

## 25-01 Prohibited Behavior



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# Los Angeles County Sheriff's Department TRAINING BULLETIN

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## Prohibited Behavior

### **BACKGROUND**

Effective January 1, 2022, Assembly Bill 958 (AB 958) was enacted, introducing Penal Code section 13670:

*"Lawenforcement agency" means any department or agency of the state or any local government, special district, or other political subdivision thereof, that employs any peace officer, as described in Section 830.*

*This section defines a "lawenforcement gang" as –*

1. *A group of peace officers within a lawenforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and*
2. *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 antidiscrimination laws,*
  - *engaging in or promoting conduct that violates the rights of other employees or members of the public,*
  - *violating agency 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 officers who threaten or interfere with the activities of the group*

This definition provides guidance for investigating peace officer gangs or groups that engage in unlawful, patterned behavior and may be unified under a common name or symbol. This legislation establishes the criteria necessary to identify such patterns of behavior within specific groups in California law enforcement agencies.

### **PURPOSE**

It is the Department's goal to enhance professional behavior in the workplace. The "everyday" work of law enforcement is often not given enough recognition. The Department recognizes the need for department members to feel a sense of meaning and purpose in the work they do. But encircling oneself with inexperienced or deficient peers can lead to short-sighted decisions, with unintended consequences immediately, or even many years in the future. To examine this topic more closely, we encourage Department members to reflect on policies and laws that, if ignored, can negatively impact our careers, our lives, and the livelihood of our families.

Department members should note policy is often written to reflect current federal, state, and local laws. Some of these policies guide workplace behavior and interaction with the public.

### **MPP SECTION 3-01/050.83, EMPLOYEE GROUPS WHICH VIOLATE THE RIGHTS OF OTHER EMPLOYEES OR MEMBERS OF THE PUBLIC**

Which states:

"Department personnel shall not participate or join in any group of Department employees which promotes conduct that violates the rights of other employees or members of the public,"

and

"Any employee engaging in misconduct of any kind, including but not limited to, the use of excessive force or mistreating or harassing others, will be subject to discipline. If the misconduct involves criminal allegations, the matter may be referred to the District Attorney's Office for possible prosecution."

### **MPP SECTION 3-01/050.82, PROHIBITION – LAW ENFORCEMENT GANGS AND HATE GROUPS**

Which states:

"Department members shall not participate in, solicit others to participate in, or be members of a law enforcement gang,"

and

“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.”

This MPP section directly mirrors Penal Code Section 13670 in defining a law enforcement gang. The policy prohibits Department members from participating in, soliciting others to participate in, or to be members of a law enforcement gang or group as defined in the penal code. Such conduct shall be subject to discipline, up to and including termination.

The MPP section also requires all Department members to cooperate with the Office of Inspector General, the California Attorney General, and/or any other authorized agency investigating the existence or potential existence of such groups within the Department.

Furthermore, pursuant to 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 or group to the Commission on Peace Officer Standards and Training (POST), which can result in suspension or revocation of certification by the Commission pursuant to Penal Code section 13510.8.

REFERENCES:

[MPP section 2-01/010.00 - Core Values](#)

[MPP section 2-01/030.00 - Mission Statement](#)

[MPP section 2-01/020.00 - Creed](#)

[MPP section 3-01/050.82 - Prohibition - Law Enforcement Gangs and Hate Groups](#)

[MPP section 3-01/050.83 – Employee Groups Which Violate the Rights of Other Employees or Members of the Public](#)

[13682 PC, Subsections a-d](#)

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