluated on their compliance with the Department's Manual of Policy and Procedures, all Division Directives in support of the Manual, statutory and case law, Our Mission Statement, Our Core Values statement, and the Law Enforcement Code of Ethics; and
- supervisors, managers, directors, and executives, both sworn and professional staff, will be held accountable for and evaluated on enforcement of the aforementioned areas as well as the procedures outlined in the Los Angeles County Fiscal Manual and the Los Angeles County Purchasing Policy Manual. Failure to adhere may subject violators to discipline.

• 3-01/005.05 - Artificial Intelligence (AI)

Definition of Terms Related to Artificial Intelligence (AI)

This policy adopts the definitions below, which are defined by California law.

Artificial Intelligence (AI) – California Government Code Section 11546.45.5 defines AI as an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments. There is also a more specific definition of AI in Penal Code Section 13663 that applies in relation to the use of artificial intelligence in report writing as noted in more detail below.

Generative Artificial Intelligence (GenAI) – California Government Code Section 11549.64 defines GenAI as an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data.

Automated decision system – California Government Code Section 11546.45.5 defines an automated decision system as a computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decision making and materially impacts natural persons. "Automated decision system" does not include a spam email filter, firewall, antivirus software, identity and access management tools, calculator, database, dataset, or other compilation of data.

Large Language Models (LLM) – LLMs are a subset of GenAI. They are advanced natural language processing models powered by AI. They are designed to generate human-like text responses, based on the input they receive.

Speech-to-text (STT) – STT is a type of AI technology that converts spoken language into written text by recognizing and transcribing audio into text format.

Text-to-Speech systems (TTS) – TTS is a type of AI technology designed to transform written text into spoken language.

Voice cloning or voice synthesis systems – Programs that learn the characteristics of an individual's voice by processing audio data collected from audio samples and produce new speech that sounds exactly like the original speaker.

Purpose

The policy promotes the authorized and responsible use of artificial intelligence to strengthen public safety, protect officer safety, improve investigations, increase efficiency, and expand accessibility.

Accountability of Artificial Intelligence

The Department's acquisition, deployment, implementation, and use of AI technologies must comply with Departmental ethical standards and must be used in a manner that upholds constitutional rights, protects privacy, avoids bias, ensures accuracy, and follows legal guidelines and requirements. All users have a legal duty to safeguard personal information of the public and their privacy.

AI may assist with workload, information processing, drafting of documents, data analysis, and recommendations but human authority, independent judgment, verification, and accountability do not transfer to an AI system.

The guiding principles for Department use of AI systems include the following:

- Legal and Civil Rights: All Department use will comply with the United States Constitution, California state law, federal law, and California Department of Justice guidelines.
- Fairness and non-discrimination: All systems implemented by the Department will be reviewed for potential disparate impact on race, ethnicity, gender, and other protected classes.
- Human Oversight: A human shall oversee and be responsible for all outputs. AI use will not include fully automated decision-making regarding arrests, use of force, or liberty restrictions.
- Transparency: AI use will be publicly disclosed when required by law. If not legally required, AI use will be disclosed when feasible without compromising investigations or privacy rights.
    - To ensure the Department maintains transparency with the public, both planned and random audits will be conducted to monitor the use of these technologies.

Prohibited Use

Department members are prohibited from inputting non-public, confidential, sensitive, personally identifiable, investigative, or otherwise protected information into public AI platforms. Public AI platforms present significant risks related to unauthorized disclosure of information, infringement of privacy rights, and data loss. Information entered into a public AI platform may be retained, disclosed, or otherwise become accessible outside of Department control.

> **Note**: For purposes of this policy a public AI platform is defined as any AI tool or service without a Department approved Data Processing Agreement (DPA) that guarantees tenant-isolated storage, prohibits the use of inputs for model training, and maintains full compliance with CJIS and California law

enforcement data standards.

The input of sensitive, confidential, or private information to a public AI platform is strictly prohibited, regardless of device used. Non-public, sensitive, confidential, or private information may include, but is not limited to:

- Department member personal information, including personnel records as defined by Penal Code Section 832.7.
- Protected Health Information (PHI)
    - Medical records
    - Mental health information
    - Substance abuse treatment data
- Non-public Personal Identifying Information (PII)
    - Social Security Numbers (SSNs)
    - Biometric data (e.g., fingerprints, facial recognition, etc.)
- CA Law Enforcement Telecommunication System (CLETS) derived information
    - Criminal history record information (CHRI)
    - Criminal Justice Information (CJI)
    - Arrest, booking, and incident reports
    - Surveillance data
    - Case file content
    - Investigative notes
- Department or County financial information that is not already publicly available or published.
- Passwords
- Confidential information including, but not limited to, incident reports, witness statements, probable cause affidavits, as this confidential information includes:
    - Names or aliases of informants
        - Contact information
        - Payment or support details
        - Notes on informant credibility
        - Witness statements or identities
    - Operational or strategic data
        - Details of ongoing investigations
        - Warrant service or arrest planning
        - Undercover officer identities
        - Surveillance targets or tactics
        - Sensitive law enforcement procedures
    - Classified or sensitive government Information
        - Intelligence briefings or inter-agency communications

        - Federal or national security data
        - Any Law Enforcement Sensitive (LES) content
    - Juvenile justice information
        - Names or identifiers of juveniles
        - Juvenile detention or probation records
    - Court-sealed or protected content
        - Sealed records or court restricted evidence
        - Witness protection program details
        - Testimonies under protective order
- Attorney-client privileged communications
    - Legal advice between agency legal counsel and staff
    - Internal legal memoranda
    - Notes or summaries of legal strategy or litigation plans
    - Emails exchanged with legal counsel
    - Deposition transcripts.
    - Documents prepared in anticipation of litigation
- Departmental forms or templates
    - Unreleased or draft SOPs (standard operating procedures)
    - Confidential personnel forms (e.g., disciplinary records, evaluations)
    - Internal use-only documentation (e.g., field interview cards, incident worksheets)
    - Specialized or restricted-use checklists

In addition, the creation of any Application Programming Interface (API) with a public AI platform requires prior Data Systems Bureau approval.

The unauthorized use of AI to generate fake or misleading images, audio, or video is strictly prohibited. The generation of such content may be authorized pursuant to the terms of this policy only in limited circumstances, including, but not limited to, use in training scenarios or for use in computer-assisted development of demonstrative evidence and age progression programs.

The provisions of this policy apply to all Department devices and to any content created on personal devices (e.g., computers, cell phones, laptops) when personnel are using any form of AI to work on a Department project or prepare Department work product.

If a Department member enters prohibited information into a public AI platform, the member shall provide written notification to a supervisor and via a Helpdesk ticket as soon as practicable. If a supervisor is notified of any entry of prohibited information to a public platform, that supervisor shall report the incident to Data Systems Bureau (DSB) in writing.

Authorized Use of Artificial Intelligence Technology – Generally

Department members shall only use Department authorized AI products or tools for Department business that

includes confidential, sensitive, or private information. A list of authorized AI products will be posted on the Department's intranet and updated by Technology Support Division when any new tool, software, or system is procured and approved for Department use.

Before procuring or deploying any new AI tool or system, written approval must be obtained from the Assistant Sheriff/Chief Financial & Administrative Officer or their designees. The evaluation conducted will, at minimum, consider the legal, security, operational, and civil rights issues involved in the acquisition and use of that vendor, tool, or system. A pre-deployment risk assessment shall be required for all AI systems.

Further, to ensure compliance with Penal Code Section 13662, the Assistant Sheriff will ensure that all contracts for these services prohibit the resale of Department data and prohibit the transfer of data to the federal government unless permitted by law, limit vendor access to the minimum amount necessary for the proper functioning of the product, and ensure the data is not utilized for model training.

Whether using a public AI platform or a Department authorized AI product, members must review and verify AI outputs. AI tools may generate information that is inaccurate or use offensive or derogatory language. Department members must review any output generated for accuracy and for bias including but not limited to any derogatory references based on race, ethnicity, age, or background.

When using any AI-based technology, Department members shall comply with all Departmental ethical standards and expectations for behavior, just as they are required to follow in other areas or activities under control of the Department. All applicable Department policies that provide direction for member behavior and responsibilities shall be applicable when using AI technology.

This policy does not prohibit Technology & Support Division from implementing authorized AI-enabled data security systems designed to protect Department systems, infrastructure, and data.

Use of Artificial Intelligence Technology – Report Writing

Penal Code Section 13663 significantly impacts the manner in which Department employees are permitted to write reports with the assistance of AI. Department members are reminded that they are responsible for the contents of any official report they generate. (See also MPP 3-01/005.10 – Responsibility for Documentation.)

Definition:

Penal Code Section 13663 defines AI as follows:

> "Artificial intelligence" as used in this section applies to artificial intelligence systems that automatically draft police report narratives based upon an analysis of in-car or dash-mounted cameras, or body-worn camera audio or video, and artificial intelligence systems that analyze a law enforcement officer's dictated report to generate a police report narrative automatically enhanced by generative artificial intelligence.
>
> **Note:** This definition is narrower than Government Code Section 11546.45.5 as it is specific to this statute and to the use of artificial intelligence technology in the generation of police report narratives.

If AI is used - fully or partially - to generate an official report by any member of the Department, that

Department member shall:

- Clearly identify every AI program used in the official report.
- Prominently state on each page of the report: “This report was written either fully or in part using artificial intelligence.”
- Include the author’s physical or electronic signature attesting that they have reviewed and verified the contents and accuracy of the report.
- Retain the first AI-generated draft of the report for the same duration as the official report.
- Recognize that any AI-generated draft (other than the final signed report) cannot be considered an officer’s statement.

The Department will maintain an audit trail identifying:

- The person who used AI to create the draft or report.
- Any audio/video footage used by the AI (e.g., BWC, dash cam).

Department members who are procuring or managing AI products shall ensure compliance with the mandates of California Penal Code section 13663:

- AI vendors cannot share, sell, or use agency-provided information for any purpose other than the agency’s needs or pursuant to a court order.
- Vendors may access data only for technical reasons (e.g., troubleshooting, bias mitigation, accuracy improvements).

CJIS Compliance Requirements for AI Systems

Any AI system used by Department members that processes, stores, transmits, or has access to Criminal Justice Information (CJI) as defined by the FBI CJIS Security Policy must comply with all applicable CJIS Security Policy requirements.

Training and Awareness Requirements

Prior to the use of any Department-authorized AI system, all Department members will familiarize themselves with this policy and shall complete any Department required training on its use. Members assigned to procure, manage, or evaluate AI systems shall complete supplemental training on AI risk assessment methodology as directed.

Disclosure and Transparency

To further promote public trust and transparency the Department shall annually review and report on the use of artificial intelligence technology. The Department shall host these reports on our public web page describing the use of these products throughout the Department.

• 3-01/005.10 - Responsibility for Documentation

In those incidents where a member is present at an event and the circumstances require the submission of a report, memorandum, or other documentation, it shall be the responsibility of the member to ensure that his/her observations and actions are fully and accurately recorded, or to take sufficiently detailed notes to enable the member to accurately relate his/her observations and actions of the incident at a later time.

• 3-01/010.00 - Administrative Principles

[Title Only]

• 3-01/010.05 - Delegation of Functions

Departmental functions which are similar or related in purpose, process method or clientele are, when possible, grouped together in one or more units under the control of a division chief or director.

• 3-01/010.10 - Delineation of Functions

Lines of demarcation between the divisions are clearly drawn by a precise definition of duties which are made known to all members so that responsibility is accurately placed.

• 3-01/010.15 - Organization for Command

Lines of control are established in conformity with the official organization of the Department to:

- permit delegation of authority;
- place responsibility;
- provide for supervision of operations; and
- provide for coordination of effort.

• 3-01/010.20 - Chain of Command

The chain of command shall be respected in all matters. Information and communications shall move up and down through channels, or horizontally with prior approval. It shall be the responsibility of each level to forward information and communications to the next higher or lower level together with approval, disapproval, recommendation, or action taken.

• 3-01/010.25 - Unity of Command

Each individual, unit, and situation is under the immediate control of one person. The principle of command responsibility is in effect (e.g., each executive and supervisor are responsible for the acts of his subordinates).

• 3-01/010.30 - Executives

The major executives of the Department are the Sheriff, the undersheriff, the assistant sheriff(s) and the division chiefs. In the absence of the Sheriff, the undersheriff or designated assistant sheriff shall assume command of the Department. In the absence of the Sheriff, undersheriff, and designated assistant sheriff, the assistant sheriff(s), followed by the patrol division chiefs, will assume command and responsibility for Department operations. Command authority for the assistant sheriff(s) and patrol division chiefs shall be by seniority in grade.

• 3-01/010.35 - Rank

Sworn personnel are distinguished by rank, which is assigned in terms of level of responsibility within the chain of command. The descending order of rank in the Department is as follows:

- Sheriff
- Undersheriff
- Assistant Sheriff
- Division Chief
- Area Commander
- Captain
- Lieutenant
- Sergeant
- Deputy Sheriff

Sworn members of the Department have the duty and responsibility to take appropriate law enforcement action when situations dictate. This duty does not mandate that deputies immediately intervene in situations that call for a tactically coordinated response. Where multiple deputies are involved in an action, the following principles of command apply.

Except as provided below, the deputy in charge shall be the member having the highest rank who is on duty or at the scene. When the highest rank is shared by two or more members, the member having seniority in rank shall be in command. A deputy in “command” has the responsibility and duty to determine the appropriate response to the issue at hand, the prerogative to select between available response strategies, and the ability to provide tasking to assisting personnel. Deputies remain subject to supervision in the performance of these duties.

Command responsibility is specifically assigned as follows:

Designated Handling Units - In routine calls-for-service, the “handling unit” is responsible for performing the functions of command. In regular two-person units, this duty falls to the booking deputy.

Training Functions - In cases where there is an established training relationship, the instructor or training deputy is responsible for performing the functions of command without regard to the relative ranks of the involved personnel.

Designated Supervisors - Personnel assigned to designated supervisory positions (watch deputy, supervising line deputy, etc.) hold command authority commensurate with the position.

Specialized Functions - Certain positions require specialized skills and/or professional license (pilots, paramedics, divers, boat operators, etc.). Personnel assigned to such duties possess command authority relating to the performance of those duties.

Designated Tactical Commanders - Area commanders who possess requisite levels of tactical training and experience in the field of emergency response and incident management are designated to serve as the on-call Department “Tactical Commander” on a rotating basis.

The scope and function of a Department Tactical Commander is to provide leadership, oversight, and command responsibilities during the operational deployment of the Sheriff’s Response Team, and the service of “High” and “Highest” risk warrants involving the use of Special Enforcement Bureau’s Special Weapons Team.

Designated Special Weapons Team Incident Commanders - Area commanders who possess requisite levels of tactical training and experience in the field of emergency/crisis incident management, Special Weapons Team deployment, hostage rescue, and de-escalation strategies are designated to serve as the on-call Department “Special Weapons Team Incident Commander” on a rotating basis.

The scope and function of a Special Weapons Team Incident Commander is to provide leadership, oversight, and command responsibilities during “Full SWAT call-outs” and “Highest Risk” tactical incidents, including but not limited to:

- Barricaded suspects;
- Hostage rescue; or
- Other prolonged tactical incidents requiring a Special Weapons Team Incident Commander.

• 3-01/010.40 - Authority of Rank

The authority delegated or granted to deputy personnel is not confined to their respective divisions. Except for the circumstances described in section 3-01/010.35, this authority shall include supervision over any subordinate members of the Department, when necessary, for efficient administration or when the conduct of subordinate members is contrary to Department policy and regulations. This authority should be exercised with utmost discretion. Members having rank should avoid giving direct commands to personnel not assigned to their control except when required to do so in an emergency or for the good of the Department. When such action is required, the respective unit commander should be informed as soon as possible.

Deputy personnel shall exercise the authority of their position under all conditions which require the use of such authority for the best interest of the Department. They shall not unnecessarily countermand any orders of deputy personnel below their own rank or needlessly interfere with the specific duties of any subordinate members.

• 3-01/010.45 - Supervisors

Members designated as supervisors by virtue of their rank or classification shall, in conformance with Department policy and regulations, be responsible for the work and conduct of subordinate personnel.

The various supervisory levels within each division define the scope of responsibility for each supervisory position. The chain of supervisory responsibility is depicted down through the level of bureau or facility on the organization charts of the Department. Lower supervisory levels are established within the various divisions, but are not reflected on these charts.

Supervisors having rank, also have the responsibility and authority delegated to such rank, in addition to their supervisory responsibility. For civilian personnel who are supervisors, the scope of responsibility is limited to the functions directly assigned to them and does not extend to members not regularly under their direct supervision.

In the absence of the regular supervisor and when no one has been specifically designated as the acting supervisor, responsibility for supervision shall pass to the member having the next highest rank or classification. When two or more members of the same rank or classification are next in line, the member having the most seniority in the rank or classification shall be the acting supervisor.

• 3-01/010.50 - Manner of Exercising Authority

Authority in the Department shall be exercised with firmness and impartiality. Under no circumstances shall personal attitudes influence decisions.

• 3-01/010.55 - Delegation of Commensurate Authority

Members directed to act in capacities above their ordinary or usual rank or classification shall possess the authority of the higher rank or classification for the necessary period of time.

• 3-01/010.60 - Conflict of Orders

In the event of a conflict of orders, members shall respectfully call such conflict to the attention of the supervisor giving the last order. Should the latter not change his order, the order shall be obeyed. The member shall not be held responsible for disobedience of any former order or for any violation of the rules in obeying the last order given.

• 3-01/010.62 - Managers and Supervisors Orders

Managers and/or supervisors shall not order, encourage, knowingly direct, or knowingly cause any county employee to violate any federal, state, or county code or law, Department policy or regulation, or court order.

• 3-01/010.65 - Grievances

A member who deems himself aggrieved, has the right of redress in accordance with the provisions of the Memorandum of Understanding (MOU) of his employee representation unit, or the Department's grievance procedures if not covered under an MOU.

Any member may contact the Employee Relations Liaison Officer (ERLO) at his respective unit of assignment for information concerning the appropriate process for resolving the matter.

The grievance procedure for employees not covered by an MOU is contained in the Personnel chapter.

• 3-01/010.70 - Time of Discipline

A supervisor shall avoid censuring a subordinate in the presence of others.

• 3-01/010.75 - Suggestions for the Good of the Department

A member desiring to make a suggestion for the good of the Department should submit a written statement of the suggestion addressed to the chief or director of his division, through channels.

• 3-01/020.00 - Supervision

[Title Only]

• 3-01/020.05 - Extent of Supervision

Each and every member (with the exception of the Sheriff) shall have a supervisor, namely the person next above him in the chain of command. The supervisor is accountable for the proper execution of every order and supervises such execution by:

- Personal presence;
- Rules established;
- Instructions given; and
- Delegation of authority.

• 3-01/020.10 - Implementing Supervision

Supervision shall be implemented by:

- Regular inspections;
- Incident reports; and
- Inspection of reports.

• 3-01/020.15 - Supervisory Identity

Every supervisor shall at all times know whom he is supervising. Every member shall know his supervisor.

• 3-01/020.20 - Responsibility for Completion of Duties

Each supervisor shall take all reasonable steps to determine that his subordinates perform their duties completely and promptly and in compliance with Department rules. The supervisor shall accept responsibility for achieving essential objectives.

• 3-01/020.25 - Chain of Responsibility

Each supervisor shall assume ultimate responsibility for the supervision of all members subordinate to him in the chain of command. He shall not divert his responsibility.

• 3-01/020.30 - Responsibility for Subordinate Supervisors

Each supervisor shall strive to create and maintain high morale among his subordinate supervisors. He shall constantly evaluate the quality and quantity of supervision exercised by them.

• 3-01/020.35 - Organizational Control

Each supervisor shall, by act, manner and attitude, promote understanding of all procedures essential to effective organizational control. He shall convey to his subordinates the intent and spirit of orders and directives.

• 3-01/020.40 - Delegation of Authority

Supervisors shall make suitable and clearly defined delegations of authority so that maximum efficiency may be achieved.

• 3-01/020.45 - Improved Procedures

Each supervisor shall develop sound and resourceful operating procedures based on his own experience and that of others. He shall see that these procedures are passed on from the experienced subordinates to new subordinates. He shall encourage the contribution of new ideas by his subordinates.

• 3-01/020.50 - Assignment for Efficiency

Supervisors shall strive to accurately match the capabilities of subordinates with the requirements of assignments to be executed.

• 3-01/020.55 - Manner of Giving Orders and Instructions

Each supervisor shall use tact in giving orders and in correcting mistakes in order to inspire confidence and industriousness. He shall carefully test understanding of instructions to ensure that subordinates know in detail what they are to do and how to do it and if desirable, the reasons therefore.

• 3-01/020.60 - Responsibility for Subordinates

Each supervisor shall be aware of the progress of his subordinates and assist them by counsel, advice, direction, and example. He shall recommend solutions to problems which arise.

When a unit investigation is conducted in response to complaints about the actions of a given employee, the supervisor conducting the investigation is a direct representative of the Sheriff and acts for him. The supervisor conducting the investigation shall be responsible for notifying the concerned employee of the final results of the investigation. The supervisor shall also be responsible for seeing that a copy of all investigation records, correspondence, recommendations, etc., concerning the incident, is forwarded to the files of the Internal Affairs Bureau, through channels.

• 3-01/020.61 - Welfare of Subordinates

Supervisors shall strive to assist subordinates and improve their welfare. Counseling by the supervisor can help the employee recognize problems and aid him in reaching a solution.

• 3-01/020.62 - Relationship with Subordinates

Each supervisor shall strive to maintain a high level of morale and respect through friendly but reserved conduct toward subordinates. He shall personally set a good example.

• 3-01/020.63 - Evaluation of Subordinates' Work

Each supervisor is responsible for fair, impartial, periodic evaluation of the work of each subordinate assigned to him. Supervisors shall utilize appropriate verbal and written communication to notify employees about their performance, with the goal of keeping each subordinate apprised of the supervisor's evaluation of the employee's work performance.

Each unit commander is responsible for ensuring that all his subordinates receive timely evaluations and are appropriately apprised of their supervisors' assessments of their performance.

• 3-01/020.64 - Development of Acceptable Attitudes

Each supervisor shall be responsible for the development and maintenance of proper attitudes by his subordinates in their dealings with and handling of the public.

• 3-01/020.65 - Career Counseling

Career counseling is not the responsibility of one single unit or employee but is an obligation that is shared by all supervisors on this Department. It is the responsibility of each supervisor to maintain a work environment that is conducive to career development, and which affords all employees the opportunity to broaden their skills and knowledge. When there is any indication of employee job dissatisfaction, the supervisor should attempt to determine, by means of a confidential discussion with the concerned employee, the reasons for the dissatisfaction, or refer the matter to his or her own immediate supervisor. Conversely, supervisors are reminded that positive reinforcement of a job well done is also a vital component of a work environment that motivates employees and promotes career enhancement.

NOTE: Employee problems, which may be due to emotional instability, are covered in the Personnel chapter.

Additionally, the Ombudsperson/Career Resources Center, Office of Administrative and Training Division, offers career counseling services, including a variety of resources, to all employees and also is available to aid unit supervisory personnel on such matters.

• 3-01/020.70 - Responsibility for Conduct of Subordinates

Supervisors shall investigate reports of laxity in the performance of duty or violations of Department rules. After determining the facts, the supervisor shall report his findings in writing to his own immediate supervisor.

• 3-01/020.75 - Reports of Sickness

Each supervisor shall determine the authenticity of sickness or injury reported by or on behalf of subordinates. He shall take steps to make a determination concerning the justification for the absence.

• 3-01/020.80 - Conformance with Department Manual of Policy and Procedures

Supervisors shall see that employees in their Unit are aware of the existence of the Department Manual of Policy and Procedures and the location within the Unit where a copy or copies are available for their use. All employees shall be familiar with and conform to, the policies and procedures of the Department manual which shall take precedence in the policies and procedures of individual Division or Unit manuals.

Copies of the Department manual are assigned on a location basis. Unit Commanders shall see that at least one up-to-date copy is always available for employees' reference.

Supervisors shall also see that new employees read and understand the Policy and Ethics chapter of the manual. If an employee has any questions on interpretation, the supervisor shall explain the section or subsection in question.

Supervisors shall advise their subordinates of all manual revisions affecting the contents of this chapter. This information shall be promulgated by posting same on the Unit bulletin board.

It is strictly prohibited for employees to reproduce any part of any Department manual(s), Department/Division orders, bulletins, Unit Commanders' Letters, reports, etc., for their monetary gain.

• 3-01/025.45 - Safety of Firearms

Sworn employees assume a significant responsibility in protecting and serving the public. As a result, they enjoy a considerable level of public trust. Consequently, high standards are placed upon their conduct. These high standards extend to both on and off duty conduct. This is particularly applicable when the off duty conduct involves the consumption of alcohol. In order to remain beneficiaries of the public trust, we must balance the rights of our sworn employees with the responsibility to maintain the highest standards of professional and personal conduct.

Sworn employees and Security Officers carrying or handling any firearm while on or off duty shall not consume any intoxicating substance to the point where the employee is unable to or does not exercise reasonable care and/or control of the firearm.

> NOTE: For purposes of this section, intoxicating substance shall include alcoholic beverages, medication (both prescription and over-the-counter), and/or controlled substances.

A violation of this section shall be determined upon the totality of the circumstances. It shall be presumed that an employee who has a 0.08 percent or more by weight of alcohol in his or her blood is unable to exercise reasonable care and/or control of a firearm. However, the fact that the employee acted reasonably and without negligence may rebut the presumption.

• 3-01/030.00 - Conduct -- General

[Title Only]

• 3-01/030.05 - General Behavior

A member shall not act or behave while on or off duty in such a manner as to bring discredit upon himself or the Department.

Members' arrests and/or referrals for prosecution are an embarrassment to the Department and bring discredit upon the member and the Department regardless of whether a criminal case is filed and/or ultimately results in a conviction or plea agreement.

Members who are publicly intoxicated to the extent their recollection about an allegation of misconduct is affected have brought discredit upon themselves and/or the Department.

• 3-01/030.06 - Disorderly Conduct

Members shall not be disorderly or intoxicated in a public place at any time.

NOTE: For purposes of this section, "any time" refers to both on and/or off duty.

• 3-01/030.07 - Immoral Conduct

Members shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession.

Members shall not participate in any incident involving moral turpitude which tends to impair their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

• 3-01/030.10 - Obedience to Laws, Regulations, and Orders

a) Members shall not willfully violate any federal statute, state law or local ordinance;

b) Members shall conform to and abide by the following:

- Charter of Los Angeles County;
- Los Angeles County Code; and
- Rules of the Department of Human Resources;

c) Members shall obey and properly execute all lawful orders issued by any supervisor of higher rank or classification or who is officially acting in such capacity;

d) When assigned to duty with another member of the Department, an employee shall be subject to

disciplinary action for any violation by the other member of any provision of this chapter unless the employee was unaware of the violation or unless the employee, if the situation permits safe and prudent action, attempts in good faith to prevent the violation and, at the earliest reasonable time, reports the violation to his supervisor;

e) Members who violate any rules, regulations, or policies of the Department or the County, shall be subject to disciplinary action. The commission or omission of any other act contrary to good order and discipline shall also be the subject of disciplinary action;

f) Members who are arrested or detained for any offense, or named as a suspect, other than an infraction under the Vehicle Code, shall immediately notify their immediate supervisor or Watch Commander of the facts of the arrest or detention or allegation.

> After business hours, if the member is unable to contact their immediate supervisor or Watch Commander at the Unit of Assignment, the member shall contact Sheriff's Headquarters Bureau and request immediate notification to their Unit Commander. The member shall provide details of the arrest or detention to Sheriff's Headquarters Bureau, including alleged charge(s), location, police agency jurisdiction, and return phone number where the member can be reached, for relay to the Unit Commander. The Sheriff's Headquarters Bureau member receiving notification shall immediately notify the employee's Unit Commander.
>
> The Unit Commander shall immediately notify Internal Affairs Bureau. The employee's Unit Commander shall immediately respond to the member's location if the member is arrested and taken into custody.

According to the nature of the offense and in conformance with the rules of the Department of Human Resources, disciplinary action may result and may include, but is not limited to, the following:

- a reprimand (written);
- suspension without pay;
- reduction in rank; and/or
- dismissal from the Department.

NOTE: For purposes of this section, any reference to "members" shall include any member of the Department, both sworn and professional staff.

• 3-01/030.12 - Conflict of Interest and Investigative Recusals

Investigator's Duties

Any Department investigator shall remain neutral in their investigations, avoiding any conflicts of interest. When in doubt about the possibility of a conflict of interest, the investigator shall report the information to their unit commander.

Unit Commander's Duties

In furtherance of providing an objective, credible, and transparent investigative product, criminal and administrative investigators shall be recused under the following circumstances:

- When the investigator believes he/she cannot conduct a fair and impartial investigation; and/or
- When the investigator has personal involvement in the matter under investigation; and/or
- When the investigator has a close personal relationship, whether on or off-duty, with any of the parties involved. A close relationship may include, but is not limited to:
  - Current or former familial relationships;
  - Current or former dating or intimate relationships;
  - Current or former business or financial relationships;
  - Personal and social relationships; or
  - Close work relationship (to be determined on a case-by-case basis).

The unit commander shall determine whether to reassign the investigation or limit the investigator's duties with respect to the matter being investigated. Specifically for administrative investigations, in addition to the guidelines above, any subject or witness to an investigation shall be allowed to report a potential conflict of interest to the invesitgator directly, or to the investigator's unit commander.

If there is a report of an actual or potential conflict of interest and the investigator reporting the actual or potential conflict is permitted to assist with the investigation in any manner, the nature of the actual or potential conflict and the reasons for the investigator’s continued participation in the matter being investigated shall be documented by the unit commander in a memorandum. The memorandum shall be maintained in an operations office file and shall be provided to the prosecutor in compliance with the investigator’s, the unit commander’s, and the Department’s statutory and constitutional obligations.

• 3-01/030.13 - Relationships and Mentoring

The Los Angeles County Sheriff’s Department believes our members are our most valuable investment and precious resource.

Our Department’s Core Values are intrinsic principles designed to underscore our belief that regardless of rank or position, our members are, first and foremost, leaders in our society.

As a community leader, our members assume a significant responsibility in protecting and serving the public. Consequently, high standards and high expectations are placed upon the conduct of our members. As a result, our members enjoy a considerable level of trust. In order to remain beneficiaries of the public trust, we must balance the rights of our members with the responsibility to maintain the highest standards of professional and personal conduct.

As a leader in the Los Angeles County Sheriff’s Department, it is a fundamental responsibility of every Department executive, manager, and/or supervisor to take an active role in the performance of subordinates and develop ongoing strategies to enhance their professional performance.

The Department and its members have an affirmative duty and are mandated to intervene and report a situation where they observe a serious violation of Department policy in the professional performance of another member (or when a personal issue or behavior exposes the Department or the member to risk) when it is determined to be in the best interest of the member or the organization. Examples are, but not limited to: hazing, bullying, or the use of derogatory language against another, etc. It is the intuitive, empathetic, and courageous leader who is prepared to provide guidance, wisdom, and counsel to a colleague whose performance or behavior demonstrates the need for intervention.

Intervention can take many forms. We are fortunate to have the services of a wide range of professionals who are ready to assist Department members. Psychological Services Bureau (PSB), including the Chaplain Program, Peer Support Program, and Counseling and Consulting Services, provides the foundation for early intervention services.

The Performance Mentoring Program (PMP) is another proactive, early intervention program designed to enhance a member's professional performance through guidance and supervision when it is determined the member may benefit from a more structured plan. Supervisors and managers carefully monitor the employee's progress to ensure they remain effective and productive members of the Department.

Skilled professionals are prepared to provide referrals to other resources as needed. Members have an affirmative duty to avail themselves to any Department resource they believe would enhance their professional and/or personal development and their ability to meet the very highest standards expected of law enforcement professionals.

• 3-01/030.14 - Duty to Intervene

Any Department member who observes a serious violation of Department policy or law that may result in discipline, shall intervene and report the incident when safe to do so. Examples are, but not limited to: bullying, hazing, or the use of derogatory language against another, etc.

Department members shall notify their immediate supervisor, or a different supervisor if their immediate supervisor was involved, in the violation of policy or law they are reporting. Failure to intervene and report such incidents will subject Department members to discipline and could result in criminal prosecution.

• 3-01/030.15 - Conduct Toward Others

Employees shall observe the following rules of conduct:

- Members shall conduct themselves in a manner that will foster the greatest harmony and cooperation between themselves and the Units of the Department;
- Members shall not intentionally antagonize any person with whom they come in contact and shall treat all persons in a respectful, courteous and civil manner;
- Members not otherwise subject to the provisions of section 3-01/110.45, Business Cards, shall provide their full name without delay upon request of any member of the public;
- Deputy personnel issuing traffic citations shall proceed in a courteous, fair, firm, impartial and

businesslike manner. They shall scrupulously avoid any display of officious or overbearing attitude and shall not use any language designed to belittle, ridicule or embarrass the violator. Deputy personnel shall avoid any unnecessary loss of time for the violator and make every effort consistent with accuracy to expedite the issuance of the citation;

- In the presence of persons from outside the Department, members shall address Deputy personnel by their rank and civilian personnel by their title (e.g., Mr., Mrs., Miss, Ms.);
- A member shall not at any time or for any reason willfully subject any person or animal to cruel treatment or willfully neglect necessary humane action;
- When referring to the three general groups of employees of this Department, the following terms shall be used:
    - employees classified as "Deputy Sheriff" shall be referred to as "Deputy personnel;"
    - employees classified as "corrections officer" shall be referred to as "corrections officers;" and
    - All other classifications, including uniformed civilians, shall be referred to as "civilian personnel;"
- Members of this Department are prohibited from recording, through the use of digital, audio or video tape, any member of this Department without that member's express consent. Consent is not required to record statements made during a public gathering or in those circumstances in which the parties to the communication reasonably expect that the communication may be overheard or recorded. Pursuant to Government Code Section 3303(g), consent is not required to tape record an officer's interrogation as a result of an administrative investigation.

• 3-01/030.16 - Family Violence

Members of the Los Angeles County Sheriff's Department are prohibited from engaging in acts of family violence as defined by applicable law. All family violence incidents involving Department employees will be thoroughly evaluated by management and, if necessary, investigated.

For the purposes of this policy, incidents of family violence may include, but are not limited to, domestic violence as defined in the Manual of Policy and Procedures, section 5-09/030.00, Domestic Violence.

Members found in violation of this policy will be subject to appropriate discipline.

• 3-01/030.17 - Employee Notification of Family Violence and Temporary Restraining Orders

Pursuant to the Manual of Policy and Procedures, section 4-01/080.00, Disclosure of Arrest Records, all employees that have been issued a Department firearm who are arrested or detained for criminal family violence shall notify their immediate supervisor without delay. For the purposes of this section, "supervisor" refers to a minimum rank of sergeant.

Sheriff's Department employees involved in a domestic dispute incident are not required to make notification. However, if an employee has knowledge they are named in a non-criminal domestic violence report taken by law enforcement, the employee shall notify their supervisor without delay.

All employees who have been issued a Department firearm who are the subject of a temporary restraining order regarding family violence, shall immediately provide their supervisor with a copy of the restraining order. The supervisor shall forward the restraining order to the unit commander for review and evaluation.

To maintain a safe workplace, all employees who obtain a domestic violence temporary restraining order shall immediately provide their supervisor with a copy of the restraining order and all subsequent related orders of the court. Upon receipt, the supervisor shall forward the court order copy to the unit commander who shall review and evaluate it for potential workplace violence.

For the purposes of this section, a temporary restraining order is inclusive of all domestic violence and domestic law court orders, injunctions, and/or stay away orders. These orders are defined in the Manual of Policy and Procedures, section 5-09/040.00, Temporary Restraining Orders/Injunctions; section 5-09/040.05, Domestic Violence Prevention Act; and section 5-09/040.10, Enforcement of Temporary Restraining Orders and Injunctions in Family Law Cases.

• 3-01/030.18 - Field Personnel's Response to Employee Involved Family Violence And/Or Temporary Restraining Orders

In a jurisdiction patrolled by the Department, whenever a Department member responds to a call where an allegation or an arrest is made of a peace officer for a violation related to domestic violence laws or court orders, a supervisor, with the rank of Sergeant or above, shall be immediately summoned to the location. If, prior to the supervisor's arrival, the subject is transported away from the location due to a medical emergency or to ensure safety, the supervisor shall be notified without delay.

At the scene of a family violence incident involving a law enforcement employee, the supervisor's role is for administrative purposes and not as a criminal investigator.

If an incident involving sworn personnel occurs within the Department's jurisdiction, and a supervisor responds as a representative of the local Sheriff's Station, an immediate notification must be made to the employee's Watch Commander and Unit Commander.

• 3-01/030.19 - Supervisor's Response to Employee Involved Family Violence And/Or Temporary Restraining Orders

Upon notification that a Departmental employee has been arrested or detained for a violation regarding domestic violence or where an allegation of family violence has been made to this Department against a member, a supervisor with the rank of Sergeant or above shall be responsible for:

- Contacting the responding law enforcement agency for the purposes of gathering first reports and information necessary for making a complete notification to the Watch Commander and Unit Commander; and
- Immediately notifying the Watch Commander and Unit Commander.

The supervisor shall not investigate the incident or interfere with an investigation being conducted by the local law enforcement agency. The supervisor shall not attempt to contact an employee who has been incarcerated or detained.

Watch Commander's Responsibilities

Upon receipt of an allegation that a Department member is involved in a family violence incident, the Watch Commander shall ensure that a supervisor from the nearest Sheriff's Station:

- Responds to the scene of the incident if it occurs within the Sheriff's Department jurisdiction;
- Responds to the investigating agency's office, if the outside agency investigating the incident requests a representative from this Department;
- Completes a written report to the concerned employee's Unit Commander, as directed; and
- Immediately notifies the Internal Affairs Bureau. Notifications may be directed to the Sheriff's Headquarters Bureau after business hours.

The Watch Commander receiving the notification shall complete the Watch Commander's log entry detailing the circumstances of the notification, summarizing the responding supervisor's report and documenting notifications to the Internal Affairs Bureau and the employee's Unit Commander.

Unit Commander's Responsibilities

The Unit Commander shall monitor the workplace and encourage each supervisor to monitor the workplace for signs of family abuse. The Unit Commander shall inquire into any evidence that suggests that a member of this Department may be a victim of, or the subject in, a family violence incident.

Upon receipt of an allegation of family violence, the Unit Commander shall:

- Determine if the incident requires a Unit level, Internal Affairs Bureau or Internal Criminal Investigations Bureau investigation. If it is determined that an investigation is necessary, a formal request shall be made to the concerned Division Chief or Director;

NOTE: A "non-criminal domestic violence" incident and/or a "domestic dispute" incident requires no investigation

- Not question an employee about the incident who may be the potential subject of an investigation;
- Ensure that Department personnel not interfere with investigations conducted by outside law enforcement agencies;
- Contact the employee in order to offer Department support services and advise the employee of the Department's zero tolerance policy against family violence;
- Ensure that the appropriate Division Chief or Director, Commander(s) and Internal Affairs Bureau are notified without delay; and
- Respond immediately to the location when the employee has been arrested and taken into custody.

• 3-01/030.20 - Family Violence Notifications, Internal Affairs Bureau

Responsibilities

Internal Affairs Bureau shall be responsible for logging all notifications of family violence violations of policy of a criminal nature by Department employees.

Whenever Internal Affairs Bureau receives a notification from an outside agency or private citizen complaint regarding a family violence incident of a criminal nature, immediate notification shall be made to the employee's Unit Commander.

The Internal Affairs Bureau shall have the same monitoring responsibilities in criminal domestic violence investigations and prosecutions of Department employees as it does in other criminal matters.

• 3-01/030.21 - Family Violence Notifications to Outside Law Enforcement Agencies

In accordance with the Manual of Policy and Procedures, section 4-01/090.10, Arrest of a Law Enforcement Employee, when this Department handles an investigation regarding family violence involving a sworn employee of another law enforcement agency who is arrested and/or named as a suspect, the responding patrol unit shall, in all cases, summon a supervisor to the scene. The supervisor shall, without delay, notify the Watch Commander. It will be the responsibility of the Watch Commander to immediately notify the concerned law enforcement agency in the event of an arrest.

Members of this Department shall not surrender an investigation related to family violence to another law enforcement agency and shall not allow another law enforcement agency to interfere with a continuing investigation of that agency's employee.

• 3-01/030.23 - Workplace Violence

The Los Angeles County Sheriff's Department is committed to providing a safe workplace for all employees. It is the policy of the Sheriff's Department that all employees have the right to work in an environment that promotes safety, respect and dignity, free from acts of violence and threats of violence. To ensure a safe workplace, the Los Angeles County Sheriff's Department has adopted a policy of zero tolerance for workplace violence or threats of violence. The Department prohibits both threats and acts of violence, including physical assault and intimidation. Any activity involving violence and/or the threat of violence is subject to disciplinary action up to and including discharge.

• 3-01/030.24 - Definition of Workplace Violence

Workplace violence is a form of employee misconduct. For the purposes of this policy, ***Workplace Violence*** can take the form of violent acts or the threat of violence which may include:

- Verbal Attacks:
    - threats implying property will be destroyed;

  - threats toward another person, their family members and associates; and/or
  - threats by challenging another person to fight;
- Physical Attacks:
  - assaults; and/or
  - engaging in dangerous or threatening horseplay;
- Use of Weapons:
  - use of a gun, knife or other object to inflict injury upon another; and/or
  - use of a gun, knife, or other object to threaten or intimidate another;
- Stalking:
  - willfully, maliciously, repeatedly follow or harass another and make a creditable threat with the intent to jeopardize the safety of another.

• 3-01/030.25 - Coverage of Policy

All Department members are covered by this policy. For purposes of this policy, Department members are defined as employees of, and/or applicants for employment with, the Los Angeles County Sheriff's Department, whether sworn (regular or Reserve), civilian or volunteers. The Department will not tolerate workplace violence, whether engaged in by fellow employees, supervisors, managers, personnel from other Units of assignment or by non-employees who conduct business with the Department (Refer to "Outside Vendor" section of this policy).

The "workplace" or "work environment" is any place where two or more members or non-employees, as delineated above, are engaged in job-related activities, including work-related social events.

• 3-01/030.26 - Violation of Workplace Violence Policy

Employees who violate the Workplace Violence Policy will be subject to appropriate corrective action and/or discipline, up to and including discharge.

• 3-01/030.27 - Retaliation

Retaliation against persons who complain of workplace violence, against persons who oppose conduct or conditions prohibited by this policy, or against persons who participate by giving testimony or assistance in investigations or proceedings under this policy, any law involving violence or threat of violence, or Civil Service Rules is a violation of this policy, even if the underlying complaint of workplace violence is proven to be unfounded.

For the purposes of this policy, a claim of retaliation is valid if proven that:

- The employee was engaged in a protected activity (defined below):

- Complaints about violations of this policy,
- Opposition to conduct or conditions prohibited by this policy, and/or
- Participation in giving testimony or assistance in investigations or proceedings under this policy, laws involving violence or threats of violence, and Civil Service Rules,

- Thereafter, the employee was subjected to adverse employment action (defined below):
  - A job detriment or significant negative impact on terms and conditions of employment,
- There is a causal link between the protected activity and the adverse employment action.

No retaliation is established if the alleged adverse employment action was taken for legitimate business reasons.

• 3-01/030.28 - Reporting of Workplace Violence and/or Retaliation

While the Department recognizes the potential hazards of reporting individuals and employees with regard to workplace violence, employees who experience or become aware of any threatening or actual violent, harassing conduct or retaliation, regardless of who the offender may be, shall immediately report the threat or conduct to either:

- A Department supervisor;
- The ombudsperson/Intake Specialist Unit;
- The Internal Affairs Bureau; and/or
- The Sheriff's Department's 24-hour hotline **1 (800) 698-TALK**.

• 3-01/030.29 - Supervisor Responsibilities

Supervisors shall monitor their work sites and personnel to maintain a violence-free environment. The goal is to prevent the maturation of violent behavior in the workplace by taking appropriate action and facilitating timely intervention. Supervisors shall intervene to prevent incidents of workplace violence. In addition, supervisors are responsible for investigating all alleged incidents of workplace violence, documenting such incidents, and forwarding a preliminary report to the unit commander.

Supervisors shall notify unit commanders via office correspondence form (SH-AD-32A).

Intake Responsibilities

The supervisor who receives the initial notification from a "complainant" and/or "witness" is responsible for ascertaining whether the complainant and/or witness is in need of medical attention, protection, voluntary transfer, leave, or other assistance. The person receiving the report also must advise the complainant and/or witness that:

- The Department takes workplace violence and retaliation seriously and will take steps to investigate, resolve, prevent workplace violence or retaliation, and administer appropriate corrective actions for violations of this policy;

- The complainant and/or witness may seek confidential counseling or assistance from Psychological Services Bureau and/or the ombudsperson/Intake Specialist Unit;
- The complainant may also pursue a complaint with the ombudsperson or the Internal Affairs Bureau;
- Notifications of workplace violence and retaliation shall be handled as expeditiously, thoroughly, fairly, and, to the extent allowed by law, as confidentially as possible; however, absolute confidentiality cannot be guaranteed;
- The complainant and/or witness shall record as much factual detail about the events in question as possible, as they will be asked to prepare or assist in preparing a written complaint or statement about the events;
- The ombudsperson/ Intake Specialist Unit is responsible for maintaining contact with the complainant and/or witness during the resolution of the complaint and for 90 days thereafter; and
- The supervisor receiving the report shall notify other appropriate supervisors, unit commanders and/or the ombudsperson/ Intake Specialist Unit, of the notification.

The person receiving the notification is responsible for acting promptly and impartially in all workplace violence and/or retaliation matters. In addition, all such matters shall, to the extent allowed by law, be handled as confidentially as possible.

Supervisor’s Responsibilities

A "supervisor" is defined, for purposes of these procedures, as the sworn rank of sergeant and above, and civilian supervisors as defined in Manual of Policy and Procedures section 2-02/170.00, Civilian Supervisors. Supervisors are explicitly responsible for:

- Being familiar with and understanding the Workplace Violence Policy and the procedures for handling workplace violence and retaliation complaints;
- Monitoring the work environment for evidence of behavior that encourages or creates a climate for workplace violence;
- Taking immediate steps to correct any questionable behavior and reporting their actions to the unit commander via written memorandum (office correspondence form SH-AD32A); and
- Handling questions, complaints or reports concerning workplace violence or retaliation in a prompt, thorough, impartial and, to the extent allowed by law, confidential manner.

When receiving a notification under these procedures, supervisors are responsible for:

- Informing and advising the complainant and/or witness as described in the "Intake Responsibilities" section of the procedures; and
- Making immediate contact with the ombudsperson/ Intake Specialist Unit on behalf of the complainant

and/or witness and, with extreme priority, reporting the notification to the unit commander.

Unit Commander's Responsibilities

Unit Commanders shall be responsible for the following:

- Maintaining compliance with the Department's Workplace Violence Threat Assessment and Management Plan;
- Ensuring that all supervisors are familiar with this policy and the Department's Workplace Violence Threat Assessment and Management Plan;
- Immediately reporting any allegation of retaliation for reporting fraud, waste or misuse of County resources to the County Director of Personnel via the Department of Human Resources' Human Resources Support Division;
- Immediately notify the Personnel Administration Bureau's Disability Management and Compliance Unit at the conclusion of each investigation or when appropriate professional mental health consultations are needed;
- Assuring complainants that their complaint will receive equitable supervisory attention;
- Taking appropriate measures to avoid a recurrence of the alleged misconduct;
- Advising the subject that a complaint has been filed and that an inquiry will be initiated;
- Admonishing the subject regarding the Department's Workplace Violence Policy, with special emphasis on the prohibition against retaliation;
- Monitoring to ensure that retaliation against the complaining party, witness, or the subject(s) does not occur; and
- Facilitating debriefings and/or counseling for the subject and victim with assistance from the ombudsperson/ Intake Specialist Unit and/or Employee Support Services.

The unit commander shall ensure that, when appropriate, a unit level, Internal Affairs Bureau, and/or Internal Criminal Investigations Bureau investigation is conducted. In all cases, the appropriate division chief or director and commander shall be notified immediately. Requests for all Internal Affairs Bureau or Internal Criminal Investigations Bureau investigations must have the approval of the appropriate division chief or director.

NOTE: If multiple units are involved, the reporting responsibility shall be coordinated among the concerned unit commanders. Any notifications to a subject should be made by his or her unit commander.

• 3-01/030.30 - Ombudsperson/Career Resources Center Responsibility

If the Ombudsperson/Career Resources Center (the "Ombudsperson") receives the initial notification under these procedures, the Ombudsperson is responsible for informing and advising the complainant and/or witness as described in the "Intake Responsibilities" section. In any event, all reports of workplace violence or retaliation shall be documented by the Ombudsperson/Career Resources Center.

If the complainant and/or witness requests only confidential counseling or assistance from the Ombudsperson, and the circumstances of the matter permit an informal resolution, the Ombudsperson must, in any case, document the initial contact. In such a case, the Ombudsperson should track and/or resolve the problem and maintain the record in as confidential a manner as possible. Informal complaint resolutions will not be entered into the (subject's, victim's or informant's) Performance Recording and Monitoring System (PRMS).

In all cases in which the complainant requests an investigation into the allegations of workplace violence or retaliation, the Ombudsperson shall document the initial notification.

Documentation of the Complaint

The Ombudsperson shall document the notification or assist the complainant and/or witness in doing so on an office correspondence form (SH-AD32A). The notification shall be documented as promptly as possible after receipt of a report of violence or retaliation.

In the event that the complainant and/or witness is unwilling to pursue a complaint, the Ombudsperson, in consultation with the Captain of the Internal Affairs Bureau, shall determine if the circumstances, nevertheless, warrant an investigation. The Ombudsperson will document the complaint and initiate an office correspondence form (SH-AD32A) to the Captain of the Internal Affairs Bureau and the concerned Unit Commander(s), requesting an investigation into the allegations. In such circumstance, the concerned Unit Commander would be deemed the complainant. The complainant and/or witness shall prepare, or provide assistance in preparing, a written statement of the conduct to which he or she was subjected or witnessed.

The Ombudsperson/Career Resources Center shall remain in contact with the complainant during the course of the investigation, and for 90 days after the resolution of the complaint, to ensure that adequate communication is maintained and that no retaliation is occurring. The Ombudsperson shall make prompt notification to the appropriate parties if an issue of retaliation is raised.

• 3-01/030.31 - Employee Support Services Bureau's Responsibility

The role of Employee Support Services Bureau shall be restricted to providing personnel counseling services upon the request of an employee.

• 3-01/030.32 - Advanced Training Bureau's Responsibility

The Advanced Training Bureau shall develop and provide the Department's Units with a Workplace Violence Threat Assessment and Management Plan and the appropriate training.

• 3-01/030.33 - Personnel Administration Bureau's Responsibility

All Unit Commanders shall notify the Personnel Administration Bureau's Disability Management and Compliance Unit's Lieutenant following the completion of all workplace violence investigations. The Disability Management and Compliance Unit Lieutenant shall assess the investigation and, with the concurrence of the Unit Commander, determine if a consultation with a mental health professional is necessary.

• 3-01/030.34 - During the Investigation

Actions which punish or appear to punish the complainant and/or witness must be avoided. If the situation requires an immediate separation of the parties, the complainant and/or witness should be allowed administrative leave or transfer to a comparable position of equal hours, distance from home, etc., only if he or she voluntarily requests and/or agrees to do so. In order to afford the complainant and/or witness the maximum amount of confidentiality, any voluntary transfer of a complainant and/or witness shall be arranged directly by the Unit Commander, or Ombudsperson, and through a designated staff member within the Staffing & Item Control Unit, Personnel Services, who will coordinate the transfer with the concerned Division headquarters. If the situation requires an immediate separation of the parties, the subject shall be transferred or reassigned unless the severity of the allegation requires that the subject of the investigation be relieved of duty.

In all but extraordinary circumstances, the party alleged to have violated the policy shall be transferred, reassigned, or placed on leave, and not the complainant and/or witness. In extraordinary circumstances, the decision shall be made by the Division Chief or Director, who will balance the rights of the parties, the situation, and the needs of the Department. Any non-voluntary transfers or reassignments shall be temporary pending the outcome of the investigation and final assessment by the Division Chief or Director.

> **NOTE:** For the purpose of this section, "extraordinary circumstances" includes, but is not limited to, investigations involving managers, supervisors, employees with specialized skills, or any other employee whose transfer would greatly disrupt or impede the effective operation of the Unit.

Any questions or concerns that the complainant and/or witness may have during investigation should be directed to the Internal Affairs Bureau investigator or the Ombudsperson/Career Resources Center. The Unit Commander shall continue to monitor the workplace for any sign of retaliation against any parties of the investigation.

Resolving the Complaint

At the request of the appropriate Division Chief or Director and with the concurrence of the Division Chief of the Professional Standards Division, administrative investigations alleging workplace violence shall be reviewed and a disposition rendered (founded, unfounded, exonerated or unresolved) by the Executive Risk Review Committee pursuant to Policy and Procedures section 5-09/434.20. Internal Affairs Bureau, in accordance with existing laws and regulations, will communicate its findings in writing to the complainant and the subject of the complaint as soon as possible.

• 3-01/030.35 - Workplace Violence and Retaliation Policy/Outside Vendor

Definition of Vendor

A vendor is defined as any private company and its employees, and any individual who has a contract(s) with the Department or Los Angeles County, i.e., construction firms, consultants, etc.

Pre-Contracting Procedures

The Ombudsperson/Career Resources Center shall maintain information relative to allegations of workplace violence made against vendors.

Prior to hiring a vendor, Unit Commanders shall contact the Ombudsperson/Career Resources Center to determine whether or not any complaints have been received against the vendor in the past. If the vendor has a record of founded complaints, the Department may choose to decline to contract with that vendor.

Contract/Agreement

During the time that a vendor is at a Sheriff's facility, the vendor is subject to applicable Department and facility rules, regulations and procedures.

Vendors shall agree to comply with all applicable Federal, State and local laws, rules, regulations or ordinances. Vendors shall specifically recognize and agree that a violation shall constitute a material breach of contract upon which the Department may determine to terminate or suspend the contract.

Reporting Acts of Workplace Violence by Vendors

The Department may be held liable for acts of workplace violence committed by vendors where the Department has notice of the improper conduct. Any reports of workplace violence against vendors must be addressed by the concerned Unit Commander in the following manner:

Complainant

The Unit Commander shall ensure that the complainant is not placed in a position where he or she will continue to work or have contact with the accused vendor. A complainant should not, if possible, be assigned to a less desirable assignment or shift to avoid contact with an accused vendor.

In all instances, a supervisor shall, with extreme priority, notify the Ombudsperson/Career Resources Center. A member of the Ombudsperson's staff shall conduct an assessment interview of the complainant, if the complainant is an employee of the Sheriff's Department.

If the vendor is the complainant and the subject is an employee of the Sheriff's Department, the concerned Unit Commander shall utilize existing "Citizen Complaint" procedures (Refer to section 3-04/010.00).

Vendors Who Contract Directly With the Department

Unit Commanders shall notify the vendor(s) about the alleged conduct. If the subject is an employee of the

vendor, it is the responsibility of the vendor to notify the subject of the complaint.

Vendors Who Contract With the Department Through Internal Services Department (ISD)

Unit Commanders shall notify the Director of ISD/County Purchasing Agent or the General Manager of Purchasing and Central Services. Complaints will be handled on a case-by-case basis. ISD will confer with the Department, and, if necessary, County Counsel. Any communication with the vendor will be the responsibility of ISD.

Self-Employed Vendor

If the vendor is self-employed or under direct contract with the Department, the Unit Commander shall obtain counsel from the Department's Legal Advisor prior to taking action to dismiss the vendor.

Unit Commander - Surrender of Vendor Pass

The Unit Commander may immediately remove the vendor's pass if exigent circumstances require such removal. In determining if exigent circumstances exist, the Unit Commander must consider the risk of violence, the nature and severity of the violence or threat of violence.

Where exigent circumstances do not exist and the Unit Commander requires an employee of a vendor to surrender his or her pass, the following procedures shall be adhered to:

- Assemble documentation outlining the reasons which may require the surrender of a pass;
- Consult with Department Legal Counsel prior to requiring the surrender of a pass;
- Notify the vendor and vendor's employee in writing of the intent to remove the pass;
- Provide the vendor's employee with the assembled documentation;
- Arrange for the concerned vendor and vendor's employee to meet with them to discuss the proposed surrender of the pass;
- Notify the vendor and vendor's employee of the decision in writing; and
- Maintain a file with all documentation and action under the vendor and vendor employees' names at the facility.

Ombudsperson/Career Resources Center

All incidents involving outside vendors shall be documented in the form of a memorandum (SH-AD32A) and forwarded to the Ombudsperson/Career Resources Center.

• 3-01/030.37 - Unnecessary/Inappropriate Interference in an Investigation

Deputy personnel have a positive responsibility to take police action when appropriate and are not to be restricted in the lawful performance of their duties.

Department members shall not knowingly interfere or unnecessarily interject themselves beyond the scope of their responsibilities into any investigation or other matter that is the responsibility of another Department

member, another Department unit, another law enforcement agency, or any other governmental agency.

For purposes of this section, investigation shall include, but is not limited to, any criminal, civil, or administrative investigation, review, inquiry, inquest, hearing, trial, or similar activity conducted by representatives of this Department or any other governmental agency.

Department members learning of information pertinent to such investigations shall notify their unit commander and report the information to the concerned member, Department unit, or concerned law enforcement agency in a timely manner.

• 3-01/030.40 - Use of Alcohol

A Department member shall not drink or be under the influence of any kind of alcoholic beverage when on duty and/or in Department uniform. “On duty” includes any time a member records work hours on their Weekly Time Card, including entries into Timei, and/or an Overtime Worked Report.

A Department member shall not consume an alcoholic beverage while on duty at Department-related or sponsored activities, events, training, or conferences. This includes, but is not limited to, the following:

- Sporting events such as station golf tournaments, baseball games, Baker to Vegas, Police Olympics, or Special Olympics.
- Conferences such as contract city events, training seminars, fundraisers, and retirement gatherings.
- Travel to and from any event, training, or conference.

No member shall report for duty or be on duty while under the influence of alcohol, or be unfit for duty because of its use. Members will be considered under the influence of alcohol if they have a blood alcohol content of 0.02 percent or higher in their system. If a member has the odor of an alcoholic beverage on their breath or there is reasonable suspicion to believe the member is under the influence of alcohol, the unit commander or higher shall order a test of the member. If a member refuses a direct order to be tested, the employee shall be subject to discipline for violating section 3-01/030.10, Obedience to Laws, Regulations, and Orders.

Members shall not consume any alcoholic beverages while on premises occupied by a unit of the Department.

NOTE: If a member is on call but is unable to respond because they are under the influence of alcohol, the failure to respond will not be considered a performance deficiency and no adverse action will be taken against the employee.

This policy does not apply when an employee is working in an undercover capacity and the failure to consume an alcoholic beverage might engender suspicion which could jeopardize the safety of the undercover operative and put the investigation at risk. Under these circumstances, the undercover operative may drink alcohol as long as reasonable restraint is exercised.

• 3-01/030.45 - Use of Drugs or Narcotics

Members shall not use any controlled substances, narcotics or hallucinogens except when prescribed by a physician for an illness or injury. Additionally, because it remains an offense under federal law (notwithstanding any permissible use according to some state laws), cannabis or anything containing tetrahydrocannabinol (THC) shall not be used by members, even if recommended by a physician. Members shall not report to work or be on duty while under the influence of any such drugs. Whether on or off duty, members found under the influence of the mentioned drugs in a public place shall be subject to being immediately relieved of duty pending an investigation.

If reasonable suspicion exists that an employee is using or is under the influence of a drug or narcotic, the Unit Commander or higher may authorize a test of the employee. Once the test has been authorized, Internal Affairs Bureau shall be contacted. The employee shall be relieved of standard duty pending the result of the investigation. The investigators will order the employee to provide an appropriate sample for testing. The sample shall be delivered to Scientific Services Bureau for analysis. If an employee refuses to provide a sample, the employee shall be subject to discipline for violating section 3-01/030.10, (c) and (e).

• 3-01/030.50 - Smoking

This smoking policy is established in accordance with the Los Angeles County Code Title 2 Administration, Chapter 2.126, Ordinance #85-0093, regarding smoking in County facilities.

For the purpose of this section, smoking shall include cigarette, cigar or pipe smoke, or any other like substance, lighting such a substance and/or carrying a burning pipe, cigar, cigarette or like substance of any kind.

Members shall not smoke or use any form of tobacco, including smokeless, on duty, while conducting interviews or under any circumstances where such use may be detrimental to good conduct, appearance or procedure.

• 3-01/030.51 - "No Smoking" Areas

Smoking is prohibited in:

- All areas so designated by federal, state, or local statute;
- All portions of county-owned facilities;
- All portions of facilities leased by or from the county not open to the sky;
- All county vehicles; and
- Any county permittee vehicle when two or more persons are present and the vehicle is being operated pursuant to the Department’s Mileage Certification/Occasional Parking Permittee program.

  NOTE: For purposes of this section, smoking shall include, but is not limited to, using, lighting, and/or carrying any lighted or activated device including any cigarette, electronic cigarette, electronic vaping device, cigar, or pipe emitting smoke, odor, vapor, or similar substance. The use of chewing tobacco shall be included within this section.

County vending systems, including but not limited to any commissary and/or vending machine located within any county-owned or leased facility, shall not dispense nor permit the sale of any item or substance listed above.

• 3-01/030.53 - Smoking Policy At Other Facilities

Signs denoting "No Smoking" areas shall be posted, as deemed necessary, for effective compliance with stated policy.

• 3-01/030.55 - Sleeping on Duty

A member shall not sleep, while on a tour of duty, unless specifically authorized to do so.

• 3-01/030.60 - Gambling

A member shall not gamble while in a Department office or facility or in any other facility used for or in conjunction with the conduct of official duties. The Unit Commander shall enforce this regulation.

• 3-01/030.65 - Loitering

On-duty deputy personnel shall not loiter in cafes, drive-ins, service stations, or other public places.

• 3-01/030.73 - Hazing/Bullying

All Department members shall treat every coworker, whether sworn or civilian, with respect. Hazing and bullying are prohibited.

Hazing includes, but is not limited to: unreasonable, unnecessary, oppressive or humiliating expectations or demands of trainees, junior, or new personnel by training officers, or other tenured personnel. Hazing may also be a manifestation of racial, ethnic, gender, or other prejudice, and in such cases, constitutes discrimination. Whatever the motivation, hazing is mistreatment which may take the form of verbal/written harassment, ignoring the presence of a coworker, or physical harassment such as requiring someone to perform unnecessary or unattainable tasks or to behave in humiliating or painful ways.

Individual acts of bullying include, but are not limited to: intimidation, coercion, and taking a domineering, aggressive role based on physical size, rank, or tenure for any reason other than to stress the need for officer safety during tense, dynamic situations. Any of these acts that purposefully causes oppression and/or persecution to any member of the Department or public is strictly prohibited.

Allegations of hazing and/or bullying shall be investigated in the same manner as allegations of discrimination. Refer to MPP 3-01/122.05 - Policy of Equality – Procedures – Duties of Supervisors and

Managers.

• 3-01/030.75 - Bribes, Rewards, Loans, Gifts, Favors

The following rules shall apply:

- A member shall not accept a bribe or engage in any act of extortion or other unlawful means of obtaining money or property through his position with the Department;
- Members, individually or collectively, shall not solicit or accept any reward, fee, loan or gratuity in conjunction with services rendered in the performance of their duties;
- Members shall not use their positions to seek free admission to places of amusement, sporting events, etc. and shall not solicit free meals or transportation or any other favors or gratuities which would not ordinarily be accorded a private citizen; and/or
- All members are prohibited, without express permission of the Department, from the following:
    - Making any gift for or presenting any gift to or receiving a gift from any prisoner or arrestee;
    - Having any barter or dealing with a prisoner or arrestee; and/or
    - Having any direct or indirect interests in any contracts or purchases by and for a custodial facility.

Violations under this rule shall be subject to penalty under 2540 PC, wherein members of this Department shall be discharged and contractors or agents shall be expelled from the Department facility and not permitted entry in those capacities.

• 3-01/030.78 - Prohibition on Profiteering

In the course of their duties, Department employees frequently acquire non-public information that might enable them to personally profit by utilizing or sharing information to transactional business advantage. Transactions such as purchasing auctioned items, selling information to media, permitting access to locations or records, or utilizing third parties to complete these acts, are examples of improperly utilizing a departmental position to facilitate personal gain.

Personnel are prohibited from using “inside” Department information to benefit in a financial transaction, or to gain any advantage in personal affairs.

Department personnel who are uncertain regarding the propriety of a specific situation shall request that their unit commander approve any activity that could potentially conflict with this policy.

• 3-01/030.80 - Contributions for Department Activities (Including, But Not Limited To, Athletic Teams and Events)

Rescindment effective 11/01/24 for 3-01/030.80 - Contributions for Department Activities, refer to section 3-05/080.85 Contributions For Employee Functions or Activities

In order to be supportive of Department programs, the Sheriff's Relief Association has established a foundation to assist those persons or organizations desirous of making donations to the Department. The Sheriff's Relief Foundation may also be of assistance in the Departmental goal of ensuring the propriety of all donations. As a recognized legitimate charitable organization, the Sheriff's Relief Foundation can facilitate, when requested, the appropriate tax credit procedures for those making donations and can provide proper accountability and records.

Individuals and organizations outside the Department may support Department activities through public and private contributions. Unit commanders shall be responsible for the review of all activities; however, donations made for purposes other than athletic events shall be reviewed by the headquarters of the division soliciting or accepting the donations.

The following procedure shall be adhered to when promoting or accepting contributions:

Members shall not:

- Promote or accept donations for Department functions or athletic activities without authorization while in uniform or while on duty; and/or
- Seek or accept donations from any person or organization that may, in the opinion of the employee's unit commander, create a conflict of interest or be inappropriate.

Unit commanders shall exercise strict control and conduct reviews prior to any activities generating requests for donations or proposed fund-raising activities.

Members, who receive inquiries from public or private entities desiring to contribute to Department functions or athletic activities shall direct a memorandum to their unit commander with the following information:

- The name of the person and/or the entity;
- A brief statement regarding the person's character and/or the donor's type of business;
- Reason for making the donation; and
- The amount and any other pertinent information concerning the donation.

Because Department functions and athletic activities frequently involve personnel from more than one Department unit, a memorandum shall be submitted to each concerned unit commander by those either planning a solicitation or being the recipient of a donation. Unit commanders will approve or disapprove each request and maintain a file of each donation request. Unit commanders shall coordinate with each other in the approval/disapproval process of multiple unit involvement.

In those instances where the assistance or involvement of the Sheriff's Relief Foundation has been requested, a copy of the memorandum approving a request for donation or solicitation shall be sent to the Sheriff's Relief Association.

The Department has established a "Department Athletic Committee" which will review the distribution of both designated and non-designated donations that relate specifically to Department athletic events. These donations will then be distributed according to the donor's designation or at "committee" discretion in the case of non-designated donations. This committee shall be comprised of a deputy or sergeant from each division and will be chaired by the Department athletic director. Donations made to Department athletic teams or events may specify the intended recipient, e.g., Norwalk Softball Team, Century Basketball Team, Lost Hills

Volleyball Team, etc. In this case, the committee will simply channel the donation to the specified recipient. Otherwise, any non-designated donations will be allocated by committee decision.

• 3-01/030.85 - Derogatory Language

Members shall not use coarse, profane, or insulting language nor use threatening or uncomplimentary terms of speech or use terms which would defame or demean the nationality or culture of any individual.

• 3-01/030.90 - Patriotic Courtesy

Members of this Department shall adhere to the following rules of conduct when attending funerals, public gatherings or other ceremonial occasions.

PRESENTATION OF NATIONAL COLORS

- Uniformed Personnel indoors - With or without headgear, stand at attention
- Uniformed Personnel outdoors - With or without headgear, stand at attention, hand salute
- Civilian Attired Personnel indoors - Stand at attention, remove headgear, if worn
- Civilian Attired Personnel outdoors - Stand at attention, place right hand over heart. If wearing headgear, remove and hold over heart with right hand

NATIONAL ANTHEM

- Uniformed Personnel indoors - With or without headgear, stand at attention, face colors
- Uniformed Personnel outdoors - With or without headgear, stand at attention, face colors, hand salute
- Civilian Attired Personnel indoors - Remove headgear, if worn; stand at attention, face colors
- Civilian Attired Personnel outdoors - Face colors, stand at attention, remove headgear, if worn, and hold over heart with right hand. If no headgear is worn, hold right hand over heart

When no colors are present, face the sound source of the anthem.

PLEDGE OF ALLEGIANCE

- Uniformed Personnel indoors - With or without headgear, stand at attention with right hand over heart
- Uniformed Personnel outdoors - With or without headgear, stand at attention, hand salute
- Civilian Attired Personnel indoors - Remove headgear, if worn; stand at attention with right hand or headgear over heart
- Civilian Attired Personnel outdoors - Remove headgear, if worn; stand at attention with right hand or headgear over heart

MOVEMENT OF CASKET AT "MILITARY" FUNERALS

- Uniformed Personnel indoors - Stand at attention, remove headgear unless serving as a pallbearer
- Uniformed Personnel outdoors - With or without headgear, stand at attention, render hand salute as

casket passes, or upon order of honor guard commander
- Civilian Attired Personnel indoors - Stand at attention, remove headgear, if worn
- Civilian Attired Personnel outdoors - Remove headgear, if worn, stand at attention with right hand or headgear over heart

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• 3-01/030.95 - Alcohol-Related and/or Domestic Violence Arrests of Personnel

To ensure that all personnel have a productive and successful career, it is the Department's responsibility to provide guidance and support to employees related to alcohol and domestic violence issues, which pose a threat to the health and safety of each employee.

Personnel arrested for an alcohol-related and/or domestic violence offense shall meet with a psychologist or other appropriately trained personnel within the Department's Psychological Services Bureau, **or through a private provider of their own choosing**, prior to returning to work.

The information exchanged with the Department's psychologist will be confidential and will not be considered Department property; however, the unit commander will be entitled to basic confirmation of attendance for the appointment. It is the responsibility of the concerned unit commander to arrange the appointment with Psychological Services Bureau.

If the employee chooses to meet with a private provider, it will be the employee's responsibility to arrange the appointment. Confirmation of attendance is required regardless of provider choice.

• 3-01/040.00 - Responsibility - General

[Title Only]

• 3-01/040.05 - Financial Obligation

Pursuant to a permanent injunction issued by the Los Angeles Superior Court:

"A member shall properly support his family, except that no member shall be required or requested to disclose, nor shall the Department investigate, any item of such member's property, income, assets, source of income, debts, or personal or domestic expenditures in connection with or in relation to any claim that such

member has failed to fulfill child or spousal support obligations arising from the dissolution of marriage. Nothing contained herein is intended or shall be interpreted to preclude the Department from otherwise inquiring of its members as to such matters when inquiry is relevant to a member's occupational fitness or suitability. The Department is in no manner foreclosed from imposing appropriate disciplinary action in the event of a criminal conviction involving such claims. Nor is the Department precluded from investigating or requesting disclosure of a member's financial affairs, including support payments, if such matters are otherwise relevant to a legitimate inquiry which bears upon the member's official duties.

Members shall pay their just debts. They shall promptly pay any loan indebtedness, claim of judgment and satisfy any execution that may be held or issued against them. They shall not sell or assign their salaries or incomes, nor shall they contract any debts or liabilities they are unable or unwilling to pay."

• 3-01/040.10 - Incurring Liability Against the County

The acquisition of goods and services for use throughout the Department is governed by strict policies designed to maximize fairness and transparency. These policies provide guidance to personnel assigned to the purchasing function and to those with whom purchasing authority has been delegated.

Absent explicit authorization (and consistent with the provisions of the Los Angeles County Code), personnel are prohibited from engaging in any of the following:

- Acting as a signatory on any contract, agreement, or stipulation on behalf of the County of Los Angeles, the Department, or an individual bureau, station, or unit;
- Incurring liability (goods and/or services) chargeable against the County of Los Angeles, the Department, or an individual bureau, station, or unit without a properly executed contract or purchase order;
- Entering into any verbal contract wherein the County of Los Angeles, the Department, or an individual bureau, station, or unit is named as a participant; or
- Purchasing or leasing assets, or securing personal services in the name of, or on behalf of, the County of Los Angeles, the Department, or an individual bureau, station, or unit.

  NOTE: For purposes of this section, “Booster Clubs,” station volunteers, and/or any other individual or entity acting as a representative or intermediary for any Department bureau, station, or unit is/are covered by the provisions of this section.

• 3-01/040.15 - Care of County Property and Equipment

A member shall be responsible for the care, maintenance, and serviceable condition of any county property, fixed or movable, issued, or assigned to them or otherwise in their care. Loss of, damage to, or unserviceable condition of such property shall be reported upon discovery to the member’s unit commander.

Reasonable and prudent precaution shall be taken to prevent the loss or theft of county property. Exceptional care shall be exercised to prevent the loss or theft of security items such as evidence, weapons, radios, vests, electronic immobilization device (tasers), or body-worn camera equipment.

Loss or preventable theft of county property when the circumstances indicate that a greater degree of caution should have been taken to prevent such loss or theft, willful or negligent abuse, misuse, damage, or destruction, shall be grounds for disciplinary action.

A parked vehicle left unattended on the street or in a driveway is particularly vulnerable to theft or burglary. Therefore, personnel shall assure that any county vehicle or any personally owned vehicle which contains county equipment is parked in a safe location and any firearm, portable radio, evidence, confidential documents, or high-value county property are secured in the vehicle's trunk, in a rack, or a locked container (when available). All weapons shall be removed from any vehicle parked overnight outside of a secure garage. Absent exigent circumstances, any improperly secured equipment stolen from such an unattended vehicle shall be labeled a negligent loss. Consequently, the employee entrusted with the equipment shall, after consideration of all facts and circumstances, be subject to appropriate Department discipline, refer to section 3-03/060.00.

• 3-01/040.17 - Vehicle Bumper Stickers

Unit commanders shall ensure that all Department issued bumper stickers assigned to units for distribution and placement on Department vehicles are updated and/or exchanged at least every six months. If a bumper sticker is worn and in poor condition prior to the six month time period, it shall be removed and replaced with a new sticker.

Communications and Fleet Management Bureau (CFMB) shall be responsible for maintaining a list of all bumper stickers currently in use and distributed throughout the Department. Units requiring additional bumper stickers should contact CFMB for replacement stickers.

• 3-01/040.20 - Return of County Property

When any member resigns or transfers to another county department, the provisions outlined in the Personnel chapter shall be observed. Members retiring from county service shall follow the provisions outlined in that chapter in respect to the return of county property.

When a sworn member (regular or reserve) is separated from the Department for any reason or is placed on suspension, county property in his possession shall be handled as follows:

- Return county issued weapon and handcuffs to the Logistics Section, Fiscal Administration, and obtain a receipt;
- Return uniform badge, flat badge, cap piece, and identification cards to Personnel Administration and obtain a receipt; and
- Sworn members shall also observe the provisions of the Uniform and Equipment chapter in respect to stolen, lost, or damaged uniform and equipment items.

  NOTE: Any unit that places a member on suspension shall immediately retrieve the county weapon, handcuffs, and identification items from the member. The unit may store the retrieved items at the unit providing it has a safe place to do so. If the unit does not have a safe place to store the items, the retrieved items shall be immediately returned to the Logistics Section or Personnel Administration, as

indicated.

• 3-01/040.25 - Change of Status - Property Return - Reserve to Regular

All property listed as county property in the Uniform and Equipment chapter shall be returned to the above indicated units when a member's status changes from reserve to regular, or vice versa. If a uniform or equipment item, listed as county property, has been lost, stolen, or damaged, the concerned unit listed above shall be so advised.

• 3-01/040.30 - Property Damage

Members shall promptly submit a written report of any damage to real or personal property resulting from the execution of their official duties or responsibilities.

• 3-01/040.35 - Money and Property of Others

A member shall deliver to the proper custodian money or other property not his own, which comes into his possession.

• 3-01/040.40 - Misappropriation of Property

Members shall not appropriate for their own use any County property, evidence or found or recovered property. Except in the performance of duty, members shall not seek to privately purchase, either directly or through third parties, or assist others in the purchase of, property seized by the Department where such property is subsequently made available for private purchase.

• 3-01/040.45 - Safeguarding Money, Property, and Evidence

All employees shall be responsible for safekeeping public or county money, prisoners' money and property, and evidence while it is in their possession. This includes all funds within the Department such as Station funds, inmate funds and any funds which may come into existence within the Department for any legitimate purpose in keeping with county and Department regulations.

Employees shall not borrow from these funds, nor shall they be utilized to cash personal checks. They shall observe the controls regarding the handling of money and when money is received, it shall be held for safekeeping.

Because of the wide range of policies covering money, property, and evidence in the Department manual, the subheadings that follow serve as a guide to safekeeping procedures which are currently in effect within the Department.

Cash Bail

Cash bail shall be handled as outlined in the Fiscal and the Prisoners chapters.

Miscellaneous Fee Collections

Monies collected in payment of fees for deposit to the Miscellaneous Bank Account shall be safeguarded as outlined in the Fiscal chapter.

Prisoners' Property

Responsibility for the property of prisoners is outlined in the Prisoners chapter.

Property and Evidence

Property and evidence which is cash shall be handled by stations or units other than jails, as outlined in the Property and Evidence chapter.

Revolving Fund

Responsibility for the change fund is outlined in the Fiscal chapter.

Employee Funds

Responsibility for employee funds is outlined in the Fiscal chapter.

Station Safes

Responsibility for station safes is outlined in the Fiscal chapter.

• 3-01/040.48 - Key Security, Control and Inventory

Keys to county facilities or vehicles shall be appropriately secured and/or accounted for at all times. Unit commanders are responsible for maintaining a secure method to safeguard all county facility and vehicle keys.

Members shall exercise diligence and control with regard to the security of any facility and/or vehicle keys. No keys that will operate county doors, locks, or vehicles shall be left unattended at any time. All members shall, prior to leaving their shift, return any assigned facility or vehicle keys to their relieving personnel or to personnel who are responsible for key inventory control.

• 3-01/040.50 - Care of Identification Items

A member shall be personally responsible for the items of identification issued to him by the Department (e.g.,

badge, cap piece, identification card, etc.). A member shall neither loan nor borrow such items. He shall immediately report the loss of such items to Personnel Administration and prepare an affidavit of loss and a written report of the circumstances leading to the loss.

• 3-01/040.55 - Possession of Unauthorized Identification Items

Members shall neither acquire, purchase, sell, trade, or possess items of identification (e.g., badge, cap piece, or identification card), which are similar to, or could be mistaken for, official Department identification. For purposes of this subsection, "official Department identification" means only those items issued by this Department.

This does not include the official shoulder patch as worn by members of this Department.

Nothing in this subsection shall be construed to prohibit the acquisition of items of official Department identification by members of this Department or by the families of members of this Department for approved unofficial purposes (e.g., badge collections, plaques, mementos, etc.), whether the member is still employed, retired, deceased, or otherwise separated from the Department, so long as the acquisition has been personally approved by the Sheriff or his designated representative.

For replacement of authorized items of identification, see the Uniform and Equipment chapter.

• 3-01/040.60 - Badge Duplicate Memento

Department policy precludes the removal from service of any assigned badge number upon the retirement or death of a Department member.

A retiring member, his authorized representative, or a family member of a deceased member of this Department may request a duplicate of the badge, and any previous badges, of the member be permanently encased in a solid, clear plastic block of at least one inch in thickness as a memento. Only those retirees, who are authorized to receive an official retirement badge, shall be favorably considered. Upon approval of a request, all costs shall be paid by the requestor at the time the order is placed.

Personnel Administration, Administrative and Training Division, shall be responsible for processing all requests and shall ensure that duplicate badges are properly encased before releasing them to the authorized recipient.

Requests shall be made on an SH-AD-131, memorandum and directed to Personnel Administration, Office of Administration Services.

• 3-01/040.62 - Use of Sheriff's Intellectual Property/Star/Logos

The Department's intellectual property is among the County of Los Angeles' most valuable assets. The Department has spent considerable time and resources in developing and protecting its valuable trademarks,

copyrights, and other intellectual property. The goodwill associated with its intellectual property is of vital importance to the Department. To protect their intellectual property, the Department and the county are committed to carefully considering requests for its use and policing possible infringements in the marketplace.

Definition of Intellectual Property

The term “intellectual property” means all logos, marks, stars, seals, emblems, badges, insignias, symbols, and slogans which were created by, or at the request of, the Department, or were transferred or assigned to the Department, and which are identified with the Department or any of its divisions, units, stations, programs, or groups. Examples of the Department’s intellectual property are as follows: Department's name, flag, yearbook, uniform patches, slogans (i.e., “A Tradition of Service”), Sheriff’s Star, 150th Anniversary Commemorative Badge, memorial patches, SEB shoulder patch, computer programs, marks, emblems, and logos. This policy applies to all of the Department’s intellectual property, whether or not registered with a governmental agency.

Definition of Sheriff’s Star

The term “Sheriff’s Star" includes all photographs or graphic depictions of the six-point star used by the Department, whether represented in color or black and white, and all substantially similar stars which could reasonably be considered the Sheriff’s Star. This includes the graphic depiction of the regular uniform badge/flat badge, and the 150th Anniversary Commemorative Badge. The Sheriff’s Star is the official mark, logo, and insignia of the Department.

Prohibited Use

Use of intellectual property by Department members or non-members is prohibited unless authorized by this policy or statute. Other than for the official business-related purposes of the Department, use of the intellectual property on any written, printed material, posters, advertisements, merchandise, films, movie or television programs, photographs, clothing, internet web sites, video presentations, or any other display or communication medium, is strictly prohibited, unless authorized pursuant to this policy. The intellectual property may not be used in any unofficial capacity and/or where its display may erroneously portray an official sponsorship by, or association with, the Department or reasonably confuse the public as to the relationship with the Department and the user of the intellectual property.

Procedure to Request Authorization to Use Intellectual Property

All requests from outside entities, vendors, individuals, agencies, or organizations to use the Department’s intellectual property in any form or by Department members to use the Department’s intellectual property for any non-official Department use must be made in writing to Sheriff’s Headquarters Bureau. The approval process involves two steps:

- Submitting a completed application (Outlook-All Forms/Miscellaneous/”Application to Use Sheriff’s Intellectual Property”) to Sheriff’s Headquarters Bureau (SHB); and
- If the application is recommended for consideration, SHB will forward it to the Legal Advisory Unit for review and preparation of a license agreement, if appropriate. The Board of Supervisors must approve all license agreements for outside use of intellectual property.

Policy Application

This policy also applies to all requests by organizations, clubs, foundations, and programs which are affiliated or associated with the Department and wish to use the Department's intellectual property.

Department members requesting to use the Department's intellectual property for on-duty, inter-Departmental, county business, such as Department-related or sponsored events, training, speaking engagements, presentations, or any event that includes the distribution of publications, handouts, etc., depicting a Department image, even that which involves an outside entity and is **not for tangible gain or commercial purposes**, need only to obtain the approval of their respective unit commander and abide by all Department policies.

Use of the Department's intellectual property by Department members or units for official business-related purposes must comply with this policy and the Department's Organizational Identity Manual located on the Department's Intranet website. Approved artwork graphics shall be obtained through the Department's Intranet website via the graphics repository. **All** variations from the official artwork or new conceptual designs must be approved through the Department's approval process.

Use of the Department's intellectual property in any manner that will or could result in any immediate or future, foreseen or unforeseen tangible gain (i.e., charity events, fund-raisers, product development or endorsement, partnerships, sponsorships, tactical endorsements, publication by-lines or credits, donations, etc.), even that which is not immediately identifiable (i.e., increased subscriptions to a publication because it contains LASD intellectual property or endorsements), will require the Department member or outside entity to submit an "Application to Use Sheriff's Intellectual Property" and go through the Department's approval process.

Unauthorized use of the Department's intellectual property by Department members is subject to discipline and legal action. Department members are encouraged to report any unauthorized use of Sheriff's intellectual property to the Department's Legal Advisory Unit.

Unit Commander's Responsibility

All requests by Department members to use the Department's intellectual property must have the member's unit commander's approval on the concept alone. The unit commander shall review the proposed usage and make a decision as to whether it conforms to the Department's mission, philosophy and ideals, and whether the usage would promote the image and reputation of the Department. The unit commander should also consider when reviewing the proposed usage whether any other Department Unit (i.e., Uniform Committee, etc.) should become involved prior to approving the concept. After approving the concept, the unit commander should follow the concept through the "Request to Use Sheriff's Intellectual Property" flowchart to assist the Department member in determining whether the concept requires an "Application to Use Sheriff's Intellectual Property" to be submitted to Sheriff's Headquarters Bureau. If an application is required, the unit commander should ensure sufficient supporting documentation and artwork is included with the application prior to signing it. The application should include enough detail to stand on its own merit without follow-up correspondence prior to it being submitted to Sheriff's Headquarters Bureau.

• 3-01/040.63 - Use of the Sheriff's Department Flag

The Los Angeles County Sheriff's Department Flag was created as a source of pride and identity for our employees and the communities that we serve. The flag is a symbol that evokes our history, tradition, and

values. It shall be flown at the Sherman Block Sheriff's Headquarters Building and displayed at other Sheriff's Department facilities and special events.

Examples of appropriate events at which the Flag might be displayed include:

- Departmental award ceremonies (e.g., valor awards);
- Honor guards;
- Community parades in conjunction with Departmental participation;
- Athletic events (e.g., Challenge Cup Relay, Police Summer Games);
- Community events; and
- Exhibit booths (e.g., job fairs).

As the Sheriff's Department Flag is representative of our Department, it shall be displayed in a respectful manner at all times. When displayed with the United States Flag, or both the United States Flag and the California State Flag, flag etiquette, as detailed in the United States Code, Title 36, Chapter 10, shall be adhered to. In general, the United States Flag shall be flown above all others when flown on a pole vertically and uppermost and to the right (observer's left) of other flags when displayed horizontally. When the California Flag is displayed, it too shall be in a position above the Department flag when flown vertically and to the right of the Department flag when displayed horizontally. Frayed, discolored, or damaged flags shall be replaced at the first opportunity.

The Los Angeles County Sheriff's Department Flag is copyright protected, and therefore, unauthorized duplication or manufacture of the flag or its likeness is prohibited without expressed written permission.

• 3-01/040.65 - Tampering with Evidence

Members shall not fabricate, alter, plant, withhold, or destroy evidence of any kind.

• 3-01/040.69 - Honesty Policy

Department members are held to the highest standards of integrity and ethics. In particular, honesty and trustworthiness are of paramount importance to the credibility and integrity of all Department members. Honesty and maintaining the trust of those we serve depend on candor, forthrightness, sincerity, and accuracy.

Dishonesty destroys trust and violates Department policy. Examples of dishonesty and violations of trust include not only false statements, but also deliberate distortions of the truth; intentional exaggerations, concealment of or failure to disclose material facts, observations, or recollections, and failure to make full, complete, and truthful statements when required.

Department members who violate this section are subject to discipline up to and including discharge.

• 3-01/040.70 - Dishonesty/False Statements

Members shall not make false statements or commit any other violations of the honesty policy, section 3-01/040.69, when questioned, interviewed, or in reports or documents submitted. Department members who violate this section are subject to discipline up to and including discharge.

• 3-01/040.75 - Dishonesty/Failure to Make Statements And/Or Making False Statements During Departmental Internal Investigations

False statements and any other form of dishonesty during an official Department internal investigation or inquiry shall, absent extenuating circumstances, result in discharge.

Failure or refusal to make statements when ordered during Department internal investigations constitutes insubordination and shall, absent extenuating circumstances, result in discharge.

• 3-01/040.76 - Obstructing An Investigation/Influencing a Witness

Employees shall not take any action that could interfere with, delay, obstruct, distort, or unduly influence any investigation.

Employees shall not take any action that could intimidate or unduly influence any participant in an investigation, nor engage in any conversation that could interfere with, delay, obstruct, distort, or unduly influence any investigation.

Any employee who knowingly gives false evidence, withholds evidence, or interferes in any way, during such an investigation, or requests or encourages another to do so, shall be deemed to have obstructed the investigation.

For purposes of this section, investigation shall include, but is not limited to, any criminal, civil, or administrative investigation, review, inquiry, inquest, hearing, trial, or similar activity conducted by representatives of this Department or any other governmental agency.

Nothing in this section is intended to preclude a member from seeking and/or receiving legal guidance, advice, or representation.

• 3-01/040.80 - Internal Investigations by Other Law Enforcement Agencies

Department members shall cooperate with other law enforcement agencies conducting internal investigations. If any person conducting an internal investigation for another law enforcement agency requests an interview with a member of this Department, the interview must be approved by the member's division chief or director as detailed below.

The member's unit commander shall develop relevant background information and refer the matter, in writing, to the division chief or director. Concurrently, a copy of that material shall be sent to the unit commander of Internal Affairs Bureau. The unit commander of the Internal Affairs Bureau shall consult with the division chief

or director and, if the request is approved, make the necessary notifications, and coordinate the interview.

All members interviewed by internal investigators from other law enforcement agencies shall make full, complete, and truthful statements.

• 3-01/040.85 - Cooperation During Criminal Investigation

Members have a duty to cooperate with investigators of the Department, or from other law enforcement agencies, who are conducting a criminal investigation. All statements made by members shall be full, complete, and truthful statements. Members shall provide statements as part of criminal investigations except when such statements would violate the member's right against self-incrimination. Failure to cooperate may subject the member to administrative discipline.

When a person conducting a criminal investigation for another law enforcement agency requests an interview with a member of this Department, the member shall make immediate notification to his unit commander, whenever the member is the subject of the investigation or in any case when the investigation relates to the member's employment as a peace officer. The interview must be approved by the unit commander who will also, after consultation with appropriate divisional Departmental executives, determine if this Department should participate in or otherwise monitor the interview.

• 3-01/040.90 - Reporting Information

A member shall promptly report to his immediate supervisor any information or incident coming to his attention that might indicate the need for Department action.

• 3-01/040.95 - Confidential Information

The official business of the Department is confidential. Members shall only discuss or give official information:

- To persons for whom the information is intended;
- As directed by their superior officers; and/or
- As required by law.

Members shall only divulge the contents of any directive they receive when required to do so by the nature of the directive. The content of any criminal record or other official information maintained by the Department, either in manual files, microfilm records, or computerized systems, shall be disclosed only to authorized persons in accordance with state and federal statutes.

Members shall not willfully destroy, mutilate, deface, alter, falsify, or remove for personal or monetary gain any part of official records maintained by the Department (see Miscellaneous Administrative Procedures Chapter for Release of Criminal Records Information and Release of Official Information).

• 3-01/040.96 - Information Requests or Contacts with Private Investigators or Suspect's, Defendant's or Plaintiff's Representatives

Members are instructed that the official business of this Department is confidential. Private investigation firms or private investigators or defendant representatives, requesting information, either official or job-related, shall be given only that information which is public and general knowledge.

When a suspect or a defendant in any criminal matter, or a plaintiff in any civil matter in which the Department is a party, or the representatives of any suspect, defendant, or plaintiff contacts a member of this Department to interview or subpoena him, or to request that member's cooperation or presence in the courtroom during any proceeding, the member shall make immediate notification of the contact to their unit commander. This does not include personal or private business matters which are not related to Department activities.

Unit commanders shall immediately notify the appropriate unit commander within the Internal Affairs Bureau or Internal Criminal Investigation Bureau.

• 3-01/040.97 - Safeguarding Persons in Custody

Members having in their custody any person under arrest or detention shall properly safeguard such person and his property.

• 3-01/040.98 - Recommending Lawyers or Bondsmen

Members in their official capacity shall not recommend or suggest the name or employment of any person, firm, or corporation to act as attorney, counsel, or bondsman.

This does not restrict the rights of members to seek recommendations in respect to their private affairs.

• 3-01/050.00 - Work Rules - General

[Title Only]

• 3-01/050.05 - Performance of Duty

While on duty, employees shall be governed by the following rules:

- Employees shall devote their time and attention to the service of the county and the Department, and shall direct and coordinate their efforts in a manner which will establish and maintain the highest standard of efficiency;
- Uniformed members shall maintain a soldierly bearing and shall perform their duties in a calm and firm manner acting together to assist and protect each other in maintaining law and order; and

- Members shall serve the Department loyally and discreetly and shall not display cowardice or fail to support their fellow members in the lawful performance of duty.

• 3-01/050.10 - Performance to Standards

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department.

Incompetence may be demonstrated by:

- A lack of knowledge of the application of laws required to be enforced;
- An unwillingness or inability to perform assigned tasks;
- Failure to conform to work standards established for the member's rank or position;
- Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention;
- Absence without leave; and/or
- Unnecessary absence from an assigned area during a tour of duty.

In addition to the above, the following will be considered to be prima facie evidence of incompetence:

- Repeated poor evaluations; and/or
- A written record of repeated infractions of the Department's rules, regulations, manuals, or directives.

• 3-01/050.15 - Duties of Deputy Personnel

Deputy personnel shall:

- Protect life and property;
- Preserve the public peace;
- Prevent crime;
- Detect and arrest violators of the law; and
- Enforce federal, state, county, and city laws or ordinances as required of this Department by statute or policy.

• 3-01/050.20 - Duties of All Members

All Department members shall:

- Carry out specific duties and responsibilities assigned to them;
- Carry out any duty required by lawful order; and

- Within a reasonable time, report, and/or take proper action in any situation encountered which requires police action.

• 3-01/050.25 - Hours of Duty

Regular hours of active duty shall be assigned to each member. Members shall be considered off-duty during other hours.

• 3-01/050.30 - Off-Duty Incidents

Off-Duty Police Action

Deputy personnel, although technically off-duty, shall take action as deemed appropriate on any police matter coming to their attention. Appropriate action, depending on the circumstances, may require only accurate observation and becoming an effective witness or informant.

The penal code gives specified law enforcement officers peace officer authority anywhere in the state as to a "public offense committed or which there is probable cause to believe has been committed in their presence and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense." Therefore, unless the off-duty officer has observed the commission of a crime and there is an immediate danger to person or property, or they have received prior approval from the chief law enforcement officer of that jurisdiction, they should not take police action in the capacity of a peace officer when outside the jurisdiction of this Department. They should notify the police agency having jurisdiction.

Arrests made while off-duty, within the State of California but outside the jurisdiction of this Department, which result in civil action will be defended by the County Counsel if the Department procedures listed below are followed.

In all situations wherein deputy personnel take positive police action in any off-duty incident, they shall adhere to the following procedures:

- Identify themselves as peace officers before taking any police action, safety permitting;
- Make an arrest if the elements of a crime are present and a legal arrest can be made;
- Immediately notify their unit commander or ranking supervisor on-duty at their unit by telephone and verbally advise them of the situation when police action is taken; and
- Prepare appropriate written reports, as directed.

  NOTE: All on-duty Department reporting procedures (e.g., use of force reporting and review procedures, mandatory IAB notifications, etc.) are in full force and effect and shall be strictly followed any time deputy personnel take positive police action in any off-duty incident after having identified them self as a peace officer.

Off-Duty Incidents - Personal Involvement

Members who are arrested or detained for any offense, or named as a suspect, other than an infraction under

the vehicle code, shall immediately notify their immediate supervisor or watch commander of the facts of the arrest, detention, or allegation. The immediate supervisor or watch commander receiving notification shall immediately notify the Sheriff's Information Bureau with the facts of the arrest, detention, or allegation.

After business hours, and/or if the member is unable to contact their immediate supervisor or watch commander at their unit of assignment, the member shall contact Sheriff's Information Bureau and request immediate notification to their unit commander. The member shall provide details of the arrest, detention, or allegation to Sheriff's Information Bureau personnel, including alleged charge(s), location, police agency jurisdiction, and return phone number where the member can be reached. The Sheriff's Information Bureau member receiving notification shall immediately notify the employee's unit commander.

Unit Commander Responsibilities

The information below is to provide unit commanders a list of responsibilities which may be applicable upon being informed an employee under their command is involved in an off-duty detention or arrest.

Employee is arrested and taken into custody or detained

- Immediately notify the on-call Internal Affairs Bureau lieutenant;
- Immediately respond to the employee's location; and
- Make an on-scene assessment of the employee's behavior during the incident based on first-hand information from the handling law enforcement agency and/or your direct observations in order to determine if the employee was belligerent, disrespectful, and/or uncooperative with the handling law enforcement agency.
- If the employee is being **detained only** (and is not arrested), complete the previous steps with the following modifications:
    - Evaluate whether or not it is necessary to immediately respond to the incident; and
    - If the supervisor or their designee does respond to the location, make an on-scene assessment of the employee's behavior during the incident based on first-hand information from the handling law enforcement agency and/or your direct observations in order to determine if the employee was belligerent, disrespectful, and/or uncooperative with the handling law enforcement agency.

Firearms Involved Incidents (sworn and armed civilian employees)

- Gather information about the circumstances of the incident in particular, how the firearm was used (i.e. the employee brandished, fired it, lost it, mishandled it, etc.).
- Make a preliminary assessment of the nexus between the employee's consumption of alcohol and the firearm, (i.e. whether or not it appears that the employee was unable or did not exercise reasonable care/control of their firearm due to their intoxication). If the nexus between the employee's consumption of alcohol and the firearm does exist, follow the procedure listed in the *Suspected Use of Alcohol* section.
- In any incident where the firearm was not seized as evidence or the employee is not relieved of duty, the unit commander should consider taking control of the employee's Department-issued firearm for safe keeping purposes.

Suspected Use of Alcohol

This section applies to sworn employees only; unless a firearm is involved during an off-duty incident of an armed, non-sworn employee.

- If a unit commander has reason to believe the employee was drinking alcoholic beverages, place the employee "on duty" (four hours overtime) and order the employee to provide a sample that will be used for administrative purposes only in order to obtain the employee's blood alcohol content. The order must be clear and unambiguous. The employee must be told that failure to comply with the order could subject the employee to being charged with insubordination which could result in discipline up to and including discharge. **If the employee refuses to comply with the order, the employee cannot be forced to provide a sample**. The employee has no right to have a representative present for the test. However, an employee may be permitted to contact their representative for advice, provided that such consultation does not unreasonably delay the test.

  NOTE: This step is not necessary if the employee was arrested for DUI and provided a breath sample to the concerned law enforcement agency. If the employee refused to provide a blood/breath/urine sample as required per 13353 CVC, then order the employee to provide a sample that will be used for administrative purposes only in order to obtain the employee's blood alcohol content.

• 3-01/050.35 - Rendering Assistance - Traffic Collisions

Deputy personnel shall assist all citizens in time of need, regardless of jurisdiction or Department responsibility.

Field personnel shall render direct and personal assistance to citizens when coming upon the scene of traffic accidents in unincorporated areas, regardless of the fact that California Highway Patrol (CHP) has the primary responsibility to handle these matters. Field personnel shall render appropriate assistance, including notification of the CHP by use of radio communication.

• 3-01/050.37 - Safety of Passengers/Companions of Arrested Persons

Deputies shall take reasonable steps to see to the safety of persons stranded as a result of their companion's arrest. This may include offering the stranded person transportation by a deputy to a place of reasonable safety such as a local address or to the station. The stranded person may also refuse to accept any assistance whatsoever. In either instance, the outcome shall be documented in the original arrest report.

• 3-01/050.40 - Safety of Stranded Motorists

When practical and appropriate, all personnel, when operating a plainly marked official vehicle, shall stop and render that assistance considered reasonable to the occupants of a vehicle in distress. This policy is applicable whether the cause of the distress is mechanical or the result of some other difficulty.

Deputies shall demonstrate due regard for the safety of vehicle occupants stranded as a result of their

companion's arrest or as occupants of any vehicle towed at the direction of Department personnel. This may include offering the stranded person(s) transportation to a place of reasonable safety such as a local address or Sheriff's station. The stranded person(s) may refuse to accept assistance. If unable to resolve transportation concerns, Department members shall summon a field supervisor.

Any contact with a stranded person listed above shall be documented as a log entry in the Mobile Digital Communications System (MDT/MDC) by the employee initiating the contact or, if applicable, original report. Employees who do not maintain an electronic log or initiate a report shall document the details of the contact in their field notebook.

• 3-01/050.42 - Safety of Stranded Animals

Deputies shall take reasonable steps to secure care for any animal in the possession of any arrested, detained, or medically incapacitated person.

The handling deputy shall provide the person an opportunity to contact someone who can respond within a reasonable amount of time to take possession of the animal. If the person is unwilling, unable, or unsuccessful in arranging care for the animal, the deputy shall notify the Department of Animal Care and Control or Humane Society having jurisdiction and request that agency to respond.

If practical, the deputy shall remain with the animal until the arrival of the agency. If the deputy cannot remain with the animal, or the agency refused to respond, the deputy shall contact the field sergeant who will arrange for the transfer of responsibility of the animal.

The deputy shall advise the person of the location of the animal (if applicable). Any action taken with respect to the disposition of the animal shall be documented in the original incident report and/or Deputy Daily Work Sheet.

• 3-01/050.45 - Punctuality

A member shall be punctual in reporting for duty at the time and place designated by his supervisor. Habitual failure to report promptly at the specified time shall be deemed neglect of duty.

• 3-01/050.50 - Absence

Except when sickness or injury to himself or his immediate family keeps him from reporting for duty, a member shall be absent only with proper leave or permission.

A member unable to report for duty shall immediately report the fact and reasons to his supervisor. No member shall feign sickness or injury to deceive a representative of the Department regarding his condition.

See the medical section of the Personnel chapter for additional information.

• 3-01/050.55 - Personal Information

A member shall provide the Department with personal data such as his correct name, address, telephone number, marital status, and the name of the person to be notified in case of emergency, etc. He shall be responsible for informing his unit commander of any changes, and advising Personnel Administration of these changes on a SH-AD-91. The specific information to be reported and the procedures to be followed are found in the Personnel chapter.

• 3-01/050.56 - Unit Personnel Rosters

Unit commanders shall be responsible for ensuring that personnel rosters listing employees' home addresses shall be made available to authorized personnel only. Unit personnel rosters with employees' home addresses shall be treated as confidential and shall not be removed from the unit's premises without approval of the unit commander.

• 3-01/050.60 - Telephone

Deputy personnel shall have a telephone (landline, internet based, or cellular) in their home or place of residence so they may be contacted in case of emergency. When awaiting the installation or service of a landline, internet based, or cellular phone, the deputy shall furnish his unit commander and Personnel Administration Bureau with a telephone number through which he/she may be reached.

• 3-01/050.65 - Basic Shooting Requirements

Personnel subject to the Department's on-duty handgun qualification requirements shall shoot within their alphabetically-assigned month. Any deviation from an employee's alphabetically-assigned qualification month shall be authorized, in writing, by the employee's unit commander. Such authorization shall include the specific month or months applicable.

Shooting assignments are based on the last name initial as follows:

Last name begins with letters:	Shall shoot in the months of:
A through F	January, April, July, and October
G through N	February, May, August, and November
O through Z	March, June, September, and December

During the first quarter (January-March), all armed personnel shall report to a Department mobile range to shoot a Standard Handgun Qualification with their primary on-duty handgun and achieve a passing score. A

minimum passing score is 70 out of a possible 100 points.

Sworn personnel are also **required** to pass the Standard Handgun Qualification annually **with all optional Department authorized handguns which they have been certified on and intend to carry**. This will normally be done during the first quarter. Passing the Standard Handgun Qualification with an optional Department authorized handgun will qualify the Department member for the remainder of the calendar year. **Personnel who fail to qualify with any optional Department-authorized handgun shall be prohibited from carrying the handgun until they have passed the Standard Handgun Qualification, even if outside of the first quarter**. Once qualified, the Department member will be authorized to carry that handgun for the remainder of the calendar year.

During the second, third, and fourth quarters (April-June, July-September, and October- December), armed personnel shall report to a Department range and participate in a Handgun Combat Course with their primary on-duty handgun. Participation in the Handgun Combat Course on the employee's assigned month will constitute compliance with this policy.

The Department rangemaster may authorize other courses of fire that will fulfill the basic shooting requirement.

Overtime pay for fulfilling the shooting requirements can be claimed only with the prior approval of the employee's unit commander and when this requirement cannot be scheduled during on-duty hours.

Exemptions to the basic shooting requirements outlined in this policy include, but are not limited to:

- IOD status;
- Light-duty status prohibiting the shooting of a handgun;
- FMLA leave; and
- Certified pregnancy.

NOTE: Authorization to carry a handgun off-duty for sworn personnel who are exempt from the basic shooting requirements shall be given on a case-by-case basis.

A pregnant employee shall automatically be exempt from shooting requirements upon submission of a Certification of Pregnancy form (SH-AD-648). This exemption shall remain in effect until thirty (30) days after the employee has returned to duty following her maternity leave of absence.

Armed personnel who did not meet the minimum shooting requirements due to an approved exemption shall immediately shoot and pass the Standard Handgun Qualification when the exemption is no longer applicable. This shall be completed within seven calendar days of the Department member's return to work.

• 3-01/050.70 - Failure to Qualify - Remedial Training

The Training Bureau shall, within 20 workdays after the end of the first quarter, notify the undersheriff of Department personnel who failed to qualify.

The undersheriff shall notify unit commanders of their personnel who failed to qualify during the first quarter. Unit commanders shall then notify their concerned personnel of their failure to qualify.

Personnel who were unable to qualify with their primary on-duty handgun shall attend mandatory remedial firearms training. This should be done within 10 calendar days, but no later than 20 calendar days after notification by their unit commander. The Department rangemaster shall determine the remedial firearms training course curriculum and scored course of fire that must be passed to satisfy the remedial firearms training for failing to qualify for the first quarter.

Personnel who fail the remedial training (which includes shooting a qualifying score) shall be restricted from work assignments where use of firearms may be required.

Personnel, who attend mandated training (e.g. Patrol School, Continuing Professional Training, Perishable Skills) and fail to pass the mandated training and achieve a qualifying score on the in-service handgun training and/or in-service shotgun training courses of fire, shall complete mandatory remedial handgun and/or shotgun training on the earliest available training day after notification from the Training Bureau. If personnel fail the combat handgun and/or shotgun remediation training, Weapons Training Unit personnel shall prepare a written recommendation and a plan for improvement for the employee. This documentation will be evaluated by the unit commander.

Unit commanders shall personally ensure employees receive remediation.

• 3-01/050.73 - Failure to Shoot - Remedial Training

It is the intent of this policy to provide an alternative to standard discipline and ensure sworn personnel maintain proficiency with their primary on-duty handgun to meet the Department's basic shooting requirements per MPP 3-01/050.65.

The Training Bureau shall, within 20 workdays after the previous quarter, notify the Undersheriff of Department personnel who failed to shoot. The Undersheriff shall notify Unit Commanders of their personnel who failed to shoot during the quarter. Unit Commanders shall then notify their concerned personnel of their failure to shoot.

Those personnel who failed to shoot without having been exempted by their Division Chief or Division Director shall be allowed to remediate within 10 calendar days of notification and if there has been no previous violation of this policy within the last five years. Remediation for members who fail to shoot shall consist of shooting the Standard Handgun Qualification Course. The course of fire must be passed with at least a minimum passing score of 70 out of a possible 100 points. They must also shoot the course of fire designated for that current quarter. If a member fails to achieve at least a minimum passing score of 70 out of a possible 100 points, that member will fall under the provisions of MPP 3-01/050.70 – Failure to Qualify – Remedial Training.

A member's initial failure to shoot shall be documented in the member's unit personnel file only.

Those personnel who failed to shoot and have violated this policy within the last five years shall be subject to standard disciplinary measures and must attend remedial training as outlined in MPP 3-01/050.70.

Unit Commanders shall personally ensure employees receive remediation, and when warranted, are subjected to standard disciplinary measures consistent with the provisions of this policy.

• 3-01/050.75 - Firearms and ID Card

While deputy personnel never shed their peace officer status, the decision to carry Department ID, badge, authorized revolver, or semiautomatic pistol during their off-duty hours shall be discretionary with the individual deputy. Anytime a deputy elects to be armed he must have in his possession Department ID and badge, unless exempted by his unit commander.

• 3-01/050.80 - Grooming and Dress Standards

Any or all of the following guidelines may be inapplicable to an employee as appropriate with the express approval of the concerned division chief or director.

Members shall keep their persons clean and sanitary by frequent bathing. Proper barbering shall be practiced.

Official uniform and/or business attire shall always be kept as clean and neat as possible. Leather accessories shall be kept dyed and clean, metal parts shall be shined, and weapons shall be kept clean and serviceable.

Members on duty shall present a professional appearance when representing the Department in court, administrative duties, conventional investigative and staff assignments, and other Departmental business activities. Clothing worn by employees while performing in any of these capacities shall be limited to the prescribed uniform or appropriate business attire.

HAIR GROOMING STANDARDS

Uniformed Male Personnel

Hair shall be neat, clean, properly trimmed, and well-groomed at all times while on duty. The hair shall be moderately tapered and may touch the shirt collar, but not extend below it. Wigs or hairpieces are permitted if they conform to the above hairstyle standards. Hairstyles and/or wigs and hairpieces shall not interfere with the normal wearing of any regulation headgear.

Sideburns shall be trimmed so as not to extend below the bottom of the earlobe and shall end in a clean shaven horizontal line. The flare or terminal portion of the sideburn shall not exceed the width of the main portion of the sideburn by more than one-fourth (1/4) the unflared width.

Mustaches shall be neatly trimmed and groomed and shall not extend below the upper lip line or corners of the mouth. Mustaches shall not extend to the side of mouth by more than one-half (1/2) inch beyond the corners of the mouth.

Beards shall not be permitted.

EXCEPTION: Uniformed civilian personnel (e.g., Facility Administration crafts personnel, Custody Assistants and Law Enforcement Technicians) who held status in their current classification before May, 1989, and who then had worn a beard, may continue to do so providing it is neatly trimmed and groomed.

Uniformed Female Personnel

Hair shall be kept clean, neat, and well-groomed at all times while on duty.

The hairstyle shall not be worn in a manner which will jeopardize the safety of the deputy, cause a hindrance in the performance of her duties or interfere with the use of standard headgear. The style shall allow quick placement of and ensure proper seal of emergency headgear, i.e., helmet, gas mask, airpack mask. It shall not extend below the collar or below the eyebrows.

All sworn female personnel in non-uniformed line positions, i.e., detective assignments, shall adhere to the same grooming standards as those in uniformed assignments.

Sworn female personnel in support/staff assignments shall maintain a professional appearance.

The above standard shall be adhered to and enforced by all unit commanders.

Male Civilian Personnel

Members' hair shall not extend past the top of the shoulder nor below the eyebrow line on the face. Beards and mustaches are permitted, but must be neatly trimmed and well groomed. Wigs or hairpieces are permitted if they conform to these standards.

Female Civilian Personnel

Members' hair shall be neatly styled, trimmed, and well groomed. It shall not be of a style, length, or artificial color which is offensive to the general public. Wigs or hairpieces are permitted if they conform to these standards.

Tattoos

While on duty and wearing any Department-approved uniform or appropriate business attire, members are prohibited from exhibiting any tattoo, branding, or other form of body art which may be seen by another person.

Members who have a tattoo referenced above shall completely cover the tattoo with a skin-toned patch, long-sleeved uniform shirt, or other material which may be formally approved by the Department.

NOTE: Personnel participating in specific investigations in which visible tattoos may assist in developing investigative credibility may be exempted from the provisions of this section with the expressed written consent of the Undersheriff.

EXCEPTION: Employees assigned to Detective Division may receive approval from the Detective

Division Chief.

DRESS STANDARDS

Uniforms

The uniform tie is not required for regular daily field assignments; however, under certain circumstances, the division chief or director shall have the option to require the wearing of a tie, e.g., court bailiffs, funeral honor guard or ceremonial occasions. When tieless, deputies shall allow only the top (collar) button to remain open.

Partisan political emblems, symbols of fraternal or service organizations, badges, and/or emblems of any kind, other than Department authorized awards, shall not be worn. While on uniform duty, with the exception of the "Medic Alert" bracelet or necklace, jewelry shall be limited to rings and watches. Uniformed female personnel are permitted to wear small stud earrings.

Uniformed Female Personnel

Appropriate undergarments, including brassiere, shall be worn.

Uniformed Male Personnel

There is no restriction on the exposure of an undergarment with the open collar shirt, providing the undergarment is clean, white, and has a standard round or "V" collar--no turtlenecks.

The only uniform jacket that requires a tie, with a long sleeve shirt, is the Class A dress jacket.

Business Attire

Male personnel shall wear a business suit or sports coat and slacks with conventional shirt and tie.

Female personnel shall wear a dress, dress suit, skirt and blouse, pantsuit or blouse and pants appropriate to a businesslike appearance.

At the direction of the unit commander, personnel may wear appropriate business or other suitable attire for their position. All clothing items shall be clean, neatly pressed, and serviceable at all times.

Jewelry

No visible necklaces, bracelets, or anklets shall be worn while in uniform. Female Deputies with pierced ears are permitted to wear a single stud earring (no larger than 3/8" in diameter) in each ear lobe. All other visible jewelry shall be limited to rings and watches.

Body piercings (except those specifically outlined in this section) including but not limited to nose rings, tongue rings, eyebrow rings, or any other form of ornamentation visible or affixed in a position which may be seen by a member of the public are expressly prohibited.

The Medic Alert necklace and bracelet shall be exceptions to the above regulations.

The aforementioned dress standards shall be adhered to and enforced by all unit commanders.

Additional Guidelines - Unacceptable Attire

Deputy Personnel

- Shirts outside trousers;
- "shirt jackets";
- "blue jeans" type suits or pants; and/or
- "Aloha" type shirts.

All Personnel

- See-through fashions, without appropriate undergarments and other fashions wherein the absence of appropriate undergarments is unduly distracting; and/or
- Excessively tight slacks.

Supervisor's Responsibilities

Supervisors shall ensure all personnel comply with the provisions of this policy.

Unit Commander's Responsibilities

Unit commanders shall ensure periodic inspections of subordinate personnel are conducted to ensure compliance with the provisions of this policy.

• 3-01/050.82 - Prohibition - Law Enforcement Gangs and Hate Groups

Purpose

Building and preserving trust between the community and law enforcement is crucial to effectively maintaining Department operations, reducing crime, and ensuring the safety of the County's residents. The Department acknowledges the dedication and commitment exhibited by Department members who protect and serve the community. However, participation in law enforcement gangs or hate groups, and any activities associated with these groups, which can include an associated symbol and/or tattoo, violate California State law, undermine the objectives of law enforcement, create a negative perception of the Department, erode public trust, increase the risk of civil liability to the Department and its members, harm morale, and violate fundamental principles of professional policing. Participation in law enforcement gangs and hate groups creates community distrust, discourages community members from working with law enforcement, and discourages residents from seeking help from the Department. These groups undermine the Department's goals and core values.

Definitions

"Law Enforcement Gang," as defined in Penal Code section 13670(a)(2), is a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an

identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under Federal or State anti-discrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating Department policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other Department members who threaten or interfere with the activities of the group.

Participation or membership in a law enforcement gang shall mean knowingly engaging with other members of a law enforcement gang in the activities prohibited by Penal Code section 13670(a)(2).

"Hate group," as defined in Penal Code section 13680(c), is an organization that supports, advocates for, threatens, or practices genocide or the commission of hate crimes, as defined in Penal Code section 422.55.

"Membership in a hate group," as defined in Penal Code section 13680(d), means being, or holding oneself out as, a member of a hate group with the intent to further the unlawful aims of the group.

"Participation in any hate group activity," as defined in Penal Code section 13680(e), means active and direct involvement in, or coordination or facilitation of, any hate crime by hate group members.

Policy

Department members shall not participate in, solicit others to participate in, or be members of a law enforcement gang, as defined above. Such conduct shall be subject to discipline, up to and including termination, pursuant to Penal Code section 13670(b).

Department members shall not participate in, solicit others to participate in, or be members of a hate group, as defined above. Any Department member engaged in membership in a hate group, participation in any hate group activity, or advocacy of any public expressions of hate shall be removed from the Department as a peace officer, pursuant to the provisions of Penal Code section 13682(a) and 13682(b).

If any of the above misconduct involves criminal allegations, the matter may be referred to the District Attorney's Office or other prosecutorial office for possible prosecution.

In addition to conducting its own investigations of alleged law enforcement gangs, the Department shall cooperate with the Office of the Inspector General, the California Attorney General, and/or any other authorized agency investigating the existence or the potential existence of such gangs within the Department, pursuant to Penal Code section 13670(b). Employees are required to participate in these investigations, answer questions, and do so honestly.

Pursuant to the provisions of Penal Code section 13510.9(a)(2), the Department shall report any complaint, charge, or allegation of a peace officer's participation in a law enforcement gang to the Commission on Peace Officer Standards and Training, which can result in the suspension or revocation of certification by the Commission pursuant to Penal Code section 13510.8. Except as specifically prohibited by law, the Department shall also disclose the termination of a peace officer for participation in a law enforcement gang

to another law enforcement agency conducting a preemployment background investigation of that former peace officer pursuant to Penal Code section 13670(c) and shall make all required notifications to State agencies responsible for recording such information.

All personnel will be held accountable for this policy. Failure to adhere to this policy may subject violators to discipline under the Manual of Policy and Procedures (MPP), including sections 3-01/030.05, General Behavior, 3-01/030.73, Hazing, and 3-01/050.10, Performance to Standards.

• 3-01/050.83 - Prohibited Cliques: Employee Groups Which Violate Rights of Other Employees or Members of the Public

PURPOSE

Building and preserving trust between the community and law enforcement is crucial to effectively maintaining Department operations, reducing crime, and ensuring the safety of the County's residents. Participation in prohibited cliques undermines the objectives of law enforcement, harms morale, creates a negative perception of the Department, and increases the risk of civil liability to the Department and its members.

Department members who participate in prohibited cliques may fail to properly report misconduct by other members of the prohibited clique, resulting in the Department being unable to properly address improper behavior such as but not limited to unreported patterns of misbehavior, overtime abuse, or favoritism. Members of prohibited cliques may prioritize the interests of the prohibited clique above those of the Department, leading to a lack of accountability. Such misplaced priorities can lead to an atmosphere where misconduct is inappropriately tolerated.

Prohibited cliques also create an environment where there are informal command structures that result in improper decision-making and a departure from merit-based policing. The informal command structure of prohibited cliques weakens the Department’s chain of command, the Department’s ability to ensure the uniform enforcement of its rules and the law, and a perception that adherence to the expectations of the prohibited clique is more important than compliance with the Department’s rules.

Participation in prohibited cliques damages community trust in the Department, discourages community members from working with law enforcement, and discourages residents from seeking help from the Department.

Definitions

A "prohibited clique" is defined as an exclusionary subgroup of Department members who engage in activities that adversely affect the employment of Department members or the rights of others in violation of Department or County policy for the benefit of the clique or its members. Such prohibited groups often use an associated symbol or tattoo.

As used in this definition, "rights" include constitutional rights, those rights held under California law, rights under the memoranda of understanding and other agreements between the County and the labor organizations representing members, the right to a safe workplace, and the right to be free from illegal discrimination and harassment.

“Participation” in a prohibited clique shall mean active and direct involvement in, or coordination or facilitation of, any prohibited clique activity. *See* Penal Code Section 13680 (e)

Policy

Department members shall not participate in, or solicit others to participate in, or join a prohibited clique. Department members shall not engage in activities, in association with a prohibited clique, that adversely affect the rights of employment of other Department members or the rights of others. This policy does not prohibit constitutionally protected behavior including, but not limited to, the right to engage in lawful association, expression, and speech.

If any alleged violations of this policy involve criminal allegations, the matter may be referred to the appropriate prosecutorial office.

In addition to conducting its own investigations of alleged prohibited cliques, the Department shall cooperate with the Office of the Inspector General, the California Attorney General, and/or any other authorized agency investigating the existence or the potential existence of such organizations within the Department. Employees are required as a condition of employment to participate in these investigations, answer questions, and do so honestly.

Investigations by any County agencies shall comply with the County's Employment Relations Ordinance, the Meyers-Milias-Brown Act, and California Government Code Section 3300 et seq., if applicable.

• 3-01/050.84 - Fraternization and Prohibited Associations

It is the duty of all members to preserve the credibility and integrity of the Department by avoiding potential conflicts of interest that could be detrimental to the image of the Department, harm morale, subject members to the risks of blackmail or negatively affect the public’s acceptance and confidence in the Department. In order to preserve the credibility and integrity of the Department, members are prohibited from fraternizing or associating with individuals as set forth in Manual of Policy and Procedures section 3-01/050.85, Fraternization, and 3-01/050.86, Prohibited Associations.

• 3-01/050.85 - Fraternization

Except in the performance of one’s official duties, members shall not knowingly fraternize with, engage the services of, accept services from, do favors for, or maintain a business or personal relationship or association with people who are in the custody of any federal, state, county, or local law enforcement agency. Additionally, members shall not knowingly fraternize with, engage the services of, accept services from, do favors for, or maintain a business or personal relationship or association with the spouse, immediate family member, or romantic companion of any person in the custody of any law enforcement agency.

Exceptions to this policy require the express written authorization of the member's unit commander. There is a presumption that requests to associate with immediate family members will be granted. However, express written authorization shall still be sought and received. All requests will be evaluated on a case-by-case basis. The member's request, accompanied by the unit commander's response, shall be placed in the member's unit personnel file and become a permanent part of the member's personnel file.

A subsequent request shall be submitted any time the circumstances upon which the original authorization was based change. Subsequent authorization(s) will be considered on a case-by-case basis.

Associating with current or former inmates may also violate MPP section 3-01/050.86.

• 3-01/050.86 - Prohibited Associations

Except in the performance of one's official duties, members shall not knowingly maintain a business or personal relationship or have a direct or indirect association which would be detrimental to the image of the Department. Examples of prohibited associations include, but are not limited to, associating with people who members know or reasonably should know:

- Have an open and notorious reputation for criminal activity or enterprise;
- Are under criminal investigation or indictment;
- Have pending criminal charges filed against them;
- Are on parole or felony probation;
- Are gang members of a criminal street gang as defined under Penal Code section 186.22 or are members of an organized crime syndicate;
- Are being developed as an informant unless expressly permitted by policy (see section 3-01/110.60);
- Have been convicted of a felony crime;
- Were released from the custody of a law enforcement agency within the preceding 30 days whether convicted or not convicted. Any members so contacted shall immediately report such contact in a memorandum to the members' unit commander; and/or
- Criminal registrants.

Exceptions to this policy require the express written authorization of the member's unit commander. There is a presumption that requests to associate with immediate family members will be granted. However, express written authorization shall still be sought and received. All requests will be evaluated on a case-by-case basis. The member's request, accompanied by the unit commander's response, shall be placed in the member's unit personnel file and become a permanent part of the member's personnel file.

A subsequent request shall be submitted anytime the circumstances upon which the original authorization was based change. Subsequent authorization(s) will be considered on a case-by-case basis.

• 3-01/050.87 - Guidelines Governing Youth Group Programs

The Department's ability to effectively manage youth group programs (i.e. Explorer Posts, Youth Athletic Leagues, Vital Intervention and Directional Alternatives, etc.) is dependent upon the strong level of trust

developed between participating members, Department members, parents, and the community. Department members and Department volunteers shall be aware of their responsibility to effectively manage youth group programs while maintaining the highest level of professionalism and integrity.

Personal relationships can develop between Department members and program participants during the teaching/mentoring component of any youth program. Department members shall ensure any relationship developed with a juvenile program participant is professional and in furtherance of the program's stated goals and objectives.

Inappropriate relationships between youth group members and Department employees and/or Department volunteers are disruptive to the program, reflect poorly on the Department, and expose the Department and its members to civil and/or criminal liability. In order to protect the integrity of the programs, Department members and adult volunteers shall be aware of their role as mentors and teachers and avoid conduct that may be construed as inappropriate. Such conduct includes, but is not limited to:

- Relationships of a dating, intimate, or sexual nature between Department members or program volunteers and program participants;
- Inappropriate touching;
- Inappropriate comments or conversations;
- The presence of inappropriate materials;
- Inappropriate or unprofessional conduct;
- Sexual harassment;
- Hazing or retaliation;
- Gender or ethnic bias; or
- Any other inappropriate or discriminatory behavior.

Any Department program with a female participant shall include a female member of the Department or female Department volunteer to serve as either an advisor or assistant advisor.

RIDE-ALONGS

Patrol ride-alongs by program participants are encouraged and permitted only with the express permission of the program advisor and the concurrence of the unit commander. Deputy explorers may ride in a one-person patrol car with the prior approval of their post advisor and the concurrence of the unit commander. In any event, ride-alongs shall be restricted to the hours between 0600 and 2400. Program participants may enroll in no more than four (4) ride-alongs per calendar month and may not ride with the same deputy more than two (2) times in any one calendar month.

OFF-DUTY CONTACTS

Residential visits, or any other planned, non-program, on or off duty, personal contact between a Department member/Department volunteer and a program participant, shall be prohibited.

In the event a deputy explorer or other program participant appears unannounced at the home of a Department member requiring immediate assistance, the Department member will take reasonable steps to stabilize the situation and assist the program participant. Upon contact with a program participant as defined

above, the Department member will make immediate telephonic notification to their watch commander followed by a detailed memorandum to the unit commander submitted the next business day. The memorandum shall include the nature of the visit, duration, and parties involved.

If a program participant desires to contact a Department member after normal business hours, the participant shall contact the member via established protocols (cellular telephone, home telephone number, pager, etc.). Any subsequent personal contact shall be held at the member's permanent unit of assignment.

Prior to the contact, the Department member shall advise the watch commander of the location of the meeting, nature of the meeting, and expected duration. At the conclusion of the meeting, the Department member shall inform the watch commander the meeting has concluded and both parties have left the facility. The watch commander shall record any such meeting in the watch commander's log.

FIELD TRIPS/SOCIAL EVENTS

Any Department member planning or participating in any off-site social youth group event (including but not limited to athletic events, barbeques, campouts, overnight events, etc.) shall advise their unit commander of their participation prior to the event. Such events shall only take place with the concurrence of the unit commander.

Department members/Department volunteers shall not share accommodations with program participants of the opposite sex during any overnight event. Separate accommodations shall be provided for male and female participants.

In the event a female program participant is present on any overnight event, a female advisor shall be present for the duration of the event.

Immediately following the conclusion of the event, the advisor shall prepare a detailed memorandum addressed to their unit commander describing the event, the program participants in attendance, and any circumstances which should be brought to the attention of the Department.

POLICY OF EQUALITY

All program participants and Department members/Department volunteers whose primary responsibility is the administration of youth group programs shall be briefed on the Department's Policy of Equality (3-01/121.00) no less than once per year. Documentation of such briefing shall be placed in the member's unit personnel file.

INDIVIDUAL UNIT ORDERS

Nothing in this policy shall preclude an individual unit commander from establishing more restrictive regulations to better serve the needs of their facility.

• 3-01/050.90 - Supplemental Case Information

If a Department member learns of potentially incriminating or exculpatory information any time after

submission of a case for a filing decision, the Department member must prepare and submit a supplemental report documenting such information as soon as practical. Supplemental reports shall be promptly processed and transmitted to the concerned prosecutorial agency.

• 3-01/050.95 - Court Cases

On-Duty Court Appearance Attire

Department members shall dress either in full uniform or appropriate business attire under the Department Manual of Policy and Procedures (MPP), Section 3-01/050.80, Grooming and Dress Standards. Department members who elect to dress in full uniform shall wear/carry safety equipment as outlined in MPP section 3-03/070.40, Safety Equipment. Any exception to this policy shall require prior approval from the member's unit commander.

Off-Duty Court Appearance Attire

Department members attending any court proceeding without a subpoena may not appear in uniform. Any exception to this policy shall require prior approval from the member's unit commander (Refer to MPP section 3-03/030.10, Who Shall Wear Uniforms).

All Court Appearances

Members appearing in court on Department business shall be punctual.

Without specific authorization from the concerned division chief or director, members shall not take part or interfere, either directly or indirectly, in negotiating or influencing any compromise or arrangement that permits a defendant to escape any aspect of the law. Members shall not, because of a personal relationship with a defendant or because a defendant is a member of any law enforcement agency, seek favorable treatment for any defendant in any court proceeding.

This shall not prevent members from cooperating with the prosecuting attorney in the interest of justice. A member who is the arresting or investigating officer may communicate about the merits of a case with the prosecuting attorney.

Members shall be properly prepared to testify in cases in which they are concerned. Upon prompt arrival at the designated court, they shall have reviewed the pertinent crime and arrest reports to adequately familiarize themselves with the case in preparation for testimony. Whenever possible, members shall complete such reviews during their normally scheduled work hours before the court appearance. They shall ensure that all property that is to be used in any court proceeding as evidence is available and present in court.

Members shall not be disruptive in court. Behaviors such as audible laughter, audible conversations, and tobacco chewing are examples of disruptive behavior. Members shall not chew gum while testifying in court. They shall speak calmly and explicitly in a clear, distinct, and audible tone to be easily heard by the court and jury.

Members shall testify with the strictest accuracy, confining themselves to the case before the court.

• 3-01/060.00 - Personnel

[Title Only]

• 3-01/060.05 - Pre-Employment Investigations

An investigation to determine suitability shall be conducted into the character and background of each candidate (deputy or civilian) for employment with the Department. Candidates with criminal records, questionable loyalty or morals, and unstable personalities shall be rejected when investigation establishes facts which warrant such action.

The Department has an indispensable obligation to the public to ensure that only suitable individuals are employed, since:

- The functions of the Department involve the protection of life and property and the enforcement of the law;
- Fundamentally, all functions of the Department are in the interest of public welfare and safety; and
- Peace officers, by law, are endowed with authority far beyond that possessed by the ordinary citizen.

HISTMAN ARCHIVES: 12/01/1991

• 3-01/060.10 - Personnel Incident Investigations

Incident investigations applicable to all members of the Department shall be conducted in an impartial and objective manner. The purpose is to disclose and report all facts relevant to the matter, whether or not such facts may be favorable or unfavorable to the individual concerned. The investigator shall investigate any and all exculpatory information they have knowledge of, or become aware of through investigation, and include this information in their documentation to give a complete and accurate account of the incident.

Fact-finding committee members, Internal Affairs Bureau investigators, and unit supervisors act as the direct representative of the Sheriff when they are assigned to investigate incident reports.

Fellow employees of a member under investigation are to be cooperative and impartial when asked for information concerning the incident under investigation.

The employee under investigation shall be informed of the final results of the investigation.

The Public Safety Officers Procedural Bill of Rights Act, Government Code section 3300 through section 3312, declares the rights and protections provided to peace officers, including those rights and protections during an investigation. These rights and protections only apply to full-time sworn personnel. Sworn personnel should review these Government Code sections to know their rights and protections afforded them during an investigation, and personnel conducting the investigations should review these sections to ensure they do not violate any of the rights and protections granted to sworn personnel.

Refer to Volume 3, Chapter 4, "Department Service Reviews, Public Accessibility to Information about the Complaint Process and Personnel Investigations" for procedures specific to this topic.

• 3-01/060.15 - Assignment and Deployment

The Department's responsibility to provide the public with the highest possible standard of law enforcement, and the good of the organization, shall always be the primary factors in the assignment and deployment of its members.

The Department's services are varied in character and must be rendered at all hours and in many locations. Therefore, members will be assigned to tours of duty, for shifts and at places where it is believed their activities will be of maximum benefit to the public. Due consideration will be given to such factors as:

- The member's home location;
- His desire for transfer to specified units or assignments;
- His or the Department's wish to broaden his training and experience; and/or
- Hardship to or convenience of the member.

Assignments shall not be influenced by personal matters or by race, color, or creed. Each member shall be considered as an individual possessed of certain capabilities and qualifications. His assignment, regardless of rank, will be based on these known factors, the Department's needs for manpower and services and shall be the sole responsibility of Personnel Administration.

• 3-01/060.20 - Regulations Regarding Outside Employment

Full-time members desiring to engage in outside employment, either in uniform or civilian clothes, shall conform to the regulations and procedures contained in the:

- Sheriff's Manual of Policy and Procedures;
- Los Angeles County Code;
- Orders of the County Board of Supervisors; and
- Codes of the State of California.

• 3-01/060.25 - Prohibited Employment

Under Government Code section 24004 and 24004.5, regular sworn personnel shall not:

- Represent any person or practice law in a criminal matter or in any instance where there may be a conflict of interest or in any matter adverse to the Department;
- Have a partner lawyer whose practice may cause a conflict of interest;
- Act as a collector or be employed by any collection agency in Los Angeles County; and/or
- Have a partner who is a lawyer, collector, or anyone who acts as a lawyer or collector for a collection

agency.

Members of this Department shall not engage in any type of employment or business as a private detective or private patrol operator or agent, manager, operator, owner of stock, or serve in the capacity of an officer in a corporation, or enter into a partnership, either general or limited, or be named on any license for any such business. Further, members shall not have any financial interest in any private detective agency or private security company, either directly or indirectly, by way of community property or trust. Any such involvement by members of this Department will automatically be construed to be a conflict of interest.

Private security employment may be permitted as a result of an agreement between the Department and a private entity contract services pursuant to section 3-02/020.23. Such employment is not considered “outside security employment.”

Members shall not engage in employment or business, including the services of the Office of Notary Public, which would result in a conflict of interest with the employee's regular duties or responsibilities to this Department.

It shall be considered a conflict of interest and/or an adverse situation to allow any member engaged in an off-duty law practice, while assigned to the Court Services Division, to make any in-person courtroom appearance as counsel for a party to an action being heard in any Department of the Superior Court within the County of Los Angeles.

Deputy personnel of this Department shall not hold any other position granting peace officer authority pursuant to Penal Code sections 830.2 through 830.12. The above does not preclude deputy personnel from serving as military police officers in reserve military units or being members of the Sheriff's Mounted Posse.

Civilian personnel may apply and, upon approval, hold reserve peace officer status with this Department or any other agency. Personnel shall comply with the conditions and regulations set forth in section 3-02/020.20, Outside Employment. Sheriff's reserve applicants shall submit a copy of the completed Reserve Forces Application, as well as the Request for Approval of Outside Employment (SH-AD-136), to their unit commander for approval.

With the approval of the Reserve Forces Bureau commander, reserve deputies may be employed as part-time or limited-status peace officers with other agencies.

During the course of regular employment, reserves shall only possess Sheriff's Department identification, credential, or issued equipment on their person that is allowed by his or her reserve classification.

Should any reserve member of the Reserve Forces Bureau accept employment in any prohibited occupations, they shall immediately be terminated from the Reserve Forces Bureau. Any occupation not described above, which may be considered a conflict of interest, shall be referred to the unit commander of the Reserve Forces Bureau for final decision.

• 3-01/060.30 - Department Approval of Outside Employment

California Government Code 1126(a) states:

"Except as provided in Sections 1128 and 1129, a local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed."

Any full time permanent employee who is engaging in or in the process of engaging in outside employment activities is required to immediately report this information to their unit commander or designee and submit the necessary forms requesting approval. Approval shall be requested by completing a Requested for Approval of Outside Employment form (SH-AD-136), an Outside Employment Admonition (SH-AD-635), and an Employee Report on Outside Employment Activities of Full-Time, Permanent County Employees (SH-AD-651). Additional forms may be required for employment in the fields of security and teaching.

Unit commanders shall within ten business days of receiving a request for approval of outside employment advise the employee of this request's approval or denial. Unit commanders reviewing a request for approval of outside employment shall determine if the employee's personnel folder has been reviewed to ensure that the applicant will not be in violation of any regulations if permitted to engage in the employment. Specifically, the unit commander shall ensure the employment could not be considered a conflict of interest. In evaluating requests for approval to work outside employment, the Department has the authority to approve, disapprove, and/or impose limits on the maximum number of hours the employee may work. After reviewing all of the information it is determined the outside employment will not violate any regulations, the unit commander may approve the outside employment.

Copies of this manual section, the Request for Approval of Outside Employment form (SH-AD-635), and Manual of Policy and Procedures sections 3-01/060.30, Prohibited Employment, 3-01/050.85, Fraternization, and 3-01/050.86, Prohibited Associations, shall be given to the employee upon approval of outside employment. The original SH-AD-635 shall be placed in the employee's unit personnel folder.

Unit commanders shall not consider or approve any application for outside employment if in conflict with sections 3-01/060.30, Prohibited Employment, 3-01/050.85, Fraternization, and 3-01/050.86, Prohibited Associations, or if in violation of the following or any of the following apply:

- Members may not engage in outside employment without authorization from their unit commander;
- Members on probation may not engage in outside employment;
- The employee is currently working with a less than competent performance evaluation;
- The job, by its nature, schedule or extent, might impair, inhibit, or interfere with the employee's performance, efficiency, and/or effectiveness in the county service;
- The maximum number of hours an employee may engage in outside employment shall be 24 hours per week. This is the maximum limit, and individual circumstances may dictate a much lower limit);
- The duties are incompatible and involve a conflict of interest with the employee's regular duties or the functions or responsibilities to the Department;
- The job is directly or indirectly related to skills, knowledge, reputation, or prestige possessed by the employee solely as a result of his employment with the Department. (Specifically, no employee or any employer or business associate of a member may represent formally or informally that their product or service has any connection with, or is supervised, performed by, etc., a county or district employee.);
- The outside employment requires permissions or legal authorizations specifically afforded to public safety personnel (e.g., member shall be armed for outside employment, but member does not possess

a Carry Concealed Weapons (CCW) permit and/or exposed firearms permit issued by the California Department of Consumer Affairs;

- The employer is a person, firm, or agency licensed by the county for which this Department would have investigative responsibility;
- County time, property, tools, records, confidential information, vehicles or buildings are used in conjunction with the employment; and/or
- The employer is a county contractor.

EXCEPTION: In special situations where the interests and welfare of the Department, as well as the employee, are benefitted, an administrative decision will be made based on the circumstances.

Unit commanders may suspend or withdraw approval for outside employment any time a conflict with, or a violation of, any outside employment policies are identified. Such suspension/withdraw of approval shall require a timely notification to the employee in writing, identifying the reason(s) the approval is being suspended/withdrawn.

Secondary employment shall not be performed during an employee's medical or family leave of absence. An exception will be made for family leave when it is taken to care for a family member for whom the employee already receives In-Home Supportive Services (IHSS) compensation, or if the employee is legally obligated to provide IHSS. Additionally, secondary employment may be suspended for an employee off on sick leave, injury, or limited-duty status, until the employee provides medical certification that their outside employment will not exacerbate their injuries or illness. Upon returning to full duty, a unit commander may also request the same written authorization from an appropriate medical authority stating the secondary employment activity will not aggravate the injury or prolong the employee's recovery.

Nothing in this policy shall limit or cause the denial of military leave for employees enlisted in the armed forces of the United States, as covered in the Manual of Policy and Procedures section 3-02/030.10, Military Leave.

See the Personnel chapter for additional information regarding outside employment.

• 3-01/060.33 - Outside Security Employment

Employees may request approval for outside security employment as private security guards or uniformed employees with public entities. Employees working private entity contracts pursuant to section 3-02/020.23, Procedures for Private Entity Contract Services, do not fall under "outside security employment." All other current Department policy concerning outside employment remains in effect. In addition to submitting the outside employment approval forms as listed in section 3-01/060.30, those members seeking employment as private security guards are required to complete and submit a Request for Approval of Outside Security Employment form (SH-AD-671) to their unit commander. The Request for Approval of Outside Security Employment form must contain the signature of the president, owner, or chief officer of the security business/organization/agency employer. Approval of outside security employment with private security firms, agencies, and/or businesses is subject to the following conditions:

- All conditions and requirements for outside employment stated in section 3-01/060.25 and 3-01/060.30 shall be adhered to for outside security employment.
- Members may not engage in outside employment without authorization from their unit commander;

- Members shall not be permitted to engage in outside security employment in the jurisdiction of their current assignment;

  NOTE: Members whose principal assignment is outside of Patrol Divisions (i.e., Detective Division, Special Operations Division, Countywide Services Division, etc.) are exempt from this condition.

- Members engaged in outside security employment that requires the use or carry of a firearm will be authorized to only carry a personal firearm and personal ammunition for which they have authorization on file per Manual Policy and Procedures section 3-02/020.05, Employee's Personal Information form;
- Members are prohibited from engaging in outside security employment in any location where the retail sale and/or consumption of alcoholic beverages is the principal business (e.g., liquor stores, bars, nightclubs, etc.);
- Members are prohibited from engaging in outside security employment in a location where a labor dispute or strike is in progress or can be anticipated;
- Members engaged in outside security employment or enterprise requiring certification, licensing, or permits are responsible for obtaining said certification, licensing, or permits. The prestige or influence of the Los Angeles County Sheriff's Department may not be used to obtain certification, licenses, permits, or outside employment;
- Members engaged in outside security employment are prohibited from use of county time, facilities, equipment (including county issued firearms, badge, or uniform), supplies, or identification in the course of their outside security employment;
- Members shall take all reasonable steps to avoid incidents wherein they would be required to identify themselves as a peace officer in the course of outside private security employment or while carrying out duties as a private security employee. This in no way relieves the Department member from his responsibilities while off duty as stated in section 3-01/050.30, Off-Duty Incidents.

  NOTE: If a member takes police action during his or her employment as a security officer/guard, all Manual of Policy and Procedures and laws shall be adhered to (i.e., use of force, tactics, reporting, driving, ethics, obedience to laws, regulations, and orders, etc.). Police action may include calling local authorities and obtaining information to aid in an investigation.

- Court appearances arising from the outside security employment will not be compensated by the county;
- Civil and/or criminal liability arising from the member's outside security employment shall be borne by the Department member or by the outside employer; and/or
- Compensation for injury incurred by the Department member in the performance of the duties of the outside employer extends only to the secondary employer and not to the County of Los Angeles.

See the Personnel chapter for additional information regarding outside employment.

• 3-01/060.35 - Employee Copies of Policy and Ethics Chapter

Each time the Policy and Ethics chapter is revised, sufficient copies of the chapter are sent to each unit. Unit supervisors are responsible for briefing their employees as to the contents of these revisions. Each employee shall sign a declaration which acknowledges both his presence at the briefing and his understanding of the Policy and Ethics chapter.

The unit commander shall be responsible for maintaining a file of names and signatures until such time as a new listing of acknowledgments is completed. The Internal Affairs Bureau may at any time contact a unit to check on an employee's acknowledgment of this chapter.

Each employee shall be familiar with the contents of this chapter. If there are any questions as to interpretation, the employee should refer his questions to his supervisor who shall see that the employee fully understands the section or subsection in question.

New incoming employees will receive their copy of the chapter from Personnel Administration.

• 3-01/060.40 - Performance of Duties by Pregnant Employees

Duties of pregnant employees will be performed according to their respective class specifications, i.e., Deputy Sheriff - class 4 (arduous); Law Enforcement Technician - class 4 (arduous); storekeeper - class 3 (moderate); typist clerk - class 2 (light); etc., unless restrictions are presented through medical certification.

Department Notification

A pregnant employee shall notify the Department of such pregnancy when either of the following conditions exist:

- Due to pregnancy the employee has been given physical or other job restrictions or limitations by her physician which prohibit her from performing any aspect of her job; and/or
- The employee reaches the eighth month of pregnancy.

Nothing in this section prohibits an employee from notifying the Department of her pregnancy at any time prior to the existence of either of these conditions.

Department notification is made when the Certification of Pregnancy (Form SH-AD-648) is submitted.

Alternative Assignments and Pregnancy Leave

When an employee makes notification that she is pregnant and presents medical certification that she can no longer fulfill her regular duty assignments, unit commanders shall make every effort to locate alternative assignments within the specifications of the pregnant employee's job classification which she can perform without undue risk.

These assignments shall be predicated upon the extent of the employee's medical restrictions and safety, and the Department's security, safety, and staffing needs.

These assignments may be subject to:

- Schedule change;
- Shift change;
- Change of duties; and/or
- Transfer from Unit of assignment.

Pursuant to the respective Memorandum of Understanding, sufficient notice shall be given to the employee if another assignment is necessary.

If no assignments are available, the employee may be required to take a maternity leave of absence.

When, in the unit commander's judgment, there is a question about the employee's ability to continue in the performance of her duties, whether or not her condition has been medically addressed, the unit commander may request a medical evaluation in accordance with Civil Service Rule 9.07.

See Maternity Leave in the Personnel chapter.

• 3-01/070.00 - Politics and Religion

[Title Only]

• 3-01/070.05 - Political Activity

Political activities permitted and prohibited by this Department are as follows:

Permitted Political Activities

An employee, on his/her own time, is permitted to participate in any of the following activities:

- Voting;
- Expressing opinions on all political subjects and candidates;
- Becoming a candidate for nomination or election to any partisan or nonpartisan office;
- Engaging in partisan and nonpartisan political activities as an individual or as a member of a group;
- Contributing to political campaign funds (but not in any county building);
- Joining political organizations and voting on any questions presented;
- Organizing and managing political clubs, serving as officer, delegate, or alternate, or as member of any committee; addressing such club on any partisan/nonpartisan political matter;
- Participating actively in political conventions such as by making motions or addresses or preparing resolutions;
- Attending political meetings, rallies, caucuses, etc., and organizing, preparing, or conducting such gatherings;
- Participating actively, serving as officer or on any committee of a political organization, such as precinct committeeman or chairman of the food committee at a campaign dinner;
- Joining a labor union, civic betterment group, or citizens association;
- Initiating, signing, or circulating partisan or nonpartisan nominating petitions; distributing campaign literature, badges, etc., (but not during working hours or on county property);
- Wearing badges or buttons, except while in uniform; displaying bumper stickers, pictures, or posters on automobile or in window of home;

- Speaking publicly or writing letters or articles for or against any political candidate; endorsing or opposing such candidate in a political advertisement broadcast, campaign literature or similar material;
- Publishing partisan newspaper;
- Managing the campaign of a political candidate; and/or
- Making political contributions.

NOTE: The granting of leaves of absence without pay to engage in political activities is discretionary with the department head (Civil Service Rule 16.02).

Prohibited Political Activities

An employee is prohibited from participating in any of the following activities:

- Engaging in any political activity whatsoever during working hours or on county premises;
- Placing or attaching any political poster, sticker, sign, or similar material on county property;
- Using any county or Department asset or resource (e.g., computers, databases, personnel lists, etc.) for any political activity;
- Knowingly solicit political funds or contributions, directly or indirectly, on or off duty, from county employees, except for mass mailing or other means of solicitation made to a significant segment of the public which may include Department members county employees (Refer to 3-01/070.07, Prohibited Political Activity and Other Conflicts of Interest.);

  EXCEPTION: County officers and employees may solicit funds for passage or defeat of a ballot measure affecting their pay, hours, retirement, civil service, or other working conditions.

- Soliciting contributions, signatures, or other forms of support whether in person, electronically, county or U.S Mail, or any other form for political candidates, parties, or ballot measures within, upon, generated from, directed to, or intended to be received at/on county property at any time;

  EXAMPLE: County employees shall not solicit signatures for a nominating petition in a county building or on county property.

- Directly or indirectly using official authority to interfere with any election or influencing the political actions of other county employees or any member of the general public;

  EXAMPLE: County employees shall not attempt to influence anyone's vote by such methods as promising, or threatening to withhold, a job, promotion, or other benefit.

- Favoring or discriminating against any employee or person seeking county employment because of political opinions or affiliations;
- Participating in any political activities of any kind in uniform;
- Participating in any other political activities expressly prohibited by the county or the Department.

Department members shall not use the fact of their county employment or their official title to support a political candidate in any manner that would suggest they are doing so in their official capacity.

A Department member who is a candidate for political office may indicate the fact of his/her employment and job title only for informational purposes and as evidence, where applicable, of his/her qualifications for the

office sought. It must be clear, however, that the positions taken by the candidate and all fundraising or other campaigning are undertaken in the candidate's individual capacity and NOT as a county employee. Moreover, no statements or other representations may be made to suggest that the county/Department supports or endorses the candidate.

> **NOTE:** Employees who are subject to the basic political activity prohibitions while on active duty shall be equally subject to such restrictions when on paid or unpaid leave (Political Activity Guidelines, adopted by the Board of Supervisors, July 2, 1974).

Campaign Contributions - Prohibitions

- Department members who are a candidate for elected office are prohibited from making employment decisions regarding any member from whom the candidate has accepted a financial contribution; and/or
- Department members shall not utilize any Department resource (e.g., computers, databases, etc.) to solicit campaign contributions; and/or
- On-duty Department members shall not request another employee to solicit campaign contributions on his or her behalf or on behalf of any other person.

For purposes of this policy, an employment decision shall include administrative investigations, appraisals of promotability, promotions, annual employee performance evaluations, selection for coveted positions, or any other decision which may have an impact on any aspect of the employee's employment.

• 3-01/070.10 - Political and Religious Discussions

Members, while representing the Department, shall not engage in political or religious discussions. They shall not speak disparagingly of the nationality, color, creed, or belief of any person.

• 3-01/075.00 - Personal Relationships Between Department Members

Rescinded.

See 3-02/010.06 - Nepotism and Personal Relationships.

• 3-01/080.00 - Public and Press Relations

[Title Only]

• 3-01/080.05 - Public Relations

To facilitate accomplishment of the Department's objectives, each member shall strive to gain public support and win friendly citizen cooperation in Department programs and procedures.

The attitude of each member shall be one of service and courtesy, but not of servility or softness. In nonrestrictive situations, the member should be pleasant and personal. On occasions calling for regulation and control, the member shall be firm and impersonal, avoiding an appearance of rudeness.

Refer to the Miscellaneous Line Procedures chapter for procedures governing film crews who accompany Department members during the course of their duties.

• 3-01/080.10 - Public Appearances, Writing, Etc.

Unless authorized to do so by the Sheriff's Headquarters Bureau, an employee of this Department shall not:

- Address any public or private gathering or make radio or television appearances where his identity, as a member of this Department, is made known and any remarks made by the employee could be considered to represent the Department's view of the subject or subjects discussed; and/or
- Write articles or manuscripts for publication in which references or inferences are made to this Department, or in which, as the author, his identification as a member of the Department would add authenticity or weight to the contents.

(Procedure governing authorized public appearances of Department personnel are covered in the Miscellaneous Administrative Procedures chapter.)

• 3-01/080.15 - Press Relations [RESCINDED]

RESCINDED

• 3-01/080.16 - Photography, Audio, and Videotaping by the Public and the Press [RESCINDED]

RESCINDED

• 3-01/080.17 - Superior Court General Order Exception

Due to a Los Angeles County Superior Court General Order prohibiting the use of cameras in courthouses, Sheriff's Department personnel shall refer to Court Services Division policy 1-02/065.10 when encountering anyone using video, audio, or photographic equipment within a courthouse or other court-related structure.

• 3-01/080.18 - Exceptions in Custody Facilities

All custody facilities within the Los Angeles County Sheriff's Department have specific guidelines for photographing and videotaping within a Department custody facility. Department personnel shall refer to the Custody Division Manual sections 3-01/090.00 Security of Personal Property, and 5-16/000.00 Guidelines for

Photographing and Videotaping Inmates when encountering anyone using video, audio, or photographic equipment within a Department custody facility.

• 3-01/080.20 - Complaints and Information Requests

When calls are received from the public concerning complaints or requests for information concerning the Department and there is any question as to the correct answer, the inquiry shall be referred to the Sheriff's Headquarters Bureau.

On calls concerning the functions of another county department, the caller should be given the name and phone number of the appropriate department. If the correct department is not known, the caller should be referred to the Public Information Section of the Chief Administrative Office. When possible, the call shall also be transferred to the correct number.

Any request by an outside person or agency for this Department to conduct a study or survey, or to answer a questionnaire requiring the research and collection of information and/or data shall be directed, through channels, to the Office of the Sheriff. Members of this Department shall not respond to such requests without prior approval from the Office of the Sheriff or Undersheriff.

• 3-01/080.25 - Emergency Calls

The Department's telephone systems are defined as the "Business System" and the "9-1-1 Emergency System."

Emergency calls received on the business system shall take precedence over all other business system calls. When calls for emergency action are received by a unit other than the unit having jurisdiction, all necessary information shall be obtained and relayed immediately to the concerned unit or agency. All possible assistance shall be given to the caller and calls of an emergency nature which are received on the business system shall not be transferred.

Without exception, only emergency calls shall be taken on the 9-1-1 system. Should a non-emergent call be received on this line, the caller shall be informed that 9-1-1 is for reporting emergencies only and shall be given the station business number.

• 3-01/090.00 - Vehicles

[Title Only]

• 3-01/090.05 - Use of County Vehicles

A member shall not use a county vehicle without the knowledge or permission of his supervisor.

• 3-01/090.07 - Use of Seatbelts

All personnel and passengers shall wear factory-installed safety belts and do so consistent with the recommendations of the manufacturer while operating or riding in county/permittee vehicles unless exigent circumstances are present or it can be reasonably anticipated that a sudden exit from the vehicle is a greater safety consideration than the protection offered by the safety belt.

Seatbelt extenders shall be used as needed on a case-by-case basis. They shall be worn only as designed and consistent with the recommendations of the manufacturer. They shall only be permitted for use when they fit properly, their use is warranted by the vehicle manufacturer, and the user has been made aware of the risks associated with seatbelt extender use.

This order does not apply to passengers with physically disabling or medical conditions which would prevent the proper utilization of factory-installed or other Department- authorized safety belts.

Vehicles assigned to the Training Bureau, Emergency Vehicle Operations Center unit, for use in driver safety instruction may be equipped with a safety belt system which is superior to the factory-installed system.

• 3-01/090.08 - Supervisors' Responsibilities

Supervisors shall be responsible for monitoring and enforcing Department members' wearing of seatbelts and the proper use of seatbelt extenders as in section 3-01/090.07. Each level of supervision shall be held accountable by the next level of supervision for any failure to comply with this policy.

• 3-01/090.10 - Operation of Vehicles

For procedures regarding potential violations of this section, refer to section 3-09/070.45, Corrective Action.

Department members driving any type of vehicle, county or private, shall observe the following rules of conduct:

- Members, while on duty, shall not violate any traffic laws. They shall in the course and scope of their employment set a good example for other drivers.
- Members shall always employ defensive driving techniques, and an operator shall avail himself of every reasonable means to avoid or prevent a collision/incident.
- Members shall not operate vehicles in an unsafe or negligent manner. Unsafe backing, failure to allow for proper clearance, or failure to allow for adverse driving surfaces or weather conditions resulting in damage to a county/permittee vehicle or any other vehicle or property shall be considered a violation of this subsection.
- Members, in cases of emergency, shall be guided by the laws and regulations regarding emergency operation of vehicles.
- Absent extenuating circumstances, members shall not operate a cellular telephone while driving any marked, county-owned vehicle. When practical, members shall use a cellular telephone headset/earpiece (e.g., bluetooth, other hands-free device, etc.) when engaged in a telephone

conversation while driving; however, such devices shall not be worn when the cellular (wireless) telephone is not in use.

NOTE: This prohibition shall apply to the use of the cellular telephone for both voice communications as well as data communications.

- The radio shall be utilized as the primary tool for communication while driving a motor vehicle.
- Members shall not operate an MDT/MDC or similar device/instrument while driving any county-owned vehicle unless one or more of the following applies:
  - The driven vehicle is at rest
  - The communication is of an emergent nature, and radio traffic prevents its timely transmission
  - The communication is necessary for officer safety, and radio traffic prevents its timely transmission; and
  - The communication is solely comprised of actuating the one-button signal for the “Acknowledge,” “En-Route,” and “10-97” status updates.
- Members who are in the field training program shall not use a global positioning system (GPS) while driving and/or in any county-owned vehicle except in an emergent situation. This will give the member who is in the field training program the opportunity to learn the jurisdictional area.

Members, whether on or off-duty, shall not operate a county vehicle while under the influence of alcohol. Members will be considered under the influence of alcohol if they have a blood alcohol content of .02 percent or higher in their system. If a member has the odor of an alcoholic beverage on their breath or there is reasonable suspicion to believe the member is under the influence of alcohol, the unit commander or higher shall order a test of the member. If a member refuses a direct order to be tested, the member shall be subject to discipline for violating section 3-01/030.10, Obedience to Laws, Regulations, and Orders.

Exceptions:

When working in an undercover capacity and the failure to consume an alcoholic beverage and drive a vehicle might engender suspicion which could jeopardize the safety of the undercover operative and put the investigation at risk, the undercover operative may drive a county vehicle as long as reasonable care and/or control of the vehicle is exercised.

Determining whether the operation of a county vehicle by an undercover operative after the consumption of alcohol in the performance of duty violates this section shall be determined based upon the totality of the circumstances. It shall be presumed that an employee who has a 0.08 percent or more by weight of alcohol in his or her blood is unable to exercise reasonable care and control of a vehicle, and therefore is prohibited from driving a county vehicle.

• 3-01/090.15 - Unauthorized Persons - County Vehicles

Passengers

A member operating any county vehicle shall not permit any unauthorized persons to ride in any Department of county vehicle. Exceptions to this policy shall be made when a member is required to transport other persons

in the performance of duty or when authorized by a supervisor.

Vehicle Operations

Members shall not allow an unauthorized person to have the keys to or operate a publicly owned vehicle.

• 3-01/090.20 - Use of County Vehicle Outside County Limits

Members shall not use county vehicles outside Los Angeles County except in hot pursuit of suspects or unless specifically authorized to do so by a unit commander or watch commander of the rank of lieutenant or higher.

• 3-01/090.25 - Parking

Members shall not violate any parking law, local parking ordinance or county, Department, or unit parking regulation.

• 3-01/090.28 - Idling Regulation for Off-Road Diesel-Fueled Vehicles or Engines

Employees who operate county-owned or rented diesel vehicles or engines on county business shall comply with idling limits set under California Code of Regulations section 2449, General Requirements for In-Use Off-Road Diesel-Fueled Fleets. Specifically, no vehicle or engine subject to the regulation may idle for more than five consecutive minutes.

The idling limit applies to all off-road diesel vehicles or engines subject to the regulation, unless the vehicle or engine is idling for specific circumstances defined in the regulation or a waiver has been granted.

The idling limit does not apply to:

- Idling when queuing;
- Idling to verify the vehicle is in safe operating condition;
- Idling for testing, servicing, repairing, or diagnostic purposes;
- Idling necessary to accomplish work for which the vehicle was designed (such as operating a crane);
- Idling required to bring the machine system to operating temperature, as specified by the manufacturer; and/or
- Idling necessary to ensure safe operation of the vehicle.

Examples of off-road diesel-fueled vehicles or engines include tractors, backhoes, excavators, dozers, scrapers, portable generators, transport refrigeration units, irrigation pumps, welders, compressors, scrubbers, and sweepers.

The California Environmental Protection Agency Air Resources Board website at http://www.arb.ca.gov/msprog/ordiesel/ordiesel.aspx contains links to the idling regulation language under

section 2449(d)(3) of the Final Regulation Order.

• 3-01/090.30 - Personal Vehicles

An employee, who uses his personal automobile for county service, shall provide a vehicle which is in good repair and whose appearance will not bring discredit upon the Department or the county. Campers and motorcycles shall not be used when conducting investigations or representing the Department unless such vehicle is being used as a "cover". Additionally, unit commanders shall annually review all personal vehicles used in the county service by their assigned unit personnel to ensure that they fall within the provisions of this policy.

The use of license plates other than those issued by the California Department of Motor Vehicles is prohibited. Any exception is to be for temporary Department purposes as authorized by the unit commander.

• 3-01/090.35 - Use of County Vehicles by Sheriff's Reserves Personnel

With the authorization of their unit commander, Sheriff's reserve personnel are permitted to drive vehicles assigned to this Department.

Sheriff's reserve personnel shall utilize Department-assigned vehicles only while on duty and conducting official Department business. A Department-assigned vehicle shall not be exclusively assigned to any reserve deputy sheriff without the written authorization of the Sheriff.

• 3-01/090.40 - Use of County Vehicles by Law Enforcement Explorers

Law enforcement explorers, possessing a valid driver's license, may operate a county vehicle only during emergency situations and then only upon approval of the officer-in-charge.

Approval to operate a county vehicle may be assumed by explorers during EXTREME emergency field situations when the officer-in-charge is incapacitated and unable to give approval.

• 3-01/090.45 - Civic Center Parking Assignments

Priority/proximity of assignment for those employees whose headquarters and daily places of reporting are Civic Center facilities shall be allocated in the following order:

<u>Certified Mileage Permittees</u>

- Employees who repeatedly use their vehicles on county business; thirty to forty or more trips per month, exclusive of lunch, would be frequent;
- Employees who occasionally use their vehicles on county business; or

- Rank and anticipated vehicle usage shall not determine allocation; however, assignments shall be on the basis of rank when two persons have identical needs and use their vehicles equally. If of the same rank, seniority in grade shall be the determining factor. This decision shall be made at the bureau level.

Non-Mileage Permittees

- Handicapped employees in accordance with the degree of the handicap;
- All other employees of the Department based on rank or classification in the Salary Ordinance. If of the same rank or classification, seniority in grade will determine assignment; or
- When safety is a factor, female civilian employees should be given consideration where close-in parking is available.

The following shall apply to all personnel:

- Personnel shall not park in any county lot to which they are not assigned without authorization from the Department parking coordinator;
- Personnel shall not trade, alter or loan their parking permits, or use expired permits;
- Lost decals or key cards shall be reported immediately to bureau parking coordinators who, in turn, shall notify the division coordinator by memorandum;
- Personnel shall follow the lot attendant's instructions. Improper conduct by, or grievances with, lot attendants shall be reported by memorandum, through channels, to the Department coordinator;
- Parking decals shall be visibly displayed in the lower right-hand corner of the windshield at all times while vehicles are parked in county lots;
- If the parking decal has been permanently affixed to a vehicle and personnel are temporarily required to use an alternate vehicle, display a 3x5 card on the dashboard of the alternate vehicle with the following information:
    - "Alternate Vehicle;"
    - Name, department, and county phone number; and
    - Parking decal number;
- Alternate vehicle arrangements shall be made with parking lot attendants on entry. These arrangements are valid for two weeks only.

Department Parking Coordinator

Personnel Administration will be the Department parking coordinator and shall maintain a central master roster of all Department parking allocations. Personnel Administration shall act as liaison with the Parking Services Division of the Internal Services Department.

Division Parking Coordinator

Each division shall appoint a division parking coordinator who is authorized to make adjustments in the event an employee feels he is entitled to a higher priority than he received. The employee may contact the division parking coordinator and request an informal review of the matter. The division parking coordinator is authorized to make adjustments in these matters as they pertain to division parking allocations and his responsibilities shall include:

- Maintenance of an accurate and up-to-date central record system for division parking;
- Providing a central source for coordination of division parking needs with the Department parking coordinator;
- Periodically conducting an audit and analysis of parking allocations among Bureaus of the division to determine need for changes in allocation, nonconformance to Department policies, etc.;
- Resolving parking problems beyond the control of a Bureau; and
- Preparing and forwarding to the Department parking coordinator and the Bureau parking coordinator all updates in divisional assignments whenever changes occur, e.g., transfers, lost or stolen decals, etc.

Bureau Parking Coordinator

Each bureau shall designate a bureau parking coordinator, preferably a lieutenant, who shall be responsible for:

- Allocation of bureau members' parking in conformance with above policies;
- Notification to division parking coordinator of changes in bureau needs;
- Assignments, lost passes, etc.; and
- Retrieval of passes assigned to personnel transferring from the bureau.

• 3-01/090.50 - Private Vehicle Repairs on County Property - Prohibited

Unit commanders shall ensure that no maintenance or repair work is performed on privately owned/non-county vehicles on any county premises under their command.

Department personnel shall not work on their private vehicles or any non-county owned vehicle on any county facility or property. County personnel shall not request or allow any work to be performed on such vehicle by any individual contracted with, or employed by, the county. Personnel violating this policy will be subject to disciplinary action.

• 3-01/100.00 - Records, Reports and Communications

[Title Only]

• 3-01/100.05 - Official Communications

Official communications, requests, information, suggestions, or complaints, whether moving up or down within the Department, shall be confined to official channels. Each link in the chain of command shall be respected. Each echelon shall forward communications to the next higher or lower echelon with a notation of approval, disapproval, recommendation, or action taken.

• 3-01/100.10 - Signatures on Official Communications

Members shall only engage in official correspondence over a signature of a person who has been officially authorized to sign such a correspondence.

Members shall be bound by Department regulations in conveying official communications outside of the Department by telephone or other means.

• 3-01/100.15 - Special Orders

Any order posted on the bulletin boards of the Department over the signature or name of the Sheriff shall be a regulation of the Department.

An order issued by a unit commander pertaining to the personnel of his particular command shall be a regulation of that unit.

• 3-01/100.20 - Reference Letters

Members shall not author letters of reference whereby their position of employment with the Department implies and/or intends to assist an individual in any criminal or civil matter.

• 3-01/100.25 - Use of Department Letterhead

Members shall not use Department letterhead for unofficial business, unauthorized activities which appear to be semi-official or for personal use.

HISTMAN ARCHIVE: 12/01/1991

• 3-01/100.30 - Signatures on Orders

Orders affecting an entire division shall be signed by the chief or director of the division, by the concerned assistant sheriff(s), the undersheriff or the Sheriff.

Orders affecting more than one division shall be signed by the Sheriff, the undersheriff or the assistant sheriff(s), as applicable.

Manual revisions shall be signed in accordance with routine procedure.

• 3-01/100.35 - Dishonesty/False Information in Department Records

Members shall not create false official records. Members shall not knowingly or willingly enter, or cause to be entered, in any Department books, records, memoranda, reports, computer, or electronic data systems, any

inaccurate, false, or improper police information or material matter. Department members who violate this section are subject to discipline up to and including discharge.

• 3-01/100.40 - Removal of Records

Members shall not remove any official record of the Department except as authorized by competent authority or as required by law. This applies to duplicate copies as well as originals.

• 3-01/100.45 - Use of Communications Equipment

Members shall not use county communications equipment for personal, social, or unofficial purposes. This equipment includes, but is not limited to, the county's electronic and communications equipment.

Members shall also observe policies and procedures regarding "Release of Information to the General Public and the Media" and "Dissemination of Criminal Record Information," as detailed in the Miscellaneous Administrative Procedures chapter.

• 3-01/100.46 - Use of Communication Devices

Absent extenuating circumstances, members shall not use a cellular telephone or other similar communication/recording device for a Department-related tactical purpose (i.e., coordinating field units to a radio call, advising other units of possible suspect locations) when an established, Department-authorized communication device/system is available, and/or a Department-authorized regulation/protocol has been established (e.g., Department radio and communications systems etc.).

NOTE: This prohibition shall apply to the use of the cellular telephone for both voice communications as well as data (text) communications.

Members shall not use a personal cellular telephone or any other similar personal communication or recording device to record, store, document, catalog, transmit, and/or forward any image, document, scene, or environment captured as a result of their employment and/or while performing official Department business that is not available or accessible to the general public. Official Department business shall include, but is not limited to, confidential, sensitive, or copyrighted information that is printed, audio recorded, photographed, or video recorded; information related to any past, present, or anticipated criminal, civil, or administrative investigation, including reports, declarations, evidence, photographs, videos, or audio recordings; and/or photographs of suspects, arrestees, defendants, evidence, or crime scenes.

In addition, Department members who respond to scenes where human remains are present shall be guided by MPP section 5-09/475.00, Photographs/Recordings at Scenes Where Human Remains are Present.

NOTE: A personal cellular telephone or any other similar personal communication or recording device used exclusively to record contacts with members of the public during legitimate Department business (e.g., traffic stops, etc.) are exempt from the provisions of this section.

• 3-01/100.47 - Use of Communications Equipment and Systems

Members shall not initiate, modify, or have installed any non-authorized communications equipment or services within a county operated facility for personal, social, or unofficial purposes. This equipment includes, but is not limited to, wired or wireless services such as internet services, computer terminal equipment, and hardline/landline telephone equipment. Members shall refrain from entering into any personal non-authorized Departmental communications service agreement which lists any county operated facility as a host, party to the action, or as the billing address.

Members shall conduct all Departmental related official business with an established Department authorized, controlled and auditable communications device and/or system. Official Department business includes, but is not limited to, confidential, sensitive, or copyrighted information that is printed or transferred via digital means, Department or county related emails, audio recordings, photographs, or video recordings; information related to any past, present, or anticipated criminal, civil, or administrative investigation, including reports and evidence.

Members shall also observe policies and procedures regarding county information technology assets, computers, networks, systems, and data as detailed in the Acceptable Use and Confidentiality Agreement as related to Board of Supervisors Policy # 6.101.

> **NOTE:** This section does not preclude members from having a personal cellular telephone and/or tablets at their workplace unless it violates policy and/or the law.

• 3-01/100.50 - Division or Unit Manual

Unit commanders shall establish procedural manuals for their respective commands. These manuals shall not be in conflict with the Department manual and the subject matter shall be limited to procedures involving only the specific command or division.

• 3-01/100.55 - Unit Commanders' Change of Command Responsibilities

Unit commanders shall complete the Department Change of Command (SH-AD-601) when assuming a new or transfer of command situation. During a transfer of command, it shall be the responsibility of both the outgoing and incoming unit commander to be knowledgeable in the physical inventory of the unit and particularly in the areas covered in the above form.

Each unit commander shall also maintain a Position Specific Orientation Guide of current information regarding the unit. This guide shall be used in conjunction with the Department Change of Command form to provide orientation for the incoming unit commander. This guide shall contain information or reference to the following general topic areas:

- Personnel;
- General information;
- Community issues;
- Fiscal (including the status of purchase orders and service contracts); and
- Procedures.

Each division headquarters shall establish the format and specific information required under these topics.

Area commanders shall maintain a similar guide with information concerning their specific responsibilities to provide orientation to their successor.

• 3-01/110.00 - Community Policing and Engagement

The Department is committed to promoting and strengthening community partnerships, ensuring bias-free policing, improving community trust, and employing collaborative problem solving. The Department continuously seeks to strengthen community trust through engagement with community members in a collaborative partnership.

Community Engagement

The Department shall reach out to and work with various community stakeholders and action groups (churches, mosques, synagogues, issue-based advocacy groups, fraternal organizations, chambers of commerce, city government, non-profits, etc.) to proactively problem-solve and identify policing priorities. The Department recognizes that it serves diverse communities and seeks to engage all members of the public in its policing and engagement efforts. The Department shall ensure that those with limited English proficiency can participate in Department-sponsored community meetings and engagement efforts by seeking out volunteers or Department personnel with relevant language skills.

Community Policing Plans

Each unit commander assigned to a patrol station shall create and implement a Community Policing Plan (CPP). Unit commanders shall solicit community input regarding public safety and quality of life priorities to tailor the CPP to the community's needs.

Department members are encouraged to use this process to build collaborative working relationships with community members. Outreach to communities who may be distrustful of law enforcement is encouraged. All Department members assigned to a patrol station shall participate in the community policing and engagement process.

Proactive Problem-Solving

Community Policing Plans shall focus on prevention and not solely on enforcement when possible. Unit commanders, working with sworn and professional station personnel and community partners, will be responsible for identifying problems in their response area and working proactively to solve them. Problem-solving should also include listening to community member comments critical of the Department and working to understand their concerns. Efforts should be made to resolve the issues identified through a collaborative process.

Each station shall update its established CPPs semi-annually. Updates shall include the following:

- Community feedback gathered through surveys and meetings to identify community priorities and quality of life issues;
- Effectiveness of the current efforts and if the implementation plan will be modified;
- Document any new or modified planned responses to the problems identified within the CPP;
- Document if any modifications are result based or community input based; and
- Share the information collected with the community.

Unit commanders shall continuously evaluate the effectiveness of the CPP and assess whether the identified priorities are still relevant based on crime and quality of life trends.

Training

Department members shall receive at least eight hours of training on community policing and community engagement through either in-person or online training courses.

• 3-01/110.05 - Juvenile Matters

Members shall report any matter coming to their attention in which a juvenile is delinquent, the victim of neglect or an offense.

When handling juvenile cases, members shall remember that prevention of delinquent conduct is the goal to be achieved. All feasible steps shall be taken to properly adjust or refer juvenile cases to the proper social agency before court action is taken.

Juveniles alleged as delinquent shall be referred to as subjects or, in dependency matters, as victims. It is of utmost importance that attitude, demeanor, and speech toward juveniles be civil and respectful but, at the same time, firm.

Members shall advise and assist other agencies engaged in programs involving juveniles. However, such participation shall not extend beyond the point at which it might hamper the Department's effectiveness as a

law enforcement agency.

• 3-01/110.10 - Vice and Narcotic Law Violations

Deputy personnel shall take positive police action in all instances where there is sufficient evidence to indicate that a suspect is violating any vice or narcotic law.

However, if the deputy only has information that vice or narcotic law violations are occurring behind closed doors, he is generally in no position to secure the necessary evidence to convict. In such circumstances, he shall gather all possible information without making himself obvious and shall make a full report to his immediate supervisor. If the supervisor determines that the matter requires immediate action, the deputy shall be required to notify the Major Crimes Bureau or Narcotics Bureau by telephone for instructions and record the name of the person contacted. If the matter does not require immediate attention, a memorandum to the commander of the appropriate bureau will suffice.

• 3-01/110.15 - Dispatching Radio Cars and Emergency Equipment

A unit of this Department and necessary equipment shall be dispatched when:

- This Department has primary jurisdiction;
- There is any question of jurisdiction;
- Available information indicates that our emergency services can arrive sooner than that of the agency having jurisdiction; and/or
- Requested by another jurisdiction.

If a call involves a traffic accident within the jurisdiction of the California Highway Patrol, radio cars shall be dispatched only if:

- Specifically requested by CHP;
- An alleged hit-and-run fatality is reported under circumstances which cause doubt that the death was attributable to a traffic accident;
- Sheriff's Department personnel or vehicles are involved; or
- Information is received alleging violation of laws, other than vehicle code, in conjunction with the traffic accident.

• 3-01/110.20 - Restraining Persons

Department personnel have a positive duty to restrain persons who pose a physical risk to themselves or others as a result of their violent or self-destructive behavior. Approved restraint devices may be employed to physically restrain those persons who clearly demonstrate violent or self-destructive behavior and fail to respond to reason. It is Department policy that all personnel shall exercise due care when applying restraint devices, taking into consideration the safety and health of the person being restrained, the personnel involved in the restraining process, and the public. Notwithstanding any other sections of this manual, only Department-

approved restraint equipment and Department-authorized methods shall be utilized to restrain, handcuff, hobble, or employ the Total Appendage Restraint Procedure (TARP) on a person. Refer to section 3-10/170.00, Hobbling Defined and Procedure; section 3-10/175.00, Total Appendage Restraint Procedure (TARP); and section 3-01/110.23, Handcuffing Prisoners.

• 3-01/110.21 - Hobbling Defined - See 3-10/170.00

This section has been renumerated. Refer to section 3-10/170.00 for current policy.

• 3-01/110.22 - Total Appendage Restraint Procedure (TARP) See 3-10/175.00

This section has been renumerated. Refer to section 3-10/175.00 for current policy.

• 3-01/110.23 - Handcuffing Prisoners

All persons arrested by, or placed in the custody of, personnel shall be handcuffed except when, in the judgment of such personnel, handcuffing is unnecessary.

It is considered advisable to use handcuffs when:

- An arrest is made;
- Transporting a prisoner in public or from one facility to another;
- A prisoner is violent or gives an indication of belligerence;
- A prisoner may cause injury to himself or others; and/or
- A suspect's history is not known.

The decision to use or not use handcuffs should always be carefully balanced between the care of the suspect in custody versus officer’s safety and the ability to safely secure the suspect. Officer safety is paramount.

Handcuffs may or may not be necessary for suspects when:

- The suspect is obviously deceased (absence of respirations and pulse);
- The handcuffs interfere with medical treatment; and
- The security of an injured suspect can be achieved by alternate means (additional sufficient personnel to secure scene safely, soft restraints, etc.)

Deputy personnel shall determine the practicality or necessity of using handcuffs in such situations as transporting juveniles, elderly or mentally ill persons, and arresting seriously injured or ill persons.

When handcuffs are used:

- They shall be of a type specified by the Department;
- Prisoners shall be handcuffed with hands behind their backs when feasible;
- A female prisoner shall not be cuffed to a male prisoner except in an emergency. Once the emergency no longer exists, the female and male prisoners will no longer be handcuffed together;
- All visibly pregnant prisoners shall only be handcuffed individually and with their hands in front of their bodies. No waist chains or leg irons shall be used and pregnant prisoners shall not be handcuffed to other inmates at any time;
- A juvenile shall not be cuffed to an adult except in an emergency. Once the emergency no longer exists, the juvenile and adult will no longer be handcuffed together; and
- Handcuffs shall be double locked. If a situation exists whereby double locking cannot be reasonably accomplished, the handcuffs will be double locked after the situation no longer exists.

The emergency that triggered the exceptions in Departmental handcuffing policy shall be documented.

Bottleneck cuffs may be utilized by transportation deputies.

• 3-01/110.24 - Use of Flex-Cuffs

Flex-cuffs may only be used in emergency detentions or arrests such as a civil disturbance or any other emergency situation where large numbers of detentions or arrests are anticipated.

All stations, units, and/or facilities that utilize flex-cuffs shall have an appropriate tool available for the safe removal of flex-cuffs.

Personnel shall ensure an appropriate tool is readily accessible prior to applying or taking custody of a detainee in flex-cuffs because they cannot be loosened or removed without being cut off. Special care shall always be used during the removal of flex-cuffs. Personnel shall also ensure additional flex-cuffs or Department-approved handcuffs are readily available to reapply, if necessary, to safely care for the detainee.

• 3-01/110.30 - Cursory (Pat-Down) Searches in the Field and In-Custody Situations

Because reasons of safety dictate immediate action, a cursory (pat-down) search of a subject may be conducted by a Deputy of the opposite sex. If a Deputy of the same sex as the subject is present, reasons of propriety dictate that this Deputy should conduct the pat-down search.

A pat-down search of a line of male prisoners in a Station, jail or courthouse may be conducted by female and male Deputies working simultaneously.

These situations shall be readily explainable if a question of improper conduct should arise. The Deputy initiating the pat down search may be required to recall to mind and testify in court the specific reasons which gave rise to his decision that the pat-down search was necessary for his safety and/or a necessary part of employment.

The above procedure does not change Department policy on strip, visual and physical body cavity searches (see Prisoners Chapter).

• 3-01/110.35 - Transportation of Females

The following rules shall apply to females in custody:

- Whenever possible, females shall be transported in the company of a female deputy;
- Mentally ill females shall be accompanied by a relative or female when detained by court order;
- Mentally ill females may be apprehended and transported in emergency situations by a male and a female deputy or by two male deputies;
- Notification procedures are detailed in section 5-09/140.00; and
- Unit commanders may authorize transportation in a manner other than outlined above.

• 3-01/110.40 - Search and Rescue Requests

Requests for search and rescue assistance not made directly to the Sheriff's Station having jurisdiction shall be relayed to that station.

Search and rescue operations shall not be initiated by members without approval of their watch commander; however, when observation indicates a need for immediate action, a member shall act in the best interest of the victim and the watch commander shall be advised of the action taken as soon as possible.

• 3-01/110.45 - Business Cards

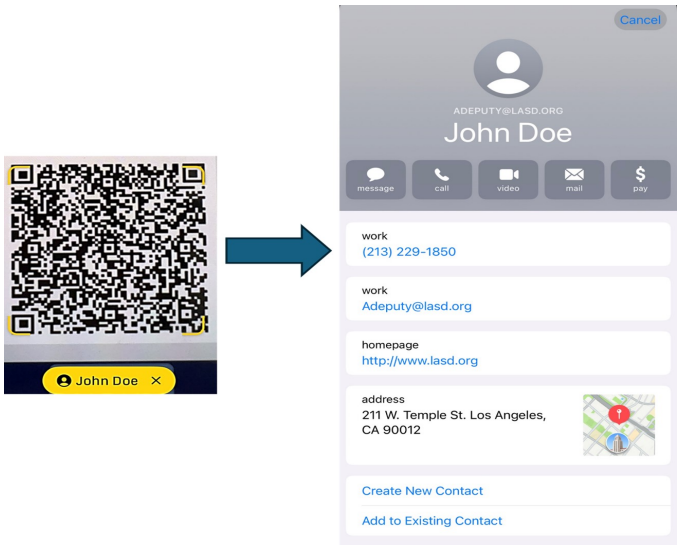
Sworn members performing duties involving direct public contact must possess business cards, which must be presented to members of the public upon request.

Members shall issue only Department approved digital business cards or traditional card stock business cards for official business. The Jail Enterprises Unit’s (JEU) print manager maintains the Department's approved format for traditional card stock business cards, and issuing cards that deviate from the approved format is prohibited.

Digital Business Cards (QR code)

Department members may also utilize the Department’s digital business card as another form of official business card. If applicable, digital business cards may be used interchangeably when business cards are referenced in Department policies and directives.

If a Department member utilizes a digital business card in lieu of a traditional card stock business card, members shall provide the QR code upon request, allowing the requestor the ability to scan the QR code or take a digital picture.



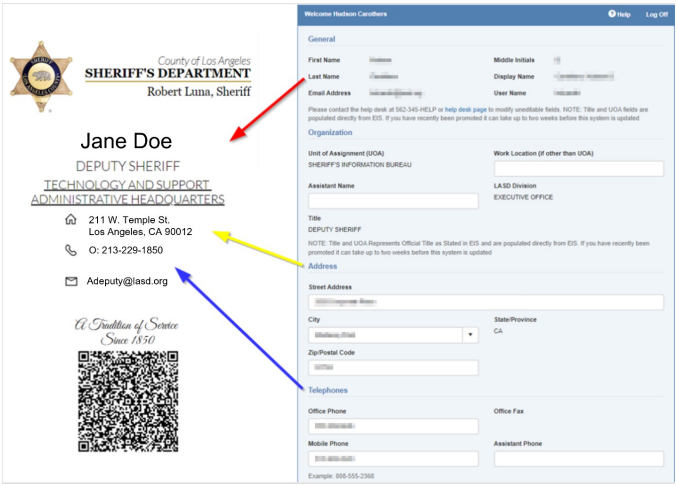
Three different digital business card formats are available to Department members:

- Simple – Name, rank, and QR code.
- Detailed – Name, rank, work location, address, office phone, email, and QR code.
- Detailed with cell - Name, rank, work location, address, office phone, cell phone, email, and QR code.



The digital business card is generated from a Department application located on Department computers, Mobile Digital Computers (MDC), Department Intranet applications, and Department mobile phones. The Department application references the Department member's contact information in their Microsoft Outlook (Department email) properties.

Department members can access their digital business cards via the Department's Intranet site by navigating to the Employee Services page, and selecting the Employee Support tab.



When a Department member's contact information changes due to a change of assignment and/or promotion, a new digital business card (QR code) must be generated.

NOTE: Department members are responsible for updating their contact information when their unit of assignment and/or rank changes. Department members' contact information can be changed using the LASD Directory Update website.

Traditional Card Stock Business Cards

The approved format includes the size and type of paper, color of ink, dimensions, style, and locations of all inscriptions. This format also includes design elements that are the "intellectual property" of the Sheriff's Department (refer to section 3-01/040.62).

Department members shall only obtain card stock business cards from the authorized Department agreed vendor at:

http://orders.cgintl.com/cgforce/Converge/LASD/redirect.html

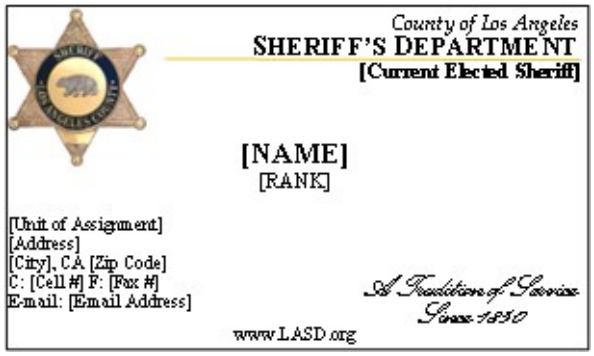
Self-printed cards shall be created utilizing only the Department's authorized template. Self-printed cards

shall be printed using a laser quality color printer on card stock provided by each individual unit. The Department's authorized template shall be maintained by JEU and available through the intranet at:

Business Card (County of Los Angeles Sheriff's Department).pub

Unit business cards are no longer authorized for issue. The cards were formerly pre-printed with unit identifying information and contained a space for personnel to hand-write or stamp their name.

Sworn members (regular and reserve) along with full-time professional staff members may issue business cards in the following format (the back of the business card shall be blank):



(FRONT)

The following provisions apply:

Department Members

- The Sheriff, Undersheriff, and assistant sheriffs will possess special engraved gold Sheriff star logo cards that are printed on cream colored stock. All other members requiring business cards may use the standard engraved gold Sheriff star logo cards at the member's expense;
- In the upper right-hand corner of the business card, under the words, "SHERIFF'S DEPARTMENT" shall be the name of the current elected Sheriff;
- For sworn members, the title line must be rank and/or service position title, such as "Deputy Sheriff," "Pilot," "Canine Deputy," "Detective," etc.;
- For professional staff members, the title line must contain the member's civil service position title. At the member's option, a second line may describe the member's functional title (e.g. "Printing Manager");
- The address information must correspond to the member's unit of assignment;
- For all Department personnel, sworn and civilian, their name on the card must be the same as indicated

on the employee's Personal Information Sheet (SH-AD-91A). No nicknames, initials, or abbreviations should be used. Any exceptions must be approved by the Sheriff; and

- For all Department personnel, sworn and civilian, their email address on the card shall be their Department's email address, with the exception of retired members.

Members assigned to inter-agency task forces, where a common business card is deemed necessary for all members, may issue business cards differing from the above format, with the approval of their division chief or division director.

Retired Members

Honorably retired members of the Department may be authorized to purchase business cards indicating their retired affiliation with the Sheriff's Department. Retired members who request business cards shall submit a completed request through the Department's official business card ordering website at the following link:

http://orders.cgintl.com/cgforce/Converge/LASD/redirect.html

The following provisions apply:

- These cards shall indicate "Retired" below the title line;
- Personal addresses, phone numbers, and e-mail addresses are acceptable; and
- The authority to obtain or use these cards may be withheld or withdrawn by Personnel Administration Bureau, the Sheriff, Undersheriff, or concerned assistant sheriff.

All requests are subject to verification by Personnel Administration Bureau.

Volunteers

Volunteers and other persons having an affiliation with the Sheriff's Department and having a need for business cards may be issued cards of the following format (the back of the card shall be blank):



Sample Front

The following provisions apply:

- Requests for cards shall be evaluated by the volunteer's unit of assignment and approved only where

there is a need for the volunteer to possess cards;

- The title line shall include "Volunteer." It may also include their functional title, such as: “Chaplain,” “Station Clergy,” “Canine Handler,” etc.; and

- The address and telephone information must be a Sheriff's Department facility. Only Departmental e-mail addresses shall be listed. The use of residential and/or private business information is prohibited.

Inmate Welfare commissioners may receive business cards. The address on the business cards shall be an appropriate Sheriff's Department facility. Personal phone numbers and personal e-mail addresses are acceptable.

NOTE: Inmate Welfare commissioners shall receive the standard engraved gold star business card and not the standard volunteer business card.

Inappropriate Business Card Use

Business cards shall not be issued nor used:

- For the purpose of obtaining special privileges or benefit for any reason; to request the bearer receive any type of favorable consideration; or

- To indicate the relationship of the individual to the member named on the card.
Business cards shall not bear notations or endorsements other than those pertaining to official functions of the Department.

Unit Commander’s Responsibilities

Unit commanders shall ensure their personnel carry a sufficient quantity of traditional card stock business cards to accommodate all reasonable requests or if the requestor does not have a device to scan the QR code. During periodic personnel inspections, supervisory personnel shall check for compliance with this policy.

All units that have a desk area for the public shall maintain a sign (black background with white lettering) in public view with the following message:

SWORN DEPARTMENT PERSONNEL SHALL PROVIDE A BUSINESS CARD BEARING THEIR NAME UPON REQUEST.

BUSINESS CARDS SHALL NOT BE USED BY ANY PERSON WITH THE INTENT TO INFLUENCE LAW ENFORCEMENT OFFICER DISCRETION.

This sign shall be printed in English, Spanish, and any other language predominantly used in the unit's area.

• 3-01/110.46 - Business Cards - Unit Commander Responsibilities - RESCINDED

• 3-01/110.50 - Traffic Law Enforcement in Contract Cities

Except when otherwise officially engaged, deputy personnel on duty in a contract city who witness any traffic violation shall take appropriate action to arrest, cite, or warn violators unless otherwise exempted by Department regulations.

• 3-01/110.55 - Safety Policy

The Department regards its personnel as its most valuable asset. Also of vital importance are equipment and facilities used by the Department to meet its law enforcement obligations.

All operations of this Department shall be conducted with the utmost concern for its personnel, equipment, vehicles, and facilities. The reduction of losses due to injuries to Department employees and damage to county property is an essential part of an efficient operation.

The practice of safety and the prevention of accidents shall be the responsibility of all members of this Department.

• 3-01/110.60 - Use of Informants

The purpose of this policy is to set procedures for the use of informants. Informants are judicially recognized sources of information and are people who have, or have access to, information that could benefit criminal investigations and who are willing to provide that information to law enforcement. This section describes types of informants and how they are used.

Prior to use of an informant by any Department member, strict adherence to this policy shall be followed. MPP Section 3-01/110.65 mandates the documentation and accounting of each informant and their activities. MPP Section 3-01/110.75 regulates the use of informants and specifically mandates supervisors to oversee the activities between investigators and informants.

Definitions of an Informant

Confidential Reliable Informant: A person whose reliability and credibility have previously been established. This usually consists of, but is not limited to, validating at least one prior occasion where information from this informant proved to be factual and resulted in a valid arrest, seizure, or conviction.

Confidential Informant: A person who is untested and possibly providing information to law enforcement for

the first time.

Citizen Informant: A citizen informant is motivated solely by good citizenship. A citizen informant must be registered and approved if they are not merely self-reporting suspicious activity but actively directed by deputies in any evidence or intelligence gathering capacity or receive any consideration or handle any Department funds.

Defendant Informant: A defendant informant is a person working to reduce criminal charges pending against him or her. Defendant informants, who have materially assisted the Department in any criminal investigation, may be considered for an appropriate sentence recommendation or if deemed applicable, their charges may be dismissed and not presented to the district attorney's office. Whether the defendant informant has satisfactorily met their obligation should be decided by the handling deputy or investigator with the concurrence from the investigator's supervisor.

Defendant informants shall not be released from custody to be used as an informant without completion of a 849(b)(1)PC release form, or other proper release processes (e.g. bail, bond, cite OR, etc.), positive identification via fingerprints, and approval for use as an informant by the supervising sergeant and lieutenant.

What the acceptable consideration is will be determined by the handling deputy and the crew sergeant, and shall be approved by the zone/team lieutenant. The consideration may include not filing the informant's original case or may include a letter of consideration upon filing. If either of these considerations occurs, the following procedures shall be followed:

Case Not Filed: A supplemental report shall be written under the original file number indicating, "Complaint not sought per Lieutenant _____."

NOTE: Do not indicate in the report that the defendant was an informant.

Case Filed: Meet with the prosecuting district attorney and seek input prior to submitting the consideration package to the unit commander for approval. The consideration package must be approved by the unit commander, then the area commander and finally the division chief. If the division chief approves the consideration package, it will be returned to originating unit, and the letter to the court will be prepared for the unit commander's signature.

For additional information regarding Consideration for Defendants, refer to MPP Section 3-01/110.70 for instructions for the Approval Process and compiling the Consideration Package.

Minor Defendant Informants: California Penal Code Section 701.5, restricts the use of "minor informants." Section 701(e) defines a minor informant as a minor who participates, on behalf of a law enforcement agency, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the minor's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party and where the minor is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition against the minor.

Section 701.5 (b) prohibits the use of a person 12 years of age or younger as a minor informant. The use of a person under the age of 18 years to 13 years may be used as a minor informant, but only after obtaining a court order authorizing the minor's cooperation.

Section 701.5 (b) allows for a juvenile to be used to enforce the “Stop Tobacco Access to Kids Enforcement Act” as cited in Section 22950 et al. of the Business and Professions Code. However, minors shall not be used to enforce 22950 Business and Professions Code without the expressed authorization of the minor’s parent or legal guardian, and the unit commander.

Juvenile Informants: A juvenile informant is any person under the age of 18 years old, and who is not defined by California Penal Code section 701.5(e). The use of a juvenile informant is permitted without a court order when the participation of the juvenile is in **other** than direct face-to-face contact with any party, and when the juvenile’s participation is for other than dismissing or reducing a pending juvenile petition against the juvenile.

Juvenile informants should not be used as informants except under the most compelling circumstances and when no reasonable alternative exists. The investigating detective or deputy shall obtain expressed written permission from the juvenile’s parent(s) or legal guardian, unless the parent(s) or guardian is a suspect in the matter. In addition to parent approval, the detective or deputy shall obtain permission from the unit commander, area commander, and the division chief.

The juvenile’s use as an informant must be evaluated against the nature and seriousness of the offense under investigation. Often, juvenile informants may be “citizen informants” who are victims or witnesses to the crime being investigated. Their use to gather evidence may be necessary to successfully prosecute an offender and to protect the juvenile and/or other potential victims.

Detectives and/or deputies shall obtain a signed “Waiver and Release of Claims and Indemnity Agreement” (Juvenile Informant form SH-AD-690) prior to using a juvenile as an informant.

Jail House Informants

Department members shall not seek out or utilize jailhouse informants or house any inmate in any housing area for the purpose of obtaining information for a criminal case, except as authorized by a lieutenant supervising the investigation. Non-investigative personnel and/or untrained line personnel who are contacted by an inmate who wants to provide information about a criminal investigation shall notify their immediate supervisor, who will ensure the proper investigators are notified.

Jailhouse informants may be utilized without a court order when there is an urgent need to maintain security and order by obtaining information about a potential disturbance, violent confrontations, escape attempts, or other security hazards.

Unreliable or Unsuitable Informants

If the informant is found to be unreliable or unsuitable, the informant shall be entered into L.A. Clear’s data base indicating they are unreliable or unsuitable. Once an informant is deemed unreliable or unsuitable, other Department members may not use them as an informant. One or more of the following actions could cause an informant to be classified as “Unreliable” or “Unsuitable” based on an evaluation by the handling deputy or investigator:

- Lying;
- Failure to follow directions;
- Carrying a concealed firearm while an informant;

- Identifying themselves as a peace officer;
- Revealing their own status as an informant to unauthorized persons; and/or
- Jeopardizing themselves or the mission.

Informants with Prior Criminal History or other Risk Factors

Investigators shall use careful consideration when using informants that have a history of serious criminal offenses, or other activities which might compromise an investigation or discredit the Department. Some convictions may cause the informant to be deemed unsuitable and could jeopardize the investigation, and the eventual prosecution (e.g. perjury, assault with a deadly weapon on a peace officer, rape, child molestation, etc.).

Informants that are on probation for a drunk driving conviction, or an informant who has a suspended or restricted driver license may not drive a vehicle while working in the capacity of an informant.

Investigators may advocate for the use of informants that have a criminal history or prior questionable behavior when they believe the significance of the investigation(s) warrants approval. A lieutenant may approve the use of informants who fit into the above described category when they believe that the significance of the investigation warrants such approval. In such instances of a serious criminal record, the approved request will then be forwarded to unit's captain and area commander.

Informants on Active Parole or Probation

Informants who are on active state parole may not be used without the express prior permission of the informant's parole officer. Federal supervised release status persons require a federal court order allowing use of an informant. Permission from the granting authority must be noted on the Informant Activation Form. It is advisable to contact the County Probation Department for those on active probation prior to use. If the informant is a defendant informant, the Probation Department may want to violate the probationer and not want them used as an informant.

• 3-01/110.65 - Informant Packages

Informants shall be identified for consideration for use as an informant with the utmost care. The use of an informant can be advantageous toward criminal investigations, but may also lead to liability issues. An informant package is the primary source for documenting the informant's identity, credibility, criminal background, and the informant's work history. As applicable, the informant packages shall contain the following forms and documentation:

- Informant Activation Form (SH-AD-685);
- Current color photograph;
- Informant's criminal history (CII, NCIC, RAPS, CCHRS, DMV);
- Signed copy of the Informant Guidelines Form (SH-AD-687); and
- Fingerprint cards for defendants or other positive identification for citizen informants.

Additionally, the following items, if generated, are required to be part of the informant package:

- Arrests reports (Defendant informants only);
- Inactivation forms (SH-AD-686);
- Supplemental reports;
- Original informant payment receipts; and
- Letters of Consideration (Defendant Informants only).

Individual units may add to and clarify the documentation of informant activities by their personnel by issuing unit orders. Units may create additional tracking systems and data bases to ensure proper accounting of all informant use and activity. All unit orders shall be reviewed by their respective division chief. Unit orders may not supersede MPP sections 3-01/110.60, 3-01/100.62, 3-01/110.64, or Field Operations Directive (FOD) 00-08.

Informant Control Number

The handling unit of the investigation shall issue an informant control number to identify each informant. The unit shall use a number that is unique for that entity and enable the unit to readily determine that the active status of the informant has not expired beyond a 180-day period. Informants for narcotics cases will be registered by the Narcotics Bureau using their control number.

EXAMPLE: Informant #00-0034-1302-0600

- 00 - The calendar year the informant was first established.
- 0034 - The sequential number for the informant (sequence numbers are continuous and start anew at the beginning of each year).
- 1302 - Lakewood Station Detectives (requestor's arrest agency/unit code).
- 0600 - The month and the year that the 180-day active status expires.

The informant shall keep the same control number as long as he or she is an informant for that unit. The four digits, 180-day expiration indicator, will alert the requestor and approving supervisors of the need to update any records checks prior to continued use. The new expiration date will be assigned upon each review and approval. The remainder of the new informant number, including the year originally issued, shall remain unchanged.

• 3-01/110.70 - Consideration for Defendants, Inmates, or Prisoners

Whenever a Department member determines a defendant has materially assisted the Department in any criminal investigation, the concerned investigator, with prior approval, may prepare a letter for signature from the investigator's unit commander to the local supervising city attorney, supervising district attorney, or federal prosecutor if the case is pending in court, requesting that the defendant's action be taken into special penalty consideration.

Whenever a Department member determines an inmate or prisoner has materially assisted the Department in any criminal investigation, that investigator, with prior approval, may prepare a letter for signature from the investigator's unit commander to the sheriff of the county where the inmate is being housed, or to the warden of the department of corrections' facility where the prisoner is serving a sentence, or to the state parole board if the prisoner is scheduled to appear at a parole hearing.

Whenever such a letter has been approved by the unit commander, it shall contain the following:

- Reason for the inmate's arrest or prisoner's conviction so that recipient of the letter knows the magnitude of the crime;
- Information provided or action taken by the defendant, inmate, or prisoner which assisted the investigation;
- What action the investigator took as a result of the information provided by the defendant, inmate, or prisoner and the results of the investigator's actions;
- What the investigator is seeking, i.e., special penalty consideration such as no jail, a specific jail or prison term, probation, the minimum sentence allowed by law, special conditions of confinement, or release on parole.

The Approval Process

Prior to taking any affirmative steps to process and seek approval, the investigator initiating the request for consideration shall contact his or her unit commander and explain the justification for the request. Thereafter, if a decision is made to proceed further and gather information to initiate the formal approval process, the investigator shall contact the supervising city attorney, supervising district attorney, or assistant United States attorney who prosecuted or is prosecuting the case to discuss the matter and seek input. Any outside agency having jurisdiction of, or an interest in, the defendant, inmate, or prisoner (e.g., parole, or another police agency, or probation officer if on formal probation) shall also be contacted unless communication will endanger the safety of the defendant, inmate, or prisoner. These timely contacts will allow for the resolution of any potential conflicts with other agencies prior to presenting the matter in court or to a jail supervisor, warden, or parole board. Once the investigator has made these contacts, the consideration package may be prepared for submission to the unit commander. As noted below, the package shall include the input/position of the applicable prosecutor, probation officer and/or parole officer, or policing agency in regard to the proposed recommendation to be included in the letter.

The Consideration Package

At a minimum, the consideration package shall contain the following information:

- A memorandum to the unit commander that sets forth the formal consideration request and contains:
    - The name and address of the concerned local office of the City Attorney, District Attorney, United States Attorney, correctional facility, or parole board;
    - The name and rank of the concerned supervising prosecutor;
    - The position of the concerned local prosecutorial office, probation, parole, and/or policing agency in regard to the proposed recommendations;
    - The case numbers and all pending charges and prior convictions against the defendant, inmate, or prisoner for whom the letter is to be written;
    - The specific consideration the investigator seeks to recommend;
    - The next court date, parole hearing date, or other relevant hearing date;
    - Whether the defendant, inmate, or prisoner has any history of violence in or out of custody with an explanation of the violence;
    - Identification of the investigating agency/unit making the request;
    - Identification of any other agencies that have an interest in the defendant, inmate, or prisoner; and

if so, the names of those officers/deputies/prosecutors contacted and a statement as to whether they approve of the consideration request;
    - Whether the defendant is continuing to assist the Department in its current investigative efforts;
    - Appropriate supervisory notation and approval (e.g. detective supervisor or watch commander); and
    - A thorough description of the results of the information provided by the defendant to the investigator (e.g., number of warrants served, number of arrests made, property seized, etc.).
- Current RAPS, CCHRS, and DMV printouts;
- The original arrest reports documenting the defendant's, inmates, or prisoner's current charges;
- Reports or memoranda that document the results of the defendant's, inmates, or prisoner's information/assistance (e.g., search warrants served, arrest reports etc.);
- A draft of a letter of request for the unit commander's signature; and
- Any other appropriate and useful information.

The consideration package shall be submitted to the unit commander who will review the appropriateness of the request and then forward the package to the concerned area commander who, after review, will submit the package to the concerned division chief for approval.

Upon receipt of the package, the concerned division chief shall review the special consideration request and all supporting documentation, and determine the appropriateness of the unit commander's recommendation. A request for a letter of consideration shall be predicated on assistance to the Department, rather than on personal or other interaction between the individual and the Department employee which is not tied to a current criminal investigation. Any request for a letter of consideration based merely on favorable contacts with a defendant, inmate, or prisoner who has not materially assisted the Department in a specific criminal investigation, shall not be approved.

If the recommendation is approved by the division chief, the consideration package will be returned to the originating unit, and the letter will be prepared for the unit commander's signature.

> **NOTE:** Letters of consideration for narcotics charges must, in addition to the above approval procedures, also be routed to and approved by the detective division chief prior to the issuance of the final letter of consideration.

Letters of consideration must, in addition to the above approval procedures, also be routed to and approved by the Sheriff if opposed by any other agency, entity, or department.

• 3-01/110.75 - Managing Informants

Deputies shall obtain their sergeant and lieutenant's approval prior to using a defendant informant or paid informant. The deputy, and their supervising sergeant and lieutenant, shall evaluate the informant's background to determine if the informant is suitable for use.

Review and approval shall be accomplished by the requesting deputy's submission of a complete informant package to their supervising sergeant and lieutenant. A determination for approval shall include consideration of the informant's history of criminal offenses, (including the current arrest charge if a defendant informant),

driver history, and other known activities which might compromise an investigation or discredit the Department.

The informant's motivation, reliability, and potential involvement in criminal activity shall be evaluated against the nature and seriousness of the offense under investigation, as well as the evaluator's strong belief that the informant will perform in a satisfactory manner. The approval shall be documented on the approval line of the Informant Activation Form (SH-AD-685).

The approving lieutenant may give verbal approval if he or she is not present and when time is of the essence. The requesting deputy shall inform the lieutenant of the contents of the informant package including the informant's criminal history, current charge if any, other pertinent facts and background known to the deputy, and the informant's true motivation for assisting law enforcement. The deputy shall note the verbal approval on the Informant Activation Form and without delay forward the entire package to the approving lieutenant for his or her final signature within five (5) days of the verbal approval.

The continued use and active status of an informant requires that the informant's file be updated at least every 180 days with the appropriate review of current background information including DMV records, CII/NCIC/RAPS records and CCHRS records. Any new arrest record, or significant occurrence since the last informant approval date will be brought to the Sergeants and Lieutenants attention for re-approval. A new Informant Activation Form with the attached RAPS record shall be completed and the request to "reactivate" box shall be checked and forwarded for the sergeants and lieutenants' signature. Approved reactivation forms shall be placed into the permanent Informant Package file.

Whenever any member of this Department observes or learns that an informant has committed any criminal act, whether in furtherance of any ongoing investigation or not, proper police action shall be taken at that time. In addition, all relevant facts of the criminal activity shall be reported to the member's supervisor for referral to appropriate officials, if necessary.

Informant Safety

Sergeants and lieutenants who supervise detectives using informants shall ensure all operations involving informants are planned with the attentive consideration for the safety of all parties. Diligent and thorough review of all operations plans, written or verbal, shall be conducted by the Sergeant and Lieutenant before granting approval. Clear and reliable communications, containment, backup, and other contingency plans shall be considered when approving operation plans. Subsequent to all operations, a debriefing shall occur which will be noted in all after action reports.

Confidential Reports

In order to protect the informant and the confidentiality of investigations, it may be necessary to report the informant's activity using a confidential report. In those cases where confidentiality is important and where the informant's activity is not yet material evidence intended to be used to prosecute any known crime, the informant's activity may be reported using confidential reporting procedures prescribed herein. If the informant's activity does not require confidentiality, the normal reporting procedures may be used.

Confidential investigation reports shall be initiated whenever there is a determination by the investigator that the information received using a confidential informant will be worked. Confidential reports drawing an URN using 441 statistical code (special investigation) shall be written and maintained at the Unit in a confidential

report file. These confidential informants' activity reports will NOT be forwarded to Records and Identification Bureau or receive the usual distribution but will be maintained in a separate and secured confidential investigative report file maintained by the unit commander.

This process of limited distribution of reports will only be used to document confidential informant activity in order to protect the informant's identity and document activity such as Special Appropriation Funds expenditures and evidence booked (e.g., controlled purchase of contraband).

The informant should not be referred to by name in the confidential report. The informant control number should be used in place of the name.

When drawing the confidential URN from LARCIS, the informant's name "kind" code should be a "C" for confidential and the name should not be entered in order to further protect informant identities.

As appropriate to each particular case, a supplemental report must be written as to the collection, type, quantity, and disposition of evidence and an accounting of all expenses incurred for informant activity such as:

- Evidence purchases;
- Informant fees; and/or
- Investigative expenses, including those authorized expenses incurred by informants.

Any investigative information received or developed regarding the case shall be documented in the confidential case file using supplemental reports, case notes, memorandum, and surveillance logs. Such information may be important in providing the necessary probable cause to establish that a crime has occurred and need for further action, such as a search warrant.

Confidential investigative reports shall be inactivated after 30 days or kept active by a supplemental report as circumstances dictate. For example, a controlled buy, documented on a confidential report, becomes the basis for a search warrant. Once the warrant is executed and the contraband seized, the confidential report is inactivated. First reports documenting seizures or arrests should not contain any reference to confidential report numbers. Should the investigation result in a finding of no violations or arrests, the confidential report shall be inactivated by a supplemental report documenting the arrest.

The investigator shall determine the need to reveal, or keep confidential, any informants' identify. If needed, the investigator will consult with the District Attorney's Office regarding potential discovery proceedings. Generally, if the information or evidence provided by the informant is material or exculpatory to the prosecution of a suspect, the informant's identity could be revealed.

Supervisor's Responsibilities

The investigator's sergeant and lieutenant shall constantly maintain strict supervision of all informant activity. Sergeants and lieutenants shall conduct regular checks and audits of all informant related activities including, but not limited to:

- Investigator's redbook, investigative file activity logs, and case journals;
- 441 files;
- Informant activity packages;

- Informant payment sheets; and
- Random field audits of informant's activities or the information contained within the informant package could be conducted if the supervisor believes, or has reason to believe that improprieties exist.

Unit Commander's Responsibilities

The unit commander will cause a lieutenant to inspect and audit, on a semi-annual basis, the unit's informant files for a security of records, active and inactive status, logging of informant activity and associated documentation of payments made, including the personal interview of informants who have received multiple or large, singular, or aggregate cash payments for services.

Depending on the number of informants registered by the unit, the unit commander will determine the appropriate number of informant audits and inspections to be conducted. The auditing lieutenant will indicate on the back of the informant's activity card (SH-AD -549) the date and name of the lieutenant who conducted the audit. Any discrepancies or indications of policy violations shall be brought to the attention of the unit commander.

Division Responsibilities

Each unit who utilizes, manages, or otherwise deals with informants within a division shall be responsible for keeping and maintaining their own respective informant files. The files shall be kept in a locked and secure area. Informant numbers shall be issued by the operations staff of the respective units utilizing the informant. A log kept in a secure area should also document the informant's name, date of birth, date of informant activation, date of inactivation, handling investigator, and the 180-day expiration date.

Each division that employs the use of informants shall at a minimum, conduct an annual audit of each unit's informant files. The unit's annual command inspection would satisfy this requirement if a thorough audit and inspection of informant files was conducted.

• 3-01/110.80 - Informant Payments

Payments to informants may only be made to those currently documented as "active" informants. This can readily be determined by the last four digits of the informant control number showing the expiration date for the "active" status. All informant payments and any investigative expenses must be detailed in a supplemental report under the appropriate URN. The supplemental report shall be crossed referenced to any reports documenting seizures, arrests, or search warrants.

In addition to the supplemental report documenting expenses and informants' payments, the investigator shall complete a Special Appropriation Expense Claim (SH-AD-103) for submission to the respective Patrol Division Chief or Detective Division Chief.

For further instructions to assist in documenting informant payments, refer to Manual of Policy and Procedures Section 3-05/050.05.

Only a lieutenant or a higher rank may authorize an informant to have "paid" informant status. The approving lieutenant shall sign the Informant Activation Form (SH-AD-685) and the Informant Payment Receipt (SH-AD-

688.) An informant whose status is requested to be changed from “defendant” status to “paid” status must be approved by the unit commander after showing that the “defendant” status has ended and they have satisfactorily completed their obligation and reliable performance as a defendant informant.

Fees paid to informants shall comply with the following limitations and authorizations:

Sergeant	up to $300.00
Lieutenant	up to $1,000.00
Captain	up to $5,000.00
Commander	up to $10,000.00
Chief	up to $25,000.00
Assistant Sheriff	up to $50,000.00
Undersheriff or Sheriff	$50,000.00 and above

All expense fees of $5,000.00 or more shall be documented on a Special Appropriations Expenditure Voucher (SH-AD-3) which can be obtained through the Special Accounts section at Administrative and Training Division/Financial Programs Bureau, and approved by the unit commander, area commander, division chief, and the assistant sheriff.

Payments to informants shall be made and witnessed by at least two sworn personnel. In addition, the following level of sworn personnel shall be present and witness the informant sign the Informant Payment Receipt (SH-AD-688):

Deputy	up to $100.00
Sergeant	up to $300.00
Lieutenant	up to $5,000.00 and above

The highest ranking sworn person on scene shall sign the Informant Payment Receipt acknowledging the informant received the payment.

Funding of Informant Expenses

Deputy personnel shall not use their personal funds for informant payments and/or expenses, controlled purchases of narcotics, or other evidence relating to the investigation. All funds for the use of controlled purchases of narcotic related investigations shall be obtained through the Detective Division’s Narcotics Bureau and its access to the Department’s Special Appropriations Funds approved by the Narcotics Bureau Unit Commander and the Detective Division Chief.

Funds for other investigative expenses, informant fees and authorized informant expenses may be approved by the concerned unit commander and the division chief. Refer to MPP Section 3-05/050.00 for Special Appropriations Fund use for investigative expenses.

• 3-01/110.90 - Fraternization and Prohibited Association with Informants

Members shall not knowingly fraternize with, engage the services of, accept services from, do favors for, or maintain a business or personal relationship or association with persons who are acting in the capacity of an informant as defined in MPP section 3-01/110.60.

Relationships between deputy personnel and informants must remain ethical and professional. To associate with an informant in any way other than in an official capacity is strictly prohibited. When contacting informants in person, deputies shall have another deputy or law enforcement officer present. Deputies shall not accept any gifts or gratuities from an informant or engage with them in any business or financial dealings. Any offer of gifts or gratuities by an informant to a Department member shall be reported by the member to his or her supervisor. The supervisor shall evaluate the informant's suitability for continued service.

Any member contacted by, or on behalf of an informant, past or present, shall report such contact to their immediate supervisor, if that person initiated the contact, and the reason for the contact is unrelated to a current investigation.

Refer to the revised Informant Guidelines Form (SH-AD-687) which states that Department personnel shall not meet with an informant by themselves. This form advises informants not to meet any member of our Department that is alone and not with a partner.

• 3-01/120.00 - Environmental Responsibilities

[Title Only]

• 3-01/120.05 - Energy Conservation

Energy conservation at all times is desirable and encouraged. Los Angeles County Sheriff's Department facilities should always serve as models.

Unit commanders and directors shall encourage energy conservation and foster a sense of responsibility in all their employees.

Unit commanders and directors shall develop a unit/facility energy conservation plan that emphasizes facility conservation measures and vigilance for wasteful practices. This plan shall not compromise employee, public, or property safety. A unit energy conservation coordinator shall be appointed to oversee all aspects of the unit/facility energy conservation plan.

No employee shall wantonly waste energy or cause the wanton waste of energy.

Each division chief or director shall be responsible for assigning an appropriate individual from their staff to inspect unit energy conservation plans as part of the annual unit inspection.

• 3-01/121.00 - Policy of Equality

All Department members are required to conduct themselves in accordance with the entirety of this Policy of Equality, and all applicable local, county, state, and federal laws.

PURPOSE

This policy is intended to preserve the dignity, respect, and professionalism of the workplace as well as protect the right of employees to be free from discrimination, harassment, retaliation, and inappropriate conduct toward others based on a state or federal protected characteristic. Discrimination, harassment, retaliation, and inappropriate conduct toward others are absolutely contrary to the values of the Department and to the law enforcement profession as a whole. Discrimination, harassment, and retaliation are also illegal under local, county, state, and federal law.

The Department will not tolerate unlawful discrimination on the basis of the following **protected characteristics**:

- Age (40 and over);
- Ancestry;
- Color;
- Denial of family and medical care leave;
- Disability (physical and mental, including HIV and AIDS);
- Ethnicity;
- Gender identity/gender expression;
- Genetic information;
- Marital status;
- Medical condition (genetic characteristics, cancer, or a record or history of cancer);
- Military or veteran status;
- National origin (including language use restrictions);
- Race;
- Religion (includes religious dress and grooming practices);
- Sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions);
- Sexual orientation; and
- Any other characteristic protected by state or federal law.

The Department will not tolerate unlawful harassment or retaliation. As a preventive measure, the Department also will not tolerate inappropriate conduct toward others based on a protected characteristic, even if the conduct does not meet the legal definition of discrimination, harassment, or retaliation.

All Department members are responsible for conducting themselves in accordance with this policy and its

associated procedures. Violation of the policy and/or procedures will lead to prompt and appropriate Departmental action including, but not limited to, counseling, training, written reprimand, suspension, demotion, and/or discharge.

Managers, supervisors, co-workers, and third-parties are prohibited from engaging in unlawful behavior under the Fair Employment and Housing Act.

• 3-01/121.05 - Policy of Equality - Prohibited Conduct

Each Department member is responsible for understanding and abiding by these definitions of prohibited conduct as they will govern in any disciplinary proceeding for violations of this policy and/or associated procedures.

• 3-01/121.10 - Policy of Equality - Discrimination

Discrimination is the disparate or adverse treatment of an individual based on or because of that individual's:

- Age (40 and over);
- Ancestry;
- Color;
- Denial of family and medical care leave;
- Disability (physical and mental, including HIV and AIDS);
- Ethnicity;
- Gender identity/gender expression;
- Genetic information;
- Marital status;
- Medical condition (genetic characteristics, cancer, or a record or history of cancer);
- Military or veteran status;
- National origin (including language use restrictions);
- Race;
- Religion (includes religious dress and grooming practices);
- Sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions);
- Sexual orientation; and
- Any other characteristic protected by state or federal law.

• 3-01/121.15 - Policy of Equality - Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature which meets any one of the following criteria:

- Submission to such conduct is made either explicitly or implicitly as term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with the individual's employment or creating an intimidating, hostile, offensive, or abusive working environment, and a reasonable person subjected to the conduct would find that the harassment so altered working conditions as to make it more difficult to do the job.

• 3-01/121.20 - Policy of Equality - Harassment (Other Than Sexual)

Harassment of an individual based on or because of the individual's protected characteristic is also discrimination and prohibited. Harassment is conduct which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, offensive, or abusive work environment, and a reasonable person subjected to the conduct would find that the harassment so altered working conditions as to make it more difficult to do the job.

• 3-01/121.25 - Policy of Equality - Third-Person Harassment

Third person harassment is indirect harassment of a bystander, even if the person engaging in the conduct is unaware of the presence of the bystander. When an individual engages in potentially harassing behavior, they assumes the risk that someone may pass by or otherwise witness the behavior. The Department considers this to be the same as directing the harassment toward that individual.

• 3-01/121.30 - Policy of Equality - Inappropriate Conduct Toward Others

Inappropriate conduct toward others is any physical, verbal, or visual conduct based on or because of any of

the protected characteristics described in this policy, when such conduct reasonably would be considered inappropriate for the workplace.

This provision is intended to stop inappropriate conduct based on a protected characteristic before it becomes discrimination, sexual harassment, retaliation, or harassment under this policy. As such, the conduct need not meet legally actionable state and/or federal standards to violate this policy. An isolated derogatory comment, joke, racial slur, sexual innuendo, etc., may constitute conduct that violates this policy and be grounds for discipline. Similarly, the conduct need not be unwelcome to the party against whom it is directed; if the conduct reasonably would be considered inappropriate by the Department for the workplace, it will violate this policy.

• 3-01/121.35 - Policy of Equality - Retaliation

Retaliation, for the purposes of this policy, is an adverse employment action against another for reporting protected incident, filing a complaint of conduct or opposing conduct that violates this policy or related state or federal law, participating in an investigation, administrative proceeding, or otherwise exercising their rights or performing their duties under this policy or related state or federal law.

• 3-01/121.40 - Policy of Equality - Examples of Conduct That May Violate This Policy and Scope of Coverage

Depending on the facts and circumstances, the following are examples of conduct that may violate this policy:

- Posting, possessing, sending, soliciting, or displaying sexually suggestive, racist, "hate site" related, or obscene letters, notes, invitations, cartoons, posters, facsimiles, electronic mail, or web links in the workplace;
- Verbal conduct such as whistling and catcalls, using or making lewd or derogatory noises, or making graphic comments about another's body, participating in explicit discussions about sexual experiences and/or desires, or sexual gossip/rumors;
- Verbal conduct such as using sexually, racially, or ethnically degrading words or names, using or making racial or ethnic epithets, slurs, or jokes;

- Verbal conduct such as comments or gestures about a person's physical appearance which have a racial, sexual, disability-related, religious, age, or ethnic connotation or derogatory comments about religious differences and practices;
- Physical conduct such as touching, pinching, massaging, hugging, kissing, rubbing or brushing the body, making sexual gestures, and/or impeding or blocking an individual's passage or normal movements;
- Visual conduct such as staring, leering, displaying, or circulating sexually suggestive objects, pictures, posters, photographs, cartoons, calendars, drawings, magazines, computer images, or graphics;
- Sexual advances or propositions, including repeated and unwanted requests for a date;
- Retaliation in any form, including withholding work-related information, giving punitive work assignments, or denial of job benefits;
- Hazing based on any protected status, including withholding assistance, giving demeaning, unattainable, or unnecessary job assignments, or ignoring the presence of a co-worker; or
- Adverse employment actions like discharge and/or demotion based on or because of any of the protected characteristics delineated in this policy.

This list is not exhaustive. Any conduct which is retaliatory or based on or because of a protected characteristic, may also violate this policy.

Scope of Coverage:

The protections of and accountability to the Policy of Equality apply to the following:

Department Members: For purposes of this policy, "Department members" are defined as employees of the Los Angeles County Sheriff's Department and applicants for employment, whether sworn (regular or reserve) or professional staff, volunteers, explorer scouts, and outside vendors.

County Workforce: For purposes of this Policy, the “County workforce” includes County employees (including elected/appointed officials, supervisors and managers), Commissioners, contractors, applicants for employment, unpaid volunteers and interns, and persons providing services pursuant to a contract.

Location: This policy prohibits discrimination, harassment, retaliation, and inappropriate conduct toward others based on or because of a protected characteristic, in the workplace or in other work-related settings such as work-related social events (e.g., retirement parties). Depending upon the facts and circumstances, this policy also prohibits off-site, off-duty conduct with a nexus to the workplace, where such conduct meets one of the foregoing definitions of prohibited conduct and has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile, offensive, or abusive working environment.

Communication System/Equipment: This policy also applies to the use of any Departmental communication system or equipment, including but not limited to, electronic mail, internet, intranet, JDIC, telephone lines,

cellphones, computers, tablets, facsimile machines, voicemail, radio, and mobile digital computers. Employees will be disciplined in accordance with this policy for using any Departmental communication system or equipment to deliver, display, store, publish, circulate, or solicit material in violation of this policy.

• 3-01/121.45 - Policy of Equality - Reporting Violations of This Policy

Any Department member who believes they have been subjected to conduct that violates this policy is strongly encouraged to report the matter to any Department supervisor or manager or the Intake Specialist Unit (ISU). The ISU may be reached at (323) 890-5371, and is located at: 4900 South Eastern Avenue, Suite 203, Commerce, California, 90040.

Any non-supervisory Department member who believes they have knowledge of conduct that violates this policy is strongly encouraged to report the matter.

Supervisors and managers have an affirmative duty to report potential violations of this policy to the ISU. Supervisors and managers also have additional duties and responsibilities as detailed in the procedures associated with this policy.

The Department will fully and fairly investigate any complaints and take immediate and appropriate corrective action.

Department members may also contact the California Civil Rights Department (CRD) by calling (800) 884-1684 or visiting their website at www.calcivilrights.ca.gov, or may contact the Federal Equal Employment Opportunity Commission (EEOC) by calling (213) 894-1000 or (800) 669-4000, or visiting their website at www.eeoc.gov. For more information regarding the Fair Employment and Housing Act, Department members may refer to the California Department of Fair Employment and Housing's brochure entitled "Sexual Harassment" which may be found on the CRD's website.

Department members may also contact the County Intake Specialist Unit (CISU) at (855) 999-2367 or visiting their website at https://CEOP.lacounty.gov.

• 3-01/121.50 - Policy of Equality - Duty to Cooperate

All Department members are responsible for cooperating fully in any Department inquiry or investigation related to this policy. Failure to do so will lead to prompt Departmental action including, but not limited to, counseling, training, written reprimand, suspension, demotion, and/or termination.

• 3-01/121.55 - Policy of Equality - No Retaliation

This policy absolutely prohibits retaliation. No person will be retaliated against for making a complaint of conduct that violates this policy or the law, cooperating in any investigation or corrective action, or otherwise

preventing prohibited practices under this policy or the law. The Department will take immediate and corrective action to prevent retaliation, including the imposition of appropriate discipline to any Department member who engages in retaliation.

• 3-01/122.00 - Policy of Equality - Procedures

All Department members are responsible for conducting themselves in accordance with the Policy of Equality ("policy") and these procedures ("procedures"). The policy and procedures are the internal controlling authority for all Department equity matters. Violation of the policy or procedures will lead to prompt and appropriate Departmental action including, but not limited to, counseling, training, written reprimand, suspension, demotion, and/or discharge.

Any Department member who believes they have been subjected to a violation of the policy is strongly encouraged to report the matter. Any non-supervisory Department member who has knowledge of a violation of the policy is also strongly encouraged to report the matter.

Supervisors and managers have an affirmative duty to report potential violations of the policy. Supervisors and managers shall also take all reasonable steps to prevent discrimination, harassment, retaliation, and inappropriate conduct toward others from occurring in the workplace and take immediate and appropriate corrective action to stop any discrimination, harassment, retaliation, and inappropriate conduct toward others that does occur.

The Department will promptly and effectively investigate all reports of violations of the policy and will take immediate and appropriate preventive and corrective action. Department members shall cooperate fully in any inquiry or investigation related to the policy.

• 3-01/122.05 - Policy of Equality - Procedures - Duties of Supervisors and Managers

Under these procedures, supervisors and managers shall perform certain duties as enumerated below.

Supervisors and managers for purposes of the policy include the Sheriff, the undersheriff, assistant sheriffs, chiefs, commanders, captains, lieutenants, sergeants, deputies performing supervisory duties or acting in a supervisory capacity, and civilian directors, managers, supervisors, as well as any employee regardless of job description or title, having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend this action, if, in connection with the foregoing, the exercise of this authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

NOTE: FAILURE BY ANY SUPERVISOR OR MANAGER TO CARRY OUT THESE DUTIES MAY BE CAUSE FOR DISCIPLINE.

Duty of All Supervisors and Managers to Report

Supervisors and managers have an affirmative duty to report potential violations of the policy. Supervisors and managers are required to report potential violations of the policy to the Intake Specialist Unit (ISU) as provided below even when a complaining or reporting party requests that no action be taken. The supervisor or manager shall:

- Immediately notify the ISU of the incident(s) or complaint and any initial steps taken by the supervisor or manager; and
- Complete a Policy of Equality Report/Notification form (POE-001) and promptly file the form with the ISU.

Additional Duties of All Supervisors and Managers

Supervisors and managers are also responsible for:

- Being aware of and understanding the policy and procedures, as well as any modifications that may be made to them;
- Actively monitoring the work environment to ensure that discrimination, harassment, retaliation, and/or inappropriate conduct toward others are not occurring;
- Informing Department members under their supervision of the types of behavior prohibited and the Department's procedures for reporting and resolving complaints arising under the policy;
- Stopping conduct that violates the policy and taking immediate and appropriate action whether or not the involved Department members are within their line of supervision; and
- Taking immediate action to prevent retaliation towards the complaining party (if there is one) and to deter and eliminate any hostile work environment. If a situation requires separation of the involved parties, particular care must be taken to avoid actions that appear to punish the complaining party.

Supervisors and managers have the foregoing duties whether or not a complaint has been made.

• 3-01/122.10 - Policy of Equality - Procedures - Information About the Policy and Procedures

Ombudsperson Unit

The Ombudsperson Unit functions as a specialized resource for all Department members concerning these policies and procedures. The Ombudsperson Unit shall respond to inquiries, including anonymous inquiries, about the Department's policy and procedures and provide information to Department members about, among other things, their rights and responsibilities and complaint and investigation procedures concerning equity matters.

The Ombudsperson Unit is not a complaint intake unit. However, if a caller provides enough information to

indicate a violation of the policy, the Ombudsperson Unit must report the matter to the Intake Specialist Unit. The Ombudsperson Unit shall notify each caller of this obligation.

Any Department member who has questions about the meaning or interpretation of this policy should contact the Ombudsperson Unit. They may be reached at:

Ombudsperson Unit (323) 890-5348

• 3-01/122.15 - Policy of Equality - Procedures - Equity Complaint Process

Reporting Complaints

Any Department member who believes they have been subjected to conduct that violates the policy is encouraged to report the matter to:

- Any Department supervisor or manager (whether or not in the Department member's chain-of-command); or
- The Intake Specialist Unit (ISU) at (323) 890-5371.

Non-supervisory Department members are also encouraged to report potential violations of the policy directed toward another to a supervisor, manager, or to the ISU, the number for which has been provided above.

Supervisors and managers shall report potential violations of the policy in accordance with the procedures detailed above.

The Intake Specialist Unit (ISU)

The ISU, staffed by both sworn and professional staff Department members, is an initial point of contact for Department members who wish to report a potential violation of the policy. Department members are not required to identify themselves when contacting the ISU.

The ISU also shall assist Department members in finding the right point of contact for questions regarding the policy and procedures or equity issues.

The ISU shall be responsible for conducting an assessment of the POE Report/Notification form to determine the appropriate course of action based on the designation below:

- “A” designation indicates that, based on the information obtained during the intake assessment process, it is clear there has been/is a potential violation of the Policy of Equality (POE), which rises to a level requiring a further investigation by the Equity Investigations Unit (EIU)/Internal Affairs Bureau. These cases will be referred to the EIU for investigation and resolution.
- “B” designation indicates that, based upon the information obtained during the intake assessment process, the ISU believes that although the situation may involve, or appear to involve, an equity issue,

the situation does not rise to the level requiring a further investigation by the EIU. Cases receiving a "B" designation are typically referred back to the unit involved for follow-up action, including, but not limited to, supervisory inquiry, counseling, re-briefing, training, etc., as may be recommended by the County Equity Oversight Panel (CEOP).

- "C" designation indicates that, based upon the information obtained during the intake assessment process, the ISU determined there is no proven equity issue involved, or that there is insufficient information revealing a causal connection between the alleged adverse or disparate treatment and a protected category enumerated under the POE. Cases receiving a "C" designation may also be referred back to the unit involved for follow-up action, as may be recommended by the CEOP.
- "N" designation indicates the situation involves a Department employee as the complainant and a non-sheriff employee as an alleged involved party. The complainant will also be forwarded to the non-sheriff employee's agency/department or employer for investigation.

The ISU shall contact the complainant during the course of the investigation if there is reasonable basis to believe that retaliation is occurring. The ISU shall make prompt notification to the appropriate parties if an issue of retaliation is raised.

- Supervisors and Managers

  Department members also may report potential violations of the policy and/or procedures to any Department supervisor or manager as defined above.

Investigating Complaints: The Equity Investigations Unit (EIU)

The EIU is responsible for promptly and effectively investigating reports of conduct that violates the policy or procedures. EIU investigations shall be immediate, thorough, objective, and complete. EIU investigations shall be as confidential as reasonably possible consistent with the Department's obligation to conduct a full and effective investigation. Upon conclusion of the investigation, the EIU investigators shall present their findings to the CEOP for review.

The EIU investigator(s) assigned to the case shall conduct an initial investigation to determine whether there has been a potential violation of the policy and/or procedures. If the initial investigation indicates a potential violation of the policy and/or procedures, the investigator shall open an administrative investigation at the direction of an EIU lieutenant, who may seek the advice or concurrence of the equity commander. Any decision not to open an administrative investigation shall be forwarded to the CEOP for review.

Review of Equity Investigations Unit's (EIU) Investigations

- The County Equity Oversight Panel (CEOP)

  The CEOP is an independent oversight body which, in accordance with the procedures described in this section, shall have authority and be responsible for reviewing the intake assessment process and EIU investigations and making appropriate determinations for violations of the policy and/or procedures. The CEOP shall meet bi-monthly, or more frequently if necessary, to discuss and review each EIU investigation.

  In addition, the CEOP shall be responsible for, among other matters, monitoring and evaluating the quality of the EIU investigations and the effectiveness of the policy and procedures. The CEOP shall

also serve as an equity policy advisor to the Department.

- The Review Process

The review process shall consist of the following steps:

a. The CEOP shall receive a thorough briefing from and have the opportunity to question the investigator(s) who handled the EIU investigation. The subject's division chief or director and/or unit commander may attend the briefing. In addition, the CEOP shall have the authority to command the appearance of any Department member deemed necessary to a full and effective resolution of the complaint or incident. Any information relied upon by the CEOP to reach its decisions must be reflected in the subject's investigation package, including any new information received from any attendee to the CEOP's briefing.
b. The CEOP shall meet to discuss and deliberate on the EIU case presented. A representative from county counsel may be present to offer advice as required under applicable protocols. The subject's division chief or director and/or unit commander may be present at the request of the CEOP members. After discussion, the CEOP shall determine appropriate dispositions and discipline, if discipline is warranted. The CEOP immediately shall cause to be forwarded to the Sheriff for review all cases where its final recommended discipline determination exceeds 15 days suspension (See "Sheriff's Review of Discipline in Excess of 15 Days Suspension," below.).
c. In all cases, the CEOP may direct the EIU to conduct further investigation. If further investigation is directed, another review shall be held in accordance with this section after the investigation.
d. The CEOP shall communicate its recommendations to the EIU, which shall notify the appropriate parties. The EIU shall issue a Letter of Intent to Impose Discipline to the subject or, where appropriate, inform the subject that the complaint was unfounded or unresolved. At the same time, the EIU shall issue a letter to the complainant indicating that the complaint was either founded, unfounded, or unresolved and that, if founded, appropriate corrective action was determined. Proposed disciplinary action shall be kept confidential until the EIU receives the determinations regarding dispositions and discipline from the CEOP or Sheriff or his delegate.

Sheriff's Review of Discipline in Excess of 15 Days Suspension

The Sheriff shall have the authority to review all cases of discipline in excess of 15 days suspension, including demotion and termination. For these cases, the Sheriff shall have the authority to adopt or modify the discipline and/or reopen the investigation if deemed necessary.

The Sheriff may delegate the aforementioned authority to the undersheriff or an assistant sheriff.

Skelly Hearings

Where applicable, the subject Department member may elect to have a hearing on discipline (a "Skelly" hearing) before the discipline is imposed. If the subject elects to have a Skelly hearing, the Department shall designate a Skelly officer.

Information presented by the subject at the Skelly hearing that was known to the subject at the time of the subject's EIU investigation but not disclosed shall not be grounds for overturning the CEOP's recommendation. If the subject presents new facts during the Skelly hearing (i.e., facts discovered subsequent to the subject's EIU investigation), the Skelly officer shall send the case back to the EIU for further

investigation.

The Skelly officer shall promptly communicate, in writing, the factual and legal basis for any decision to modify the CEOP's determinations to the Sheriff and to the CEOP. Failure to do so may be grounds for discipline.

Grievance Procedures

- Department Member's Rights

  Department members also may grieve disciplinary actions according to the terms of applicable memoranda of understanding (MOU) negotiated by the Department and the union representing said members. As such, these MOUs may require separate or additional procedures according to their respective terms.

- Supervisors' and Managers' Responsibilities

  Any supervisor authorized to conduct grievances shall promptly communicate, in writing, to the CEOP and to the subject's division chief or director the factual and legal basis for any decision to modify the CEOP's determinations. Failure to do so may be cause for discipline.

  Information presented by the subject during the grievance that was known to the subject at the time of the subject's EIU investigation but not disclosed shall not be grounds for overturning the CEOP's recommendation. If the subject presents new facts during the grievance (i.e., facts discovered subsequent to the subject's EIU investigation), the supervisor authorized to conduct the grievance shall send the case back to the EIU for further investigation.

Appeals to Civil Service

Department members also may appeal final determinations of discipline to the Civil Service Commission in accordance with the Civil Service Rules. Where the final discipline determination exceeds 15 days suspension, the Department may not settle a Civil Service Commission case without prior approval by the Sheriff or his designee. In all other cases, the Department may not settle a Civil Service Commission case without prior approval by the CEOP.

• 3-01/122.20 - Policy of Equality - Procedures - External Complaint Monitoring

The Department's Equity Compliance Unit (ECU) will receive and process all external discrimination, harassment, and retaliation complaints. The ECU will forward the complaint to the Intake Specialist Unit for assessment. The ECU will submit a position statement to the appropriate external agency for resolution of the complaint.

• 3-01/122.25 - Policy of Equality - Procedures - Confidentiality

The Department shall maintain all complaint-related information in confidence to the extent possible given the Department's obligation to conduct a full and effective investigation. For more information concerning confidentiality, Department members should contact the Ombudsperson Unit.

The Department shall keep all information and material reviewed confidential in accordance with California Penal Code sections 832.7 and 832.8, California Evidence Code section 1043 et seq., and any other provision regarding the confidentiality of peace officer personnel records.

• 3-01/140.00 - Deputy Stops - Government Code Section 12525.5

California law requires a peace officer making a stop, before engaging in questioning related to a criminal investigation or traffic violation, to state the reason for the stop. An exception to the law exists where the peace officer reasonably believes that withholding the reason for the stop is necessary to protect life or property from imminent threat, including, but not limited to, cases of terrorism or kidnapping.

For the purposes of this policy, a stop means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control.

This policy establishes procedures for personnel to follow in order to comply with California Government Code (GC) section 12525.5 and California Vehicle Code (CVC) section 2806.5. All personnel are reminded when making contact with the public that all applicable Department policies are to be followed.

Sworn Personnel

Shall ensure the following is completed:

- When safe to do so, activate their Body Worn Camera (BWC) prior to initiating, or upon conducting the stop in accordance with MPP 3-06/200.08 (Body Worn Camera-Activation). This will serve as a record of the disclosures provided to the person stopped.
- State the reason for the stop to the person detained:
    - This communication should be clear and direct, citing the specific law, ordinance or suspicious activity that justified the stop.
    - If a reason for the stop was not given to the person stopped because of a reasonable belief that withholding the reason for the stop is necessary to protect life or property from imminent threat, state or document the basis for that reasonable belief;
- Document the reason for the stop on any citation given, or on any written report;
- Input the reason for the stop in Computer Aided Dispatch (CAD) or Sheriff's Automated Contact Reporting System (SACR);

- Document the following information for the stop:
    - The time, date, and location of the stop;
    - The reason for the stop;
    - The reason given to the person for the stop at the time of the stop, or the basis for the reasonable belief that not giving the reason to the person for the stop was necessary to protect life or property from imminent threat;
    - The result of the stop, such as no action, warning, citation, property seizure, or arrest;
    - If a warning or citation was issued, the warning provided or violation cited;
    - If an arrest was made, the offense charged;
    - The perceived race or ethnicity, gender, and approximate age of the person stopped. Such information shall be based on the observation and perception of the personnel making the stop. The information shall not be requested from the person stopped. For motor vehicle stops, this information shall be documented only as to the driver, unless a passenger was asked for consent to search their person or property, a search of the passenger was actually conducted, and/or property was seized from the passenger;
    - Actions taken by the peace officer during the stop, including, but not limited to the following:
        - Whether the personnel asked for consent to search the person, and if so, whether consent was provided;
        - Whether the personnel searched the person or any property, and if so, the basis for the search and the type of contraband or evidence discovered, if any;
        - Whether the personnel seized any property, and if so, the type of property that was seized and the basis for seizing the property.
    - If more than one personnel performs a stop, only one personnel is required to collect and report the above information.
- Ensure the data input into the CAD and SACR system are consistent and accurate.

Supervisors with the rank of Sergeant or higher

Shall ensure the following were completed:

- When reviewing any citation or written report during a random audit ensure that personnel documented the reason for the stop and that the reason meets department policy and procedures, along with legal standards.

- Confirm personnel stated a reason for the stop to the person they stopped, or documented their reasonable belief that withholding the reason for the stop was necessary to protect life or property from imminent threat:
    - E.g., warn and advise, violation of local ordinance, state law, or federal law, or reasonable suspicion.
- Confirm that the additional information required by this policy regarding the person stopped was documented in SACR;
- If discrepancies or inconsistencies are found, determine if these items can be rectified or conduct an inquiry as to whether the stop was legal.
- Audit the stop in SACR.
    - Ensure a reason for the stop was noted in SACR;
    - Ensure the data input into the CAD and SACR system is consistent and accurate; and
    - Ensure that personnel activated their Body Worn Camera (BWC) in accordance with MPP 3-06/200.08 (Body Worn Camera-Activation) and personnel provided the reason for the stop to the person stopped or articulated circumstances for not providing the reason.

Lieutenant, Area Lieutenant or Watch Commander

Shall ensure the following were completed:

- Ensure that personnel are briefed on a quarterly basis on this policy and log activity in the Watch Commanders Log;
- During SACR audits, ensure the reason (violation of local ordinance, state law, or federal law, or reasonable suspicion) for the stop to the person they stopped is noted, or if the reason for the stop was not given to the person stopped because of a reasonable belief that withholding the reason for the stop is necessary to protect life or property from imminent threat, the basis for that reasonable belief is noted;
- Upon audit or review of BWC, ensure the reason for the stop was given, or the basis for not providing a reason for the stop was articulated, or the BWC depicts the circumstances that gives a basis for not providing a reason for the stop (e.g. instances of critical incidents, or medical emergencies, deputy involved in an unexpected fight/ambush, use of force that damages BWC or unintentionally causes BWC to become removed/inoperable). If the BWC does not depict such circumstances, ensure that the basis for not providing a reason for the stop is adequately documented in the SACR; and
- If discrepancies or inconsistencies are found, determine if these items can be rectified or conduct an inquiry as to whether the stop was legal.
- Audits under this policy shall be conducted randomly and not directed at any particular employee to check general performance activities or issues.

Unit Commander

Shall ensure the Department adheres to 12525.5 GC and 2806.5 CVC in the following areas:

- Personnel are adhering to the laws' requirements;
- Conduct at least 2 audits a year on Supervisors' review and approval of reports; and
- Ensure Scheduling and Training units are providing necessary training to line personnel and supervisors to meet the requirements of GC 12525.5 and CVC 2806.5.

References:

Newsletter 23-06 AB 2773 (2022) – Stating and Documenting the Reason for Traffic Stops

California Government Code section 12525.5

California Vehicle Code section 2806.5

FOD 18-004 Sheriff's Automated Contact Reporting (SACR)

SACR User Guide

SACR SH-R-636 Form (Offline Manual Form)

Station / Bureau Administration Portal