

THE ROTATOR

The Newsletter for LAPD Reserve Officers



Volume 8

Spring 2011

LAPD RESERVE OFFICERS HONORED

BANQUET AT REAGAN PRESIDENTIAL LIBRARY, APPRECIATION DAY BBQ HELD AT PAB



The "Twice a Citizen" Banquet was held in the Air Force One Pavilion at the Ronald Reagan Presidential Library, in Simi Valley.

By Reserve Officer Michael Sellars

April 2011 was Appreciation Month for LAPD reserve officers, as the Department and city leaders began and ended the month with events that recognized the value, strength and importance of the Reserve Corps.

On April 5, the annual "Twice a Citizen" Banquet was held at the Ronald Reagan Presidential Library, in Simi Valley. The event, presented by the Los Angeles Reserve Police Foundation, began with complimentary access to the museum at 3:00 p.m., followed by a tour of Air Force One and a cocktail reception at 5:00 p.m. The event was sold out.

The reception and banquet were in the library's Air Force One Pavilion. Guests actually

entered the reception by walking through Air Force One and exiting into the festivities.



The banquet setting, with Marine One in the background.

Chief Charlie Beck gave an inspirational speech, recalling how he started his law enforcement career as an LAPD reserve officer in 1975, working patrol at Rampart Division.

Reserve Officer Domingo Mairena was named the Department's Reserve

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DEPARTMENT RESERVE COORDINATOR'S MESSAGE

By Police Administrator II Gloria Grube

As we enter the second half of the year, I would like to thank each and every member of the Los Angeles Police Department Reserve Corps for all your continued contributions and dedication to this organization. This past year was challenging with the fiscal situation of the city. However, through the combined efforts of the Los Angeles Police Department and the Reserve Corps we once again met the policing demands of the city of Los Angeles, with crime rates moving still lower.

The Peace Officers' Association of Los Angeles County recognized five Los Angeles police reserve officers at their annual luncheon. James McLaughlin, Haydee Capdet, Lance Ordin and Tim Widmann all received recognition for their contributions.

Our perennial Jim Lombardi received special recognition and was presented with a lifetime achievement award.

We began Reserve Recognition Month with the "Twice a Citizen" Banquet on April 2, 2011, at the Ronald Reagan Presidential Library. The event was a tremendous success, with over 700 people in attendance. Chief of Police Charlie Beck presented awards to reserve officers who had distinguished themselves during this past year. The top award for Reserve Officer of the Year was awarded to Reserve Officer Domingo Mairena, from Harbor Area.

As we closed the month of April, we gathered for Reserve Recognition Day at the Police Administration Building. We recognized several more reserve officers and members of the Los Angeles Police

Department Reserve Foundation for their service. The event was well received, and we hope to make it a continuing tradition.

I would like to extend my gratitude to the Reserve Corps for your continued support of the annual special events, such as the Sunshine Kids, Special Olympics and geographic area task forces. Additionally, I would also like to acknowledge Los Angeles Police Reserve Foundation President Mel Kennedy and the entire Board of Directors for their continued support and leadership to the Reserve Corps.

In closing, over the last six months we have seen many improvements in the Reserve Corps that will lead to an even greater future. It has been a great pleasure to be part of this, and I look forward to working with the members of the Reserve Corps in the future. ☺



PRESIDENT'S MESSAGE

Message from the President of the Reserve Foundation

By Reserve Officer Melvin B. Kennedy

Fellow reserves,

The "Twice a Citizen" Awards Dinner at the Ronald Reagan Presidential Library was awesome. I hope you were there and had a great time. Thank you to our honorees and to all who participated and made it such a memorable event. Congratulations to our Reserve Officer of the Year, Reserve Officer Domingo Mairena, of Harbor Division. Thank you to our honorees and to all who participated and made it such a memorable event.

April was Reserve Appreciation Month, and that got me thinking: Do we really show our appreciation to the men and women who serve as reserves on an ongoing basis?

Do we acknowledge their service when they leave us, or do they simply walk away and become forgotten? Sadly, I am sure we can all remember reserves who simply fell off our radar, people who we worked and trained with but who, one day, were no longer around. Their service, whether for one year or 40, has not been treated the same, and it is time to correct that. We will be addressing the issue this year and will keep you apprised of our progress.

Finally, the most reviled 9/11 murderer is dead and justice is served. Our hearts go out to the victims and their families who have suffered

so long and who will relive their pain and loss once again. May God bring peace and comfort to each and every one.

Reserves, it is not over! Now is the time that we are most needed, and we must be the most prepared. Is your gear ready? Have you qualified? Are you proficient? Do you know when and where to respond? Be alert and be ready!

Be safe and God bless,
Melvin B. Kennedy
President ☺

PARKER CENTER MEMENTO

PORTRAIT OF A RESERVE OFFICER

By Reserve Officer Michael Sellars

For over 10 years, a portrait of Reserve Officer Gary Hazel hung in the lobby of Parker Center. Until just recently, Hazel, who retired from the Reserve Corps in 2002, had no idea why or how his picture got there. At first, he didn't even know it was there. He started hearing about it from fellow officers who had seen it.

Officer Hazel retired after 35 years of service, and the picture remained there, on the wall of the Parker Center lobby.

Fast forward to today. Hazel relates what happened:

"My son-in-law, Senior DA Investigator Chris Oppenborn, was down at the old Parker Center building to interview a suspect and had to go through the jail via the old front desk. Since the building had been mostly abandoned, except for



Reserve Officer Gary Hazel, right, mid-career circa 1980 on Hollywood patrol with partner Dave Johnson.



In 1968, Hazel, pictured here with Chief of Police Tom Reddin, graduated from the first line reserve Academy class.

the jail, the lobby area was gutted, with just enough of a facility to serve the jail. As Chris was walking to the rear, he saw a photo of a cop hanging on the wall over where a drinking fountain had been. Yeah, you guessed it. Chris went back to the desk officer and asked if he had a screwdriver that he could borrow, and I now have the rather nicely framed photo and letter."

The letter was apparently written as a result of a radio call Hazel once handled at a senior living facility on Fairfax Avenue in Hollywood Area.

The letter said: "(Officer Hazel) was able to calm down an elderly woman who called [the] police to report abuse by her nursing home caregivers. Although she was frantic and being difficult, he determined that no crime occurred. To reassure her, he called the nursing home on his next shift and contacted her family to help find solutions. Touched by his kindness, the woman thanked Officer Hazel for remembering her and caring enough to check her situation."

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Editor: Reserve Officer Michael Sellars

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Winner of a Communicator Award



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LAPD RESERVE OFFICERS HONORED

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Officer of the Year. Officer Mairena has been assigned to Harbor since 1998. Currently, he is a full-time youth services officer and Juvenile Impact Program (JIP) instructor, working over 30 hours per deployment period. He created the Harbor Cadet Advanced Tactics Team (HEAT Team). The unit has competed nationwide and has received top honors in all the competitions they have entered. Officer Mairena also received the award for South Bureau Reserve Officer of the Year.

The other bureau honorees named were:



Reserve Officer Domingo Mairena, of Harbor Area, was named the Department's Reserve Officer of the Year.

Reserve Officer Haydee Capdet, of Foothill Division, has been with the Department since 2003 and has been named R-5. In 2010, Foothill experienced a number of party-call incidents where 415 fights, shootings and homicides occurred. Officer Capdet helped spearhead intelligence gatherings to combat the problem.

Specialist Chaplain Michael Cooper started his career full-time as a deputy sheriff for the Los Angeles County Sheriff's Department (LASD). In 2008, he was appointed chaplain and was assigned to Rampart Division. He has provided invaluable support and assistance to officers and their families.

Specialist Andrew Kurkjian, of Pacific

Division, has taken on the role of a full-time detective, primarily handling elder-abuse cases, both financial and physical.

Two community leaders were also honored. Chief Roberta Abner, of the Los Angeles County Sheriff's Department, currently heads the LASD's Leadership and Training Division. Chief Abner has been the Southern California Law Enforcement Torch Run director for the Special Olympics since 2003. Brannon Braga, the executive producer and writer of the award-winning television show *24*, was also honored. His credits include the *Star Trek* franchise. Mr. Braga donated memorabilia for a live auction at the banquet.

Guest auctioneer Councilmember Dennis Zine (who is also a reserve officer, after having retired as a sergeant) — with a mixture of humor, persuasion and spontaneous upgrades to auction items — helped raise valuable funds for the foundation. The foundation provides training and equipment support, purchases supplies and offers bereavement recognition and assistance to Los Angeles Police Department reserve officers.

Master of ceremonies for the banquet was Pat Coulter, who recently retired after more than 50 years in aerospace and defense, including 25 years in the U.S. Marine Corps. Mr. Coulter has served as a technical advisor on multiple motion pictures, including *An Officer and a Gentleman*, *Top Gun*, *The Killing Fields* and *The Great Santini*.

The "Twice a Citizen" Banquet was coordinated by Taylor Van, of Taylor Van Events. This is the sixth year she has coordinated the banquet.

On Saturday, April 23, the Reserve Corps was further recognized at an Appreciation Day BBQ held at PAB. Chief Beck spoke of his days as a reserve officer. It was 1974 to 1975 and his serial number was R234. There was a full-time hiring freeze at the time and the then-future Chief of Police joined the Corps to see if the job suited him. At the time, the Chief reminisced, he was also interested in professional sports and entered the Academy with his "hair a little long" to face rather intimidating drill instructors.

Chief Beck said he has two asks of the

Corps: First, that officers spread the word about the program and recruit at least one reserve officer candidate. Growing the Reserve Corps grows the resources of the LAPD and its ability to police the city, especially during these economic times. Additionally, the Chief said recruitment is a valuable tool in helping the community get involved with public safety and service. Second, Chief Beck asked officers to give any suggestions they may have on ways to continually improve the Corps.

A new recruitment video was shown. It features three LAPD reserve officers, each describing their respective levels — I, II and III — the requirements, the training and the responsibilities and duties for each level.

During the BBQ of hamburgers and hot dogs, officers were also able to pick up their discontinued R-series badges, which were beautifully mounted and encased in Lucite, with a navy-blue background.

The Los Angeles Police Reserve Foundation donated the top prize for the raffle at the BBQ — a gift certificate from LAPRAAC covering the cost of the new Ruger .380 backup firearm. 🎯

**IF YOU HAVE
AN IDEA
FOR AN
ARTICLE FOR
THE ROTATOR,
OR WOULD LIKE
TO CONTRIBUTE,
SEND US AN
E-MAIL AT**

MichaelSellars@sbcglobal.net

LAPD RESERVE OFFICERS OF THE YEAR

2010 AWARD RECIPIENTS

RESERVE CORPS

Department Reserve Officer of the Year

Domingo Mairena

Bureau Reserve Officers of the Year

Haydee Capdet – *Valley Bureau*
Chaplain Michael Cooper – *Central Bureau*
Andrew Kurkjian – *West Bureau*
Domingo Mairena – *South Bureau*

Community Leaders Honored

Chief Roberta Abner – *Los Angeles County Sheriff's Department*
Brannon Braga – *Executive Producer, "24" TV series*

Area and Divisional Reserve Officers of the Year

Lance Ordin – *Air Support Division*
Tim Widmann – *Central Area*
Justine Fox – *Central Traffic Division*
Burton Merrill – *Commercial Crimes Division*
Christine Castro – *Detective Support Vice Division*
David Cox – *Devonshire Area*
Paul Shin – *Emergency Services Division*
Haydee Capdet – *Foothill Area*
Domingo Mairena – *Harbor Area*
Marcos Espinoza – *Hollenbeck Area*
Jackie Ellis – *Hollywood Area*
Michael Gervais – *Major Crimes Division*
Albert J. Phillips – *Metropolitan Division*
Roger Andrews – *Mission Area*
Larry Benudiz – *North Hollywood Area*

Albert Faust – *Northeast Area*
Leif Bennett – *Olympic Area*
Andrew Kurkjian – *Pacific Area*
Chaplain Michael Cooper – *Rampart Area*
James Lombardi – *Recruitment and Employment Division*
Douglas Webb – *77th Area*
Brian Gluck – *Southeast Area*
Michael Yi – *Topanga Area*
Michele Sapper – *Training Division*
Maxine Zewiey – *Valley Traffic Division*
Daniel Rosenberg – *Van Nuys Area*
Joseph Saba – *West Los Angeles Area*
James McLaughlin – *West Traffic Division*
Steve Getz – *West Valley Area*
James Frank – *Wilshire Area*

EMPLOYEE ASSISTANCE UNIT

Reserve officers are not always aware of the Department resources that are available to them and their immediate family members. One such resource is the Employee Assistance Unit (EAU). The EAU can be contacted at (213) 486-0190 or after hours through RACR Division at (213) 484-6700.

EAU provides services and resources to Department personnel and their immediate family members (specifically, spouse and dependent children), including sworn reserve officers who may be experiencing personal or work-related problems. Resources available through EAU include:

- Funeral-planning assistance
- Death and funeral notices
- Department chaplain program
- Peer Support Program
- Financial Counseling Team referrals
- Department Honor Guard
- Family Support Group

Officers can find these services to be of great help during difficult times. Funeral assistance, for example, can include everything from telephonic advice to meeting in person with the surviving family and helping them make appointments. EAU can accompany families to make arrangements at mortuaries and cemeteries.

The Department's chaplain program and Honor Guard are also managed through EAU. EAU provides an Honor Guard for active officers regardless of cause of death, with the exception of officers who are under investigation for felony activity or if their death was the result of felony activity. Usually, a two-person Honor Guard can be provided for the funeral of a retiree if the service is held locally.

Chemical dependency assistance is now handled through Behavioral Science Services (BSS). BSS can be reached at (213) 252-3090. 

RESERVE MOTORS HONORED BY COMMUNITY



LAPD reserve officers were among those in law enforcement honored at an appreciation dinner held by the residents of Monarch Village, in Tarzana. From left to right are CHP Officer James Oberlander and LAPD Reserve Officers John Choplin, Todd Moore, Gary Becker and Robert Glucroft.

FIREARMS UPDATE

QUALIFICATION AND .380 PROGRAM



By Reserve Officer Charles Nicgorski, Firearms Instructor

This update has both good news and not-so-good news, so let's get the latter out of the way first. During the March-April combat qualification cycle, there were many FTQs (failure to qualify).

Each area has the prerogative to handle the discipline process its own way, but other factors need to be considered. In the event you have the unfortunate experience of having to use deadly force, consider what will happen during the investigation. You can be certain your records will be pulled to determine how often you qualified and how often you changed out your ammunition. You do not want to be on the stand telling a jury that you didn't qualify or, worse, that you could not qualify. Another factor is the pride you should have in the Corps. Shooting skill is a vital and perishable ability that you must maintain and have documented.

What can you do? First off, if you know in

advance that you will not be able to qualify during a particular period, you need to notify your coordinator in advance, not after the fact. If you are having a problem with the actual shooting, please ask for assistance. You may want to call the Firearms Unit at Davis or contact one of the reserve instructors directly. To their credit, we have had several reserve officers over the past month notify us, and we were able to set up times to work with them. You have an excellent resource in our reserve firearms instructors, and we encourage you to use it.

Now for the good news: We have a new tool in our arsenal with the .380 program. The Department found that many officers were not carrying their backup weapons for various reasons, and it has adopted the use of the .380 as one solution. They have approved two guns, but currently the only one available is the Ruger

LCP. You will find this gun to be easy to conceal, lightweight and simple to use. The round itself may not be as effective as the good old .38, but as a last resort it's better to have something rather than nothing at all! Feel free to contact any of us to discuss the pros and cons of backups.

In order to carry the .380, you will need to come to the range and run a quick backup qualification course. Once you have passed, you will go to the armory to have the weapon inspected and placed on your firearms card. Be sure to have a proper holster depending on where you decide to carry it. Also, no ammunition will be provided by the city for the .380. You must provide your own ammo for the qualification and for duty use.

The use of deadly force is our final option. Thankfully, it is the least used of our tools, but in the event that you must resort to this tool, will you be prepared and confident in your skills? ☺

Qualification Schedule Revised Effective August 1, 2010

Cycle #	Qualification Cycle	Officers with Less Than 20 Years of Service	Officers with 20-29 Years of Service
1	January	Shotgun Level III Exempt	Shotgun Level III Exempt
2	February/March	Qualify Duty Ammo	Qualify Duty Ammo
3	April/May	Qualify Practice Ammo	None
4	June/July	Qualify FOS	None
	August	None	None
5	September/October	Qualify Practice Ammo	Qualify Practice Ammo
6	November/December	Qualify Practice Ammo	None

Officers with 30 years or more of service are required to qualify one time per calendar year at their convenience, during cycle 2, 3, 4, 5 or 6. Officers must qualify prior to the last week of handgun qualification cycles, unless exempted by their commanding officer: The last week of these cycles will be reserved for remediation and officers with the approved exemptions.

PARKER CENTER MEMENTO

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The letter went into more detail on why Officer Hazel's picture hung on the lobby wall for so long:

"A member of the reserve program since its inception (a graduate of the first line Academy class in 1968), Officer Hazel was first assigned to 77th Area, where he performed his patrol duties in an exceptional manner. His professionalism and hard work earned him recognition as an outstanding officer who went above and beyond the call of duty. In 1978, he transferred to Hollywood Area, where he worked patrol with unwavering energy and enthusiasm. His colleagues praised him for his knowledge and reliability. Despite his credentials for a specialty assignment, he chose to work closely with the community in a patrol assignment.

"Officer Hazel transferred to the Hollenbeck Area in 1982 and continued his patrol duties for 10 more years. In 1987, he was selected as Reserve Officer of the Year for his service to the Hollenbeck community. ... In 1991, he returned to the Hollywood Area, where he earned certified designated level I (status)."

The letter of appreciation was signed by the president and vice president of the Police

Commission, three commissioners and by then-Chief of Police Bernard Parks.

Hazel spent his entire career working a radio car. It is estimated that it amounted to about 1,050 shifts and 10,000 radio calls. He worked a minimum of three shifts a month at both 77th and HBK during the 1970s, when the crime rates and the call loads were high and the LAPD was staffed with only about 6,000 officers.

Working the streets was different in those days, Hazel remembers. Since there were fewer officers, very little time was spent on what were considered "low priority" calls (maybe 10 minutes on a family dispute). "Consequently, officers not making arrests could easily handle 15 or more radio calls, knowing that under those circumstances C-7 was usually not granted to clear the board. Cops ate their burgers in the car and supervisors looked the other way." Hazel's all-time record was 23 incidents in one eight-hour shift. "Today, the much higher quality, more



Hazel in 2002, after finishing his last patrol shift in Hollywood, before retiring.

thorough and time-consuming law enforcement protocols would make that nearly impossible."

Now the lobby of Parker Center is a bit more barren without the photo of that "aging cop," who was a portrait of the LAPD Reserve Corps for over 35 years.

Hazel would love to hear from old partners. He can be reached at gardot@sbcglobal.net. ☺

RESERVE OFFICERS NOW ELIGIBLE FOR DETECTIVE GOLD CARD BY RESERVE OFFICER JAMES SPEED

At their recent annual meeting, the Detective Gold Card Committee voted to consider sworn reserve officers (levels I, II and III) for membership as long as they meet the same requirements as full-time members.

The Detective Gold Card has been a part of the Department's detective traditions since the 1940s. Its origins date back to the Detective Bureau, when all the Department's detectives worked under a single command. Like most Department entities, the Detective Bureau had a station fund. Everyone assigned to the bureau made monthly payments and those funds were used to purchase coffee supplies or to purchase a get-well card for a sick or injured detective or family member. Unlike most other station funds, the Detective Bureau station fund

would purchase a special gift for a retiring detective.

The unique nature of detective work within the law enforcement family creates a special camaraderie. The Gold Card was a gift from fellow detectives, honoring retirees for their many years of service to the Department and to the Detective Bureau.

In the early 1970s, the Detective Bureau was decentralized, and detectives were reassigned to geographic areas and various specialized detective divisions. As a result, the station fund that purchased Gold Cards no longer existed. But the Department's detectives wanted to continue the Gold Card tradition. So, the Detective Gold Card fund was established to ensure the tradition of honoring detectives with the acknowledgment

of their colleagues and the presentation of the Gold Card upon their retirement.

To be eligible for the Detective Gold Card, the reserve officer must be doing active investigative/detective work. Officers are not eligible for merely assisting in administrative work. Other requirements for eligibility include 10 years in an investigatory capacity, with the last five in detective work. You must have been a dues-payer for five years prior to your retirement. Dues are generally in the \$5 to \$10 range, and are paid yearly.

For more information on the Detective Gold Card, you can contact the detective responsible for the fund at your division, or you can contact Reserve Officer James Speed at (818) 842-3478 or email jspeed1066@msn.com. ☺

COMPASSIONATE LEADERSHIP

LAPD
RESERVE CORPS

By Sergeant Ralph Morales, Community Relations Section, Office of the Chief of Police

The great UCLA basketball coach John Wooden has a quote that I love to share with others: “You can’t live a perfect day until you do something for someone else who will never be able to repay you.”

That’s the commitment that our LAPD reserve officers make on a daily basis to the diverse communities of Los Angeles. They are truly the best law enforcement reserve corps team in the nation; their selfless, loving and unbridled enthusiasm is the pillar that models the hallmarks of a Los Angeles police officer — their compassion guides their efforts.

This magical story began five years ago. Special Olympics Southern California (SOSC) reached out to the Department in their efforts to develop a stronger collaboration. The LAPD had always been supportive, but SOSC wanted the Department to take on a more conspicuous leadership role in the region. The city of Los Angeles has the lion’s share of the territory, which stretches from San Luis Obispo to San Diego. For the most part, the LAPD’s involvement in the past was confined to the Law Enforcement Torch Run (LETR). The efforts made by Department employees toward this end have been truly commendable. The logistics of the Torch Run, which is referred to as the Flame of Hope, is a challenge as it serpentine through all 21 geographical areas. Department sworn and civilian personnel have always been at the ready and participated in the run without any fanfare. Many of you who have carried the torch have described that special moment. We in the law enforcement community safeguard individuals with disabilities so they may have the opportunity to meet their own challenges on their terms. Those of us who have watched these incredible athletes compete can attest to the fact that we have witnessed inspirational acts of courage affirming the essence of the human spirit.

The Reserve team took the challenge from SOSC. Through the leadership of the Los Angeles Police Reserve Foundation, they began to get involved. The first challenge they took on was to support the Tip-A-Cop event, which has been held at Claim Jumper restaurants throughout Southern California. At this

event, police officers assist wait staff at the participating locations, educate the community on Special Olympics programs and raise funds so that no athlete will ever have to pay for their involvement at the competition events.

Tip-A-Cop has itself become a competition, as all 19 participating locations each try to raise the most funds in a four-hour block of time. For the first Tip-A-Cop that the Corps became involved with, over 30 reserve officers participated at Claim Jumper’s only Los Angeles location, in Northridge. That year, the Northridge location, with the Reserve team at the helm, came in second place in total donations. But they didn’t stop there. The team learned from that first outing, and came back to lead all restaurants and all other law enforcement agencies in collecting donations for the following three years. Reserve officers not only worked the events, but many of them made generous donations.

The Reserve Foundation then sponsored a dinner, which eventually evolved into a breakfast, for those officers who had participated in the Special Olympics Opening Summer Games, held each year at California State University, Long Beach. For the first year, there were 38 officers — all LAPD. Today, there are over 200 representing the diverse law enforcement agencies of Southern California. Men and women of the United States military are also in attendance. I would encourage those of you who have not had the opportunity to attend an opening ceremony to do so, and you will feel the incredible energy, passion

and inspiration of the day — just ask someone who has attended.

In October 2010, the Law Enforcement Torch Run International Conference was held in Long Beach. Many on our Reserve team volunteered to be part of the transportation component for the conference. The team included the Los Angeles Sheriff’s Department and the California Highway Patrol. There were over 1,000 conference participants from throughout the world. The transportation component was

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See “Compassionate”



In 2006, 38 LAPD officers, mostly reserve, participated in the Summer Games ceremony of the Special Olympics. Below: Over 200 peace officers throughout Southern California participated this past year.



LAPPL LEGAL DEFENSE PLAN NOW AVAILABLE TO RESERVE ASSOCIATE MEMBERS

In response to strong and continued interest, the League's Board of Directors is happy to offer the Legal Defense Plan to LAPPL reserve associate members.

In addition to the League benefits you already enjoy as a reserve associate member, beginning May 1 and for a low annual fee you are eligible to take advantage of the applicable legal plan benefits, highlights of which include:

- Legal representation for complaint or categorical use of force investigation interviews
- League-funded assistance with Skelly responses
- Legal defense at civil proceedings brought against you as a named defendant for actions during the course and scope of your employment if the city denies the legal defense
- Legal defense at a criminal proceeding brought for actions during the course and scope of your employment
- Legal representation at a federal or state grand jury or interviews pursuant to an inquiry
- Legal representation for Brady matters
- Legal representation in Pitchess hearings

Please review the Legal Defense Plan in its entirety for complete details in the member services area at *LAPD.com*. If you choose to join, the invoice for the annual cost of the plan (\$264) will be prorated for the balance of 2011. Thereafter, the Legal Defense Plan annual fee will be included with your League membership renewal notices.

If you would like to take advantage of these low-cost legal benefits, please see Clementine Ramirez at the League office, Monday through Friday from 9 a.m. to 5 p.m., or email her at cleme@lappl.org to have an enrollment card mailed to you. If you have questions about these benefits or other membership issues, please contact Director Kristi Sandoval at (213) 251-4554 or kristisandoval@lappl.org.

YOUR RIGHTS AS A RESERVE OFFICER

By Gary Ingemunson, Attorney at Law

Send in the reserves! Many a battle has been won with that call. I enjoyed working with reserve officers during my days in patrol. I also enjoyed many days off made possible by the reserve officers whose presence made my "special day off" possible. In those days, as now, "no replacement, no day off" was the reality. So, first of all, thank you for your service. I was asked to write this column to address the subject of personnel complaint interviews with you. I have been a defense representative for officers since the mid-'70s, and when I retired in 1995 I went to work for the League full time as an attorney representing officers in shootings and other matters of discipline, as well as writs, appeals and other duties. I have, in fact, represented a few reserve officers over the years who have become involved in shootings or discipline cases as witnesses.

You are probably aware that when it comes to Department discipline you are not as well protected by personal rights as the full-time police officer. For the reserve officer, there is no Board of Rights, Administrative Appeal hearing or any other formal hearing where you can defend yourself against allegations of misconduct, although theories exist that one should be required.

The Chief of Police is your judge and jury. Your captain makes a recommendation; your reserve coordinator gets input; it goes to your bureau; and the Chief makes the final decision. Up until 2003, there was no input from you.

Special Order 15 was issued in May 2003. The Department decided that it was only fair to allow reserve officers to respond to complaints. Therefore, a copy of the completed complaint investigation will be presented to you. If the complaint is other than sustained, you will have 30 days to write a response. If the complaint is sustained, only three to five days, but your response will be attached to the complaint so that when the Chief makes his decision, he will be able to also consider your response. Although this sounds a lot like a Skelly response, the order is specific that you have no property right in your status as a reserve.

Those are the adjudication rules. What about the investigative rules? Well, the Department manual tells us that the investigation will be the same as that done with full-time employees. So, all the rules that apply to the full-time officers apply to you as well. You should be treated no differently. That means you should be allowed representation.

The trickier question is this: What is the source of that representation? For instance, LAPD full-time officers are covered by the MOU and are entitled to on-duty officers to represent them. LAPD full-time officers who belong to the League and the League's legal plan are entitled to League panel attorneys to represent them. What are your rights to representation?

Clearly, you are entitled to a representative, but from a technical standpoint are you entitled to an on-duty, LAPD full-time employee representative? My experience has been that our employee representatives have represented reserve officers in personnel complaint investigations with no interference from the Department. Of course, there would be no doubt that you could be represented by another reserve officer or any other person of your choice as long as it did not cost the Department any money.

Another alternative has opened up to you. The League Board of Directors has passed a resolution that will allow reserve officer League members to join the LAPPL legal plan. The plan is too complex to go into all the details here (see sidebar article for more information), but it will provide a League panel attorney for any personnel complaint interviews. It will also provide an attorney for course-and-scope officer-involved shootings.

At any rate, my advice to you is that you should follow the advice that we give to all our officers. When you are confronted by a personnel investigation interview, seek representation even if you are not the accused officer. The reason is that today's witness is tomorrow's suspect. If someone down the line decides that you should have reported misconduct, or you were somehow an accessory to the misconduct or your statement was not truthful, you are an instant "accused." Take someone into the interview with you. At a minimum, two heads are better than one.

Another consideration that argues for a lawyer rather than a representative is that if you are compelled to give a statement, there may be no protection from that statement being used against you in a criminal case. I could not find a case on point, but since you may not have a recognized property right in your status as a reserve officer, it is possible that the Lybarger/Garrity protection may not be recognized by a court. It could be held that you are essentially making a voluntary statement. I know that none of you go out there to commit a crime, but unexpected criminal allegations can arise: for instance, brandishing a weapon at the wrong time; shooting at the wrong time; and the always-present violation of someone's constitutional rights under color of authority, which can be a federal crime.

The Department values your services, and the interviews that I have been involved in have always been done in a professional and fair way by the Internal Affairs investigators. Your biggest disadvantage is that you are not experienced in dealing with the Department's disciplinary system, so you may not even know when you are being treated unfairly and led down the garden path. Experienced representatives can help you navigate through this minefield. My advice is to never go into an interview without a rep.

Thanks for your interest in the Department and the community, and you can always call me if you have any questions. My cell phone number is (213) 792-0516. To find out more information about the League's legal plan, call the Los Angeles Police Protective League at (213) 251-4554.

Be legally careful out there.

Editor's note: Gary Ingemunson writes the Warning Bells column for The Thin Blue Line. More info is available at the website www.warningbells.com.

This article represents the ideas and thoughts of Gary Ingemunson and does not necessarily represent the views of the Department.

COMPASSIONATE CONTINUED FROM PG 9

led by LAPD Captain Bill Eaton, commanding officer, Van Nuys Area. Through his leadership and through the efforts of the entire team, this critical task went without a hitch and was completed in the pouring rain. LAPD reserve officers were critical to the success of the conference. The LETR International Conference in Long Beach is now considered the model for future conferences. As a result of all the efforts made by SOSOC and the law enforcement agencies of Southern California in the past five years, the city of Los Angeles is now being considered to host the 2015 World Special Olympics Games.

I would like to take this opportunity to thank my Reserve Corps family; your heartfelt commitment has been extraordinary — not just to these specific endeavors, but also for all the other days and nights that you contribute your kindness to make this city safe. So many of you juggle your families, work and other commitments in order to help, and you should know that you are truly appreciated.

Editor's note: This is an edited version of Sergeant Morales' article. To see the full version, see the reserve website forum.

COMMUNITY RELATIONS EVENTS

Special Olympics Opening Ceremony

Long Beach

Saturday, June 11, 2011

Sunshine Kids

Sheraton Universal

Thursday, September 8, 2011

Limited-Edition Commemorative Coins Still Available – While Supplies Last



Front

The Los Angeles Police Reserve Foundation officially commissioned this limited-edition commemorative coin last year to honor Los Angeles police reserve officers and the Los Angeles Reserve Corps. There are still a few coins left. The cost of the coin is \$15, including tax. If you'd like one before they are all gone, contact reservecoin@gmail.com.

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Back



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Reserve Officer and Volunteer Section
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Los Angeles, CA 90012

Please join us in supporting your Reserve Police Officers.

The **Los Angeles Police Reserve Foundation** provides training and equipment support, purchases supplies and stands ready to meet the welfare needs of our Reserves.

Some of the activities supported by the Los Angeles Police Reserve Foundation are:

- * The Reserve Motor Unit, Mounted Unit and Bicycle Units
- * Annual Reserve Peace Officer Conference Registration Costs
- * Financial support for the "Twice a Citizen"
and Reserve Officer of the Year Banquet
- * Bereavement Recognition and Assistance
- * Special Olympics Summer Games and Sunshine Kids

Please send your donations to:

Los Angeles Police Reserve Foundation
c/o Paul Favero
6350 West 80th Street
Los Angeles, CA 90045-1445

