LOS ANGELES POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE
DECISION OF THE BOARD OF RIGHTS AND EXECUTION OF THE ORDER

IN THE MATTER OF)
)
LUKE WALDEN, #34898)
)

CASE FILE NO. 21-001144
BOX FILE NO. 31674
DATED APRIL 12, 2023

RECEIVED
FEB 22 2024
POLICE COMMISSION

TO THE CHIEF OF POLICE:

DECISION OF THE BOARD

The above-entitled matter came on regularly for hearing before this Board of Rights (Board) on the verifed complaint of COP M. MOORE filed with the Board of Police Commissioners on APRIL 4, 2023, all preliminary and jurisdictional requirements having been substantially complied with: The accused having been provided all rights set forth in the Los Angeles City Charter Section 1070, the Board having heard all evidence properly and legally offered and the accused given a reasonable opportunity to defend against the charges preferred.

After a full and impartial hearing on its merits, the Board deliberated and carefully considered all the evidence adduced before it at such hearing and upon such evidence and not otherwise base and hereby certifies its decision as follows:

The Board finds that accused is GUILTY OF COUNT 1.

The Board therefore prescribes its penalty as follows: THAT DETECTIVE LUKE WALDEN BE SUSPENDED FROM HIS POSITION AS DETECTIVE FOR A PERIOD OF 30 SUSPENSION DAYS.

We hereby certify to the above:

MS. K. AMIN — Chairperson
MR. D. ORTEGA — Member
MS. P. STRONG-FARGAS — Member

Dated FEBRUARY 15, 2024

EXECUTION OF THE ORDER

To LUKE WALDEN, member of the Los Angeles Police Department:

Under the power conferred upon me by Section 1070, Article X, Charter of the City of Los Angeles, and pursuant to the above order of the Board of Rights, I hereby:

☐ Remove you from your position as _____ in the Los Angeles Police Department effective _____, 20____.

☑ Suspend you from your position as DETECTIVE in the Los Angeles Police Department, for a period of 30 working days with total loss of pay, effective _____, 20____.

☐ Demote you from your position as _____, Code No. _____, to the position of _____, Code No. _____, effective _____, 20____.

☐ Reprimand you.

☒ Restore you to your position as DETECTIVE in the Los Angeles Police Department.

Dated 2-24-24

Chief of Police

The time limit for seeking review of this administrative determination and preparation of record is governed by Section 1094.6 of the California Code of Civil Procedure. See page two for that Section.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the above statement upon LUKE WALDEN, #34898 at 1500 hours FEBRUARY 22, 20 24.

☐ By handing him/her thereof personally at _____ (address)

☒ By forwarding a copy thereof by first-class mail postage prepaid, addressed to him/her at last known address at _____ (address)

[illegible] #1517
Member of the Los Angeles Police Department

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1094.6. [Time limit for seeking review of administrative determinations: Preparation of record: Application to local agency]

(a) Judicial review of any decision of a local agency, other than school district, as the term local agency is defined in Section 54951 of the Government Code, or of any commission, board, officer or agent thereof, may be had pursuant to Section 1094.5 of this code only if the petition for writ of mandate pursuant to such section is filed within the time limits specified in this section.

(b) Any such petition shall be filed not later than the 90th day following the date on which the decision becomes final. If there is no provision for reconsideration of the decision, or for a written decision or written findings supporting the decision, in any applicable provision of any statute, charter, or rule, for the purposes of this section, the decision is final on the date it is announced. If the decision is not announced at the close of the hearing, the date, time, and place of the announcement of the decision shall be announced at the hearing. If there is a provision for reconsideration, the decision is final for purposes of this section upon the expiration of the period during which such reconsideration can be sought; provided, that if reconsideration is sought pursuant to any such provision the decision is final for the purposes of this section on the date that reconsideration is rejected. If there is a provision for a written decision or written findings, the decision is final for purposes of this section upon the date it is mailed by first-class mail, postage prepaid, including a copy of the affidavit or certificate of mailing, to the party seeking the writ. Subdivision (a) of Section 1013 does not apply to extend the time, following deposit in the mail of the decision or findings, within which a petition shall be filed.

(c) The complete record of the proceedings shall be prepared by the local agency or its commission, board, officer, or agent which made the decision and shall be delivered to the petitioner within 90 days after he has filed a written request therefor. The local agency may recover from the petitioner its actual costs for transcribing or otherwise preparing the record. Such record shall include the transcript of the proceedings, all pleadings, all notices and orders, any proposed decision by a hearing officer, the final decision, all admitted exhibits, all rejected exhibits in the possession of the local agency or its commission, board, officer, or agent, all written evidence, and any other papers in the case.

(d) If the petitioner files a request for the record as specified in subdivision (c) within 10 days after the date the decision becomes final as provided in subdivision (b), the time within which a petition pursuant to Section 1094.5 may be filed shall be extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the petitioner or his attorney of record, if he has one.

(e) As used in this section, decision means a decision subject to review pursuant to Section 1094.5, suspending, demoting, or dismissing an officer or employee, revoking, or denying an application for a permit, license, or other entitlement, imposing a civil or administrative penalty, fine, charge, or cost, or denying an application for any retirement benefit or allowance.

(f) In making a final decision as defined in subdivision (e), the local agency shall provide notice to the party that the time within which judicial review must be sought is governed by this section.

As used in this subdivision, "party" means an officer or employee who has been suspended, demoted or dismissed; a person whose permit, license, or other entitlement has been revoked or suspended, or whose application for a permit, license, or other entitlement has been denied; or a person whose application for a retirement benefit or allowance has been denied.

(g) This section shall prevail over any conflicting provision in any otherwise applicable law relating to the subject matter, unless the conflicting provision is a state or federal law which provides a shorter statute of limitations, in which case the shorter statute of limitations shall apply.

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