

LOS ANGELES POLICE COMMISSION

REVIEW OF THE LOS ANGELES POLICE DEPARTMENT'S DONATION PROCESS



Conducted by the
OFFICE OF THE INSPECTOR GENERAL

MARK P. SMITH
Inspector General
October 6, 2020

Table of Contents

I.	INTRODUCTION	1
II.	BACKGROUND	1
A.	History.....	1
B.	Department Policies and Procedures	2
III.	OVERVIEW OF DONATIONS.....	4
A.	Donations Database	4
B.	Donation Distribution Summary.....	5
C.	Types of Donations.....	9
D.	Donation Approval Timelines.....	10
IV.	REVIEW OF DONATION PRACTICES	10
A.	Solicitation of Funds or Items.....	11
B.	Review of Conflicts of Interest Related to Donors and Vendors.....	12
C.	Foundations and Booster Associations	14
D.	Benefits to Donors	15
E.	Timeliness of the Approval Process	16
F.	Commission Approval and Tracking of Donations	17
V.	RECOMMENDATIONS.....	19
VI.	APPENDIX.....	i
A.	Special Order No. 7-2019	i
B.	Draft Donation Checklist	vii
C.	Selected Donation Tables	viii
D.	Los Angeles City Charter, Chapter 75	x

OFFICE OF THE INSPECTOR GENERAL

REVIEW OF THE LOS ANGELES POLICE DEPARTMENT'S DONATION PROCESS

I. INTRODUCTION

At the request of the Board of Police Commissioners (BOPC or Commission), the Office of the Inspector General (OIG) conducted a review of the process by which the Los Angeles Police Department (LAPD or Department) solicits, accepts, and receives donations. As the Commission is the final approving entity for the majority of donations received by the LAPD, much of the OIG's review focused on the information that is collected, tracked, and submitted by the Department as part of each donation request. The OIG also reviewed the policies and practices underlying the donation process to identify any areas for improvement.

In order to complete its review, the OIG focused on donation requests initiated in 2019 that were ultimately submitted to the BOPC. The review incorporated an examination of policies and procedures, site visits, interviews, inspection of paper documents, review and analysis of digital databases, and a review of other relevant materials.

Overall, the OIG found that the donation process is generally well designed, and that the applicable policy appropriately requires Department employees who are requesting approval of a donation to document important factors about that donation. These include, for example, whether a donation was solicited or offered, whether the relationship with the donor represents a possible conflict of interest, and whether donors were advised that they would not receive any preferential treatment in return for their donation.

In its review of these submissions, however, the OIG also identified some areas of inconsistency and confusion with regard to these and other components of the policy, particularly with respect to documentation. As described throughout the report, the OIG noted areas in which the donation process, including the centralized database, should be streamlined to facilitate the flow of consistent, accurate information and the timely approval of donations.

II. BACKGROUND

A. History

Donations to the Department are received from three broad categories of donors:

- LAPD-specific foundations, including Department-wide organizations and localized or specialized booster organizations;
- Other organizations and groups, such as foundations, civic groups, religious organizations, unions, and government agencies; and,
- Businesses or individuals.

The Department's acceptance of donations from LAPD-specific non-profit foundations can be traced back to 1966, when the William H. Parker Foundation was established. Its goal was to provide additional financial support to the officers of the LAPD, over and above standard funding from the City of Los Angeles (City).¹ The Los Angeles Police Foundation (LAPF),

¹ http://www.lapdonline.org/support_lapd/content_basic_view/725

which is currently the Department's largest donor, was founded in 1998 under then-Chief Bernard Parks.² These Department-wide foundations make donations across the LAPD, which may include grants to support the Department's centralized operations as well as division-specific needs. Smaller, localized foundations have also been created in many of the LAPD's 21 geographic Areas to provide specific funding for matters of interest to the local community. These local foundations are sometimes referred to as "boosters" and are active in most of the geographic Areas. The Department also receives donations from foundations focused on particular areas of Department operations, such as its air support functions.

As noted above, the Department may also receive donations directly from other local groups as well as businesses or individuals, although these make up the smallest proportion of LAPD donations. A full breakdown of donations by donor type is included in the overview of donations below.

B. Department Policies and Procedures

The Los Angeles City Charter sets forth the general requirements for the acceptance of donations made to the Department, stating the following:

Monetary gifts, contributions, or bequests to the Police Department, or to a division or operation thereof, or to the Police Commission, or for the purchase of equipment, services, or furnishings in support of the programs and activities of the Police Department, which exceed in value the sum of \$10,000 shall be submitted to the City Council for acceptance or rejection. Offers which are monetary only, or which are a part of an offer of money and property, the aggregate total value of which offer is \$10,000 or less, may be accepted or rejected for the City by the Board of Police Commissioners.³

The Los Angeles Police Department Manual, Section 3/350.20, documents the process and procedures for the acceptance of donations. This process was recently modified via Department Special Order No. 7-2019, which was approved by the BOPC on August 6, 2019.⁴ With limited exceptions, the policy requires that all donations – including gifts of money, items, services, and use of building space – be documented and formally approved by the appropriate entity.⁵

² <https://www.supportlapd.org/>

³ See Los Angeles City Charter, Chapter 75, Sections 5.467-469, "Receipt of Gifts by the Police Department and Establishment of Police Department Trust Fund" (also included in the Appendix). Note that the dollar amount over which a donation must be submitted to the City Council is no longer \$10,000 and changes regularly, as dictated in Section 5.469, "Adjustment of Monetary Limitations." The current threshold is \$18,000.

⁴ The full policy is attached in the Appendix.

⁵ Items that do not require approval include proceeds from vending machines and limited fundraising events on Department premises, perishable food items meant to be eaten immediately or during informal events (excluding catered food donated for large-scale formal events), and items collected for Department-sponsored fundraising drives.

A simplified summary of the process for accepting donations is as follows:

1. A donation is either solicited by, or offered to, the Department. The commanding officer of the entity receiving the donation, which could be a division, bureau, or office, must complete and submit a donation approval request form through their chain of command. The Department has developed a draft Donation Checklist (included in the Appendix) to ensure that all of the required components of a request are included.
2. The request is reviewed by the submitting entity's chain of command and, if approved, is then submitted to the LAPD's Administrative Services Bureau (ASB) for review. All requests received by ASB are entered into, and tracked through, a donation database.⁶
3. The commanding officer of ASB reviews the request for compliance with City policy and either moves the donation forward for approval by the BOPC or, if the donation is not compliant with policy, returns it to the commanding officer of the requesting entity.
4. After a donation request is received from ASB, along with the accompanying memoranda and documentation, the BOPC either approves or denies the request.⁷ Donations exceeding a certain dollar amount, which is currently \$18,000, are required to be further approved by the Los Angeles City Council.

Department policy prohibits requesting entities from using any donation prior to final approval by the BOPC or the Los Angeles City Council (as appropriate). This policy, set forth in Special Order No. 7-2019, represents a revision to the previous policy, which required that the donation not be accepted at all prior to its final approval. Currently, a donation can be physically accepted but not placed into service until final approval. If a donor dropped off an item for donation, for instance, acceptance of the item would have to be refused under the previous process; under the new policy, however, the commanding officer could store the item until the donation was approved.

A further emergency procedure relating to the COVID-19 pandemic was implemented by the Department in March 2020 and allows emergency-related supplies to be utilized immediately, with subsequent BOPC approval.⁸ On September 3, 2020, the Department also created the new position of Donation Coordinator to be the point of contact and subject matter expert, within Department entities, regarding donations. The notice announcing the new position states that commanding officers may designate a staff member at the rank of Sergeant or above to be their command's Donation Coordinator, if necessary for the management of donations.⁹

⁶ Depending on the type of donation and its expected use, additional approvals may be also be required from other entities in the Department, such as Facilities Management Division.

⁷ For ease of review and approval, multiple donations of a similar type may be combined into one BOPC request item.

⁸ See "Reporting and Acceptance of Donations – Emergency Exception," Chief of Police Notice, March 31, 2020, and "Reporting and Acceptance of Donations – Emergency Exception – Revised," Chief of Police Notice, May 13, 2020.

⁹ "Donation Coordinator – Established," Chief of Police Notice, September 3, 2020.

III. OVERVIEW OF DONATIONS

A. Donations Database

As required by Department policy, ASB maintains a database of all donation requests it receives. This is a Microsoft Access database, which also collects basic information about each donation and tracks the approval process through completion.¹⁰

The OIG found the database to be very useful in providing a general overview of the source and type of donations received by the Department, as well as the result of each request and the approval timelines, as discussed in the following sections. The OIG also identified a number of areas for improvement in the database that, if implemented, would facilitate significantly enhanced future analysis by the Department and the BOPC, as discussed below.

First, the database does not take advantage of standardized data options, with relevant information instead being entered manually. This results in inconsistencies between what should be identical data entries and prevents the immediate analysis of data. Some examples of this are the different spellings of the same requesting Department entity ("77 Division" vs. "77 Area" vs. "77th Area", etc.), as well as different spellings of the same donor's name.¹¹

Second, the database focuses on basic tracking information and does not include fields that would be useful for analysis, including:

- The basic category of donation (i.e., equipment, events, etc.), which would allow for a more comprehensive view of donation trends. To facilitate its own analysis, the OIG entered this information for each case based on the data provided in the database.
- The type of donor, as listed in the Department's donation checklist (Private Foundation, Area Booster, Corporation/Business, Private Citizen, Other).
- Whether the approval was solicited by the Department and/or requested from a foundation, or whether the gift was initiated by the donor.
- The name of the vendor who will be receiving the donated funds, if applicable.

Finally, while the database does contain some pre-set reports, these relate primarily to tracking of donation approvals. The OIG recommends that the Department develop additional reports for statistical purposes, such as tables tallying donations by recipient, type, result, and donor, and that these be provided to the Commission on a regular basis.

¹⁰ Current tracking fields in the donation database include: ASB Tracking Number; Date of Donation Submission; Date Request Submitted to ASB; Date Submitted to the BOPC; Date of Approval by BOPC; Name of Requestor; Requestor Office; Name of Donor; Dollar Value of Donation; Donation Purpose; Item Description; Approval Status by ASB; Approval Status by BOPC; Approval Status by City Council (if necessary); and General Comments.

¹¹ The OIG also identified one donation request where the value was incorrectly entered into the database. This has been corrected for the report.

B. Donation Distribution Summary

According to the Department's database, 458 total donations were submitted to ASB for approval during 2019; of those, 349 were ultimately submitted to the BOPC for its consideration. The remaining 109 requests were cancelled or withdrawn for a variety of reasons, such as not meeting the definition of a donation, duplication of requests, or requested technical corrections. All 349 donation acceptance requests received by the BOPC were approved and, in total, amounted to nearly \$9.4 million in contributions across the Department, as discussed in detail below.

1. Donations by Requesting Entity

The chart below shows the total amount and number of approved donations that were submitted to ASB in 2019, aggregated by the larger LAPD Office or organization to which the requesting entity was assigned.¹²

2019 Donation Requests by Requesting Entity

Aggregated by Office or Other Organization

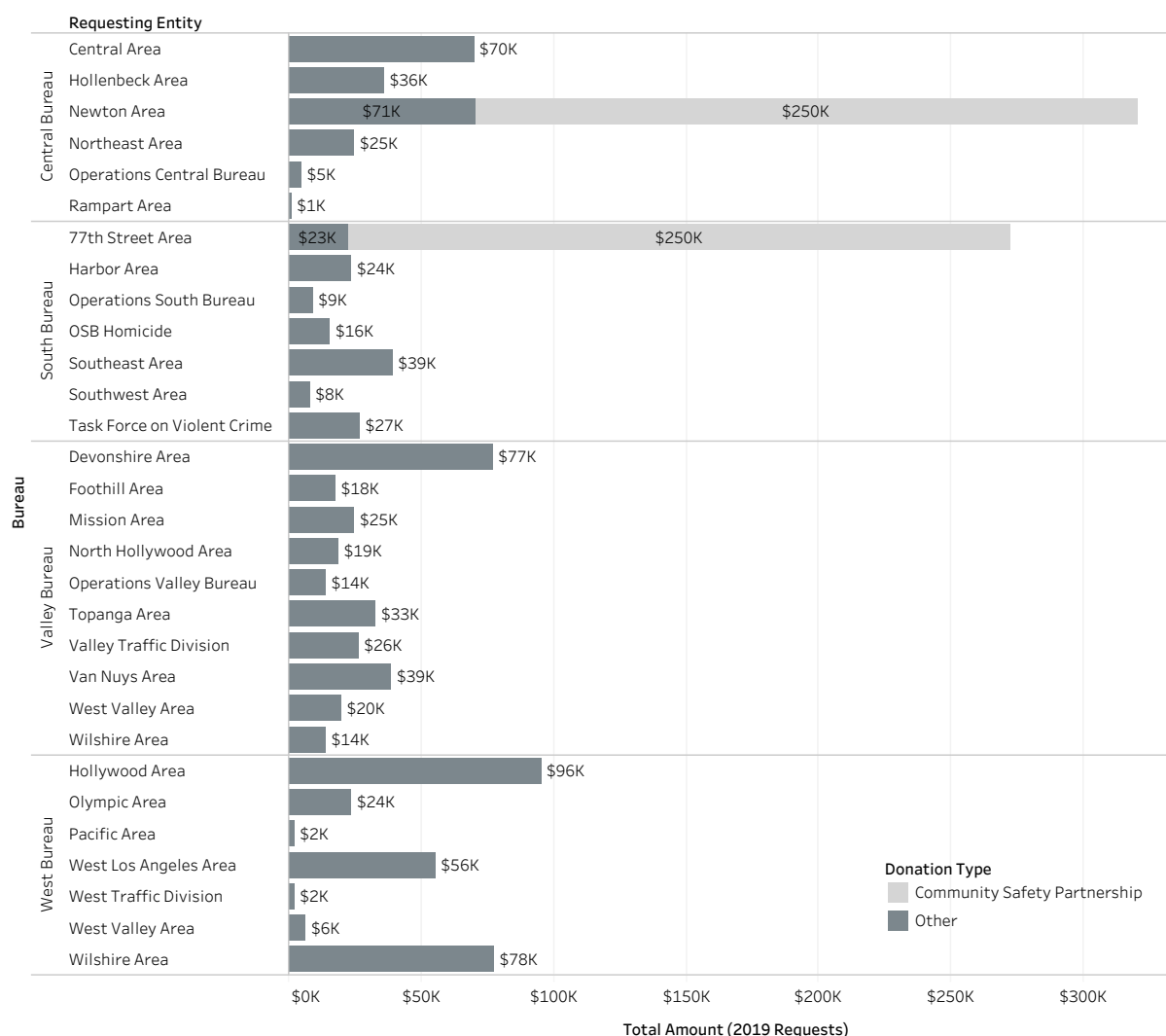
LAPD Organization	Amount	% of Total	# Donations	Min. Amount	Max. Amount
Information Technology Bureau	\$5,352,055	57%	3	\$2,055	\$5,000,000
Office of Operations	\$2,188,783	23%	240	\$20	\$750,600
Office of Special Operations	\$833,000	9%	57	\$420	\$276,952
Office of Support Services	\$562,039	6%	25	\$250	\$250,000
Office of the Chief of Police	\$202,715	2%	11	\$500	\$110,247
Office of Constitutional Policing and Policy	\$143,900	2%	4	\$2,000	\$60,000
Office of the Chief of Staff	\$75,714	1%	8	\$1,791	\$20,000
Police Commission	\$658	0%	1	\$658	\$658
Grand Total	\$9,358,865	100%	349	\$20	\$5,000,000

As shown, the organizations with the highest donation totals were Information Technology Bureau (ITB) – owing in great part to one very large donation of \$5 million dollars for technology modernization initiatives – and the Office of Operations (OO), which includes the Department's 21 geographic Areas. OO also showed the highest total number of donations at 240 individual items, ranging in amount from \$20 to \$75,600.

To get a sense of how donations were distributed geographically, the OIG examined donations made to Area stations and other geographic entities, as shown below.

¹² A request to accept a particular donation may be made by a commanding officer at any level of the organization. This table reflects the current Department structure with the exception of its traffic divisions, which were reported under the Office of Operations due to donations that were combined across divisions.

Approved Donations by Geographic Area



Of the four geographic Bureaus, Operations-Central Bureau had the highest total amount of donations, reaching \$457,347. Operations-South Bureau was second, with a total of \$396,060. Operations-Valley Bureau and Operations-West Bureau ended with \$284,444 and \$262,836 in donations, respectively.

When looking at donations by Area, the OIG found that these varied widely. In particular, both Newton and 77th Street Areas reported donation totals that were much higher than other Areas. In each case, however, this was due to a \$250,000 donation to the Area that was dedicated to the Community Safety Partnership (CSP) program.¹³ The Community Safety Partnership is one of the most significant LAPD community policing initiatives. Its goal is to leverage partnerships with the Housing Authority of the City of Los Angeles and other stakeholders to work toward

¹³ For additional detail about donations by Area, please see the Appendix.

reducing violence, improve perceptions of community safety, improve relationships between the Department and the community, and offer opportunities for youth.¹⁴ Donations to the program help to pay for salary upgrades for officers as well as other program expenses. When the CSP donations were excluded, the totals for these two Areas fell into the same general range as the totals for other Areas, although there was still significant variation.

2. Donations by Category

The OIG also reviewed each donation by its intended purpose and category. As shown below, equipment or maintenance-related donations made up the majority of the donation total – again, due in great part to \$5.4 million in donations related to upgrading information technology systems.

Approved Donations by Category 2019 Requests

Category	Type	Amount	# Donations
Equipment and Maintenance	Information Technology	\$5,481,625	19
	First Aid	\$772,655	6
	Weapons-Related	\$322,599	8
	Building Maintenance	\$247,652	14
	Furnishings	\$126,164	19
	Tactical/Investigative	\$90,260	16
	Vehicles	\$35,251	5
	Exercise Equipment	\$26,469	7
	Other Equipment	\$16,750	3
	Horses	\$15,500	2
	Uniforms/Clothing	\$8,524	4
	Unmanned Aerial Systems	\$8,045	2
	Total	\$7,151,494	105
Events	Employee Events	\$455,605	82
	Community Events	\$85,670	17
	Baker to Vegas Run	\$61,836	18
	Volunteer Events	\$44,337	7
	Meetings and Conferences	\$15,964	6
	Total	\$663,412	130
Other	Community Safety Partnership	\$500,000	2
	Other	\$364,468	6
	Training	\$313,940	30
	Cadet Program	\$192,555	66
	Staffing/Consultants	\$135,000	3
	Community Outreach	\$37,996	7
	Total	\$1,543,959	114

Other large donation categories included money or items related to first aid, the Community Safety Partnership program, employee-related events, and weapons. As shown in the next section, the amount totals for some of these categories were driven by a few large donations.

¹⁴ The CSP concept began as a collaboration between the Department and the City Housing Authority that embeds specialized groups of officers into a community – most frequently a public housing development. Officers commit to staying at this assignment for a period of at least five years, which gives them an opportunity to build sustained relationships with community members, help develop and support youth programs, and provide other assistance. The Department recently combined its CSP sites under the newly-created Community Safety Partnership Bureau.

As noted earlier, the Department does not currently appear to have a system for categorizing its donations by their purpose, and the categorizations provided here were supplied by the OIG based on qualitative information located in the database. The OIG recommends that the Department develop and implement a list of such categories. In designing these categories, the Department should include information about whether the donation is being requested for an operational purpose, for the welfare of employees, or for the benefit of community members.

The consistent categorization of donations would then allow for the development of automated reports that could provide useful, real-time information about the number, value, and type of donations requested by the Department as a whole, as well as by individual Areas. Such statistics would assist the BOPC in assessing the extent to which donations are being distributed across the Department in an equitable manner.

3. *Department Donors*

Finally, the OIG reviewed the distribution of donations by the person or organization providing the donation. As shown below, the largest group of donations by value and number was provided by Department-wide foundations such as the Los Angeles Police Foundation. These foundations contributed more than three-quarters of all total donations for the year.¹⁵

Approved Donations by Donor Category

2019 Requests

Donor Category	Amount	% of Total Amount	# Donations
Department-Wide Foundation	\$7,248,320	77%	128
Government Agency	\$750,600	8%	1
Booster Association	\$508,595	5%	123
Business	\$443,779	5%	31
Other Organization	\$387,301	4%	39
Sports Team	\$14,880	0%	18
Individual	\$5,390	0%	9

The OIG also examined the top 15 donors making contributions to the Department, as can be seen on the next page. As shown, the Los Angeles Police Foundation contributed the largest proportion of donations, both in terms of value and number of individual donations. The majority of the remaining top donors, though not all, are booster associations or other local organizations, and there were also some businesses included in this group.

¹⁵ To get a sense of the large donations that were driving some of these numbers, the OIG also looked at all single donations over \$20,000, as shown in the Appendix.

Individual Donations of \$20K or More

Donor	ASB #	Type	Requesting Entity	
Los Angeles Police Foundation	237-19	Information Technology	Information Technology Group	\$5,000,000
	238-19	Information Technology	Information Technology Group	\$350,000
	141-19	Other	Personnel Group	\$250,000
	041-19	Community Safety Partnership	Newton Area	\$250,000
	040-19	Community Safety Partnership	77th Street Area	\$250,000
	151-19	Staffing/Consultants	Personnel Group	\$100,000
	229-19	Cadet Program	Community Engagement Group	\$70,000
	314-19	Training	Risk Management Division	\$60,000
	026-19	Information Technology	OCPD	\$51,900
	368-19	Employee Events	Office of Chief of Police	\$40,000
	257-19	Training	Training Division	\$40,000
	087-19	Volunteer Events	Training Division	\$35,280
	006-19	Tactical/Investigative	Metropolitan Division	\$32,430
	169-19	Training	Risk Management Division	\$30,000
	246-19	Employee Events	Hollywood Area	\$25,000
	035-19	Staffing/Consultants	Central Area	\$25,000
	361-19	Employee Events	Chief of Staff	\$20,000
Health and Human Services Agency	110-19	First Aid	Homeless Coordinator	\$750,600
Ahmanson Foundation	222-19	Building Maintenance	Metropolitan Division	\$170,000
Sig Sauer, Incorporated	029-19	Weapons-Related	Metropolitan Division	\$276,952
Regents of University of California	074-19	Other	Office of Chief of Police	\$110,247
Los Angeles Police Relief Association	232-19	Training	Administrative Services Bureau	\$70,250
77th Street Charitable Foundation	320-19	Furnishings	Newton Area	\$40,000
Ram Construction Services	285-19	Furnishings	Wilshire Area	\$39,420
Church of Scientology	332-19	Cadet Program	Hollywood Area	\$20,000

Similar to other aspects of the donation process discussed previously, the OIG recommends that the Department work to standardize its list of donors and provide additional context about any of their past donations as part of the paperwork that is submitted to the BOPC whenever a new donation from a particular donor is being considered.

C. Types of Donations

The Department generally separates contributions into monetary and non-monetary donations, and the donation database tracks these two categories. Occasionally, the database also tracks more specific categories such as “food” or “catered meals.” In reviewing these various categories, the OIG noted that they did not appear to be used consistently, and it was difficult in some cases to understand the basis for the distinction between monetary and non-monetary contributions.

During interviews about the types of donations they receive, several commanding officers stated that they do not generally accept or receive money directly, other than for the Cadet Program, which has a special account. Instead, a donor will often directly purchase or otherwise provide the items or services that it is contributing on behalf of the Department. As discussed later, the OIG also learned that some donors seeking to make a monetary donation will be routed through a booster association or foundation, which then takes on the responsibility of making payment for any items or services to be received by the Department entity. In yet other cases, the requesting entity might receive a check directly, which may be deposited into a division's station fund or

the Department's trust fund. Given these various practices, it was not always clear whether the substantial proportion of donations marked as "monetary" were properly categorized.

The OIG recommends that the Department develop, define, and track more clear and useful categories for the types of donations it receives. It is noted, for example, that the current Emergency Donation Acceptance Form for COVID-19 sets forth the following donation types: Monetary, Product/Item, Service, or Other. The supporting documentation accompanying each request to approve a donation should then provide additional detail about the exact nature of the donation.

D. Donation Approval Timelines

The OIG conducted an analysis of the time spent between various steps in the process for donations approved by the BOPC in 2019.¹⁶ In reviewing the available information contained in the donation database, the OIG noted that some dates were not accurately represented in the database, with several indicating that a donation was received by ASB on a date prior to the date when the donation was submitted by the originating command. For the purpose of this report, these inaccuracies were replaced by dates found in the corresponding BOPC agenda reports.

The average time periods for various steps in the donation approval process were determined to be as follows:

- Request from commanding officer to ASB receipt – 17 days (ranging from 1 to 139 days)
- ASB processing time – 23 days (ranging from 1 to 100 days)
- ASB to BOPC Agenda – 28 days (ranging from 1 to 109 days)
- Total Average Time – 68 days (ranging from 5 to 237 days)

The timeliness of the approval process is further discussed in a later section.

IV. REVIEW OF DONATION PRACTICES

In order to better understand the donation program and related approval practices, the OIG conducted a general review of request packages submitted to the BOPC in 2019, spoke to divisional commanding officers and donation coordinators, and reviewed individual Area tracking systems. The primary focus of this review was on the type and substance of the information that is collected by the Department regarding each donation and ultimately submitted to the Commission for its review.

Overall, the OIG found that the policy is well designed and focused on providing the BOPC with sufficient information to assess each donation request. Furthermore, the review found that most donation request packages generally complied with Department policy, and that many contained a great deal of supporting documentation to assist in the assessment of the donation. The OIG also identified, however, some donation factors that could have been documented more clearly and consistently across cases. These factors included, for example, whether and how the

¹⁶ Note that this population differs from those donations initiated in 2019, as discussed in previous sections. Because the OIG's analysis in this section looked at donations that were approved by the Commission in 2019, some of the relevant donations were initiated in 2018.

donation was solicited by Department employees, how donors and vendors were assessed for potential conflicts of interest, and the nature of the actual donation itself.

These and other relevant areas are discussed in more detail in the following sections. The OIG observed, however, that one potential source of these issues was the use of a free-form, memorandum-based process to make requests. A review of these memoranda revealed that their format and substance, as well as the attached supporting documentation, varied significantly from case to case.

To that end, the OIG's overarching recommendation is that the Department develop an official set of standardized donation-related forms to ensure that relevant information is collected and provided consistently, accurately, and at the level of detail that would be most useful to the BOPC in its review of donations. The implementation of such forms would also streamline the process, increase transparency, and reduce the redundancies involved in creating multiple memoranda for each donation.¹⁷

The implementation of a more robust database – ideally, one that could also be used by Department entities to submit and track the progress of their requests – would further streamline the process. The Department may want to consider whether the creation of such a database would fit into its overall Strategic Technology Modernization Plan. As described above, a more robust database could also provide the opportunity for the BOPC and the Department to better understand donation trends and to place individual donations in context on an ongoing basis.

The OIG's specific findings and recommendations in each area of its review are noted below.

A. Solicitation of Funds or Items

In requesting approval for a donation, commanding officers are required to document whether the donation was “solicited by or on behalf of the Department, its employees or families, or whether the donor sought out the Department to make a donation.” The OIG found, however, that there was little guidance as to what constitutes a solicitation, given the variety of ways that a donation might make its way to the Department. These might include, for example:

- A request to a foundation for a grant of funds (or direct payment to a specific vendor), using general donations that were raised or collected by the organization;
- A request to a foundation to use specific items or funds that were solicited by and/or referred to that foundation by Department personnel;¹⁸
- A “cold” solicitation towards a group, business, or individual by Department personnel;

¹⁷ The Department has recently instituted the use of a streamlined donation form for use with COVID-related emergency donations. While the form is very limited in the information that it gathers, it might be used as a first step to developing a longer form for non-emergency situations.

¹⁸ As noted in a following section, the OIG identified instances where a specific donation – which may be solicited or unsolicited – to a Department entity is routed through a foundation or other booster organization.

- An unsolicited general offer of assistance by a group, business, or individual that subsequently results in a specific proposal or request by a Department entity; or,
- An unsolicited donation of a specific item, service, or funding amount by a group, business, or individual.

A sample of 35 recent donation request memoranda found that 10 of the 35 documents did not contain the required language identifying whether the donation was solicited or not. Even when this information was provided, there were sometimes inconsistencies with regard to how the term “solicited” was applied, and it was often difficult to discern exactly how a donation was initially offered.

The OIG recommends that the Department clearly define what constitutes solicitation of a donation, and that it differentiate solicitations that are from grant requests made to an LAPD-related foundation. The Department should also require that commanding officers document additional details, where applicable, about how a particular donation was routed to the Department or booster organization. This might include, for example, information that a person approached the Department with an unsolicited offer of money but was referred to a booster organization. Using more detailed categories, such as those described above, the Department should then track this information in its Department-wide database.

The OIG also noted that there do not appear to be any policies setting forth the circumstances under which Department entities or individual Department employees may solicit donations from groups, businesses, or individuals. Given the special and influential role police officers and police agencies play in a given community, the Department should work to avoid any practices that carry the risk of exerting inappropriate or undue pressure on members of the public, whether actual or perceived.

It appeared that the most common instances of “cold” solicitation of funds by Department personnel were for the purpose of obtaining door or raffle prizes associated with Department events, such as holiday parties or charitable events. According to the OIG’s review, Areas may assign an officer (commonly the Community Relations or Senior Lead Officers) to coordinate special events, which can include the soliciting of items, catering, and venues. The OIG noted, however, that there are no specific policies limiting the personnel who may solicit donations, the size and nature of solicited donations, or the manner in which they are solicited.

As such, the OIG recommends the development of guidelines regarding the solicitation of donations by a Department employee. These guidelines should include, for example, a pre-approval process that considers the type of donation to be requested, the amount to be solicited, and the reason for the request. These guidelines should also include parameters to ensure that donors are not subject to any actual or perceived pressure from the soliciting employee or the Department as a whole.

B. Review of Conflicts of Interest Related to Donors and Vendors

As part of the donation approval process, commanding officers and the reviewing chain of command are required to determine and document whether there is the possibility of an actual or

perceived conflict of interest about which the BOPC should be notified.¹⁹ While these possible conflicts do not mean that the donation will be rejected, full disclosure of the relevant factors will assist the members of the Commission in ensuring that they are making an appropriately-informed decision.

To that end, LAPD Special Order No. 7-2019, as approved by the BOPC, states that a requesting entity must:

Describe the relationship the donor has with the Department and/or financial interests with the City to include, but not limited to, the following:

- *Has entered into, performs under, or seeks a contract with the Department;*
- *Has attempted to influence the Department in the past year that would have a direct financial effect on the person or entity;*
- *Has a license (e.g., Alcohol Beverage Control), permit (e.g., Conditional Use Permit, or Police Commission Permit), or other entitlement for use that the Department has influence over;*
- *Owns or operates a business within the Area/division receiving the donation; and/or,*
- *Any other potential factors that may give the appearance that there may be a conflict of interest in accepting the donation.*

In reviewing donations data for 2019, the OIG found that the large majority of donations come through a Department-specific foundation such as the Los Angeles Police Foundation or local booster group. Because these entities represent established organizations that create separation between the original donor and the Department, the risk of a conflict of interest in these cases may potentially be mitigated, particularly where the original donor is not known to the Department.

There are cases, however, when the source of the original donation is known to the Department, such as in instances where the source first approaches the Department on their own with the offer of a donation. Some commanding officers advised the OIG that if a new (or non-regular) donor approached them requesting to make a monetary donation, they would refer that potential donor directly to the appropriate foundation. This reduces the number of first-time donors that require vetting based on the current practice, but it may not fully account for possible conflicts of interest.

The OIG recommends that the Department's review of potential conflicts of interest be expanded to include the following:

- Assessment and disclosure of possible conflicts of interest related to the original donor in instances when the person or organization is known to the Department but is

¹⁹ Department members who are required to file a State of California Statement of Economic Interests (Form 700) should ensure that they understand the circumstances under which their acceptance or use of a particular donation might be considered reportable and required to be included in their filing.

subsequently referred to, or routed through, a foundation. This is sometimes known as a “directed” donation.²⁰

- Assessment and disclosure of possible conflicts of interest related to non-Department organizations or vendors benefiting from the donation. This might include, for example, a restaurant that is paid to provide catering for a party or a company from which equipment will be purchased.²¹ Information about such vendors should also be tracked in the database.
- Consideration of the potential for conflicts of interest that are not financial in nature, such as legal or reputational conflicts. This might include, for example, whether the donating person or organization is under criminal investigation by the Department or another entity.
- An accounting of previous donations from the same donor, in order to provide additional context for the current donation.²² This process would require the standardization of donor names in the donation database, and it should include the year-to-date donations per donor when presented to the BOPC.

As part of this process, the OIG also recommends that the current draft Donations Checklist be finalized and incorporated into a structured request form that would require the detailing of any review that was conducted by the Department regarding the requested donation.

In talking to Department representatives, the OIG also found that there was no standardized process for conducting a conflicts-of-interest review for a new donor, and that there was some variation in how such vetting was conducted, including what sources were used. The OIG recommends that the Department develop a systemic process for conducting a conflict-of-interest review, which should include guidelines for protecting the privacy rights of donors. One option the Department may want to consider is centralizing the review of at least some donors to reduce redundancies and ensure consistency.

C. Foundations and Booster Associations

As referenced above, there are numerous non-profit 501(c)(3) foundations dedicated to assisting the Department and its various divisions and Areas. The Department Manual, Section 3/350, recognizes these foundations as private entities and further states, “The commanding officer and

²⁰ The Department may want to set a minimum threshold amount, above which the original donor of a directed donation must be disclosed.

²¹ To address the purchase of technology through the Los Angeles Police Foundation, the OIG was informed that the LAPD and the City have developed a framework which prioritizes the use of vendors that are pre-approved by the City through a competitive bidding or sole source process wherever possible. The framework also indicates that projects which will require “follow on” City funds on an ongoing basis should also go through a procurement process.

²² The current policy requires that ASB include in its memorandum to the Commission, “...the number and total dollar amount of the donations accepted by the BOPC year to date, for the past three years, for each individual donor.” It is not clear whether this language is meant to limit such information to donors that are individuals, or whether it applies to all donors. The OIG did not observe any instances where this information was included and, therefore, recommends that this provision be clarified to apply to all donors.

the community relations officer of the Area shall participate in the administration of Area booster funds in an advisory capacity only.”²³

Each Area booster foundation has a board of directors consisting of private citizens. As such, the Department has no official input on the selection of board members. As part of their responsibilities under Special Order No. 7-2019, however, commanding officers should be vigilant for any possible conflicts of interest posed by a board member's activities and should identify these as required by policy. For example, possible conflicts of interest might relate to business interests (such as a board member whose business benefits from grants disbursed by the organization), possible criminal activity by the board member, or concerns about the member's reputation in the community.

The numerous LAPD-specific foundations that are not associated with a geographic Area (i.e., the Los Angeles Police Foundation, the William H. Parker Foundation, etc.) do not have a restriction on Department members serving in an official capacity on their boards. A review of publicly-available information on these organizations found that several members of the LAPD command staff serve as board members. As such, commanding officers must be mindful of any potential conflicts of interest arising from within the membership of these organizations as well and should proactively disclose any Department member who serves in a leadership capacity (e.g. on the Board of Directors) of an organization that is making a donation to the Department.

D. Benefits to Donors

Special Order No. 7-2019 also requires commanding officers to do the following when requesting acceptance of donations:

Document that the donor was advised that there will be no expressed or implied commitment or promise made by the Department in exchange for the donation and that the donor will not receive any tax advantage, preferential treatment (including use of any LAPD patent), endorsement, or recommendation in exchange for a donation.

One concern that has been raised with regard to this provision is related to the acceptance of name-branded items that are donated. In addition to the prohibition of commitments or promises laid out in Special Order No. 7-2019, and depending on the nature of the donated item, the Department should also be mindful of the possibility that public display, use, etc. of a name-branded item might be perceived as an endorsement of the item's brand. While this may not be avoidable in some circumstances, and while competing brands are not prevented from also donating items, the OIG recommends that the Department include this factor as part of its overall review of donations.

As part of its evaluation, the OIG found that 6 of the 32 LAPD-specific foundations for which there was publicly available information described that a certain level of donation would ensure a meeting (lunch, dinner, etc.) with a commanding officer of the LAPD. Lower levels of contributions might receive tours of Area stations or some other sort of unique Department access or experience. As these activities are theoretically available to any member of the public who might request them, irrespective of the requestor's status as a donor or a non-donor to the

²³ LAPD Manual, Section 3/350.32

Department, it is not clear whether they should be considered as “preferential treatment.” The OIG recommends that the Department set forth clear parameters prohibiting to donors any access that is not also available to members of the general public.

Finally, although commanding officers routinely document that the appropriate advisements have been made to a donor, the OIG found that there was no independent way to corroborate this information. In the interviews conducted by the OIG during the completion of this report, some commanding officers suggested that, in order to fully document compliance, the advisements should be printed on a written form that is provided to all donors. The OIG concurs with this suggestion and recommends that the Department incorporate the advisement language into a standardized form that documents each donation offered, including the nature and value of the donation and the identity of the donor.²⁴ A copy of such documentation could then be maintained as a Department record.

E. Timeliness of the Approval Process

LAPD Special Order No. 7-2019 provided new guidance regarding the acceptance of Department donations by clarifying that donations are not considered “accepted” until they are actually placed into service. As such, Department personnel may take possession of donated items or funds, but they may not put them into use until the approval process has been completed.

One of the most difficult challenges noted by the OIG regarding the acceptance of donations was the timeliness of the overall process, from an initial proposal until a donation is appropriately placed into service. As shown in the previous section, many donations took months to be placed on a BOPC agenda for approval, with an average of 68 days per donation. The Department’s written policy does not set formal deadlines or other timelines for this approval process.

Commanding officers who were interviewed by the OIG felt that timeliness, from their perspective, was the biggest cause of problems during the donation process.²⁵ Delays in the process can result in the usefulness, or even the necessity, of a donation being affected negatively. One example of this would be a donation that is made for a community event that is occurring on a specific date. If the donation is not approved by the event date, the event might not be held, or a commanding officer might feel compelled to utilize the donation prior to its approval. The OIG also noted instances where the funds were spent by a station fund or other source and were then reimbursed, following BOPC approval.

Several employees provided anecdotal information highlighting the results of extended donation approval times. One commanding officer indicated that, after a long wait for a donation to be approved, the requested item was no longer available from the involved vendor; others stated that they felt compelled to accept donations for special events or meetings, in violation of policy, due to a lack of timeliness in receiving approval. In other cases, Area representatives stated that

²⁴ Currently, each donor does receive a letter from the BOPC confirming acceptance of their donation, which serves as a donation receipt.

²⁵ It should be noted that, in reviewing some of the cases mentioned, the OIG found that some delays could be attributed, at least in part, to the post-BOPC City Council approval process rather than the BOPC approval timeline.

they simply cancelled projects, never having received the donation(s) associated with them due to late approval. The OIG's own review of Commission agendas shows that a number of donations to the Department associated with 2019 end-of-year holiday parties were not approved until early 2020. Many of the requests to approve these donations were not submitted until December 2019, while others were submitted as much as two months earlier. As indicated previously, the OIG also notes that some approval timelines for large donations were impacted by the City Council's approval process, which is outside the control of the BOPC.

Finally, the OIG also noted some instances where Department employees utilized personal or other funds to purchase items and services necessary for the continuity of daily operations, which were subsequently associated with donations. This has included equipment for Department facilities and repairs to Department weapons. After such purchases, a commanding officer then requested a donation, through the appropriate foundation, to pay for the original repair or item. The language in the memoranda requesting approval for these donations did not necessarily reflect that the donations would be reimbursing an employee for an item or service that had already been utilized.²⁶

The OIG recommends that the Department promulgate reasonable timelines for the donation approval process and work to ensure adherence to them in order to avoid or limit situations like those noted above. As part of this process, the Department should streamline its paperwork to avoid delays and redundancies, and, as suggested earlier, consider the possibility of an electronic approvals process. The Department may also want to consider the development of a process for expedited requests, to be used only in those instances where the need for a donation is urgent, especially in cases where personal use of funds and subsequent reimbursement could be avoided.

F. Commission Approval and Tracking of Donations

Following final approval of a donation by the BOPC (or the City Council, where applicable), the requesting entity is free to place it into use. In reviewing the approval process, the OIG learned that there appears to be no formal procedure for notifying the requesting entity that a specific donation was approved and is now available for use. Divisional representatives said that they typically had to call the Commission office to confirm whether a specific donation was approved or, alternatively, that they would simply assume the donation was approved on the date when it was to be heard by the BOPC. As such, and depending on the circumstances, a particular donation could be unnecessarily delayed or even utilized without approval.

One major component of the Department's donation program should therefore be the tracking of donations to ensure that they are used only after final approval by the BOPC and only for the specific purpose for which they were approved. Current Department policy requires that commanding officers maintain copies of all donation requests sent to ASB for recordkeeping purposes. In reviewing a sample of these records, the OIG found that they were generally being maintained as required, but that there was no standardized process for tracking a specific donation throughout – and following – the approval process. Some Areas/divisions maintained a

²⁶ This practice has also resulted in the occasional disclosure of personal information of Department employees through the public approval process. For instance, the submitted invoices may carry the personal information of the employee who provided their personal credit card to a vendor.

local tracking mechanism such as a spreadsheet, while others simply maintained a file of donation requests as required by policy.²⁷

The files reviewed by the OIG contained copies of each donation request package, which generally included the request memorandum as well as supporting documentation such as cost estimates or invoices. These files generally did not contain, however, any documentation related to the final approval of the donation, the payment for the requested items or services, the actual receipt of the items or services, or when and how the donated items or services were ultimately used. This type of documentation is not currently required by Department policy, making it difficult to track each donation from initiation through completion, and also making it difficult to verify that each donation was used in accordance with relevant policy.²⁸

As with other areas of the donation process, the OIG recommends that the Department develop a standardized, formal system for the tracking of donations by each requesting entity, including (as applicable) full documentation of the payment for, receipt of, and usage of each donation. This might also include periodic evaluations to determine whether longer-term donations remain in use, as well as the extent to which they have been utilized effectively to benefit the Department or the community.

In cases where the full donation amount was not spent and was returned to the donor (or otherwise not accepted), this should also be documented. More consistent and uniform documentation will help to confirm that donations are actually being used for their approved purposes, and that they are placed into use following final approval by the BOPC or the City Council. As part of this tracking system, the OIG also recommends that the Department develop a process that will ensure timely notification regarding the date that a donation request is scheduled to be heard by the BOPC, as well as notification of the final approval or denial of such a request.

Finally, the Department should develop safeguards to ensure that all eligible donations are actually submitted to the Commission for approval, as required. One possible step, which would be facilitated by the development of a more robust database, would be to send a year-end letter to each donor listing all of the donations received during that year and asking that they compare it to their own records. To the extent that a donor has a record of any donations that are not included on the list, they could then follow up with the Department to ensure that the discrepancy is appropriately reconciled.

²⁷ Donations to the LAPD Cadet Program are handled differently than other types of donations. The various Cadet Programs throughout the City's 21 geographic Areas routinely receive cash donations, which are deposited into a central bank account and accessed through a restricted debit card. Some donations require the funds to be spent on specific items, such as clothing or training, while other donations are generic and may be used for any topic that benefits the program. Oversight of the use of these funds is conducted by the LAPD Fiscal Group, which controls the issuance and use of the debit cards in addition to reviewing and reconciling each purchase.

²⁸ As noted previously, the OIG also learned that donors often provide or purchase the items or services to be donated directly, rather than giving the Department the funds to make the purchase. In such cases, the receipt or other relevant documentation may not always be transferred from the donor to the Department.

V. RECOMMENDATIONS

Based on the review and findings detailed in this report, the OIG has several recommendations for Department action in furtherance of an improved approach to its process for accepting donations. The OIG recommends that the Department implement the following:

1. **Standardized Forms.** Create a formal set of donation-related forms that standardize and structure the flow of required information and approvals. Ideally, this process would be electronic, allowing for the expedited and streamlined processing of donation requests and data entry across the Department.
2. **Database with Standardized Options.** Enhance the current donation database to include standardized options for Department entities and donors as well as to collect additional information about each requested donation, such as the category and type of donation, whether the contribution was solicited, the type of donor, and the identity of the vendor, if applicable.
3. **Statistical Information.** Develop analysis systems, such as automated reports, to track and provide statistical information about donations to the BOPC on a regular basis as well as upon request.
4. **Processing Timelines.** Set forth and maintain reasonable timelines for the processing of donation requests as well as a system for notifying requestors when a donation is scheduled to be heard, and/or has been approved, by the BOPC. Consider whether it would be appropriate to develop an additional, limited process for expediting urgent requests.

The Department should also consider a policy to facilitate the expedited reimbursement of personnel for low-dollar, emergency use of personal funds to purchase items and/or services needed for the continuity of standard operations. Any such process should include the redaction of home addresses and other identifiable personal information of Department employees.

5. **Information on How Donations Were Obtained.** Require that requesting entities provide sufficient detail about the manner in which each donation was originally solicited by, requested by, or offered to the Department. This should also identify specific donations that were solicited on behalf of the Department and referred to, or routed through, a foundation.
6. **Employee Solicitation Guidelines.** Develop guidelines regarding the circumstances under which employees may directly solicit funds from an individual, a business, or another organization. These guidelines should include, for example, a pre-approval process for such solicitations as well as provisions aimed at ensuring that donors are not subject to any actual or perceived pressure from the soliciting employee(s) or the Department.
7. **Conflict-of-Interest Review.** Expand the conflict-of-interest review and disclosure process to include:
 - a. Assessment and disclosure of possible conflicts of interest related to the original source of a directed donation when that source is known to the Department.

- b. Assessment and disclosure of possible conflicts of interest related to the vendor or vendors receiving the donated funds.
 - c. Consideration of concerns beyond financial conflicts of interest, such as legal or reputational conflicts.
 - d. Disclosure of any Department member who serves in a leadership capacity (e.g. on the Board of Directors) of an organization that is making a donation to the Department.
 - e. Standardization and clarification of review procedures to clarify what sources should or should not be included as part of a thorough conflict-of-interest assessment. The Department may also want to consider the development of a centralized or streamlined review for conflicts of interest with regard to established donors to the Department.
 - f. Statistical information about previous donations from the same donor, for the BOPC's consideration as part of the donation request process.
8. **Standardized Receipt and Disclaimer Notice.** Create a standardized receipt and disclaimer notice for donors to document the advisement that their donation will not result in any preferential treatment and does not represent any endorsement on the part of the Department.
9. **Donor Access Parameters.** Review and set forth appropriate parameters limiting special access for donors to Department personnel and/or facilities.
10. **Division Tracking Guidelines.** Distribute specific guidelines and forms to each Area or other requesting entity for the purpose of tracking donation approval and usage. The tracking system should require (as applicable) full documentation of the payment for, receipt of, and usage of each donation, as well as documentation of the date of final approval of the donation by the BOPC or City Council. In cases where the full donation amount was not spent and was returned to the donor (or otherwise not accepted), this should also be documented.

VI. APPENDIX

A. Special Order No. 7-2019

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 7

August 8, 2019

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON AUGUST 6, 2019

SUBJECT: ACCEPTANCE OF DONATIONS – REVISED; AND, AREA, DIVISION, SECTION, UNIT, AND JOINT FUNDS – RENAMED AND REVISED

PURPOSE: A law enforcement agency plays a unique role in society and must be completely impartial in the application of its duties. The solicitation and acceptance of donations shall be handled in a manner that will not tarnish the Department's image or the public's confidence in the Department and its employees. It is essential that the Department maintain the highest ethical standards by ensuring that all donations are reviewed and approved in accordance with Department policy and the City of Los Angeles Administrative Code. To ensure consistency, this Order streamlines the procedures for requesting the acceptance of donated items. This Order supersedes Administrative Services Bureau (ASB) Notices, *Reporting and Acceptance of Donations – 2011 Revised*, dated July 15, 2011, and September 19, 2011.

PROCEDURE:

- I. **ACCEPTANCE OF DONATIONS – REVISED.** Department Manual Section 3/350.20, *Acceptance of Donations*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- II. **AREA, DIVISION, SECTION, UNIT, AND JOINT FUNDS – RENAMED AND REVISED.** Department Manual Section 3/350.30, *Area, Division, Section, Unit, and Joint Funds*, has been revised and renamed as *Office, Bureau, Area, Division, Section, Unit, and Joint Funds*. Attached is the revised Department Manual section with the revisions indicated in italics.

AMENDMENTS: This Order amends Sections 3/350.20 and 3/350.30 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.


MICHEL R. MOORE
Chief of Police

Attachment

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 7, 2019**

350.20 ACCEPTANCE OF DONATIONS. *All donations, as that term is used within this section shall be formally accepted by the Board of Police Commissioners (BOPC), or the City Council, as appropriate, before the donation may be used by the Department. Formal acceptance of a donation shall be pursuant to the process and procedures set forth in this section.*

Commanding Officers (including bureaus and offices), shall generate a request to accept a donation and shall forward supporting documentation to the Commanding Officer, Administrative Services Bureau (ASB), via an Intradepartmental Correspondence, Form 15.02.00. The Commanding Officer, ASB, will determine, based on the nature, value and purpose of the donation, if all requirements have been met under this section, and if so, the appropriate level of approval required in accordance with the Los Angeles Administrative Code.

Department Donations – Defined. *Donations subject to the requirements of this section include the following: gifts of money; real property; use of real property (e.g., use of building space); personal property (e.g., supplies and equipment including loaned equipment and equipment transferred from other City departments); services; and, anything else of value that may benefit:*

- Individual employees or their families;
- Groups of employees;
- The Department;
- Department entities (e.g., station funds); or
- Department-sponsored activities (e.g., Department employee athletic teams and youth activities).

Note: *Items are considered to be donations when they are received from any source, including but not limited to individuals whether employed or not by the Department; another City department; a City elected official, the Parker Foundation, the Los Angeles Police Department (LAPD) Memorial Foundation, and Area booster associations.*

Exception: *The following items are exempt from the definition of "Donation" and therefore not subject to the requirements of this section:*

- Proceeds from vending machines and fundraising events (such as bake sales) on Department premises that are limited in participation to Department employees and volunteers;
- Perishable food items meant to be consumed at Department facilities for Department employees and volunteers;
- Food and drink intended to be consumed by Department employees, volunteers and guests during informal meetings or gatherings; and,
- Items collected for Department-sponsored toy drives and similar events for needy children and members of the community.

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 7, 2019**

Catered food donated for large scale formal events (i.e., holiday parties, recognition ceremonies) is a donation for purposes of this section and must comply with the requirements of this section.

Questions regarding whether donated food items are subject to this section should be directed to the Chief of Staff.

Commanding Officer's Responsibilities. Commanding officers are responsible for all donations received by and used within their command. Commanding officers shall submit a Form 15.02.00, via their chain of command, to the Commanding Officer, ASB, requesting approval to accept a donation. A copy of the *Intradepartmental Correspondence* shall be retained for record keeping purposes by the submitting entity. *The donated item shall not be placed into use until either the BOPC or the City Council, as appropriate, formally accepts the item or directs the Department to accept the item.* The submitted *Intradepartmental Correspondence* shall:

- Itemize the donation, including item description, make, model, serial number, quantity and value, and estimates of continuing costs for supplies, service charges or fees, and maintenance of operation, as applicable;
- When applicable, document the inspection and written approval from Information Technology Group to accept computer equipment and accessories, from Motor Transport Division for vehicles or transportation-related equipment (e.g., electric vehicles, trailers, generators, fuel storage containers, items requiring mechanical maintenance and or requiring fuel to operate);
- When applicable, include other approvals required for specialized items, such as Electronics Unit, Technical Investigation Division (TID), if the donation is in reference to digital voice recorders or Photographic Unit, TID, for digital cameras;

Note: Items received from military, federal or state surplus are not exempt from these requirements.

- Fully identify the donor, reason for the donation, and indicate whether the donation was solicited by or on behalf of the Department, its employees or their families, or whether the donor sought out the Department to make the donation;
- Describe the relationship the donor has with the Department and/or financial interests with the City to include, but not limited to, the following:
 - Has entered into, performs under, or seeks a contract with the Department;
 - Has attempted to influence the Department in the past year that would have a direct financial effect on the person or entity;
 - Has a license (e.g., Alcohol Beverage Control), permit (e.g., Conditional Use Permit, or Police Commission Permit), or other entitlement for use that the Department has influence over;
 - Owns or operates a business within the Area/division receiving the donation; and/or,

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 7, 2019**

- *Any other potential factors that may give the appearance that there may be a conflict of interest in accepting the donation.*

Note: None of the above factors would automatically disqualify a person or entity from donating to the Department. Notation of these factors merely ensures transparency and that the BOPC has complete understanding of the source of the donation. For example, many local businesses can appropriately support the Department through a donation; however, commanding officers should be mindful of any actual or perceived conflicts of interest if the Department were to accept the donation. Commanding officers (or any Department employee) shall immediately contact the Office of Constitutional Policing and Policy if they have reason to believe a prospective donor is attempting to influence the Department, a Department employee, or a Department entity, or there is any other appearance of impropriety.

- *Include any correspondence or memoranda regarding the donation from the donor and/or the Department division as an attachment;*
- *Document that the donor was advised that there will be no expressed or implied commitment or promise made by the Department in exchange for the donation and that the donor will not receive any tax advantage, preferential treatment (including use of any LAPD patent), endorsement, or recommendation in exchange for a donation; and,*
- *If a donation requires support such as monthly service fees, lease or rental charges, supplies, telephone lines, cabling or non-City standard equipment maintenance or installation, identify the complete details and anticipated source of funding for those fees/charges.*

Facilities Management Division shall give approval for any donation that involves structural changes to Department facilities (e.g., painting walls, mounting items to walls, installing flooring, installing locks). Depending on the item(s) being donated, additional approval may be required.

Internal funds established for fallen officers and their families and other catastrophic events that seek donations from other than Department employees shall be reported to ASB via an Intradepartmental Correspondence.

Upon the initial approval for a donation that requires continuing support, such as telephone line charges, cellular telephone service, lease or rental costs, or supplies which come from an outside source, the commanding officer shall submit a new request to accept the donation before the service or contract expiration date of an existing donation.

Small recurring donations of items such as office supplies shall be documented in the initial request to accept the donation. Such documentation shall include the expected duration of the recurring donation and actions the receiving entity will take when donations cease.

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 7, 2019**

Commanding Officer, Administrative Services Bureau's Responsibilities. Upon receiving a request to accept a donation, the Commanding Officer, ASB shall:

- *Determine if the request to accept the donation complies with the requirements of this section;*
- *Determine if the donation requires acceptance via the Department Trust Fund;*
- *Determine the appropriate level of approval needed (BOPC, City Council, etc.);*
- *Prepare necessary correspondence transmitting the request from the Office of the Chief of Police to the BOPC;*
- *Maintain a database of all requests to accept a donation submitted to ASB by Department entities, including requests to accept donations that are ultimately denied; and,*
- *Include the number and total dollar amount of the donations accepted by the BOPC year to date, for the past three years, for each individual donor.*

Unless otherwise indicated, the contact person listed on the Intradepartmental Correspondence is responsible for responding to any questions the BOPC may have regarding the donation and for monitoring the status of the request.

Administrative Services Bureau will notify Fiscal Operations Division directly when a monetary donation to a Department Cadet Post is accepted.

Audit Division shall have the responsibility for auditing the uses of approved donations to ensure the items or monetary donation were used for the intended purpose.

Appeal of Denied Requests. When a request for the acceptance of a donation is denied by the Commanding Officer, ASB, the *applicable* commanding officer may submit an appeal via *his or her* chain of command to the Chief of Staff (COS). The COS shall review the appeal and render a decision. The COS shall then notify the appealing commanding officer via the *commanding officer's* chain of command, of the decision.

350.30 OFFICE, BUREAU, AREA, DIVISION, SECTION, UNIT, AND JOINT FUNDS. *Office, bureau, Area, division, section, unit, and joint funds (e.g., station fund) shall consist of all monies received from vending machines, ranges, coffee rooms, or other sources which are intended to benefit the members of certain employee groups or the Department as a whole. Dues paid by Department employees or volunteers are not considered Department donations. Funds or items received into an office, bureau, Area, division, section, unit or joint funds from sources outside of the Department shall be reported in accordance with Department Manual Section 3/350.20.*

Office, bureau, Area, division, section, unit and joint funds are established for the morale and welfare of the employees. The funds shall not be used to purchase Department uniforms, office supplies or law enforcement equipment.

**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 7, 2019**

Office, Bureau, Area, Division, Section, Unit Funds. The membership of an *office, bureau, Area, division, section, or unit fund committee (e.g., station fund)* shall consist of the commanding officer or Officer in Charge and a minimum of four elected employees of non-supervisory rank. The committee shall contain an odd number of members.

The chairperson of an *office, bureau, Area, or division fund committee* shall be the commanding officer. The chairperson of a *section or unit fund committee* shall be the Officer in Charge.

Joint Funds. The membership of a joint fund committee shall consist of the commanding officer and a minimum of one elected member of non-supervisory rank for each participating division or Area, and officer in charge and a minimum of one elected member of non-supervisory rank from each participating section or unit which is not a part of a participating *office, bureau, Area or division.*

The chairperson of a joint fund committee involving two or more divisions, or an Area and one or more divisions which are not part of the organizational structure of the Area, shall be one of the participating commanding officers, to be selected by the members of the committee.

B. Draft Donation Checklist

DONATION CHECKLIST

Area/Division _____ Supervisor Reviewing _____ Serial No. _____

ITEMIZE THE ITEMS BEING DONATED

- ☐ Make, Model, Serial No., Quantity, Venue, Value
- ☐ List continuing costs for supplies, service charges, contract fees, etc.
- ☐ Operational/maintenance costs.

HAS THE DONATION BEEN INSPECTED/APPROVED BY THE APPROPRIATE ENTITY:

- ☐ Technology- Information Technology Bureau:
Name & Serial No. _____
 - ☐ Computers (including accessories and related equipment)
 - ☐ Software
 - ☐ Operating Systems
- ☐ Vehicles- Motor Transportation Division:
Name & Serial No. _____
 - ☐ Cars, Vans, Trucks, Forklifts, Motorcycles, etc.
 - ☐ Electric Vehicles and charging equipment
 - ☐ Fuel Storage or transportation equipment
 - ☐ Trailers
 - ☐ Generators
 - ☐ Any item requiring mechanical maintenance and/or fuel to operate
- ☐ Electronic Devices- Technical Investigation Division:
 - ☐ Electronics Unit -Name & Serial No. _____
 - ☐ Photographic Unit- Name & Serial No. _____
 - ☐ Digital Voice Recorders
 - ☐ Digital Cameras
- ☐ Facilities- Facilities Management Division: Name & Serial No. _____
 - ☐ Alterations to any Department facility including rented, leased or loaned spaces.
 - ☐ Painting facilities
 - ☐ Replacing or removing flooring
 - ☐ Installation of lockers, storage containers, sheds, etc.
 - ☐ Placement of trailers/temporary or semi-permanent working spaces at Department facilities or rented, leased or loaned spaces.
 - ☐ Any item mounted or affixed to a Department owned or operated facility
- ☐ Other Required Department Notifications

IDENTIFY THE SOURCE THE OF DONATION:

- ☐ Private Foundation, Area Booster, Corporation/ Business, Private Citizen, Other

IDENTIFY THE DONOR AND THE REASON FOR THE DONATION:

- ☐ Was the Donation Solicited on behalf of the Department, its employees or their families? (Yes / No).
 - ☐ If yes, Name & Serial No.: _____
- ☐ Did the Donor Seek out the Department (Yes /No)
- ☐ Has the Donor been thoroughly identified? (Yes / No)

DESCRIBE THE RELATIONSHIP THE DONOR HAS WITH THE DEPARTMENT AND/OR THE FINANCIAL INTERESTS WITH THE CITY TO INCLUDE, BUT NOT LIMITED TO, THE FOLLOWING:

- ☐ Has entered into, performs under, or seeks a contract with the Department (Yes / No)
- ☐ Has attempted to influence the Department in the past year that would have a direct financial effect on the person or entity. (Yes / No)
- ☐ Has a license (e.g. Alcohol Beverage Control, Conditional Use Permit, or Police Commission Permit, or other entitlement for use that the Department has influence over. (Yes / No)
- ☐ Owns or operates a business within your Area/Division (or is subject to investigation/inspection by your unit). (Yes / No)
- ☐ Any other potential factors that may give the appearance that there may be a conflict of interest in accepting the donation.

ENSURE THE FOLLOWING DOCUMENTS ARE ATTACHED OR IS INCLUDED IN YOUR 15.2 TO ASB:

- ☐ Correspondence or memoranda regarding the donation from the donor and/or the Department.
- ☐ Documentation the donor was advised there will be no expressed or implied commitment or promise made by the Department in exchange for the donation and the donor will not receive any tax advantage, preferential treatment (including the use of any LAPD patent), endorsement or recommendation in exchange for the donation.

C. Selected Donation Tables

Approved Donations by Area and Type 2019 Requests

	Requesting Entity	Equipment and Maintenance	Events	Other	Grand Total
Central Bureau	Newton Area	\$43,284	\$4,000	\$273,305	\$320,589
	Central Area	\$11,162	\$23,531	\$35,320	\$70,012
	Hollenbeck Area		\$32,611	\$3,690	\$36,301
	Northeast Area			\$24,597	\$24,597
	Operations Central Bureau		\$1,500	\$3,347	\$4,847
	Rampart Area			\$1,000	\$1,000
South Bureau	77th Street Area	\$14,500	\$8,000	\$250,000	\$272,500
	Southeast Area		\$39,294		\$39,294
	Task Force on Violent Crime	\$27,162			\$27,162
	Harbor Area		\$19,580	\$4,050	\$23,630
	OSB Homicide	\$12,036		\$3,850	\$15,886
	Operations South Bureau		\$9,250		\$9,250
	Southwest Area		\$2,000	\$6,338	\$8,338
Valley Bureau	Devonshire Area	\$16,584	\$46,595	\$13,702	\$76,880
	Van Nuys Area	\$13,218	\$22,150	\$3,500	\$38,868
	Topanga Area		\$25,221	\$7,850	\$33,071
	Valley Traffic Division	\$2,141	\$13,900	\$10,115	\$26,156
	Mission Area	\$4,955	\$19,906		\$24,861
	West Valley Area	\$12,000	\$7,650	\$390	\$20,040
	North Hollywood Area	\$7,869	\$10,992		\$18,861
	Foothill Area		\$17,098	\$420	\$17,518
	Operations Valley Bureau		\$13,889	\$300	\$14,189
	Wilshire Area		\$14,000		\$14,000
	Hollywood Area	\$14,969	\$56,802	\$23,800	\$95,571
West Bureau	Wilshire Area	\$49,476	\$27,664	\$360	\$77,500
	West Los Angeles Area	\$22,627	\$17,600	\$15,421	\$55,648
	Olympic Area	\$10,735	\$12,000	\$1,000	\$23,735
	West Valley Area	\$300	\$6,000		\$6,300
	West Traffic Division		\$2,111		\$2,111
	Pacific Area	\$20	\$100	\$1,850	\$1,970

Individual Donations over \$20K

Donor	ASB #	Type	Requesting Entity	
77th Street Charitable Foundation	320-19	Furnishings	Newton Area	\$40,000
Ahmanson Foundation	222-19	Building Maintenance	Metropolitan Division	\$170,000
Church of Scientology	332-19	Cadet Program	Hollywood Area	\$20,000
Health and Human Services Agency	110-19	First Aid	Homeless Coordinator	\$750,600
Los Angeles Police Foundation	237-19	Info Tech	Information Technology Group	\$5,000,000
	238-19	Info Tech	Information Technology Group	\$350,000
	141-19	Other	Personnel Group	\$250,000
	041-19	CSP	Newton Area	\$250,000
	040-19	CSP	77th Street Area	\$250,000
	151-19	Staffing/Consultants	Personnel Group	\$100,000
	229-19	Cadet Program	Community Engagement Group	\$70,000
	314-19	Training	Risk Management Division	\$60,000
	026-19	Info Tech	OCPD	\$51,900
	368-19	Employee Events	Office of Chief of Police	\$40,000
	257-19	Training	Training Division	\$40,000
	087-19	Volunteer Events	Training Division	\$35,280
	006-19	Tactical/Investigative	Metropolitan Division	\$32,430
	169-19	Training	Risk Management Division	\$30,000
	246-19	Employee Events	Hollywood Area	\$25,000
	035-19	Staffing/Consultants	Central Area	\$25,000
	361-19	Employee Events	Chief of Staff	\$20,000
Los Angeles Police Relief Association	232-19	Training	Administrative Services Bureau	\$70,250
Ram Construction Services	285-19	Furnishings	Wilshire Area	\$39,420
Regents of University of California	074-19	Other	Office of Chief of Police	\$110,247
Sig Sauer, Incorporated	029-19	Weapons-Related	Metropolitan Division	\$276,952

D. Los Angeles City Charter, Chapter 75

CHAPTER 75

RECEIPT OF GIFTS BY THE POLICE DEPARTMENT AND ESTABLISHMENT OF POLICE DEPARTMENT TRUST FUND

Section

5.467 Creation and Administration of Police Department Trust Fund.

5.468 Receipt of Gifts and Bequests of Personal Property by the Police Department.

5.469 Adjustment of Monetary Limitations.

Sec. 5.467. Creation and Administration of Police Department Trust Fund.

(a) There is hereby created and established within the Treasury of the City of Los Angeles a special fund to be known as the **"Police Department Trust Fund"**, hereinafter referred to as the **"Fund"**.

(b) Said Fund shall be used to augment established programs and activities of the Police Department, and may be used for the purchase of equipment, services or furnishings in support of such programs and activities, subject to any special terms or conditions attached to individual gifts, contributions, or bequests to the City.

(c) All monetary gifts, contributions, or bequests accepted by the City Council or by the Board of Police Commissioners for Police Department purposes set forth in this chapter, shall be placed in the Fund.

The Board of Police Commissioners shall inform the Controller of any special terms or conditions placed upon the use of money deposited in the Fund and under which the money was accepted either by the Board of Police Commissioners or the City Council. The Controller shall establish a special account within the Fund for each accepted monetary gift, contribution or bequest which is so limited. No money shall be expended therefrom except in satisfaction of and in compliance with those special terms or conditions under which that money was accepted. Any request by the Board of Police Commissioners for an expenditure of money from any such special account shall be accompanied by information to the Controller that the expenditure of said money does not breach or violate the special terms or conditions under which the money was accepted and placed into the special account involved.

All other monetary gifts, contributions, or bequests which were accepted without special terms or conditions upon their use shall be placed in a separate account established in the Fund by the Controller for such purpose.

(d) Monetary gifts, contributions, or bequests to the Police Department, or to a division or operation thereof, or to the Police Commission, or for the purchase of equipment, services, or furnishings in support of the programs and activities of the Police Department, which exceed in value the sum of \$10,000 shall be submitted to the City Council for acceptance or rejection. Offers which are monetary only, or which are a part of an offer of money and property, the aggregate total value of which offer is \$10,000 or less, may be accepted or rejected for the City by the Board of Police Commissioners.

(e) The Fund shall be administered and expenditures therefrom may be authorized, by the Board of Police Commissioners, in accordance with established City practice, provided, however, that no expenditures shall be made from such Fund for purposes which are contrary to the budget policy of the Police Department as established by the Mayor and Council.

(f) The Board of Police Commissioners shall maintain records regarding and identifying all receipts into, and all expenditures out of, the Fund, as well as the purposes for which the expenditures were made. Reports containing such information shall be made available upon request by the Mayor or Council.

(g) All interest and other earnings attributable to monies in the Fund or to any account within the Fund shall be credited to the Fund or to the account to which it is attributable and shall be devoted to the purposes of the Fund.

SECTION HISTORY

Chapter and Section Added by Ord. No. 170,077, Eff. 11-20-94.

Amended by: Subsec. (g) added, Ord. No. 176,188, Eff. 10-9-04.

Sec. 5.468. Receipt of Gifts and Bequests of Personal Property by the Police Department.

(a) Each offer of a gift or bequest of personal property utilized by the Police Department, the market value of which exceeds \$10,000, shall be submitted to the City Council for acceptance or rejection. Each offer of gifts or bequests of personal property not exceeding \$10,000 in market value shall be submitted to the Board of Police Commissioners for acceptance or rejection.

(b) Title to any personal property accepted by either the City Council or the Board of Police Commissioners shall be vested in the City of Los Angeles.

(c) The Board of Police Commissioners shall cause all gifts and bequests of personal property received in kind, and all items of personal property obtained by purchase through use of money from the Fund, to be properly registered and reported to the Controller as required in the City's Equipment Inventory System.

SECTION HISTORY

Added by Ord. No. 170,077, Eff. 11-20-94.

Sec. 5.469. Adjustment of Monetary Limitations.

The \$10,000 monetary limitations set forth in Sections 5.467 and 5.468 shall be in effect upon the effective date of the provisions of this chapter, but shall be subject, in subsequent fiscal years, to an annual adjustment at the beginning of each fiscal year based upon the Consumer Price Index for all urban consumers for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics. The Director of the Office of Administrative and Research Services shall maintain such information and assist in the calculation of the annual adjustment.

SECTION HISTORY

Added by Ord. No. 170,077, Eff. 11-20-94.
Amended by: Ord. No. 173,305, Eff. 6-30-00, Oper. 7-1-00.