

11-1430

MOTION

8 PUBLIC SAFETY
BUDGET & FINANCE
AUG 16 2011

Prior to 2008, all sworn employees of the Los Angeles Police Department (LAPD) were provided with unpaid time during each work shift to consume a meal or engage in other personal business. For patrol officers, this personal or meal time, known as "Code 7", consisted of 45 minutes per shift. The policy required officers to take Code 7 during each shift, and to receive overtime compensation for any Code 7 periods that were missed. Several lawsuits by police officers were filed against the City, however, claiming they were not compensated for missed Code 7. One of these cases was settled for approximately \$7 million.

In order to enhance productivity and avoid the administrative burdens and potential liability associated with Code 7, the LAPD requested implementation of a pilot program wherein patrol officers would not be required to take an unpaid Code 7. Under the pilot, there would be no scheduled meal periods, and officers had to be available to respond to calls for service at all times during their shift. Since its implementation in 2008, the pilot program has expanded to include all sworn employees of the LAPD.

The premise behind "No Code 7" is that rather than being out of service for 45 minutes while consuming a meal at a restaurant, patrol officers will consume their meals on duty while always being available to answer calls for service. This policy would seem to preclude the observance of black-and-white patrol vehicles parked at restaurants for extended periods. However, such observations have recently been reported which is contrary to the intent of the "No Code 7" policy. If patrol officers have been authorized meal breaks and are unavailable to respond to calls for service, they are receiving a gift of public funds given the "No Code 7" policy.

I THEREFORE MOVE that Council instruct the City Administrative Officer to evaluate the LAPD's compliance with the "No Code 7" policy, including: the availability of patrol units to respond to calls for service during the entire shift, including during meal periods; the protocols for enabling patrol officers to consume meals during their shifts and the typical length of time allowed; the circumstances that may give rise to multiple patrol vehicles within an Area given the opportunity to consume meals at the same time and at the same location, resulting in less than optimum patrol activities; and the monitoring conducted by Field Supervisors to ensure that patrol officers are available to respond to calls for service the entire shift, and that maximum productivity of patrol units is facilitated.

PRESENTED BY: 
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Councilmember, 8th District

SECONDED BY: 

ORIGINAL

jwg

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