

## Chapter 3 - Operations

### CHAPTER 3 – OPERATIONS

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### **• 2005 - 3 LAW ENFORCEMENT ACTIVITY OUTSIDE OF LASD'S™S GEOGRAPHICAL JURISDICTION**

#### **PURPOSE OF ORDER**

The purpose of this order is to establish procedures for members of Operation Safe Streets (OSS) Bureau when conducting necessary law enforcement activity outside of the geographical jurisdiction of the Los Angeles County Sheriff's Department.

#### **SCOPE OF ORDER**

All Bureau personnel.

## **ORDER**

Our primary mission at OSS Bureau is to enforce the law, impact gang-related violence, and arrest criminal street gang members for violations that occur within the station areas we serve. We are obligated to take law enforcement action when we observe criminal activity; however, that does not imply that we are to seek out criminal activities outside our jurisdiction. That does not preclude us from entering other areas on mission-specific assignments, e.g., search warrant searches for identified suspects, or information gathering assignments. When it becomes necessary to enter another agency's jurisdiction for a search operation, a Bureau lieutenant shall be present, the agency of jurisdiction shall be notified and provided with the name, rank, and contact telephone number of the on-site supervisor.

When law enforcement activity is conducted in another agency's jurisdiction based upon an observation, a team sergeant will respond and take the appropriate action. That may include but is not limited to the following:

- Release of the individual(s)/suspect(s) with or without a citation
- Call the agency of concern to the scene and release the individual(s) to them
- Authorize the arrest and transportation of the suspect for booking

A lieutenant shall be present any time sworn Bureau personnel are out of the County wherein the possibility exists of taking any law enforcement action, they are likely to arrest an individual(s), or conduct an operation other than just solely for the purposes of information by means of surveillance.

We expect our efforts of enforcing the law to take place within our assigned jurisdiction.

OSS Bureau personnel found outside of their designated patrol area, without the express permission of the arrest team's supervisor, or without a clearly identified emergency, are subject to discipline.

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## **• 2005 - 6 GANG-RELATED HOMICIDES**

### **PURPOSE OF ORDER**

To provide guidelines for Bureau personnel when a gang-related homicide occurs.

### **SCOPE OF ORDER**

All Bureau personnel.

### **ORDER**

Whenever a gang-related homicide occurs, a minimum of two Bureau detectives from the local team, shall respond. It shall be incumbent upon the station watch commander or Homicide Bureau to notify the local Bureau team sergeant. Team sergeants shall make arrangements for appropriate personnel to respond.

Team sergeants shall ensure their respective station's watch commanders are provided with a current local Bureau team phone roster.

This order pertains to all gang-related homicides, whether or not it involves a targeted gang or not.

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## • 2009 - 2 SPECIAL ENFORCEMENT BUREAU NOTIFICATIONS

### PURPOSE OF ORDER

To provide guidelines for sworn Bureau personnel regarding the notification of the Special Enforcement Bureau (SEB) on all search operations involving outstanding suspect(s) wanted for or suspected of shooting another person.

### SCOPE OF ORDER

All sworn Bureau personnel.

### ORDER

Unless a person wanted for or suspected of shooting another person, in violation of sections 245(a)(2), 187(a) or 664/187(a) of the California Penal Code, is taken into custody prior to the service of a search warrant, a Bureau sergeant shall contact an SEB lieutenant for consultation on all search warrant operations.

The purpose of the consultation is to determine if a Special Weapons Team or a Tactical Entry Team should serve the warrant.

This order does not affect any of the mandatory notifications identified on the Search Warrant Preparation Check List.

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## • 2009 - 3 DEPARTMENT OF CHILDREN & FAMILY SERVICES MULTI-AGENCY RESPONSE TEAM (MART)

### PURPOSE OF ORDER

The purpose of this order is to adopt guidelines for the appropriate use of Department of Children and Family Services (DCFS) Multi Agency Response Team (MART) personnel during the service of pre-planned search warrant operations.

### SCOPE OF ORDER

All Bureau personnel.

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## **ORDER**

The Bureau has entered into a collaboration with MART to provide assistance to Bureau personnel by responding to endangerment or neglect incidents encountered during search warrant services.

This order shall apply to all pre-planned search warrant operations and in any case where the luxury of time affords an opportunity to request a MART investigator prior to warrant service. Because a vast majority of search warrants written by this Bureau are drafted in pursuit of firearms or illegal drugs, the following guidelines shall be followed to ensure the safety of minors who reside with gang members:

- The notification of MART in advance of a warrant operation is the best way of ensuring a rapid response. Team sergeants shall incorporate the notification of MART into their routine pre-service administrative procedures. In all cases where less than three locations are to be searched, MART shall be notified and asked to be placed on-call or to respond at their discretion. If upon service and in all cases where minors are found in the presence of unsecured firearms, narcotics or in any condition that is a threat to their health and safety, a MART investigator shall be asked to respond.
- For operations involving three or more locations to be searched, the presence of a MART investigator shall be requested and asked to stage at the command post.
- Personnel may be asked to assist DCFS with evidence gathering, such as video or digital photos. Evidence to support DCFS does not fall under the chain of evidence procedures of the Sheriff's Department. Personnel may take additional video and digital photos, not for criminal prosecution, and provide it directly to DCFS workers for Dependency Court.

DCFS services may include taking children into protective custody, formulating a "protective plan" for the family, placing the child with relatives, ordering adult gang members from the home while keeping the family and children in place, monitoring gang families and providing conditional services. DCFS has lower "thresholds" for detaining children. Those acts of endangerment rising to a crime must be documented by Bureau personnel in the appropriate first or supplemental report.

Detectives and sergeants reviewing reports should be vigilant in reviewing crime reports involving gang-related violence and children. Should a specific gang residence become the target of multiple acts of violence, DCFS workers should be contacted to assess whether the children residing at the location are endangered or not.

A working agreement defining roles and responsibilities has been approved between the Department and DCFS.

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## **• 2014 - 1 PRE-PLANNED COMPLIANCE SEARCHES**

### **PURPOSE OF ORDER**

The purpose of this order is to clarify the responsibility of the Probation Department as it pertains to compliance searches and supervision of Post Release Community Supervision (PRCS) (AB109 and AB117) probationers. It is also intended to provide a procedure for documenting notifications prior to conducting Pre-

Planned Probation Compliance Searches.

### **SCOPE OF ORDER**

All sworn Bureau personnel.

### **BACKGROUND**

In July 2012, pursuant to an approved motion by the Los Angeles County Board of Supervisors, the Probation Department was charged with the supervision and rehabilitative services for all adult probationers.

Compliance and accountability rests with the Probation Department. Law enforcement agencies, such as the Los Angeles County Sheriff's Department, were tasked with collaborating with the Probation Department to ensure the compliance of probationers and in maintaining the public's safety. In order to demonstrate collaboration, we were therefore required to make an appropriate notification to probation personnel prior to a Pre-Planned Probation Compliance Search.

### **ORDER**

Prior to conducting a Pre-Planned Compliance Search, an appropriate notification to the Probation Department is required. This notification only pertains to Pre-Planned Compliance Searches. The notification requirement is met when contact is made with a Deputy Probation Officer (DPO) familiar with the case being investigated, the DPO embedded with your team/station, or the DPO of record. The notification to a DPO shall be documented in the Notifications section of the operations plan that is prepared prior to the compliance search.

### **SEARCH WARRANTS**

Notification to the Probation Department or any other compliance entity is not required for the service of search warrant(s). A notification is not required during an active in progress investigation, when search conditions have been established, or the compliance search is deemed necessary to further a criminal investigation.

### **COMPLIANCE SEARCHES**

Compliance searches continue to be a valuable and necessary tool in furthering criminal investigations. A simple notification is all that is necessary to avoid any potential long term limitations or ramifications as it pertains to this investigative asset.

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## **• 2015 - 1 RELEASE OF IMPOUNDED VEHICLES**

### **PURPOSE OF ORDER**

The purpose of this order is to establish time guidelines on vehicles impounded for evidence for Bureau

investigations.

### **SCOPE OF ORDER**

All sworn Bureau personnel.

### **ORDER**

When assigning cases, the team sergeant shall notify the assigned detective of a case involving an impounded vehicle.

Within four business days of the vehicle being impounded, it shall be the detective's or team sergeant's responsibility to reclassify the impounded vehicle as "stored." For further regarding the reclassification of vehicles and vehicle release administrative fees, refer to **MPP 5-01/090.00 and 5-01/090.10**.

If during the course of the investigation it is necessary for the vehicle to be remain "impounded" beyond four business days, the Unit Commander or his/her designee shall be notified regarding the circumstances.

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## **• 2015 - 2 PROPOSITION 47 ARRESTS**

### **PURPOSE OF ORDER**

The purpose of this order is to clarify the responsibility of sworn personnel assigned to the Bureau when making an arrest for criminal charges associated with Proposition 47.

### **SCOPE OF ORDER**

All sworn Bureau personnel.

### **BACKGROUND**

Proposition 47 was passed on November 4, 2014, by the voters of California. These new penalties and offenses became effective November 5, 2014. Proposition 47 has reduced specified offenses to misdemeanors, creates a new "shoplifting" crime and allows resentencing of certain convicted felons as misdemeanor offenders.

### **ORDER**

All OSS sworn personnel who arrest persons for Proposition 47 charges, whether on an open charge or a warrant, shall ensure the arrestee is booked, Livescanned, and a Criminal History check is done to determine if a previous conviction could make the current arrest a felony. Proposition 47 drug possession charges shall be assigned to Narcotics Bureau. During booking, if AJIS and/or Livescan does not accept the new arrest code information, the override function must be used. The intent of this order does not negate an OSS team

sergeant's ability to authorize a field cite and release of arrestees who will likely be problematic during the booking process.

The following offenses are changed from felony to misdemeanor arrests when a value less than \$950.00 is involved, with exception of individuals that are "Proposition 47 Ineligible." In addition, the listed Health and Safety codes have been changed from felony to misdemeanor offenses.

Penal Codes / Statistical Codes / Charge Level:

- 459.5 / Stat Code 383 (F/M) - The **new misdemeanor crime** of "shoplifting" is defined as entering a commercial establishment, during business hours, with the intent to steal, where the value of the taken items does not exceed \$950. "Shoplifting" as defined may not be charged as a theft or a burglary.
- 473(b) / Stat Code 103 - 107 (F/M) - Forgery of checks and related instruments of not more than \$950 is now a misdemeanor.
- 476a / Stat Code 101 (F) - 102 (M) - NSF checks totaling not more than \$950 (unless 3 or more specified priors) is now a misdemeanor.
- 490.2 / Stat Code 080 - 099 (F/M) — Grand Theft (**any form**) of items valued not more than \$950 is now a misdemeanor. Stat code used depends on what is stolen and where from, not the value of the item.
- 496(a) / Stat Code 290 (F/M) - Receiving/concealing stolen property of items valued not more than \$950 is now a misdemeanor.
- 666 / Stat Code 381 - 389 (F/M) - "Wobbler" "petty theft with a prior" applies only to "Proposition 47 Ineligible" defendants with specified priors and certain elder abusers. For all other defendants petty thefts are **misdemeanors regardless of the number of prior thefts.**

**Health and Safety Codes:**

- 11350 / Stat Code 181 (F/M) - Simple possession of heroin, cocaine, and other listed controlled substances is now a misdemeanor.
  - 11357(a) / Stat Code 182 (F/M) - Simple possession of concentrated cannabis is now a misdemeanor.
  - 11377 / Stat Code 184 (F/M) - Simple possession of methamphetamine, ecstasy, GHB, and other listed substances is now a misdemeanor.
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