



# LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



## Personnel Complaints

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The concerned Unit Commander is responsible for evaluating each personnel complaint to determine the appropriate supervisory response. The nature and seriousness of the allegation(s), the potential for employee discipline, and the concerned employee's performance history are potential factors to consider in the evaluation. Generally, the following courses of action are options:

- Request that ICIB conduct a criminal investigation if there is reason to believe a crime has been committed. The request may be sent via e-mail from the concerned Division Chief or Division Director directly to the Captain of ICIB. (Use Exchange Group, "ICIB Investigation Request.");
- Request that IAB conduct an administrative investigation. The request may be sent via e-mail from the concerned Division Chief or Division Director directly to the Captain of IAB. (Use Exchange Group, "IAB Investigation Request.");
- Conduct a Unit level administrative investigation; and
- Initiate a service review.

The selection of a given course of action does not preclude initiation of another course of action if the subsequent uncovering of facts justifies or mandates it.

### Categories of Public Comment

**Personnel Complaint:** an external allegation of misconduct, either a violation of law or Department policy, against any member of the Department.

**Service Complaint:** an external communication of dissatisfaction with Department service, procedure or practice, not involving employee misconduct.

**External Commendation:** an external communication of appreciation for and/or approval of service provided by Department members.

The Department will accept and review any comment from any member of the public concerning Department service or individual performance.

## **Personnel Complaint Dispositions**

The following dispositions are used when a complaint is categorized as a Personnel Complaint and are not to be used for a Service Complaint.

a). **Employee Conduct Appears Reasonable:** Review indicated the employee actions appear to be in compliance with procedures, policies, guidelines or training.

This disposition is most appropriate for complaints when a review reveals that the employee actions appear to be in compliance with established procedures, policies, guidelines and/or training.

b). **Appears Employee Conduct Could Have Been Better:** The employee actions were in compliance with procedures, policies, and guidelines. The complaint could have been minimized if the employee had employed tactical communication principles or common sense.

This disposition is most appropriate when the employee conduct was determined to be within policy and training, but the manner in which the employee handled the contact or incident primarily caused the complaint. This may also be used to categorize cases where employee(s) chose less-desirable or effective options between technically acceptable alternatives.

c). **Employee Conduct Should Have Been Different:** The employee actions were not in compliance with established procedures, policies, guidelines or training. **Watch Commander** will take appropriate action.

This disposition is most appropriate when the employee conduct was not consistent with policy or training, but not at a level warranting formal discipline. This disposition will generally result in documented counseling (Unit Performance Log entry) or an appropriate level of corrective action.

d). **Unable to Make a Determination:** The review revealed insufficient information to assess the employee's alleged conduct or to identify the employees involved.

This disposition should be used when employees cannot recall their conduct or when the review exhausts available information and evidence, but prevents the **Watch Commander** from adequately assessing an employee alleged conduct. It may also be used when it cannot be determined which employees were involved (or whether LASD employees were involved at all) or whether an alleged contact actually occurred.

e). **Resolved - Conflict Resolution Meeting:** A conflict resolution meeting with the reporting party and involved employee(s) was held.

This disposition is most appropriate when conflict resolution techniques are likely to address all concerns brought forward by a reporting party. Such a process does not require complete agreement, admissions, apologies, or withdrawal of complaints. It does require that the employee(s) and reporting party participate in adequate discussion or dialogue about all of the reporting party concerns. The objective of Conflict Resolution is to attempt to facilitate discussion regarding public complaints. Although Conflict Resolution does not guarantee an agreement will be reached, the process aims to facilitate a discussion regarding the concerns giving rise to a complaint and expands awareness of the situation which, in turn, increases public satisfaction. It is a voluntary informal, non-disciplinary and non-adversarial process, that is agreed to by both the reporting party and the involved personnel.

#### **Exoneration:**

a). **The employee was not personally involved or in any way connected to the incidents or alleged conduct:** Exoneration is only appropriate when it can be positively established that an employee was not involved in the incident or alleged conduct. Examples include when an employee was not on duty yet mistakenly identified amongst involved personnel, or when it can be shown that the employee could otherwise not have been present or involved.

b). **Inquiry revealed that all allegations were clearly false or reporting party demonstrated diminished capacity:** This disposition is appropriate after a service review has been concluded. Exonerating employees under this category should be used when complaints have been determined to be clearly false or the reporting party demonstrates diminished capacity.

#### **Additional Definitions**

**ICIB** – Internal Criminal Investigations Bureau. This Unit reports to the Sheriff and Undersheriff and is responsible for the investigation of allegations of criminal misconduct by members of this Department when the offense is committed within the policing jurisdiction of the Sheriff.

**IAB** – Internal Affairs Bureau. The Internal Affairs Bureau is responsible for:

- conducting administrative investigations of policy violations by Department members;
- conducting administrative investigations of policy of equality violations by Department members;
- conducting administrative investigations for outside law enforcement agencies at the request of the agency;
- monitoring criminal investigations of Department members;

- responding to Deputy-involved shootings and specific significant use of force incidents, and preparing an administrative review of the incident for the Executive Force Review Committee;
- conducting “for cause” drug tests at the direction of a Department member’s Unit Commander or higher ranking member;
- staffing the 1-800 complaint line during business hours; and
- compiling data for all shootings involving Department personnel (e.g., hit, non-hit, accidental discharge, warning shot, and animal shootings).

**Unit level Investigation** – Upon receipt of a personnel complaint or upon notification that a personnel incident involving possible misconduct has occurred, a Unit Commander or higher ranking executive may order an administrative investigation.

Administrative investigations may be conducted by the concerned Unit, at the direction of the Unit Commander, or may be conducted by the Internal Affairs Bureau.

Only a Division Chief or Division Director or above may request an administrative investigation by the Internal Affairs Bureau.