

6-20 Letters of Consideration

NARCOTICS BUREAU

DETECTIVE DIVISION ORDER

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Bureau Order Number: **6-20**

Subject: **LETTERS OF CONSIDERATION**

| | | | |
|---------------------|------------|--------------------|------------|
| Effective Date: | 03/15/2009 | Last Date Revised: | 09/02/2011 |
| Last Date Reviewed: | 04/01/2021 | Next Review Date: | 04/01/2022 |

I. CONCEPT AND ISSUES

A. Purpose

The primary purpose of this Bureau Order is to establish policy and procedure for a "Letter of Consideration."

B. Background

Whenever a Department member deems that a defendant involved in an investigation has assisted in the efforts of the investigation or provided information on another criminal investigation, that investigator, with the approval of his Unit Commander, may prepare a letter for signature by the investigator's Unit Commander to the local court requesting that the defendant's action be taken into special penalty consideration.

C. Scope of Policy

This policy is designed to assist Narcotics Bureau Personnel by providing specific guidelines in the preparation of letters of consideration.

D. Accountability

All sworn personnel of the Narcotics Bureau will be held accountable for strict adherence to this policy whenever a letter of consideration is prepared.

E. Training

Narcotics Bureau Sergeants will ensure that all personnel under their direction have been thoroughly trained on all aspects of this policy. Special attention should be made to newly assigned personnel and

required training outlined in the deputy orientation program.

F. Conclusion

The intent of this policy is to establish procedures that will ensure uniformity when preparing letters of consideration.

II. POLICY

When an investigator believes a defendant's action should be taken into special penalty consideration, a memorandum from the investigator to the Bureau Captain will be written requesting a "Letter of Consideration." The memorandum format for all "Letter of Consideration" requests shall be the same (refer to attachment A). The procedural steps for a "Letter of Consideration" to be sent to a court will be as follows:

- The investigator will submit a memorandum (refer to attachment A), via

the Zone Lieutenant, to the Bureau Commander, requesting a "Letter of Consideration". In addition to the memorandum, the investigator shall submit supporting documents (including defendant's criminal history, RAPS, CJIS, APS, PIMS, CCHRS and all other paperwork pertinent to the case). Required information that is not provided in the memorandum and/or lack of supporting documents will delay the approval request.

NOTE: A defendant who has a history of violent crime, sexual assaults, child molestation or any other offense which may cause embarrassment to the Department shall not be approved.

- The Zone Lieutenant will review the memorandum, ensuring

completeness and that all supporting documents have been submitted. If the Zone Lieutenant concurs with the request for a "Letter of Consideration" and has ensured a complete package has been prepared, the Lieutenant shall sign the memorandum and forward the complete package to the Bureau Commander.

- The Bureau Commander will review the complete package and upon

concurrence with the request, will sign the memorandum and forward it to the Detective Division Chief for approval.

- Once approved by the Detective Division Chief, the Bureau will prepare a

"Letter of Consideration" (refer to attachment B), signed by the Bureau Unit Commander, and forward it to the appropriate court.

In preparing a request for a "Letter of Consideration", Bureau personnel are reminded that the procedural

process for all requests is governed by the Department's Policy and Procedure Manual, 3-01/110.70 - Consideration for Defendants.

SEE ATTACHMENTS "A" AND "B" FOR SAMPLES.

ORIGINAL SIGNED

LOY L. MCBRIDE, CAPTAIN

NARCOTICS BUREAU

(ATTACHMENT "A")

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

OFFICE CORRESPONDENCE

DATE:

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FROM:

TO:

SUBJECT: LETTER OF CONSIDERATION

We are requesting that a letter of consideration be sent as follows:

Example: James Jones

Addressee:

Name:

District Attorney

Hondo

Agency/Court:

Rio

Address:

11234 Valley Blvd

City, Zip:

El Monte, CA 91731

Defendant: _____

Case No: _____

Charge: _____

Next Court Date: _____

The defendant has assisted us in the following manner:

How many search warrants: _____

Suspects arrested: _____

How much drugs involved: _____

Currently assisting with other cases: _____

The case(s) the defendant is to appear on is the result of his/her arrest by:

_____ LASD and we are assigned as the investigators.

_____ LASD and the assigned/arresting deputy concurs with this letter.

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_____ By _____ (agency) and the assigned/concurs with this letter.

Other: _____

The defendant does/does not have a history of violent offenses. If yes, explain:

D.D.A. _____ concurs with this recommendation.

- order
- *Examples:
1. One year County jail - probation w/search
 2. Case dismissed - probation/fine granted
 3. Community service program be granted in lieu of incarceration.
 4. Minimum County jail
 5. Other request

* Circle specifically what you are requesting.

Informant: _____

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Number: _____

Informant Card attached: ☐ Yes ☐ No

Informant Card on file: ☐ Yes ☐ No

APPROVED:

ZONE LIEUTENANT _____ DATE _____

BUREAU CAPTAIN _____ DATE _____

DIVISION CHIEF _____ DATE _____

(ATTACHMENT "B")

- EXAMPLE -

March 7, 2001

Mr. Dan Damon, Deputy District Attorney

Newhall Municipal Court

23747 West Valencia Boulevard

Valencia, California 91355

Dear Mr. Damon:

In the matter of:

Defendant: John Doe

Case No.: PA12345

Charges: 11359 H&S

It is my understanding that Defendant Doe will appear in court on April 17, 2001.

The purpose of this letter is to inform you that Defendant Doe has assisted the Los Angeles County Sheriff's Department, Narcotics Bureau, by providing information on two cases which subsequently led to the arrest of three adult suspects and the seizure of fourteen pounds of marijuana and seventy-five grams of methamphetamine.

In return for Defendant Doe's cooperation with law enforcement, it is requested that his case be dismissed or probation/fine be granted.

Thank you for your consideration of this request.

Sincerely,

ALEX VILLANUEVA, SHERIFF

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