



Training Bulletin

Los Angeles Port Police

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PURPOSE:

The purpose of this Training Bulletin is to assist officers who are assigned or respond to calls at the Los Angeles World Cruise Terminal. The bulletin is a guide to help facilitate an efficient response and reporting procedures for crimes that occur on cruise ships.

POLICY:

Refer to Port Police Policy Manual § 352 to address Investigations and Outside Agency Assistance and Port Police Policy Manual Chapter 4 Patrol Operations for further information.

BACKGROUND:

The Cruise Vessel Security and Safety Act, codified at 46 U.S.C § 3507 requires that vessels calling upon U.S ports report the following criminal offenses to the Federal Bureau of Investigation (FBI): homicide, suspicious death, missing U.S national, kidnapping, assault with serious bodily injury, sex offenses, vessel tampering, and thefts more than \$10,000. In practice, cruise lines often report more broadly, notifying the FBI and local law enforcement authorities of these crimes and other lesser crimes even when reporting by the vessel is not mandatory. Sometimes the vessel will not report; however, a victim will file the report directly.

To provide law enforcement with information on the offense and to determine where it occurred, federal statute (18 U.S.C § 3238) requires the ship to maintain a logbook of certain crimes aboard and to make it available to any law enforcement officer conducting an investigation. Information includes, but is not limited to:

- 1) The location of the vessel at the time of the offense.
- 2) Suspect and the victim information.
- 3) The flag state of the vessel.
- 4) The crime that occurred.
- 5) Last point of embarkation and debarkation.

The FBI has primary jurisdiction of federal crimes and will generally investigate those listed above. The FBI cannot always respond immediately to all calls on vessels and relies on local law enforcement to conduct the preliminary investigations. To facilitate FBI response, Port Police Officers are responsible for gathering initial information for crimes that occur on the high seas. Should the FBI opt not to respond or prosecute, there are situations where Port Police would assume investigative responsibility.

California has concurrent jurisdiction on some crimes on vessels outside of California's borders. California Penal Code § 27(1) allows the prosecution of anyone who commits any part of a crime in California, even if completed outside of California. California Penal Code § 778(a) allows the

prosecution of anyone who does any act within the state with criminal intent and who completes the commission of the crime either in or outside of California.

A recent example where this applied was where a suspect booked a cruise in California intending to murder his spouse while at sea off the coast of Italy. The Orange County Sheriff filed this crime and the suspect was convicted in Orange County Superior Court. Case law supports prosecution of some persons who commit crimes where the perpetrator or victim are California citizens or have significant ties to California.

Because decisions on investigating and filing these crimes are complex, gathering detailed factual information is critical and consultation with a Criminal Investigations Section supervisor will be required.

RESPONDING PROCEDURES:

Below describes the usual steps for Port Police officers assigned to the cruise terminal:

- 1) Communications dispatches a Port Police officer for a crime that occurred (e.g., domestic violence, sexual assault, battery) on the cruise ship.
- 2) Port Police officer responds and meets with all parties involved. This includes identifying independent witnesses and assessing if any surveillance video is available.
- 3) Detail the facts and explanation of the investigation to the Port Police field supervisor.
- 4) Once a crime has been determined, the field supervisor will call the on-call Criminal Investigations Section supervisor.
- 5) The Criminal Investigations Section supervisor will intake the information and will coordinate with the FBI for response.
- 6) The Criminal Investigations Section supervisor may direct that a complete investigation be completed by the responding officers.

REPORTING PROCEDURES:

Once the Criminal Investigations Section supervisor has determined appropriate action, he will advise the field supervisor of the next steps. These steps may include:

- 1) Investigative Reports / Courtesy Investigative Reports.
- 2) Miscellaneous Incident Reports.
- 3) Assistance in obtaining restraining orders.
- 4) Assistance with completing state mandated reports.
- 5) Assistance with gathering evidence related to violent crimes.

The Port Police have a long-standing reputation for delivering world class police services to our community and stakeholders. It is understood that not all notifications will initiate an FBI response. There may be times where an extraterritorial maritime crime occurs, and the FBI does not respond. These instances will be handled with careful coordination between the FBI, Criminal Investigations Section supervisor, and on-duty Watch Commander.