0014 - ACCOUNTABILITY

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

DETECTIVE DIVISION

SPECIAL VICTIMS BUREAU

Bureau Order No:	**0014**
Subject:	**ACCOUNTABILITY**

Effective Date	Jan. 2023	**Last Date Reviewed**	Jan. 2023	**Last Date Revised**	Jan. 2023

PURPOSE:

To provide for a standard of work performance consistent with established investigative protocols and policy. In addition, to provide guidelines for conduct, behavior, and interpersonal relations within the work place.

POLICY:

All personnel shall become familiar with and adhere to the below accountability policy.

I. GENERAL EXPECTATIONS

My general expectations for managers and supervisors are:

A. That each team sergeant will assign the appropriate number of investigators to complex or noteworthy cases, so as not to delay or hinder a proper and timely investigation.

B. That each team sergeant will ensure that your investigators are:

1. E-mailing to each author of the first report at the close of each case.

Items to be covered in the e-mail are:

a. The disposition of the case.

b. The areas of strength and weaknesses of his/her report, keeping in mind that the intent is to better train our patrol deputies.

c. Provide recommended investigative techniques or laws that could assist them in the future.

C. Making timely notifications and updates to the concerned patrol station management regarding noteworthy or significant cases.

1. That each team sergeant will be assigned to conduct two (2) random audits to include, but not be limited to:

a. Completeness, timeliness, and quality of investigative effort.

b. Completeness and quality of written reports.

c. Appropriate conclusion reached for disposition giving special attention to bureau closures and rejects by the District Attorney.

d. Receiving feedback from the handling Deputy District Attorney regarding thoroughness of investigative effort and quality of court testimony.

e. Following up with the family of the victim (if appropriate) regarding professional demeanor.

f. The results of the audit will be discussed with the team member.

D. That each team sergeant will make a personal visit at least once per month to a member of the operations staff of each of their assigned patrol stations to discuss service needs, trends, problems, etc.

E. That each team sergeant will personally review the search and arrest warrants completed by their personnel to ensure accuracy, probable cause, and other related legal issues, and that there are appropriate Operations Plans for service. To that end, my expectations are:

1. That copies of all Operations Plans will be forwarded to the field lieutenant for review and approval prior to actual service (except in exigent circumstances).

2. That an Operations Plan will be completed and approved for all high-risk arrest warrants.

3. That a sergeant will be present during the execution of all search and high-risk arrest warrant operations, pursuant to Department policy.
4. That a lieutenant be present during the execution of all search and arrest warrant operations that could be considered "high-risk."

5. That all personnel involved in the execution of a search or arrest warrant will be wearing a vest, Sam Browne and weapon, raid jacket or uniform, and be carrying other appropriate safety equipment, such as baton and Oleoresin Capsicum spray.

6. That each manager and supervisor will document the commendable actions of their personnel and will take the appropriate measures to ensure that their employees are recognized for their efforts. Such recognition could include an entry in the Performance Log, a written commendation, or a recommendation for a Department Service Medal.

7. That each manager and supervisor will support and encourage each employee to participate in the Department's Wellness Program or a similar program designed to provide for their physical and mental conditioning.

The following expectations for Deputy Sheriff personnel shall be adhered to:

A. Operational Duties

Daily

1. By 0900 hours, advise your team sergeant of your planned activities for the day.

2. Receive permission from your team sergeant to work any necessary overtime.

3. Receive permission from your team sergeant prior to releasing any suspect 849(b)(1).

Monday

1. By 0900 hours, submit to your team sergeant a short synopsis of your most interesting or noteworthy investigations for the preceding week, including a complete file number.

Continually

1. Have all your safety equipment available at all times, including your vest, etc.

2. Comply with the on-call and roll-out procedures and make appropriate notifications, such as scanning the roll-out forms to the desk.

3. If assigned to training, assume it is mandatory and attend. If for some reason you cannot attend, immediately notify your team sergeant who will notify the training coordinator.

4. Graciously share your expertise with station deputies, reserves, and new investigators.

B. Investigative Duties

Do the Following

1. Contact your victim, their family, or the informant on each case no later than 24-hours after receiving the case. Maintain a case journal indicating the contact or attempts to contact.

2. Initially interview the victim in person. If not possible, receive approval for an alternate method of interviewing from your team sergeant. If the victim cannot come to the Sheriff's Station or SVB office without it being a hardship, the interview will take place in the victim's home.

3. Provide the victim's family with counseling referrals, if appropriate.

4. Advise the family of the case status and case closure, and indicate advisement in your case journal.

5. Submit supplemental reports in a timely manner (at least every 30 days, if not closed out).

6. Submit supplemental reports that include the date, time, location, and manner in which the interview was conducted.

7. Present supplemental report to team sergeant for review and approval prior to presenting to the District Attorney’s Office.

8. Make timely notifications and updates on significant cases to your team sergeant.

9. Comply with Bureau Order #0009 regarding evidence handling procedures.

10. Plan and execute all arrest and search warrants with officer safety as an absolute priority.

11. Prepare search warrants and Operations Plans as appropriate, and have them approved by your team sergeant prior to execution.

(NOTE: Manual Sections 5â€‘09/465.00â€‘60 shall be followed prior to any

search warrant being executed.)

12. Ensure that the Search Warrant Checkâ€‘Off List (SHâ€‘Râ€‘455) is forwarded to the Watch Deputy within five days of drawing a warrant number. The Watch Deputy will ensure Records and Identification Bureau receives the list.

13. Conduct thorough/timely investigations, using all of the appropriate resources available to you.

14. If appropriate, inspect the crime scene and collect any additional evidence as soon as possible.

15. Immediately report to your team sergeant:

a. Any use of force.

b. Any damage to a county vehicle, or accident in a county vehicle.

c. Any industrial injury, however slight.

d. Any inquiry by the press regarding an investigation (Do not conduct a media interview without first consulting your team sergeant.)

e. Any investigation which might result in a citizen's complaint.

f. Any police action taken by you on or off duty, not related to Special Victims Bureau.

g. At the closure of each case, send an e-mail to the deputy who wrote the first report and include a copy of the e-mail after it was sent in your notes packaged to be scanned. The e-mail shall include:

1. The disposition of his case

(2) The areas of strength and weaknesses of his report, keeping a mind that the intent is to better train our patrol deputies

(3) Recommended investigative techniques or laws that could assist him in the future.

II. FORCE MANAGEMENT

Expectations in this area are as follows.

A. That you and all your subordinates will emphasize clearly by word and action, that unreasonable force will not be tolerated and that overreaction to verbal or passive resistance is a form of unreasonable force which the Department will be particularly alert for.

B. That you will verify that force reviews and the attendant documentation is objective, thorough, and absent any bias or hostility.

C. That force review documentation is complete, paying special attention to these areas:

1. That memos shall not omit or improperly describe key evidence.

2. That taped statements and the narrative accounts of the tapes in the memos shall be consistent.

3. That there is sufficient photographic documentation of suspect or deputy injuries.

4. That there is sufficient tape-recorded documentation of witness or suspect statements.

D. That decisions about the justification for use of force are reviewed by the Unit Commander in all cases of force requiring hospital treatment.

E. That the bureau lieutenant and the respective team sergeants analyze and comment on tactics issues as part of force review procedures.

F. That each team sergeant personally present recurrent force training briefings to their personnel and appropriately provide explanations about how reverence for life and Department philosophy about force relate to actual police/custody situations.

There are a number of ways to check to make certain these objectives are being accomplished. Among them, for instance, include these:

1. The Bureau lieutenant includes a specific reference in evaluation narratives to the sergeant's skill in this endeavor.

2. The Bureau lieutenant and the captain conduct a comprehensive review of all force review packages (i.e., evaluate the entire range of documentation for a given incident, including the video tapes, audio tapes, photographs, medical records, first and supplemental reports, in addition to any memos).

3. Commendations for supervisors who submit excellent, exampleâ€'setting force review documentation which clearly establishes facts which are supported by conscientious evidence collection.

4. Documented counseling or discipline for supervisors who conduct biased or inadequate force reviews.

5. Establishing a required training briefing, created by the team sergeant or involved deputies, based on tactics issues derived from actual incidents.

The integrity of our force management efforts rests with each of you individually.

III. PUBLIC COMPLAINT PROCESS

A. Our primary expectation in the area of public complaints is identical to the Sheriff's, embodied in Department policy. By adhering to this policy we enhance public trust and simultaneously often gain valuable information about the quality of our service and/or the public's perception of it. Failing to be responsive results in erosion of the public's confidence in our personnel and in us as Department leaders.

B. Many features of the Department's procedure for processing public complaints have been designed, especially to foster openness and responsiveness to complaints. These features form the basis for some of my specific expectations in this area, as follows:

1. That team sergeants and civilian supervisors emphasize to their personnel, the expectation that no one (the public, Department, or other governmental personnel, etc.), shall be discouraged or intimidated from filing complaints.

2. That people with complaints are immediately put in touch with the Bureau lieutenant or team supervisor.

3. That complaints not be selectively accepted and investigated. Supervisors shall refrain from accepting only those complaints with a predetermined outcome that will clear their personnel. Complaints must not be refused simply because of the belief that the complaint is frivolous. All complaints are to be documented on the Service Comment Report and processed as outlined in Department policy and procedural information.

4. Service Comment Reports are to be prepared even in cases where the complaint is quickly resolved after discussion with a supervisor or manager. The form shall be filled out and the results documented.

5. That the Bureau lieutenant verifies the categories of complaints applicable at the top of the service

comment report prior to sending the report to the Unit Commander. The category(s) checked should accurately reflect the actual nature of the complaint, not merely what it was initially interpreted as prior to the service review.

6. That the team sergeant will ensure that complainants receive a letter from the Unit Commander acknowledging receipt of the complaint and assuring that the complaint will be investigated.

7. That the Bureau lieutenant will also ensure that complainants receive a letter from the Unit Commander after the service review or administrative investigation is completed, notifying the complainant of the outcome and providing him/her with the appropriate information as to additional recourse if still dissatisfied.

8. That team sergeants utilize conflict resolution techniques as appropriate among the complainant and the involved Department member, making a concerted attempt to satisfy the complainant about our responsiveness and thoroughness, if not about the outcome.

9. That upâ€'toâ€'date placards inviting commendations and complaints and displaying the 800 phone number are displayed in facility areas open to the public.

IV. ADMINISTRATIVE INVESTIGATIONS

A. My expectations in this area are as follows:

1. That the Bureau lieutenants, team sergeants, and civilian supervisors recognize the importance of integrity and quality in administrative investigations, to ensure public trust.

2. That the Bureau lieutenants, team sergeants, and civilian supervisors understand and recognize the demand that administrative investigations are done in a thorough, accurate, and objective manner, absent any bias or hostility on the part of the investigators and reviewers.

3. That investigations must be complete, accurate, and objective, with special attention to the following

areas:

a. All leads shall be pursued and crucial evidence be presented.

b. Investigative summaries shall be accurate and not omit facts.

c. Witness interviews shall be tape recorded.

d. Tape recordings and the investigative summary shall be consistent.

e. Investigative summaries shall point out disputed facts.

f. Photographs shall be taken of physical injuries (or the lack of injuries).

g. Interview techniques should be consistent with Detective Division standards.

h. Interviews shall be conducted in a fair, open, unbiased, and civil manner.

4. That you will only recommend approval to inactivate an administrative investigation when you are certain both that the complainant volitionally withdrew his/her complaint and that there is no reason to believe misconduct occurred.

V. DISCIPLINE

A. My expectations in this area are as follows:

1. That you understand that discipline must be administered for the purpose of:

a. Holding employees accountable for conduct and decisions.

b. Setting consistent standards about how policy applies dayâ€‘toâ€‘day situations.

c. Maintaining public trust.

d. Demonstrating concern for subordinate welfare, including that of the disciplined employee as well as other employees, who are entitled to a work environment where they and their peers are held similarly and accountable.

2. That you understand the distinctions among the four possible dispositions (founded, unfounded, unresolved and exonerated).

3. That you will be accountable for instances in which you select a finding which is not logically supported by the facts.

4. That you submit to the Unit Commander all of the following information for founded administrative investigations.

a. Disposition work sheets (or, if none has been prepared, your own analytical assessment of the aggravating and mitigating factors in the incident which may affect the level of discipline).
b. Guidelines for discipline.

c. The employee's performance history, as indexed in the automated databases and documented in reports, performance evaluations, and the unit performance log.

VI. PERFORMANCE EVALUATIONS

The County Code (Rule 20.02) requires a performance evaluation for each employee at least annually. Over and above any legal requirement, however, is the common sense rationale. If we level with our employees about our expectations and their own work product, and if they receive honest written feedback, they'll do better.

I expect you to view the "performance evaluation" as a process, not as an occasional, onerous task. This process is much more demanding than merely filling out the "Report on Performance Evaluation." It entails making continual judgments and comparisons about an employee's work product, work ethic, and professionalism. It requires openâ€‘minded refinements and adjustments as new information becomes available. It requires ongoing, written notations, organizing observations about performance into

commendations and discipline, and records of accomplishments, counseling sessions, conferences about career development, etc. Supervisory documentation makes it possible for you to write an evaluation that is uniquely significant, helpful and/or rewarding to the employee.

A. My additional expectations in this area are as follows:

1. That Reports on Performance Evaluation are written and processed on time, so that employees receive meaningful, useful written feedback.

2. That evaluations reflect a commitment to holding people accountable for their actual job performance objectively and accurately.

3. That all appropriate documentation of performance during a rating period is accounted for in the evaluation narrative. In the case of discipline, reference shall be made in the evaluation report for the rating period in which the discipline is imposed.

B. Among the directives for fulfilling these expectations are:

1. The Bureau lieutenant, each team sergeant, and each civilian supervisor shall:

a. During each evaluation period, conduct three formal counseling sessions with each subordinate, focusing on the major components of the "Report on Performance Evaluation," including specialized skills, goals for improvements, commendable actions, and work ethic associated with the Department's core values and service oriented policing goals.
b. Document the counseling sessions in the Performance Log.
c. Ensure that each employee has a page.
d. Ensure that each employee's page represents the current rating period.
e. Ensure that no employee's page is blank.
f. Ensure that entries for substandard performance are being conscientiously documented.
g. Recognize that your willingness and skill concerning use of the performance log will be part of your

evaluation report.

2. Identify employees with frequent or severe performance trends and do the following:

a. Document all incidents of substandard performance in the Performance Log.

b. Include in the Performance Log recommendations for the employee to improve his/her performance.

c. If necessary, based on the severity and level of the substandard performance, prepare documentation for a rating of "Improvement Needed" on the "Report on Performance Evaluation."

Whichever ideas you select, pending more formal Departmentâ€‘wide processes being established, I expect you to develop a system for documenting the performance of your personnel.

VII. INTERNAL CULTURE

The Department's expectations about how we relate to and treat our employees is as follows: We managers and supervisors, both as individuals and as the group which administers, promotes and enforces Departmentâ€‘wide systems which significantly affect employee welfare and motivation (e.g., promotions, job assignments, transfers, discipline, etc.), have special obligations in this area.

A. My primary expectations simply reiterate the Sheriff's expectations, as put forth in his August 24, 1992, letter to each Department member.

1. That all members treat each other, whether sworn or civilian, as they would expect to be treated if the positions were reversed.

2. That all members understand the connection between effective law enforcement and appreciate cultural and gender diversity.

3. That all members receive consideration without regard to race, color, religion, national origin, ancestry, sex, marital status, sexual orientation, or physical disability.

4. That we administer a work atmosphere free from discrimination, hazing, or harassment.

5. That everyone will conduct him or herself professionally in demeanor and personal appearance.

6. That offensive conduct or discriminatory action based on the previouslyâ€‘listed factors result in discipline.

7. That supervisory members take immediate and appropriate corrective action in response to violations of these expectations.
8. That the chain of command shall be respected.

9. That we shall practice core values within our own ranks.

B. We can also outline some additional expectations which augment the preceding ones, as follows:

1. That you strive to foster in your personnel an understanding of the connection between an appreciation for cultural and gender diversity and effective law enforcement.

2. That we demonstrate that the opportunity to come to Special Victims Bureau is genuinely open to all personnelâ€‘â€‘particularly those who, for whatever reason, in the past have not comprised a representative percentage of those assigned to traditionally coveted units or positions.

3. That we take extra care to evaluate personnel investigations into discrimination, harassment, and hazing

allegations, ensuring thoroughness and objectivity.

4. Make a definite, clear, resounding statement about your personal convictions concerning the corrosive, destructive effect of intolerance on our work environment, and professionalism at a staff or team meeting.

VIII. VEHICLE PURSUIT MANAGEMENT

Law enforcement vehicle pursuits involve significant issues of deputy safety, public safety, and risk management. I am particularly concerned that you and all your personnel have a genuine appreciation for the risks involved and a sound sense of judgment about how to evaluate the advisability of engaging in or continuing pursuits within the guidelines of Department policy.

A. My expectations as to pursuits are as follows.

   1. That the bureau lieutenant and team sergeants will emphasize the importance of pursuit management within Department policy guidelines to their personnel and will also emphasize to their subordinates that they will be held accountable for pursuits not conducted within guidelines.

   2. That all Detective Division personnel operating "unmarked" or "undercover" vehicles shall adhere to the Department's emergency driving policies governing Code 3 responses.

3. That deputies operating "unmarked" or "undercover" vehicles without red lights and siren shall not engage in vehicle pursuits.

4. That only sheriff's vehicles properly equipped with a departmentally approved red light, siren, and operational sheriff's radio (480 handâ€‘held portable or hard wire mount) may be utilized to engage in Code 3 responses or vehicle pursuits, pursuant to departmental guidelines.

5. That to insure legislative compliance, all red lights and sirens utilized on sheriff's vehicles are authorized by Communications and Fleet Management Bureau.

6. That when an arrest is imminent, the tactical planning for making the arrest should evolve around a time that the suspect is not mobile in a vehicle, thus decreasing the possibility of a fleeing suspect.

7. That in situations where an arrest can only be made as a result of a traffic stop, and prior planning is possible, a uniform officer in a marked patrol vehicle is to conduct the intended vehicle stop.

8. That pursuits are properly broadcast on frequencies monitored by Sheriff's Communications Center. That team sergeants are accountable for comprehensive and accurate completion of the pursuit summary form and the CHPâ€‘187 form for each and every pursuit. The bureau lieutenant will check to ensure that the pursuits reported to Traffic Services Detail by means of these forms match those logged by Sheriff's Communications Center.

IX. PROBLEM INDICATORS

Our effectiveness, even our professionalism as law enforcement managers and supervisors, rests on our willingness to work hard to anticipate problems and develop plans to prevent them or minimize their adverse impact. Our failure to try jeopardizes public safety, our level of service, and employee welfare.

Much of the Department's effort in the past few years has been directed toward providing tools for executives, managers, and supervisors to assist in anticipating problems (risk management plans, automated performance tracking, community input, etc.). The general expectation, of course, is that you will use the tools, in combination with other appropriate sources of information, and apply your experience and judgment to the tasks of anticipating potential problems and coming up with wellâ€‘reasoned responses and solutions.

One particular challenge we all face in accomplishing "problem identification" is deciding what indicators to notice or examine in order to recognize that a given employee or group of employees, or shift or entire unit, merits attention, analysis or action. The task is partly an "art" involving seasoned instincts, but it also has concrete dimensions which are the basis of my specific expectations.

I expect you will be able to inform me, in substantial detail, about certain significant aspects of the operations of the team or unit you oversee. These include:

1. Employee strengths and weaknesses.

2. Unique law enforcement problems or challenges in the area served or the function performed.

3. Identities and performance histories of individual employees who appear to merit special managerial attention.

4. Aspects of the informal organization within your team or unit and their effect on the effectiveness of the bureau.

5. Information and updates on significant or noteworthy cases.

6. Open case status for each investigator.

X. HAZING

Department personnel have operated for years in general agreement that hazing is a "negative" thing and "not to be tolerated." Despite that agreement, instances still occur too frequently in which trainees or newly assigned personnel are "initiated" or "disciplined" by means of unreasonable, unnecessary, oppressive or humiliating expectations/demands by training officers or "tenured" personnel.

Part of the problem apparently is that there is not a sufficiently common understanding of what constitutes hazing in the Sheriff's Department. Furthermore, some practices or expectations which may be reasonable in the hands of seasoned professionals (people guided by wisdom and genuine concern for employee development) can be harmful or dangerous in the hands of shortsighted, insecure, immature people who tend toward abuse of authority.

A. In order to establish a common understanding about hazing and to strengthen accountability for

eradicating the practice, I outline the following expectations:

1. That lieutenants, sergeants and civilian supervisors actively express to your team members and staff your intolerance of hazing.

2. That lieutenants hold sergeants, and civilian supervisors accountable for providing clear guidelines about the behavior/practices that constitute hazing as explained below.

3. That sergeants and civilian supervisors are accountable for alertness and assertiveness in: (1) Observing/detecting signs of possible hazing activity, (2) Evaluating questionable activity carefully, (3) Quelling the practices/activities/conduct outlined below, and (4) Holding violators accountable as appropriate.

To clarify what conduct/practices/activities are deemed to constitute hazing, I am providing the following list of examples. The list is not allâ€‘inclusive, but contains an illustrative sampling of things which can hamper/erode or play havoc with learning, positive relationships or professionalism.

NOTE: It is acknowledged that some of the items listed are not inherently malevolent. Nevertheless, they are risky to condone as a practice due to

the potential for abuse. In these cases, that risk of abuse has been determined to outweigh any possible benefit of allowing the practices to continue Hazing occurs when training officers or established peer groups of tenured personnel engage in the following:

1. Requiring personnel of equal rank or classification to address oneself or others of equal rank as "sir" or "ma'am."

2. Denying trainees the same right as the training officer to eat during the shift or workday.

3. Denying trainees the right to eat in the same location available to the training officer or tenured peers.

4. Prohibiting trainees or new personnel from addressing or conversing with others, absent a specific, valid reason for such a prohibition.

5. Deliberately and unnecessarily placing obstacles in the path of a trainee's accomplishing work tasks, such as "stacking" radio calls, and assigning unreasonable workload, requiring unnecessary physical tasks, etc.

6. Ignoring the presence of a coâ€‘worker.

7. Addressing or referring to trainees or new personnel in their presence unprofessionally with terms such as "boot," "fish," "scrum," "FNG," etc.

8. Requiring trainees to ride in the back seat of a car when the front seat is available.

9. Requiring trainees/new personnel to sit at a designated table during briefings, meetings, meals, etc.

10. Enlisting or conspiring with inmates to trick, misguide, or harass a fellow employee in any way.

11. Correcting deficiencies or mistakes made by trainees or new personnel in the presence of others, except where absolutely necessary.

12. Correcting deficiencies or mistakes made by trainees or new personnel in a demeaning, ridiculing manner.

13. Requiring trainees or new personnel: (1) To stand at attention at any time after the date of their graduation from the Sheriff's Academy, except in those instances appropriate for all sworn personnel to stand at attention. (2) To request permission to be recognized or to be excused differently from the manner used by any other courteous professional Deputy Sheriff or civilian.

14. Pressuring or "requiring" trainees or new personnel to host or attend parties, meals, getâ€‘togethers, etc., or to perform tasks or consume specific things or amounts at such events.

15. Prohibiting new personnel from wearing/using certain types of Departmentâ€‘approved clothing or equipment.

16. Playing "practical jokes" which result in humiliation or damage to the property or equipment of another.

NOTE: Nothing in this section is meant to preclude legitimate supervisory or training officer communication about performance deficiencies which is meant to assist or inform trainees or new personnel, or which is necessary to hold them accountable for safe, capable, professional law enforcement service, or support.

The Department has developed a policy prohibiting hazing that will be strictly enforced by this bureau. Allegations of hazing shall be investigated in the same manner as allegations of discrimination. The policy pertaining to hazing can be found in the Manual of Policy and Procedures, under Section 3-01/030.73. All Department members shall treat every co-worker, whether sworn or civilian, with respect. Please use the information in this section as a basis for explaining to all personnel what constitutes hazing and as a basis for holding personnel accountable for its absence.

Reviewed and approved by:

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Richard Ruiz, Captain

Special Victims Bureau