

VOLUME 3 - 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.

3-01/000.10 PROFESSIONAL CONDUCT

All Department members shall 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 reasonably be identified as Department members. Personnel who cause undue embarrassment or damage 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, our Core Values, and our Creed are clearly and prominently displayed and maintained within a high-traffic work area in all Sheriff's Department's 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.

3-01/005.10 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

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 is 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, 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 duty possess command authority relating to the performance of those duties.

Designated Tactical Commanders - Area Commanders and Captains who possess requisite levels of tactical training and experience may be designated by the Sheriff as : “Tactical Commanders”. A listing of currently designated Tactical Commanders shall be kept at the Special Enforcement Bureau.

The operational employment of the Sheriff’s Response Team (SRT) requires the assignment of a “Designated Tactical Commander.”

The following functions may only be performed by a Designated Tactical Commander holding the rank of Area Commander:

- Incident Commander of SEB "Full SWAT Call-Outs;" or
- Incident Commander of SEB operations involving use of a special weapons team for the service of "High" and "Highest" risk warrants, other than those served by a Tactical Entry Team.

The Special Enforcement Bureau is responsible to arrange for the presence of a Designated Tactical Commander when required for SEB operations.

Designated Tactical Commanders are immediately subordinate to the Sheriff for the performance of these duties.

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

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

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.

3-01/030.13 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 to intervene 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. 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. Employee Support Services Bureau (ESSB), 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 MANAGEMENT DECISIONS

As executives on the Los Angeles County Sheriff's Department, chiefs, commanders, and captains are part of a management team whose duty is to support the Department's mission and promote the Sheriff's vision for the operation, reputation, and future of the Department.

Individual opinions are welcomed during the decision-making process, as that process benefits from vigorous internal debate and the frank discussion of alternate perspectives. Once management reaches a lawful decision, however, all executives are expected to follow and support that decision. Executives who undermine or incite others to undermine lawful managerial decisions, policies, and directives, by treating them with contempt or being disrespectful in language or deportment towards them, may be subject to discipline.

Executives shall not advise subordinates of a Department policy or management decision while at the same time criticizing the policy, directive, or decision or otherwise expressing his/her disapproval of it. A violation of this section may result in discipline

Executives are expected to be familiar with the conduct of those under their command and have an affirmative duty to ensure that Department policies and management decisions are adhered to. Any executive who becomes aware, or who reasonably should be aware, that Department members under his/her command are failing to follow Department policies or management decisions, shall take immediate action to correct the errant behavior and report the violation to his/her chain of command. Failure to take such action could constitute a violation of this section and may result in discipline.

Executives who have a personal or close working relationship with an employee or a member of his/her family shall recuse themselves from any managerial decision-making process that employee is subject to. Any executive who has relevant, material information regarding the specific facts of a pending administrative investigation in a chain of command outside his/her own, may notify the concerned division chief in writing. Upon notification, the division chief shall determine whether the notifying executive is to be interviewed as a witness. However, whether on or off duty, executives who did not participate in a decision-making process concerning an employee, and especially in disciplinary matters, shall not interfere, undermine, or attempt to influence the administrative investigation or disciplinary decision in any way. All administrative investigations and disciplinary decisions must be conducted without bias or influence from those outside the decision-making process.

It is a violation of this section and of section 3-01/030.37 of this manual and subjects the employee to discipline, to intervene in a matter outside one's responsibility. This includes, but is not limited to: assisting any employee in an attempt to circumvent discipline by providing testimony on behalf of the employee at any administrative hearing or proceeding; preparing an employee for his/her testimony; assisting the employee's attorney or labor representative in preparation for a hearing; providing an opinion on the evidence, findings, or discipline; or participating in any other direct or indirect course of

action that may influence the outcome of a disciplinary matter.

An executive who receives a civil service subpoena must follow the procedures set out in section 5-07/300.00. In addition to complying with section 5-07/300.00, an executive who receives a civil service subpoena or a request to testify shall immediately notify his/her division chief or assistant sheriff of the subpoena. A violation of this section and/or section 5-07/300.00 may result in discipline.

This policy is in no way intended to imply that any executive of the Department is expected to follow an order/instruction they believe is illegal. Any executive who believes he/she has been instructed to act in violation of the law shall inform any Department executive of a rank higher than that of the person from whom they received the questioned instruction. The executive to whom such a report is made shall notify the Sheriff directly of the allegation of unlawful instruction.

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 sworn members who are arrested or detained for criminal family violence shall notify their immediate supervisor without delay.

Sheriff's Department employees involved in a non-criminal domestic violence incident and/or a domestic dispute incident are not required to make notification.

Sworn members who are the subject of a temporary restraining order regarding family violence shall immediately provide their supervisor with a copy of the restraining order.

To maintain a safe workplace, all members 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: "Anon-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 credible 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/Career Resources Center;
- 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 Employee Support Services and/or the Ombudsperson/Career Resources Center;
- 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 he or she will be asked to prepare or assist in preparing a written complaint or statement about the events;
- the Ombudsperson/Career Resources Center 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/Career Resources Center 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/Career Resources Center 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 notify the Personnel Administration Bureau's Return to Work Unit's Lieutenant 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/Career Resources Center 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 Return to Work Unit's Lieutenant following the completion of all workplace violence investigations. The Return to Work 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
- 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

All Department members shall treat every co-worker, whether sworn or civilian, with respect. Hazing is 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 co-worker, or physical harassment such as requiring someone to perform unnecessary or unattainable tasks or to behave in humiliating or painful ways.

Allegations of hazing shall be investigated in the same manner as allegations of discrimination.

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)

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 | With or without headgear, stand at attention, |
| Indoors | - |
| Outdoors | - With or without headgear, stand at attention, hand salute. |
| Civilian Attired Personnel | |
| Indoors | - Stand at attention, remove headgear, if worn, |
| 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,
- Outdoors - With or without headgear, stand at attention, face colors, hand salute.

Uniformed Personnel

- Indoors - Remove headgear, if worn; stand at attention, face colors,
- 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,
- 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,
- 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,
- 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, |
| Outdoors | - Remove headgear, if worn, stand at attention with right hand or headgear over heart. |

3-01/040.00 RESPONSIBILITY - GENERAL

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 him or otherwise in his care. Loss of, damage to or unserviceable condition of such property shall be reported to his 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 or tasers.

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 that 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 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

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 his 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 he has received prior approval from the chief law enforcement officer of that jurisdiction, he should not take police action in the capacity of a peace officer, when he is outside the jurisdiction of this Department. He 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, Deputy personnel 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 an arrest 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 him 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 themselves 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 or detention or allegation. The immediate supervisor or Watch Commander receiving notification shall immediately notify Sheriff's Headquarters 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 Headquarters Bureau and request immediate notification to their Unit Commander. The member shall provide details of the arrest, detention or allegation to

Sheriff's Headquarters Bureau personnel, including alleged charge(s), location, police agency jurisdiction, and return phone number where the member can be reached. 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. The Unit Commander also shall ensure that an administrative investigation is initiated.

NOTE: Unit Commanders shall refer to and follow the procedures contained in Unit Commander's Letter #398 (dated August 16, 2010) for specific responsibilities when an employee in their command is involved in an off-duty, alcohol-related incident.

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 shooting requirements shall shoot within their alphabetically-assigned month. Any deviation from an employee's alphabetically-assigned qualification/training 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:

A through F

Shall shoot in the months of:

January, April, July, and October

G through N

February, May, August, and
November

O through Z

March, June, September, and
December

Personnel shall fire in their alphabetically-assigned month. Shooting in other months is permitted; however, visits to the range in non-assigned months do not satisfy the qualification/training requirement outlined below.

During the first quarter period (January-March), sworn personnel through the rank of Division Chief, including Reserves, and Professional Staff members required to carry firearms during the course of their duties shall report to one of the Department ranges to shoot the Handgun Combat Qualification Course with their primary on-duty firearm, and achieve a minimum passing score of 70 out of a possible 100 points.

Sworn personnel are also required to pass the Handgun Combat Qualification Course annually with all optional Department authorized firearms which they have been certified to carry. The Handgun Combat Qualification Course shall be passed during the first quarter. Personnel who fail to qualify with any optional Department authorized firearms shall be prohibited from carrying the weapon until they have passed the Handgun Combat Qualification Course.

During the second, third, and fourth quarters (April-June, July-September, and October-December), personnel shall report to one of the Department ranges and participate in a combat training exercise (not scored) with the weapon carried on duty. This combat training exercise is designed to provide personnel with a more realistic combat experience. Participation in the combat training exercise in the employee's assigned month will constitute compliance with this policy.

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. Additional shooting time, either for practice or shooting bonus, shall be on the employee's own time.

A pregnant employee shall automatically be exempt from the weapons qualification requirement 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.

3-01/050.70 FAILURE TO QUALIFY - REMEDIAL TRAINING

The Training Bureau shall, within 20 workdays after the previous quarter notify the Division Chief or Director of their assigned personnel who were unable to qualify.

Personnel, who were unable to achieve a score of at least 70 with their on-duty weapon, shall be contacted by their Division headquarters to determine the reason for that failure.

Personnel who were unable to qualify with their on-duty weapon shall complete mandatory remedial firearms training within 30 calendar days after notification. Department announcements shall indicate the days/times when remedial training will be conducted at the ranges.

Personnel, achieving a qualifying score within the remediation period, will satisfy the qualification requirements of the previous period, not the current qualification period. Personnel, who fail to qualify within the remedial training period, shall be temporarily assigned to the Training Bureau for five working days of intensive firearms training. This intensive firearms training shall be completed within 30 calendar days after notification of failing remedial training. Personnel who still fail to shoot a qualifying score by the conclusion of intensive training shall be placed on improvement needed status and restricted from work assignments where use of firearms might be required.

The improvement needed evaluation shall be written by the employee's regular Unit of assignment with documentation and a plan for improvement provided by the Training Bureau.

Personnel, who fail to achieve a qualifying score on the combat handgun/shotgun courses at the Pitchess Detention Center Range, shall complete mandatory remedial handgun/shotgun training on the earliest available training day after notification from the Training Bureau. If personnel fail the combat handgun/shotgun remediation training, Training Bureau shall prepare a written recommendation and a plan for improvement for the employee. This documentation will be evaluated by the Division Chief or Director.

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 firearms to meet their Department shooting obligation.

The Training Bureau shall, within 20 workdays after the previous quarter, notify the Division Chiefs or Directors of their assigned personnel who failed to shoot. Personnel who failed to shoot with their on-duty weapon shall be contacted by their Division headquarters to determine the reason for that failure.

Those personnel who failed to shoot without having been exempted by their Division Chief or Director shall be allowed to remediate within thirty calendar days of notification and if there has been no previous violation of this policy within the last five years.

Remediation shall consist of shooting the Handgun Combat Qualification Course a maximum of three times to achieve a passing score of 70. They must also shoot the course of fire designated for that current quarter. 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 5 years shall be subject to standard disciplinary measures.

Unit Commanders shall personally ensure employees receive either remediation or 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 (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

As leaders in the Los Angeles County Sheriff's Department, all personnel are responsible for upholding the Department's professional image. While tattoos have become popular in today's society, they are not in the Department's best interest, even if they are not visible. Tattoos may create a negative public perception, and we have a responsibility to minimize that negative effect. Members should always recognize that tattoos may affect their professional image. Personnel should be mindful of this prior to getting a new tattoo.

Tattoos that denote principles contrary to Our Core Values, that are bigoted or offensive (e.g., those that are drug-related, vulgar, anti-American, violence-centric, etc.), that suggest street justice or vigilantism, or that are associated with gang culture are prohibited.

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 that may be seen by another person.

Members who have a tattoo, branding, or other form of body art shall completely cover it 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 or concerned Assistant Sheriff.

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.

3-01/050.84 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; and/or
- Are under criminal investigation or indictment; and/or
- Have pending criminal charges filed against them; and/or
- Are on parole or felony probation; and/or
- Are gang members of a criminal street gang as defined under Penal Code section 186.22 or are members of an organized crime syndicate; and/or
- Are being developed as an informant unless expressly permitted by policy (see section 3-01/110.60); and/or
- Have been convicted of a felony crime; and/or
- 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.

3-01/050.95 COURT CASES

On-Duty Court Appearance Attire

Department members shall dress either in full uniform or appropriate business attire pursuant to the Department Manual of Policy and Procedures, Section 3-01/050.80, Grooming and Dress Standards.

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 section 3-03/030.10, Who Shall Wear Uniforms).

All Court Appearances

Members appearing in court on Department business shall be punctual in attendance.

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 review during their normally scheduled work hours prior to the court appearance. They shall ensure that all property which 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 in order 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

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.

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.

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 following requirements from Sections 3300-3311, Government Code (Public Safety Officers Procedural Bill of Rights), shall apply only to full-time Deputy personnel of the Department:

- except as otherwise provided by law, or whenever on duty or in uniform, no public safety officers shall be prohibited from engaging, or be coerced or required to engage, in political activity;
- when any public safety officer is under investigation and subjected to interrogation by his commanding officer, or any other member of the employing public safety department, which could lead to punitive action, such interrogation shall be conducted under the following conditions (Punitive action is defined as any action which may lead to dismissal, demotion, suspension, reduction in salary, written reprimand, or transfer for purposes of punishment):
 - the interrogation shall be conducted at a reasonable hour, preferably at a time when the public safety officer is on duty, or during the normal waking hours for the public. If such interrogation does occur during off-duty time of the public safety officer being interrogated, the public safety officer shall be compensated for such off-duty time in accordance with regular department procedures, and the public safety officer shall not be released from employment for any work missed, safety officer, unless the seriousness of the investigation requires otherwise;
 - the public safety officer under investigation shall be informed prior to such interrogation of the rank, name, and command of the officer in charge of the interrogation, the interrogating officers, and all other persons to be present during the interrogation. All questions directed to the public safety officer under interrogation shall be asked by and through no more than two interrogators at one time. The public safety officer under investigation shall be informed of the nature of the investigation prior to any interrogation;
 - the interrogating session shall be for a reasonable period, taking into consideration the gravity and complexity of the issue being investigated. The person under interrogation shall be allowed to attend to his own personal physical necessities. The public safety officer under interrogation shall not be subjected to offensive language or threatened with punitive

action, except that an officer refusing to respond to questions or submit to interrogations shall be informed that failure to answer questions directly related to the investigation or interrogation may result in punitive action. No promise of reward shall be made as an inducement to answering any question. The employer shall not cause the public safety officer under interrogation to be subjected to visits by the press or news media without his express consent, nor shall his home address or photograph be given to the press or news media without his express consent; and

- the complete interrogation of a public safety officer may be recorded. If a tape recording is made of the interrogation, the public safety officer shall have access to the tape if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. The public safety officer shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by investigators or other persons, except those which are deemed by the investigating agency to be confidential. No notes or reports which are deemed to be confidential may be entered in the officer's personnel file. The public safety officer being interrogated shall have the right to bring his own recording device and record any and all aspects of the interrogation. If prior to or during the interrogation of the public safety officer it is deemed that he may be charged with a criminal offense, he shall be immediately informed of his constitutional rights. Upon the filing of a formal written statement of charges or whenever an interrogation focuses on matters which are likely to result in punitive action against any public safety officer, that officer, at his request, shall have the right to be represented by a representative of his choice who may be present at all times during such interrogation. The representative shall not be a person subject to the same investigation;
- this section shall not apply to any interrogation of a public safety officer in the normal course of duty, counseling, instruction or informal verbal admonishment by, or other routine or unplanned contact with, a supervisor or any other public safety officer, nor shall this section apply to an investigation concerned solely and directly with alleged criminal activities;
- no public safety officer shall be loaned or temporarily reassigned to a location or duty assignment if a sworn member of his department would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances;
- no public safety officer shall be subjected to punitive action or denied promotion or be threatened with any such treatment, because of the lawful exercise of the rights granted under this legislation, or the exercise of any rights under any existing administrative grievance procedures;
- nothing in the above paragraph shall preclude a head of an agency from ordering a public safety officer to cooperate with other agencies involved in criminal investigations. If an officer fails to comply with such an order, the agency may officially charge him with insubordination. No punitive action, nor denial of promotion on grounds other than merit, shall be undertaken by any public agency without providing the public safety officer with an opportunity for administrative

appeal;

- no public safety officer shall have any comment, adverse to his interest, entered in his personnel file, or any other file used for any personnel purposes by his employer, without the public safety officer having first read and signed the instrument containing the adverse comment indicating he is aware of such comment, except that such entry may be made if, after reading such instrument, the public safety officer refuses to sign it. Should a public safety officer refuse to sign, that fact shall be noted on that document and signed or initialed by such officer;
- a public safety officer shall have 30 days within which to file a written response to any adverse comment entered in his personnel file. Such written response shall be attached to, and shall accompany, the adverse comment;
- no public safety officer shall be compelled to submit to a polygraph examination against his will. No disciplinary action or other recrimination shall be taken against a public safety officer refusing to submit to a polygraph examination, nor shall any comment be entered anywhere in the investigator's notes or anywhere else that the public safety officer refused to take a polygraph examination, nor shall any testimony or evidence be admissible at a subsequent hearing, trial, or proceeding, judicial or administrative, to the effect that the public safety officer refused to take a polygraph examination;
- no public safety officer shall be required or requested for purposes of job assignment or other personnel action to disclose any item of his property, income, assets, source of income, debts, or personal or domestic expenditures (including those of any member of his family or household) unless such information is obtained or required under state law or proper legal procedure, tends to indicate a conflict of interest with respect to the performance of his official duties, or is necessary for the employing agency to ascertain the desirability of assigning the public safety officer to a specialized Unit in which there is a strong possibility that bribes or other improper inducements may be offered;
- no public safety officer shall have his locker or other space for storage that may be assigned to him searched except in his presence, or with his consent, or unless a valid search warrant has been obtained or where he has been notified that a search will be conducted. This shall apply only to lockers or other space for storage that are owned or leased by the employing agency. Any public agency which has adopted, through action of its governing body or its official designee, any procedure which at a minimum provides to peace officers the same rights or protection as provided pursuant to this legislation shall not be subject to this legislation with regard to such a procedure; and
- nothing in this legislation shall in any way be construed to limit the use of any public safety agency or any public safety officer in the fulfilling of mutual aid agreements with other jurisdictions or agencies, nor shall this be construed in any way to limit any jurisdictional or interagency cooperation under any circumstances where such activity is deemed necessary or desirable by the jurisdictions or the agencies involved.

Refer to Volume 3, Chapter 4, "Service Reviews, Public 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, Fraternalization, 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, Fraternalization, 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

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;
- 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

Personal relationships between Department members will inevitably develop within the workplace. The Department respects the rights of its members to associate freely and pursue relationships with colleagues they meet in the workplace. However, members shall use sound judgment to ensure these relationships do not create an adverse impact on their job performance, interfere with the performance of their duties, or compromise the integrity of a professional work environment.

Personal relationships between Department executives, managers, and supervisors and their subordinates can become problematic or cause a potential conflict of interest. It is the Department's responsibility to prevent conflicts of interest and the adverse impact(s) that may occur as a result of personal relationships including, but not limited to, a disruption in the work environment; the perception of unfair, unequal, or disparate treatment; a reduction in productivity; and/or a decline in employee morale. The Department is responsible for taking appropriate action to eliminate such conflicts in order to maintain an appropriate work environment.

It is the responsibility of every member to avoid any situation which may create a real or perceived conflict of interest. This is especially true of Department executives, managers, and supervisors, who must ensure their decisions are fair, impartial, and objective.

In the event Department members develop or become involved in a personal relationship with another Department member within their chain of command, both of the involved Department members shall immediately provide written notification to their respective unit commander. However, it shall be the responsibility of the higher ranking member to ensure that the unit commander(s) of the involved parties have been notified of the relationship. Upon receiving notification, the unit commander shall take appropriate action to ensure that there is not an actual conflict of interest and that workplace conduct does not create an uncomfortable work environment. If an involved Department member is a Department executive, he or she shall immediately notify the Executive Officer or Undersheriff (or the Sheriff if the employee at issue is the Executive Officer or Undersheriff).

Personal relationships not involving a chain of command conflict are not reportable as a potential conflict of interest under this policy.

In addition to the prohibitions stated above, Department executives, managers, and/or supervisors shall neither directly supervise nor make an employment decision concerning a subordinate employee with whom a close, personal relationship exists.

NOTE: Close, personal relationships include family relationships (relatives), dating relationships, off-duty business associations, or other circumstances of an unusually personal nature.

When in doubt about the possibility of a conflict of interest, Department executives, managers, and/or supervisors should err on the side of caution and recuse themselves from the process.

3-01/080.00 PUBLIC AND PRESS RELATIONS

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

Employees shall facilitate the work of accredited members of the press by providing them with accurate information in accordance with Department regulations.

Any terms of speech in a press release which cast unfair reflection upon any race or culture, or specifically imply or infer a race or culture, shall be avoided unless the term specifically applies and can be corroborated by factual evidence and is not contrary to any other policies of this Department.

The release of information will be decentralized. Any questions or uncertainties concerning Departmental policy shall be resolved by consulting the appropriate Division Chief or Director prior to releasing any public statements on such matters. The Sheriff's Headquarters Bureau may make a public statement without prior consultation when it is necessary and would be in the best interest of the Department.

The press shall not be used as a means of publicity for personal reasons.

The Sheriff's Headquarters Bureau's Senior Media Advisor, under the direction of the Sheriff, shall authorize the release of information when it is presented via a Press Conference.

Before a press conference has been scheduled, a summary containing the pertinent logistics and general scope and synopsis of the press conference shall be forwarded to the Senior Media Advisor without delay. The Senior Media Advisor will review the press conference summary and determine if:

- the general scope and content are congruent with the Department's Mission Statement, Manual of Policy and Procedures, etc.;
- it is logistically sound;
- does not conflict with any other pressing events; and
- offers ample opportunity for the maximum number of media representatives to attend.

The Senior Media Advisor will provide the Sheriff with an overview of the press conference and gain his authorization. All discrepancies will be discussed with the organizing Department member and/or the next higher ranking Department member.

In the event the press conference is the result of an emergent event or tactical operation and prior notification is not feasible, the Incident Commander or organizing Department member shall ensure the Sheriff's Headquarters Bureau's Senior Media Advisor is advised as soon as practical.

Notwithstanding section 5-06/000.35, News Media, for purposes of this section, a "press

conference” is a pre-planned media event, called and/or staged by a Department individual or group, designed to either bring attention to a particular Department program or efficiently answer questions posed by representatives of the news media at the scene of a newsworthy event.

3-01/080.16 PHOTOGRAPHY, AUDIO, AND VIDEOTAPING BY THE PUBLIC AND THE PRESS

Members of the public, including the press, have a First Amendment right to observe, take photographs, and record video or audio in any public place where they are lawfully present.

Photography and the recording of video or audio are common activities and are neither crimes nor indications of criminal activity in and of themselves. Neither photography nor the recording of video or audio, standing alone, can form the basis for a detention, arrest, or warrantless search.

Members of the public have the same right to take photographs and record video and audio as members of the press (except for narrow circumstances authorizing press access to areas closed to the public pursuant to Penal Code section 409.5 due to the existence of a menace to public health or safety created by a calamity including a flood, storm, fire, earthquake, explosion, accident, or other disaster).

Members of the public have the right to take photographs and record video and audio of peace officers engaged in the public discharge of their duties, including in such activities as detentions, searches, and arrests as long as the members of the public are in a place in which they have a legal right to be present.

The types of places in which an individual has a right to be present include public streets and sidewalks, an individual’s home or business, and any other public or private facility at which the individual is lawfully present.

Department personnel should assume they are being recorded at all times while on duty.

Interference with Recording Police Activities

Department members are prohibited from interfering with, threatening, intimidating, blocking, or otherwise discouraging a member of the public, who is not violating any other law, from taking photographs or recording video or audio (including photographs, video, or audio of police activities) in any place in which the members of the public is lawfully present. Such prohibited interference includes:

- Ordering a person to cease taking photographs or recording video or audio; however, in sensitive situations involving injured persons or victims, deputies may ask a person to stop recording voluntarily, provided the deputy explains that the

- person has the right to record;
- Demanding that person's identification;
 - Demanding that the person state a reason why he or she is taking photographs or recording video or audio;
 - Detaining that person;
 - Intentionally blocking or obstructing cameras or recording devices (not including physical barricades or screens used as part of a tactical operation or crime scene);
 - Seizing and/or searching a cell phone, camera or recording device without a warrant;
 - Using force upon that person; or
 - Detaining or arresting the individual for violating any other law wherein the purpose of the detention or arrest is to prevent or retaliate for recording police activity.

Nothing in this policy bars officers from taking appropriate action if a person taking photographs or recording video or audio is violating any provision of law. For example:

- Engaging in other actions that jeopardize the safety of the person, the officer, or others;
- Violating the law or inciting others to violate the law;
- Interfering with or obstructing police actions through direct physical intervention.

If an individual's actions are approaching the level of criminal offense, Department personnel shall recommend a less-intrusive location to the individual from which he/she may continue to observe or record. If these efforts are unsuccessful, a supervisor shall be consulted.

Verbal disagreements, criticism, insults, name calling, or obscene gestures directed at officers or others do not in themselves justify a deputy taking enforcement action toward a member of the public, including one engaged in photography or recording of video or audio. Whenever possible, de-escalation techniques should be employed. During hostile situations, deputies should evaluate the wisdom of initiating contact with a person who is taking photographs or recording video or audio, and deputies should consider whether contact may incite the person or others prior to making contact.

Nothing in this policy bars deputies from initiating consensual encounters. However, a person's refusal to answer questions or speak with a deputy during a consensual encounter does not provide a basis for a detention or search.

If a citizen's conduct related to the use of cameras or other recording devices rises to the level of necessitating an arrest for interfering or obstructing a peace officer's duties in violation of Penal Code section 148, subdivision (a) or 69, personnel shall adhere to all Department policy and procedures.

Department personnel are prohibited from tampering with, altering, deleting, or destroying any photographic, video or audio records, or equipment under any circumstances. Unless a deputy has obtained a warrant, a deputy shall not require an

individual to show the photographs, video or audio records. Procedures for involuntary and voluntary seizing of video, audio, and/or pictures are located in MPP section 5-04/020.30.

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

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.htm> 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:

Certified Mileage Permittees

- 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 Divisional 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

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.

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 radio, telephone and computer terminal 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 business purpose (i.e., coordinating field units to a radio call, contacting a victim or witness) when an established, Department-authorized communication device/system is available and/or a Department-authorized regulation/protocol has been established (e.g., Department radio/communications systems, field supervisor's cellular telephone, station telephone, 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.

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 FIELD ACTIVITY

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 3-01/110.21, Hobbling Defined; section 3-01/110.22, Total Appendage Restraint Procedure (TARP); and section 3-01/110.23, Handcuffing Prisoners.

3-01/110.21 HOBBLING DEFINED

A person is considered hobbled when they are handcuffed, their ankles are held together with a “Ripp Hobble” restraint device, and the clip end of that device is not connected to the handcuffs. The Ripp Hobble is the only Department-approved hobble restraint device. Refer to section 3-03/270.00 for its exact specifications, and refer to section 3-01/110.22 for hobbling policies and procedures.

3-01/110.22 TOTAL APPENDAGE RESTRAINT PROCEDURE (TARP)

A Total Appendage Restraint Procedure (TARP) consists of simultaneously securing all of a person’s limbs (arms and legs). The individual’s arms (wrists) are immobilized with handcuffs, and their legs are immobilized with the Ripp Hobble restraint device. The clip end of the hobble restraint is then connected to the chain on the handcuffs.

TARP and Hobbling Policy and Procedures

Because all circumstances cannot be planned for and persons under the influence of certain illicit drugs may be at higher risk of sudden cardiac arrest during extreme physical exertion and stress, the following is required in all situations when the TARP is applied. Any deviation from these procedures shall be under the most compelling of circumstances, and the reason(s) for such action shall be clearly articulated in the Force Review Package, Watch Commander’s memorandum (refer to section 3-10/100.00):

- except for Department-approved training purposes, only those personnel who have received Department-authorized training in the use of the TARP may employ it on a person;
- when possible, a Field Supervisor shall respond to the scene, prior to the TARP being applied. Otherwise, the Field Supervisor shall immediately be summoned to the scene whenever a person has been TARPed;
- a person who has been TARPed shall remain TARPed until it appears their behavior no longer poses a serious or significant threat to their own safety, the safety of others or the potential of damage to property;
- personnel shall continuously monitor the respiratory status and level of

- consciousness of all persons restrained with the TARP;
- every effort shall be made to ensure that a TARPed person either remains on their side (the left side is preferable) or is seated upright;
 - when possible, emergency medical services personnel shall be requested to the scene, prior to the TARP being applied. Otherwise, emergency medical services personnel (e.g., paramedics, jail medical staff, etc.) shall immediately be requested to the scene whenever a person has been TARPed. This includes situations in which the person has been removed from the TARP prior to the summoning or arrival of emergency medical services personnel;
 - medical clearance for booking the TARPed person may be obtained from the emergency medical services personnel on scene, unless they recommend the TARPed person be evaluated at a medical facility. In these instances, the TARPed person shall be transported to a medical facility for a booking clearance;
 - every effort shall be made to videotape a TARPing incident including, but not limited to, the person's behavior prior to the TARPing, the actual application of the TARP and the person's position and behavior after they have been TARPed;
 - if a TARPed person stops breathing, they shall be removed from the TARP and the handcuffs taken off their wrists, leaving only the legs hobbled. Cardiopulmonary Resuscitation (CPR) procedures shall immediately be started and continued until relieved by emergency medical services personnel. Sufficient back-up Deputies should be present in case the person regains consciousness and becomes violent; and
 - if a person must remain TARPed, they shall be transported via ambulance. Deputy personnel shall always follow the instructions of the emergency medical services personnel when securing a TARPed person for ambulance transport. A Deputy should either remain in the ambulance to provide security or, if this is not possible, follow the ambulance via radio car.

NOTE: A "hobbled" person may be transported via radio car. They shall be seated upright in the rear seat of the radio car and secured by a seat belt. The long lead of the Ripp Hobble will be placed outside of the rear door. The rear door shall be closed and the long lead will then be placed in the adjacent front door of the radio car, leaving the lead's clip end on the front floorboard. The front door can then be closed, thus preventing the long lead from becoming entangled in the rear tire of the radio car.

NOTE: For purposes of this section and section 3-10/100.00, Use of Force Reporting and Review Procedures, the application of the Ripp Hobble device on an unresisting person, absent any other factors which constitute reportable force, shall not constitute reportable force.

Application of the TARP is considered "significant force." Refer to section 3-10/100.00 for additional information. Therefore, all force reporting procedures outlined in that section shall be followed. Additionally, if available, the following information shall be documented in the Watch Commander's memorandum (Force Review Package) for a TARPing incident:

- how long the subject was restrained in the TARP position;
- the emergency medical services agency that responded to the scene of the TARPing;
- how the subject was transported, and in what body position(s) they were placed during the transport;
- the length of time of the transport phase;
- the observations of the subject's psychological/physical condition while TARPed and during the transport phase; and
- any alleged recent drug usage by the subject or indications by them that they suffer from cardiac or respiratory diseases (e.g., asthma, bronchitis, emphysema, etc.).

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.

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;
- 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. They must be presented to members of the public upon request.

Members shall issue only Department approved business cards for official business. The printing manager of Fiscal Administration maintains the Department's approved format for business cards and issuing cards that deviate from the format is prohibited.

The approved format includes size and type of paper, color of ink and the 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). Members shall not obtain business cards from vendors who are not authorized to reproduce these design elements. All requests for the production of business cards must be processed through the department's printing manager.

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.

Department members shall only obtain business cards from authorized vendors.

Sworn members (regular and reserve) along with full-time professional staff members may issue business cards of the following format:



County of Los Angeles
SHERIFF'S DEPARTMENT

Leroy D. Baca, Sheriff

JOHN DOE
DEPUTY

Sheriff's Headquarters Bureau
4700 Ramona Boulevard
Monterey Park, CA 91754-2169
(323) 526-7856 Fax (323) 526-5463
e-mail: johndoe@lasd.org

*A Tradition of Service
Since 1850*

(Front)

OUR CORE VALUES

As a leader in the Los Angeles County Sheriff's Department, I commit myself to honorably perform my duties with respect for the dignity of all people, integrity to do right and fight wrongs, wisdom to apply common sense and fairness in all I do and courage to stand against racism, sexism, anti-Semitism, homophobia and bigotry in all its forms.

(Back - 20% Grayscale)

The following provisions apply:

- the Undersheriff, Assistant Sheriffs and Division Chiefs and Directors will possess cards with the Sheriff's Star logo and decorative band printed in reflective gold. Other members requiring business cards may use cards printed entirely in black ink, or may use the reflective gold card, at the member's option and expense;
- for reserve members, the title line must contain "Reserve" preceding the member's rank (e.g. "Reserve Deputy Sheriff", "Reserve Lieutenant");
- 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"); and
- the address information must correspond to the member's unit of assignment.

Volunteers and other persons having an affiliation with the Sheriff's Department and having a need for business cards may issue cards of the following format:

An example of this business card is:



(Front)

OUR CORE VALUES

As a leader in the Los Angeles County Sheriff's Department, I commit myself to honorably perform my duties with respect for the dignity of all people, integrity to do right and fight wrongs, wisdom to apply common sense and fairness in all I do and courage to stand against racism, sexism, anti-Semitism, homophobia and bigotry in all its forms.

(Back - 20% Grayscale)

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 include one of the following functional titles:
 - Chaplain;

- Station Clergy; or
- Canine Handler;
- the address and telephone information must be that of a Sheriff's Department facility. Only departmental e-mail addresses shall be listed. The use of residential and/or private business information is prohibited.

Honorably retired members of the Department may be authorized to purchase business cards indicating their retired affiliation with the Sheriff's Department.

The following provisions apply:

- these cards shall indicate "Retired" below the title line; and
- the authority to obtain these cards may be withheld, for cause, by the Sheriff, Undersheriff, or concerned Assistant Sheriff.

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 Director.

Business cards shall not bear notations or endorsements other than those pertaining to official functions of the Department.

Business cards shall not be issued:

- for the purpose of obtaining special privileges or benefit for any reason;
- to request that the bearer receive any type of favorable consideration; or
- to indicate the relationship of the individual to the member named on the card.

3-01/110.46 BUSINESS CARDS - UNIT COMMANDER RESPONSIBILITIES

All units that have a desk area shall maintain a posted notice containing the following:

"ALL SWORN DEPARTMENT PERSONNEL SHALL PROVIDE A
BUSINESS CARD BEARING THEIR NAME UPON REQUEST"

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 (F.O.D.) 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 these 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;
- 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;
- 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 cross 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

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

CORE VALUES

Our Policy of Equality reflects and builds upon our Core Values, which each Department member is responsible for demonstrating in both actions and words.

These Core Values lie at the heart of our Policy of Equality:

*With **integrity, compassion, and courage**, we serve our communities –*

*protecting life and property, being diligent and **professional** in our acts and deeds,
holding ourselves and each other **accountable** for our actions at all times,*

*while **respecting** the dignity and rights of all.*

Earning the Public Trust Every Day!

These Core Values do not limit the responsibility of Department members to upholding only the stated values. 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 and professionalism of the workplace as well as protect the right of employees to be free from discrimination, harassment, and retaliation. Discrimination, harassment, and retaliation are absolutely contrary to the values of the law enforcement profession as a whole and to the Core Values of the Los Angeles County Sheriff's Department. 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 sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition, nor will it tolerate unlawful harassment or retaliation. As a preventive measure, the Department also will not tolerate inappropriate conduct toward others based on a protected status even if the conduct does not meet the legal definition of discrimination or harassment.

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.

3-01/121.05 POLICY OF EQUALITY - PROHIBITED CONDUCT

Each Department member is responsible for understanding 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 sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition.

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 three criteria:

- submission to such conduct is made either explicitly or implicitly a 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.

3-01/121.20 POLICY OF EQUALITY - DISCRIMINATORY HARASSMENT (OTHER THAN SEXUAL)

Harassment of an individual because of the individual's race, color, ancestry, religion, national origin, ethnicity, age, disability, sexual orientation, marital status, or medical condition is also discrimination and prohibited by federal and/or state civil rights statutes. Discriminatory 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.

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 harassing behavior, he or she 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 sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition when such conduct reasonably would be considered inappropriate for the workplace.

This provision is intended to stop inappropriate conduct before it becomes unlawful discrimination or harassment. As such, the conduct need not be pervasive or repeated in order to violate this Policy. An isolated derogatory comment, joke, racial slur, sexual innuendo, etc., may 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 for the workplace, it will violate this Policy.

3-01/121.35 POLICY OF EQUALITY - RETALIATION

Retaliation is an adverse action against another for reporting an incident or filing a complaint of conduct that violates this Policy or the law or participating in an investigation

or otherwise exercising their rights or performing their duties under this Policy or the 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 in the workplace sexually suggestive, racist, "hate site" related, or obscene letters, notes, invitations, cartoons, posters, facsimiles, electronic mail or web links;
- verbal conduct such as whistling and cat calls, using or making lewd or derogatory noises or making graphic comments about another's body, or participating in explicit discussions about sexual experiences and/or desires;
- 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, 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; and
- hazing based on any protected status, including withholding assistance, giving demeaning, unattainable, or unnecessary job assignments, or ignoring the presence of a co-worker.

This list is not exhaustive. Any conduct which is retaliatory or based on or because of sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition may also violate this Policy.

SCOPE OF COVERAGE

Department Members: For purposes of this Policy, "Department members" is defined as employees of the Los Angeles County Sheriff's Department and applicants for employment, whether sworn (regular or reserve) or civilian, all volunteers, and Explorer Scouts and outside vendors (see the Department's Outside Vendor Policy).

Location: This Policy prohibits discrimination, harassment, retaliation, and inappropriate

conduct toward others 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 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, computers, facsimile machines, voice mail, radio, and mobile digital terminals. 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 he or she has 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. The Intake Specialist Unit 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 he or she has knowledge of conduct that violates this Policy is strongly also encouraged to report the matter.

Supervisors and managers have an affirmative duty to report potential violations of this Policy to the Intake Specialist Unit. 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 also may contact the California Department of Fair Employment and Housing by calling (800) 884-1684 or visiting their website at www.dfeh.ca.gov and may contact the Federal Equal Employment Opportunity Commission 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: The Facts about Sexual Harassment," which is attached to this Policy.

Department members may also contact the County Office of Affirmative Action Compliance at (213) 974 1251.

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

INTRODUCTION

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 he or she has 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, and retaliation from occurring in the workplace and take immediate and appropriate corrective action to stop any discrimination, harassment, and retaliation 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 Procedures 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, and Supervisors.

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 as provided below even when a complaining or reporting party requests that no action be taken. The supervisor or manager shall:

- immediately notify the Intake Specialist Unit of the incident(s) or complaint and any initial steps taken by the supervisor or manager; and
- complete a Policy Of Equality Report form POE-001 ("POE Report Form") and promptly file the original with the Intake Specialist Unit with copies to: (a) the reporting party's Unit Commander, unless the complaint is against the Unit Commander, in which case it shall be sent to the Department's Equity Commander; and (b) the Equity Oversight Panel.

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, and/or retaliation 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.

Additional Duties of Unit Commanders

In addition to the duties described above, Unit Commanders have the following duties:

- ensuring that blank POE report forms POE-001 are maintained in a prominent and accessible place in every Unit. It is the further duty of the Unit Commander to ensure that the location, availability, and purpose of these forms are made known to each Unit member; and
- performing all duties required by the Outside Vendor Policy Regarding Discrimination, Harassment, and Retaliation.

3-01/122.10 POLICY OF EQUALITY - PROCEDURES - INFORMATION ABOUT THE POLICY AND PROCEDURES

Office of the Ombudsperson

The Office of the Ombudsperson functions as a specialized resource for all Department members concerning the Policy of Equality and these Procedures. The Office of the Ombudsperson 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 Office of the Ombudsperson is not a complaint intake Unit. However, if a caller provides enough information to indicate a violation of the Policy, the Office of the Ombudsperson must report the matter to the Intake Specialist Unit. The Office of the Ombudsperson shall notify each caller of this obligation.

QUESTIONS ABOUT THIS POLICY

Any Department member who has questions about the meaning or interpretation of this Policy should contact the Office of the Ombudsperson. They may be reached at:

Office of the Ombudsperson

(323) 890 5348

3-01/122.15 POLICY OF EQUALITY - PROCEDURES - EQUITY COMPLAINT PROCESS

Reporting Complaints

Any Department member who believes he or she has 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 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 Intake Specialist Unit, 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

The Intake Specialist Unit, staffed by both sworn and civilian Department members, is an initial point of contact for Department members who wish to report a violation of the Policy. Department members are not required to identify themselves when contacting the Intake Specialist Unit.

The Intake Specialist Unit shall be responsible for directing any reports concerning equity issues to the Equity Unit for investigation and resolution. The Intake Specialist Unit also shall assist Department members in finding the right point of contact for questions regarding the Policy and Procedures or equity issues.

The Intake Specialist Unit shall contact the complainant during the course of the investigation to ensure that no retaliation is occurring. The Intake Specialist Unit 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 Unit

The Equity Unit is responsible for promptly and effectively investigating reports of conduct that violates the Policy or Procedures. Equity Unit investigations shall be immediate, thorough, objective, and complete. Equity Unit 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 Equity Unit investigators shall present their findings to the Equity Oversight Panel for review.

The Equity Unit 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 Equity Unit Lieutenant, who may seek the advice or concurrence of the Equity Commander or Equity Unit attorney. Any decision not to open an administrative investigation shall be forwarded to the Equity Oversight Panel for review.

Review of Equity Unit Investigations

- The Equity Oversight Panel

The Equity Oversight Panel is an independent oversight body which, in accordance with the procedures described in this section, shall have authority and be responsible for reviewing Equity Unit investigations and making appropriate determinations for violations of the Policy and/or Procedures. The Equity Oversight Panel shall meet bi-monthly, or more frequently if necessary, to discuss and review each Equity Unit investigation.

In addition, the Equity Oversight Panel shall be responsible for, among other matters, monitoring and evaluating the quality of the Equity Unit investigations and the effectiveness of the Policy and Procedures. The Equity Oversight Panel 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 Equity Oversight Panel shall receive a thorough briefing from and have the opportunity to question the investigator(s) who handled the Equity Unit investigation. The subject's Division Chief or Director and/or Unit Commander may attend the briefing. In addition, the Equity Oversight Panel 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 Equity Oversight Panel to reach its decisions must be reflected in the subject's investigation package, including any new information received from any attendee to the Equity Oversight Panel's briefing.
- b) The Equity Oversight Panel shall meet to discuss and deliberate on the Equity Unit case presented. A representative from County Counsel and the Office of Affirmative Action Compliance 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 Equity Oversight Panel members. After discussion, the Equity Oversight Panel shall determine appropriate dispositions and discipline, if discipline is warranted. The Equity Oversight Panel 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 Equity Oversight Panel may direct the Equity Unit to conduct further investigation. If further investigation is directed, another review shall be held in accordance with this section after the investigation.
- d) The Equity Oversight Panel shall communicate its recommendations to the Equity Unit, which shall notify the appropriate parties. The Equity Unit 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 Equity Unit 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 Equity Unit receives the determinations regarding dispositions and discipline from the Equity Oversight Panel 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 Equity Unit investigation but not disclosed shall not be grounds for overturning the Equity Oversight Panel's recommendation. If the subject presents new facts during the Skelly hearing (i.e., facts discovered subsequent to the subject's Equity Unit investigation), the Skelly officer shall send the case back to the Equity Unit for further investigation.

The Skelly officer shall promptly communicate, in writing, the factual and legal basis for any decision to modify the Equity Oversight Panel's determinations to the Sheriff and to the Equity Oversight Panel. Failure to do so may be grounds for discipline.

Grievance Procedures

- Department Member 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 Equity Oversight Panel and to the subject's Division Chief or Director the factual and legal basis for any decision to modify the Equity Oversight Panel'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 Equity Unit investigation but not disclosed shall not be grounds for overturning the Equity Oversight Panel's recommendation. If the subject presents new facts during the grievance (i.e., facts discovered subsequent to the subject's Equity Unit investigation), the supervisor authorized to conduct the grievance shall send the case back to the Equity Unit 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 Equity Oversight Panel.

3-01/122.20 POLICY OF EQUALITY - PROCEDURES - EXTERNAL COMPLAINT MONITORING

The Department's Affirmative Action Unit, in conjunction with the County's Office of Affirmative Action Compliance, will receive and process all external discrimination, harassment, and retaliation complaints. Where appropriate, the Affirmative Action Unit will forward the complaint to the Equity Unit for investigation and resolution.

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 Office of the Ombudsperson.

The Department shall keep all information and material reviewed confidential in accordance with California Penal Code " 832.7 and 832.8, California Evidence Code ' 1043 et seq., and any other provision regarding the confidentiality of peace officer personnel records.